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## Senate

The Senate was not in session today. Its next meeting will be held on Monday, August 1, 2022, at 3 p.m.

## House of Representatives

FRIDAY, JULY 29, 2022

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ROYBAL-ALLARD).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 29, 2022.

I hereby appoint the Honorable LUCILLE ROYBAL-ALLARD to act as Speaker pro tempore on this day.

NANCY PELOSI,  
Speaker of the House of Representatives.

### PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Lord, it is good and fitting to eat, drink, and find enjoyment alongside the work with which we labor, and recreation in the days You have given us.

So it is on this day that we come to You in gratitude for the pleasure received not only in the privilege to serve You here in this place, but for the enjoyment of a good ball game, the civil rivalry of peers, and the abundant fellowship and support of friends and fans.

Now, having fought the good fight, may we finish the week, prolonging the collegial spirit found on the field, and upholding the shared commitment that brings us together for the common good.

Grant comfort to the defeated, humility to the victors, respite to the weary, and wisdom to us all.

Renewed by Your spirit we offer these prayers in Your everlasting name.

Amen.

### THE JOURNAL

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

Pursuant to clause 1 of Rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

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

Ms. TLAIB 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. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### DEMOCRATS ARE LOWERING COSTS FOR AMERICAN FAMILIES

(Ms. GARCIA of Texas asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. GARCIA of Texas. Madam Speaker, I rise to celebrate House Democrats' efforts to lower costs for working families. Democrats fight for families over politics.

As we know, Putin's cruel war on Ukraine has caused the price of goods to increase. Instead of playing politics and pointing fingers as extreme MAGA Republicans have done, House Democrats have delivered results for the American people.

Democrats simply passed the Lower Food and Fuel Costs Act, the Consumer Fuel Price Gouging Prevention Act, and the Affordable Insulin Now Act to lower the costs of goods, gas, and insulin for all Americans.

On top of that, yesterday, the House passed the CHIPS and Science Act, a strong bill that will invest in lowering costs for hardworking American families and end our country's dependence on foreign producers.

You see, Madam Speaker, Democrats are here to deliver for the American people. We are putting people over politics.

### THE ECONOMY IS SHRINKING

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Madam Speaker, the economy shrank for the second quarter in a row. Americans are now facing a recession that was totally avoidable but brought on by President Biden and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H7409

Washington Democrats' Big Government spending and war on American energy.

Proving just how out of touch President Biden is, he shrugged off talk of a recession and said Americans are just facing an economic transition.

This administration has spent more time trying to convince Americans we are not in a recession than actually working on the problem.

Americans are hurting right now, and as the price of gas and groceries continues to rise, Washington Democrats are preparing legislation in Congress that will raise taxes on farmers, businesses, and working families.

The Democrat elite don't live in the real world, and they continue to put the priorities of their radical agenda over working American families—the same people they profess to help.

Our economy is shrinking, and Big Government spending is growing.

Americans cannot afford Washington Democrats' far-left agenda.

#### LEGISLATIVE HIGHLIGHTS

(Ms. DEAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEAN. Madam Speaker, as the summer session comes to a close, and I return home to meet with folks from Cheltenham to Collegeville, Pottstown to Boyertown, and everywhere in between, I am reflecting on what work we have accomplished, work like my fire detectors bill that will prevent tragedies, like the horrific fire we saw in Philadelphia that claimed 12 lives, protecting people in public housing; or my SECURE Notarization Act that will make it easier and faster to notarize documents for families and military personnel abroad.

Democrats are putting people over politics. We passed major protections for abortion, contraception, gay marriage, bills to prevent price gouging and fight inflation, and the CHIPS and Science Act to revitalize American manufacturing.

Next is our reconciliation bill that will deliver the largest investment in American history to tackle climate change, healthcare, drug pricing, and so much more.

Recognizing the humanity of our work, we are putting people over power. We are putting people over politics.

#### NATIONAL INTERN DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize National Intern Day. Today is a day dedicated to recognizing and celebrating the future leaders of the world: interns.

National Intern Day has served as an opportunity for thousands of employers

to commemorate and thank their hard-working interns.

I will take this time to recognize and thank our three current interns who join me this summer: Adiya, Ben, and Sam. All three have been instrumental in helping serve both the people of Pennsylvania's 15th Congressional District and the House Agriculture Committee.

From conducting research to drafting speeches and statements, to guiding tours and responding to constituents, Adiya, Ben, and Sam were fantastic additions to my D.C. office.

Madam Speaker, our interns today are truly the leaders of tomorrow, and they deserve recognition for their outstanding work.

Thank you to our interns, again, for joining us this summer.

#### HONORING ZAHRA ABBAS

(Ms. TLAIB asked and was given permission to address the House for 1 minute.)

Ms. TLAIB. Madam Speaker, Michigan lost an incredible human being yesterday.

Zahra Abbas was brilliant, compassionate, and full of love for community.

Zahra lived with epilepsy, which she learned to control with the use of cannabis. This inspired her mission to educate and advocate for the access of healthcare and the use of alternative approaches.

Zahra founded and became the chair of the Cannabis Caucus of the Michigan Democratic Party. She was also a DNC delegate.

Zahra spoke passionately about issues that she believed in at rallies and community meetings and meetings with other political leaders across Michigan and the Nation. She gained so much incredible respect from our community.

My team and I are devastated and heartbroken. We extend our deepest condolences to the Abbas family. Allah Yerhama.

#### RECOGNIZING GENE ANGLIN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize the life of an incredible public servant, a veteran, and a great American: Gene Anglin.

Born in 1924 in Wadley, Georgia, Gene was a Georgia native, who served his community and was a defender of freedom.

At the onset of World War II, Gene felt the call to action but was denied entry to the U.S. Army due to color blindness.

Gene went to work for Bell Aircraft Corporation building B-29 Superfortress bombers.

In 1944, Gene successfully enlisted and joined the U.S. Army in the heavy

weapons company of the 100th Infantry Division.

Gene deployed to the European theater where his division experienced 185 days of uninterrupted combat as they journeyed through France and into Germany.

Gene was awarded the Bronze Star Medal Combat Infantryman Badge and Presidential Unit Citation for heroism in battle.

After the war, Gene attended the Georgia Institute of Technology and earned a bachelor's degree in mechanical engineering.

Gene spent 22 years at Robert and Company Association, among other firms. He then retired to St. Simons Island in the First Congressional District where he worked as a golf course starter at Sea Island Golf Club and was an active member of St. Simons Presbyterian Church and the Rotary Club of St. Simons.

Truly an example of America's Greatest Generation, Gene will be dearly missed.

#### CONGRATULATING RON WILES ON HIS RETIREMENT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Madam Speaker, today I rise to honor Grand Blanc Township chief of police Ron Wiles as he retires after 26 years of service on the police force.

In his quarter century serving Grand Blanc Township, Chief Wiles has been an incredible champion for community policing, bringing law enforcement and the community together keeping mid-Michigan residents safe from crime.

Chief Wiles is an important member of the Genesee County Advocates and Leaders for Police and Community Trust, or ALPACT, a forum where community leaders and law enforcement come together to develop public safety solutions for crime.

Chief Wiles is also well-recognized as a figure across Michigan law enforcement. Recently, he completed an outstanding term as president of the Michigan Association of Chiefs of Police.

Chief Wiles has also served on the Governor's Traffic Safety Advisory Commission; and in March, Chief Wiles was appointed by Governor Whitmer to serve on the Michigan Commission on Law Enforcement Standards where he will continue working to better the law enforcement profession and keep Michiganians safe.

I personally thank Chief Wiles for his service to our community, for our work together on behalf of mid-Michigan. Grand Blanc Township has been blessed by his presence, and I congratulate him on his retirement.

#### CONGRATULATING THE WARWICK WARRIORS

(Mr. SMUCKER asked and was given permission to address the House for 1 minute.)

Mr. SMUCKER. Madam Speaker, I rise today to congratulate the young men of Warwick School District's baseball team.

The Warwick Warriors baseball beat Liberty High to close out a successful 23-2 season by winning the district's first PIAA 6A State Championship.

The game, held last month, was impacted by a prolonged weather delay, but the warriors held firm to the early lead to capture the championship.

Throughout their dominating season, the Warriors also clinched the District Three title, as well.

Madam Speaker, it is no surprise that the community is very proud of these students for their achievement on the baseball diamond. It was great to see the local law enforcement and volunteer firefighters join with the community by participating in a parade to honor their achievement.

Congratulations to the members and coaches of the Warwick Warrior State championship baseball team. The whole community is wishing them continued success. May they carry the lessons they learned playing as part of a successful team toward their future goals.

□ 0915

#### BRING THE CHIPS INDUSTRY HOME

(Ms. MANNING asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MANNING. Madam Speaker, the CHIPS and Science Act is critical legislation to ramp up American production of semiconductor chips.

Our economy relies on these chips, which are key components in everything from cell phones to cars to advancing national security measures.

By increasing production here in America, we will onshore a critical capability, reduce dependence on foreign manufacturers, and lower costs for hardworking families.

The United States invented the semiconductor chip. We used to make 40 percent of the world's chips. Now, we make 12 percent, leaving key industries vulnerable to foreign interference. It is high time we counter the threat posed by countries like China and Russia and bring this industry home.

The CHIPS and Science Act does just that, and this investment helps North Carolina chip manufacturers, including Qorvo and IQE, major employers in my home district, to ramp up production and create good-paying jobs.

Madam Speaker, I proudly cast my vote to send the CHIPS Act to the President's desk. I am ready to see this legislation work for North Carolinians and for the country.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 1300, WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 117-447) on the resolution (H. Res. 1300), which was referred to the House Calendar and ordered to be printed.

#### WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1300 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 1300

*Resolved*, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of July 29, 2022.

SEC. 2. (a) Section 7 of House Resolution 1289 shall have no force or effect.

(b) Clause 7(a)(1) of rule XV shall not apply through the legislative day of Friday, September 16, 2022.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

##### GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, the Committee on Rules met and reported a rule, House Resolution 1300, waiving clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules against any resolution reported through the legislative day of July 29, 2022.

The rule also allows certain legislation to qualify for the Consensus Calendar before the end of Congress.

Madam Speaker, we are here on a same-day rule, which I hope will give us the opportunity to address a critical and urgent issue: gun violence in America.

We are here because gun violence is destroying communities, tearing apart families, and making our streets less safe. This majority is going to try to do every single thing we possibly can to stop it. I don't know whether we will succeed, but we are going to try.

Democrats actually passed the Safer Communities Act, the first piece of major gun safety legislation in decades, and we sent it to President Biden's desk. We are taking action. We are getting things done, and we are trying to save lives.

Contrast that with what Republicans did to address gun violence and crime the last time they were in charge, which is absolutely nothing. Their answer to gun violence is more guns, and if that is not enough, even more guns. For God's sake, America already has more guns than people. How many guns do we need until everybody is safe?

I get it. My Republican friends are going to complain about the process. They are going to complain about same-day authority, even though they used it themselves, but let's not go there because we want to have a productive debate here.

The reality is this: This is the last day before the district work period, and this is urgent work.

Now, let me tell you, as chairman of the House Committee on Rules, I want to do whatever I can to get us to vote on and pass an assault weapons ban because I am sick and tired of the mass shootings and the terror and the fear. I am sick and tired of shattered families having to grieve.

Enough is enough. I am going to do everything I can to get this bill passed, and I am not going to apologize for that. This rule preserves that option. If it means that we stay here a little bit longer today, so be it. We need to act with urgency.

Let me just say, for the record, the assault weapons bill that we may possibly consider today went through regular order. The Committee on the Judiciary had a hearing; it was marked up. If we decide to bring it to the floor today, which I hope we will, the Committee on Rules will meet, and we will debate this, and we will vote on this. But let me just say to everybody: We have an obligation to act with urgency. We have a responsibility to address this crisis.

Madam Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Madam Speaker, I thank my good friend and the distinguished chairman of the Committee on Rules for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I just want to, for the record, say there is nothing before us in the rule that has anything to do with any kind of assault weapons ban or policing. This is simply a rule that would waive the 24-hour requirement.

Look, to be candid, the Democrats have now opened the door for Republicans to use this in the future to push

forward our agenda, which is going to protect the rights and liberties of individual people.

I would like to take this time to point out the hypocrisy and the irony I see coming from across the aisle. Let me just talk about that.

Madam Speaker, 9 days is all it took before the Speaker reinstated her authoritarian COVID lockdown, proving once again that House Democrats are unable to govern unless they stack the deck. I would also remind my good friend that he consistently referred to these tactics as “martial law” during his time in the minority.

If I can just quote the chair on same-day authority during the 109th Congress: “My problem is with significant pieces of legislation, some legislation which may not have even been heard by committees of jurisdiction, which may not have been reported out of committees of jurisdiction, bills that will come before us that the House has never even considered, things that we will not have an opportunity to be able to read before we vote on them.”

That was in the 109th Congress. Where is the outrage now?

Madam Speaker, for over 790 days, the Speaker used COVID-19 as a weapon to deny the Republicans the ability to advocate on behalf of millions of Americans that they represent. Just last week, it looked like we were finally returning to regular order. Now, it is more of the same tricks and tactics.

The blanket same-day rule before us this morning allows House Democrats to ram through their radical agenda, an agenda that does nothing to address the serious problems the American people are facing.

What are those problems? Under the Biden administration, our Nation has careened from one crisis to the next. It has been absolute chaos.

Right now, families across the country are facing 40-year high inflation that is expected to cost the average American household an extra \$6,000 a year. Yesterday, we were told that we are officially in a recession when the GDP fell for a second quarter in a row. Although the Biden administration is attempting to deflect blame by referring to this latest economic disaster as a “transition period,” the American people know that we are in a recession and facing hard times to come because of the radical policies of the left.

It is only going to get worse with the recently announced build back broke deal, which will raise taxes on Americans. It will try to socialize American healthcare, and it will try to implement the radical Green New Deal policies that have led to this energy crisis in the first place.

Madam Speaker, this is no way to run the people’s House, but I want it noted that the door is now open. I find it absolutely hypocritical that there was outrage against us when Republicans used the same tactic but now it is okay when the Democrats want to do

it. I am looking forward to the day when power returns to the Republicans, and we will see if there is outrage at that point.

Madam Speaker, I urge my colleagues to vote “no” on the rule, and I reserve the balance of my time.

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

Madam Speaker, the gentleman used the words that we are opening the door. Opening the door to what? My friends used this all the time when they were in charge. We learned this from you. I just want to say that, for the record.

As I have said, I am not the biggest fan of same-day authority, but it exists for a reason.

In December 2018, when the Democrats were in the minority, I actually voted for a rule providing for same-day authority. I stood here and urged my Democrat colleagues to support the rule. More Republicans voted “no” on that rule than Democrats, believe it or not.

Madam Speaker, we are about to break for a, hopefully, productive district work period, and this rule provides us with a little extra time and flexibility to be able to consider measures that are critical to our public safety.

I hope that this rule paves the way for us to bring up an assault weapons ban. That is what I hope this rule does, and I think that is urgent. I want to do everything I possibly can to get that bill to the floor and get it passed.

The gentleman quoted me, and let me quote me, too. With regard to the same-day authority, I said on the House floor: “This House needs to move quickly and responsibly. Everyone understands that, so I will simply say that I will be voting for this rule. I urge my colleagues to do the same, so we can finish our business and prevent another government shutdown.”

That was when you were in charge. That was what I said in response to when you brought up a same-day rule.

So, nobody is opening the door. You opened that door a long time ago. But I am going to say, again, if this paves the way for us to be able to bring up an assault weapons ban, I am not apologizing at all. I want to get that legislation to the floor. I want to have that debate. I want to have a vote on it.

People are dying all over this country. They are sick of our inaction. It is time to act. Enough is enough.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am glad the gentleman also quoted himself. You can tell how I am handling this debate because I don’t want to be quoted in the future when the shoe is on the other foot. But I will point out the hypocrisy from my friends on the other side of the aisle that their outrage is obviously selective of who is waiving the rule and who is not.

Look, we can talk about procedure all day here. That is not going to fix the real problems that are facing the American people. According to the National Federation of Independent Business, inflation is the top problem reported by businesses. This is the highest inflation we have had since 1980, literally the highest inflation in my lifetime.

Instead of working to lower costs for businesses and workers, the SEC proposed burdensome new rules requiring businesses to disclose extensive climate-related data and additional “climate risks.”

Setting climate policy is the responsibility of Congress, not unelected career bureaucrats who are absolutely unaccountable to the American people.

That is why, if we defeat the previous question, I will personally offer an amendment to the rule to immediately consider H.R. 8589 that would prohibit the SEC’s woke climate rule from moving forward.

Madam Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD along with any extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RESCHENTHALER. Madam Speaker, here to explain my amendment is my good friend, a senior member of the House Committee on Financial Services and the sponsor of this bill, Congressman FRENCH HILL of Arkansas.

Madam Speaker, I yield 5 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Madam Speaker, I rise to oppose the previous question so that we can immediately consider H.R. 8589 to prohibit the Securities and Exchange Commission from finalizing, implementing, or enforcing its proposed climate rule.

Now, Madam Speaker, it is the Securities and Exchange Commission. It is not the securities and environment commission.

Last night, we had the pleasure of playing baseball. I am glad to see my colleagues up early this morning to be on the House floor. It was a great game. I was proud to see the right team won, but we are once again back on the floor talking between Republicans and Democrats, Republicans being the party for growth, opportunity, and liberty, and the House majority, the Democrats, doubling down, Madam Speaker, on dumb in the midst of inflation, runaway spending, failed energy policy, and open borders.

□ 0930

Today, as the winds of recession and stagflation blow, House Democrats are here to talk about higher taxes and higher crippling regulations on job creators. There is no evidence that there

is any lack of knowledge in public companies that they have an obligation under the existing securities laws to disclose material impact from anything to do with climate change, and there is zero evidence that they are unaware of climate change and are not talking about it on a regular basis with their shareholders, their boards, and their employees.

Now, the Securities and Exchange Commission has three mandates: investor protection, maintaining orderly markets, and capital formation. But rather than focus on those three missions, Gary Gensler, the chairman of the SEC, is typical of this administration: a Big Government, nanny state supervisor who is going beyond his statutory authority and delving in and trying to become, as I argue, a climate czar.

His proposal has been met with significant substantive rejection. Ninety-one advocacy groups just last week, including the Farm Bureau, community bankers in every State of the country, and the Job Creators Network wrote the Small Business Committee chairman and ranking member their opposition to this proposal, and that it should be withdrawn.

Alfredo Ortiz, the president of Job Creators Network, said:

The SEC's proposed rule would be an unnecessary and costly burden on America's small businesses, at a time when we are dealing with "Bideninflation", higher interest rates, and a supply chain crisis.

Now, Madam Speaker, Gary Gensler, the chairman, argues that this proposal is the right thing to do. We argue it is not, that it shouldn't be implemented, and we shouldn't spend any money there to do it.

Let me tell you what Nasdaq, the National Association of Securities Dealers—the market system for the growth of our country—wrote Gary Gensler. Now, these people are not anti-climate. They are not climate deniers. They run the Nasdaq marketplace.

They wrote:

The proposal creates additional disclosure obligations outside of existing frameworks. The proposed timeline for reporting is unreasonable. Prescriptive disclosures are too costly.

The Commission itself says this will triple the cost to be a public company. Huh? Triple the cost to be a public company?

We don't have enough public companies as there are.

The materiality standards deviate from the law. The prescriptive disclosures do not facilitate meaningful comparisons. The prescriptive disclosures create disincentives for companies. And they say that scope 3 greenhouse gas emissions disclosure requirements could harm small private suppliers. Finally, they say that the proposal's timing and scope could harm the initial public offering market.

This is an economy that has half the public companies we had in 1980, and this administration and their SEC want to make that even worse and more costly.

Let me remind you, the Commission itself tripled the cost to be a public company.

Madam Speaker, we have people who are private companies now because they cannot afford to be public. And if we don't have public companies, then we don't have investments in labor union pension plans, we don't have opportunities for investment in our 401(k) plans, we hurt this economy, and we hurt job creators if this proposal is implemented.

So it is very easy for me to stand here and argue against it.

Finally, I would say that this is part of a longstanding practice of this administration to use every tool they have in the regulatory space to do something that is the prerogative, as my good friend from Pennsylvania said, of Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCHENTHALER. Madam Speaker, I yield an additional 2 minutes to the gentleman from Arkansas.

Mr. HILL. Madam Speaker, I want to reiterate this point. This is the responsibility of Congress if we are going to set environment and energy regulatory policy. It is not the purpose of our independent regulatory commissions.

Aren't we clear now that the Supreme Court agrees with that position?

Just in the last few days they ruled in a case called West Virginia v. EPA which basically says: hey, independent regulatory agencies, stay in your lane. Stay in your lane. Listen to what Congress has written in the statute. And Congress has not written this in a statute, which is why the SEC is way out of line with this proposal, while the Nasdaq market system rejects it, while small businesses reject it, while public company CEOs reject it, and why the Farm Bureau rejects it.

As I say, this administration came to power with an idea that this was their number one issue, and you can tell it because the people who worked on the task force to propose this rule are the Chief of Staff at the Treasury Department, the head of the National Economic Council, and the White House staff. All came to Congress with an idea to propose this rule.

So I urge my colleagues to support Republicans' efforts to not see this rule implemented and to not fund it. I thank my friend from Pennsylvania for yielding to me.

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

Madam Speaker, let me just say that I think as everybody knows, Democrats are focused on inflation. Tackling inflation is certainly our top priority.

Let's take a look at the facts.

We passed the Lower Food and Fuel Costs Act to bring down costs to families, and almost every Republican voted no.

We passed the Consumer Fuel Price Gouging Prevention Act, but not a single Republican voted with us.

What is the Republican solution on inflation?

Who the hell knows?

They haven't offered any policy ideas. They seem content cheering for President Biden to fail and for inflation to go up. In fact, Leader MCCONNELL is holding hostage a bill to lower costs for families and to deal with the issue of prescription drugs.

The only plan I have seen from the GOP is from Senator RICK SCOTT, Republican, which would raise taxes on the middle class—raise taxes on the middle class—and put Social Security and Medicare on the chopping block.

That is the same old same old from my friends on the other side.

Madam Speaker, I include in the RECORD an MSNBC opinion article titled: "The GOP keeps slamming Biden over inflation, but it has no solutions to offer."

[From MSNBC, June 21, 2022]

THE GOP KEEPS SLAMMING BIDEN OVER INFLATION, BUT IT HAS NO SOLUTIONS TO OFFER

(By Dean Obeidallah)

Republicans want you to believe that inflation in the United States is not part of a global problem but is 100 percent, President Joe Biden's fault.

Just check out their recent over-the-top rhetoric. House Minority Leader Kevin McCarthy, R-Calif., has blamed Biden for "creating raging inflation." In a tweet, Sen. Ted Cruz, R-Texas, called inflation "#Bidenflation," saying it was caused by Biden's policies. Senate Minority Leader Mitch McConnell, R-Ky., even made a speech on the Senate floor last week focused on inflation, in which he detailed the rising prices of goods, gas, etc., all leading to the crescendo that it was Biden and the Democrats' fault.

What the GOP has left out of all its speeches, television appearances and tweets slamming Biden is even a hint of a proposal to reduce prices.

But what the GOP has left out of all its speeches, television appearances and tweets slamming Biden is even a hint of a proposal to reduce prices. Even worse than the GOP not having a plan of its own, though, is Republicans' determination to block Biden's efforts to help Americans. They've opposed his agenda to lower child care costs, create affordable housing and more. Biden made that very point in his June 14 speech about his plans to address inflation, in which he declared that "Republicans in Congress are doing everything they can to stop my plans to bring down costs on ordinary families."

There's no disputing that prices in our nation rose 8.6 percent in May since last year at that time, the highest rate since 1981. Food prices have risen over 10 percent since May 2021, and gas prices have skyrocketed. Just about everything we use on a daily basis costs more.

Biden candidly acknowledged this reality in last week's speech, noting that inflation is "sapping the strength of a lot of families." He said he understands firsthand what this is like, noting that when he was a child growing up in a blue-collar family, "it mattered if the price of food went up."

A convergence of issues has caused this spike in inflation. The well-documented supply chain issues that followed Covid shutdowns drove up prices. Some of it was fueled by us, consumers who unleashed our pent-up demand to travel and buy goods after things reopened. More demand equals higher prices.

Russia's attack on Ukraine added to higher gas prices, which contribute to higher prices for goods, since it costs more to transport them.

This is in no way a Biden-caused problem—unless Republicans are telling us he caused inflation worldwide, which they very well might say before November. A Pew Research Center report released just last week documented that in 37 of the 44 nations with “advanced economies,” the “average annual inflation rate in the first quarter of this year was at least twice what it was in the first quarter of 2020.” In fact, the United States during the first quarter of this year was 13 of 44 in terms of inflation, far eclipsed by countries such as Italy, Israel, Spain, Greece and Turkey.

This leads us to the hard reality that there's no easy solution for inflation; if there were, Biden would've flipped that switch months ago. And cynical Republicans know that.

At least Biden does have a plan, which, like the causes of inflation, is multifaceted.

With respect to gas prices, in addition to releasing oil from the Strategic Petroleum Reserve to increase supplies, the president last week sent a letter to U.S. oil companies demanding that they increase the production of oil and to stop unfairly profiting on Americans' need for gas. He even threatened to “use all reasonable and appropriate Federal Government tools and emergency authorities to increase refinery capacity and output in the near term.” In his speech last week, Biden noted that on food costs, he was “working closely with our European partners to get 20 million tons of grains locked in Ukraine out onto the market to help bring down food prices.” The president also explained his efforts to reduce other household costs to offset the higher gas and food prices, such as capping the cost of insulin at \$35—a bill for which passed the House in March but still has not passed the Senate due to lack of Republican support.

So where is the GOP plan to address inflation? Republicans have had plenty of time to come up with one, given that they have been screaming since last summer that Biden caused inflation.

Here's the best I can find: In May, Sen. Rick Scott, R-Fla., the chair of the National Republican Senatorial Committee, laid out his plan. “The most effective thing Joe Biden can do to solve the inflation crisis he created is resign,” Scott said. Then there's McCarthy, who earlier this month offered the following proposal as his “solution” to rising costs: “I call on Speaker Pelosi and House Democrats to hold a prime-time hearing on the out-of-control inflation their policies have created.”

Rep. Elise Stefanik, R-N.Y., the third-ranking member of the House GOP, isn't even pretending her party has a plan. She recently said of inflation, “House Republicans will address these crises when we earn back control of the House this November.” Sure, America, let's trust the party of tax cuts for the wealthy to look out for the rest of us.

We all get how politics works. The party out of power blames the party in power for everything that's bad. But in this case, inflation is directly impacting the lives of all Americans. It's time Democrats and the media press every Republican who blames Biden for inflation to answer this simple question: What is the GOP plan to reduce it? Americans deserve an answer.

Mr. MCGOVERN. Madam Speaker, since my friends want to change the subject, let's change the subject.

Republicans right now, as we are meeting here, over in the Senate are trying to kill the PACT Act, a bill to

guarantee healthcare to veterans with service-related cancers. This is a bill that passed the Senate originally 84-14, and it passed the House with a majority vote of 342. Many of my Republican colleagues supported that. I appreciate that. But now Republicans are trying to kill it and play politics with it over in the Senate. They are putting politics ahead of people when, in fact, we should be putting people ahead of politics.

So while we are here having this conversation, I would urge my Republican friends to pick up the phone and call your counterparts in the Senate and say: Get out of the way and do what is right for our veterans.

My office is getting calls from veterans who were exposed to burn pits when they were overseas. I am sure my Republican friends are getting calls in their offices. You don't have to agree on everything, but I thought we all agreed on this.

Can we please tell MITCH MCCONNELL and tell the Republicans to get out of the way and allow this bill to go forward?

That might be a good use of time right now while we are having this conversation.

Madam Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), who is a member of the Financial Services Committee.

Mr. HUIZENGA. Madam Speaker, I appreciate the gentleman yielding time and his leadership on this.

Madam Speaker, every day capital markets are under attack here with this Securities and Exchange Commission.

The climate disclosure rule, which was released in March of this year totals over 500 pages—over 500 pages—and includes over 1,000 technical footnotes. And oh, by the way, the SEC initially gave everybody 30 days to comment on that—30 days. Now, you can't even get through the analysis of the original 500 pages much less the 1,000 technical footnotes on that within those 30 days. But in reality the SEC doesn't really know what this far-reaching rule will cost small, independent, and nonpublic businesses across our country.

In fact, very deep in the summary of the rule the SEC admits:

In many cases, we are unable to reliably quantify the potential benefits and costs of the rule and, therefore, we encourage commenters to provide us with relevant data or empirical evidence that would allow us to do so.

Let that sink in: We have no idea what the impact is, so why don't you just give us some data to help us work through this? Now, I remind you, this is not a study, and this is not research. This is a finalized proposed rule that the SEC is trying to jam through in 30 days.

Oh, but they expanded that now, so thank you very much. Now, there are three basic rules on real estate.

What is the most important part about real estate?

Location, location, location.

Well, for the SEC it should be materiality, materiality, materiality.

How is this information material to a publicly traded company and to the investors who are investing and putting their hard-earned money into those companies.

So materiality, materiality, materiality should be the battle cry. But it is not with this SEC.

In fact, in recent months, the Commission has put forth a huge volume of additional proposals. At times it doesn't appear to be fully informed about the likely economic consequences of the proposed rules and that display significant misunderstandings of the activity the Commission seeks to regulate. So without proper economic analysis, mistakes and unintended consequences are going to be inevitable.

Madam Speaker, since late last year, the SEC has embarked on a remarkable rulemaking agenda. In the 14 months since he was sworn into office, Chair Gensler has charted a path for the SEC unlike it has seen in its 88-year history. To be charitable, he is pushing the envelope.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCHENTHALER. Madam Speaker, I yield an additional 2 minutes to the gentleman from Michigan.

Mr. HUIZENGA. To be charitable, this aggressive stance of the chair is unprecedented. The reality is they can't get their agenda done through the legislative process, so they are just going to regulate it. So the SEC is going to continue to push the boundaries of the statutory authority Congress has given them.

Unfortunately, instead of protecting investors, maintaining fair, orderly, and efficient markets, and facilitating capital formation—that is part of their three-part directive, facilitating capital formation—they are actually going to regulate small, privately held companies in your district right out of business.

So Congress did not establish the SEC to set climate policy nor for it to be the final arbiter of businesses' strategies to combat climate change. In her recent dissent over the proposed rule, Commissioner Hester Peirce rightfully noted that the SEC is not the securities and environment commission.

My colleagues and I have grave concerns that this rule will set a precedent that will allow regulators to expand their authorities far beyond the bounds of the law. In fact, we have seen some recent Supreme Court cases about that with the EPA. The proposed climate rule shifts the SEC's rulemaking authority—to be charitable—taking a novel, activist approach to climate policy.

What is next?

All of it. Frankly, that is what is on his agenda: all of it. They want all of

it. That is their idea of how this economy ought to be running, not how to protect investors, not how to facilitate efficient markets, and certainly not how to build capital. That is not the job of the SEC that has been proposed here.

Madam Speaker, I urge my colleagues to support Mr. HILL's resolution and restore sanity to the rule-making process.

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

Madam Speaker, let me just say that I really enjoyed listening to my friends on the other side of the aisle. They are opposed to this rule because the process will expedite progress on behalf of the American people. Yet they are not outraged over using process to block progress for the American people.

Again, since we are changing the subject, I didn't hear anything about the veterans who right now are desperately pleading with Republicans in the Senate to pass the PACT Act. The gentleman even got extra time and didn't mention that at all.

Again, I would urge my Republicans, as we are still here today, before you leave, call Senate Minority Leader MITCH MCCONNELL, call your Republican counterparts in the Senate, and say: please pass the PACT Act. Please do that now.

Our veterans who are suffering from cancer as a result of their service and being exposed to burn pits are desperately pleading with my Republican friends to stop blocking it.

Do you want to be outraged about something today?

Be outraged about that.

So, again, I would urge that they do something.

Many of my colleagues on the Republican side supported the PACT Act when it came before the House.

□ 0945

A majority of Republicans in the Senate voted to support it; but now they are putting politics ahead of people. It should be reversed. Put people ahead of politics.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair will remind Members to direct their comments to the Chair.

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

I just want the RECORD to reflect that I am not outraged about this rule. I just was simply, at the beginning of my remarks, my opening statement, pointing out the hypocrisy from my friends across the other side of the aisle who had this selective outrage when we waived the 24-hour requirement. But it is okay when they do it.

And again, I am almost gleefully looking forward to the opportunity when we are in the majority for myself to help the then Chairman COLE of the Rules Committee do the same thing;

and we will see what kind of hypocrisy comes from the other side of the aisle and how they will then have outrage when we do it.

But I am not outraged about this. I think that if we are going to move forward today, we should defeat the previous question. That is what I am passionate about, and that is what my friends that have spoken here today are passionate about, because they want to run a bill, authored by my good friend from Arkansas, that would actually help the economic crisis; that would actually help fight inflation.

So, please don't confuse passion for helping the American people out of this financial problem with outrage. There is no outrage on this side of the aisle.

But to explain more, I yield 3 minutes to the gentleman from Wisconsin (Mr. STEIL), my good friend, and a rising star of the Financial Services Committee.

Mr. STEIL. Madam Speaker, I rise to oppose the previous question so we can immediately consider H.R. 8589.

We heard earlier our friends across the aisle say that understand this rule, which they could pretty much bring up any bill they so desire, they are going to address inflation.

Well, count me excited that my colleagues across the aisle are finally ready to address inflation; inflation brought upon all Americans by the reckless policies of Democratic one-party control; reckless policies of—starting—this administration by spending \$1.9 trillion; reckless policies by refusing to unleash American energy. And Americans are paying the price for the reckless policies of Democrats here in Washington.

It is early in the morning. People are making their way here, up to the House floor, following a great victory by my Republicans in the Congressional baseball game last night—10-0, I may note.

But what is really playing out across America right now is people can't afford the things that their family needs. I was speaking to a woman the other day in south Milwaukee at a gas station, and I asked her how much it costs her to now fill up her car with gas. And she looked at me and she said, Bryan, I don't know because I have 40 bucks, and 40 bucks doesn't fill up my tank with gas.

I spoke to another woman who said, Bryan, I can't take my daughter out to dinner on Friday night for pizza because I can't afford it because costs keep going up.

Americans are suffering from runaway inflation from the reckless policies from one-party Democratic control. We have an open rule. The Democrats could bring up any bill today. They could bring up any bill.

Americans are getting clobbered, clobbered with runaway inflation; energy costs going through the roof. This woman in South Milwaukee can't afford to fill up her car with gas.

And what will we see in the bills brought up today? They will intend to

distract, to change the subject. They want to talk about bills that already passed the House. They want to talk about bills that have nothing to do with inflation because they don't care about the woman in South Milwaukee who can't afford to fill up her car with gas. They don't care about the woman who can't afford to take her kids out to pizza on Friday nights.

And count me as darn surprised if we see legislation brought by the Democratic majority today that addresses the inflation crisis; that addresses the energy crisis.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCENTIALER. Madam Speaker, I yield an additional 3 minutes to the gentleman from Wisconsin.

Mr. STEIL. Madam Speaker, they are going to send everybody in this institution home for more than a month with runaway inflation; interest rates going up so people can't afford to buy a house; an energy policy that refuses to unleash American energy so that this woman in South Milwaukee can't afford to fill up her car.

Republicans have answers to the challenges of the day. And I thank my colleague from Arkansas for his thoughtful bill that would be brought up if we defeat this previous question; that would actually put a check on the runaway bureaucratic process that we see. This one attacks the runaway process at the Securities and Exchange Commission, that should properly be named securities and environmental commission.

And my colleagues on the other side of the aisle, Madam Speaker, really like renaming things, so I suggest, while we redefine recession, we throw in redefining the SEC today.

People are getting clobbered. The bill by my colleague from Arkansas is a pretty thoughtful approach. It says, hey, instead of all this additional regulation, these costs that get passed on to consumers at the end of the day, maybe what we do is we focus on getting some economic growth back; bringing inflation down.

And so count me as excited if, under this rule—and again, the Democrats could bring any bill to the floor on the last day. Is that bill going to be something that substantively and meaningfully addresses inflation, addresses energy costs? Or are they going to bring up another topic to distract the American people from the crisis that is playing out across our country?

Count me as shocked if we see a bill that addresses inflation today.

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

So, Madam Speaker, I don't know who that guy who was yelling is, but I would refer him to my earlier comments on all the things that we are doing to combat inflation and the stuff that we will be rolling out in the days ahead.

But I would urge my colleagues on the other side of the aisle to go over to

the Senate and yell at MITCH McCONNELL so that we can help our veterans. I mean, it is unconscionable that, as we are gathering here right now, Republicans in the Senate are blocking a bill to provide care for veterans exposed to burn pits who have cancer.

I mean, what is going on here? I mean, people who are responsible for that are unfit to serve in the United States Congress, quite frankly.

Do you want to be outraged about something? Be outraged about that at this moment. And we also should be outraged at the alarming rate of gun violence in this country. And my hope is that this same-day rule will pave the way for the Rules Committee to meet and to bring forward a ban on assault weapons so we can save lives in this country. So that is what this is all about today.

But, again, with all of the yelling and screaming, please go over to the other Chamber and yell and scream at them because right now a lot of our veterans are concerned that they will succeed in killing a bill that will provide them healthcare that they desperately need.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it is quite remarkable that the gentleman is now telling us that this is about gun-related bills, because 14 hours ago we had questions in the Rules Committee. Those questions went unasked because the minority is unsure.

You know who was unsure when they were in the minority? My good friend. Let me quote him again. When the Republicans tried to waive the 24-hour requirement, my good friend said: "Once again, we are here on the floor debating a martial law rule that also makes the suspension day. Here we are, once again, unsure of what we will be considering today, tonight, or tomorrow."

So last night, at 7 P.M., my good friend, ranking member of the Rules Committee, Mr. COLE, asked a series of questions because we wanted to get some light shed on it. He asked, what would this rule specifically be used for? The majority said they didn't know. They were unsure.

He asked if this were to be related to gun-related bills, and if those bills would be changed. The majority said they didn't know. We are unsure here.

He asked if this authority would be used for other bills. The majority said they didn't know.

He asked if the House would be in session this weekend, and also the response was, the majority didn't know.

So it's amazing how the majority is, today, so confident on what is being run today through this rule when, just 14 hours ago, when we asked those questions, those answers were not provided to the minority.

But here to talk more about the resolution that I will personally offer if we defeat the previous question is my good

friend. I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Madam Speaker, listening to the other side, and listening to my friend from Pennsylvania, I hear a lot about uncertainty; that we are not sure what we are here for; we are not sure what we are going to bring up on the House floor.

Well, I will tell you what: We are certain that inflation is hurting American families. We are certain that people don't know how to fill up their car; what that is going to cost; what they are going to sacrifice; moving from beef to chicken; working on prescriptions this week, maybe gas next week. So we are certain the American people have inflation, top concern.

This bill proposed today will help attack inflation by reducing the costs that will be imposed by the Securities and Exchange Commission in this act.

And I will read, Madam Speaker, from the Task Force on Climate-Related Financial Disclosures, the Bloomberg Commission, and it says: All these efforts must be cost-effective, reliable. They must be comparable across countries, across industries, within industries. And the proposal of SEC does not do that.

So I hope that we will be successful in H.R. 8589, which will save the government money. And if we are looking for bills to bring up, I say to my friend from Pennsylvania, I recommend H.R. 7209, which is the Price Stability Act, which will focus the Federal Reserve solely on fighting inflation; not fighting climate change; not fighting socioeconomic disparities, focused on inflation because inflation is a thief. That is what we should be on this floor debating.

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

So, Madam Speaker, the gentleman who just spoke was yielded time again, and again, didn't say anything about the veterans who are getting screwed by Senate Republicans right now in the other Chamber.

Right now, we should take our outrage and we should demand that Republicans get out of the way.

And, by the way, to my friend from Pennsylvania, I just went back and I read the transcript of what our exchange was in the Rules Committee, and I think I was pretty clear.

When I am looking at the transcript, I was asked last night, you know, why we needed this authority, and I said it was to consider public safety bills.

I was further asked if we would use it to consider gun legislation, and I said, yes, potentially.

Now, I don't know whether it is my Massachusetts accent or what, but I think I was pretty clear about what we were going to bring to the floor today. And, again, I hope that we will follow through with what I said yesterday.

So this idea that, oh, I didn't know—and by the way, there are times, as I said at the opening, when same-day au-

thority is, to me, necessary. There are other times when it is not. And when the Republicans were in charge and they used it for frivolous things, yeah, I objected to it. But when they used it in an attempt to try to keep government open, I favored it.

So I don't know what the gentleman is talking about, hypocrisy. I mean, I have been in favor of it when I was in the minority, and I have been opposed to it when I was in the minority. So it all depends on the circumstances.

I think maybe my Republican friends have trouble with nuance and trying to understand the complexities of the system here. But I am totally comfortable with my position, past, and present.

And by the way, if this same-day authority means that we can bring up an assault weapons ban, I don't apologize to anybody. I don't apologize to anybody. I think it is the right thing to do.

Madam Speaker, I reserve the balance of my time.

□ 1000

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

I want to again say we asked a litany of questions to try to give the minority guidance on what bills would be considered today, the context of those bills, the timing of those bills, whether we would be here this weekend. The response constantly was either: I hope not; I am unsure; I don't know. So, here we are, in the dark.

But for the purpose of a rebuttal, I yield an additional 1 minute to the gentleman from Arkansas (Mr. HILL), my good friend.

Mr. HILL. Madam Speaker, I really don't understand this debate, talking about the PACT Act, my friend from Massachusetts. That has passed the House. Let the Senate do its work.

We supported it here. Let's be serious here. I voted for the bill. The Senate is working out some concern they had. They changed the bill. They made the bill that is controversial over there. Let them figure it out.

In the Senate, they don't even know that revenue bills originate in the House. It was blue-slipped. They don't really know what they are doing over in the upper Chamber.

We know we have the advantage over them on that, but what we are talking about today are bills being considered today. The Speaker is leaving on some foreign trip tonight, so we are rushing around. We don't know why we are here today, and the people deserve to know in advance what we are voting on so we can prepare our arguments.

So, it is not about some bill over in the Senate. It is about what bills will be on the floor of the House today.

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

The gentleman said we should let the Senate do its work. Exactly. The Senate Republicans are blocking the Senate from doing its work. What do my friends not understand?



Veterans with cancer are depending on Republicans to get out of the way so they can get the care that they, quite frankly, are entitled to, that they deserve.

It passed overwhelmingly originally in the Senate. It passed overwhelmingly in the House. But Senate Republicans are playing politics with the lives of our veterans.

I am outraged by that. Maybe my friends on the other side are not, but we ought to be demanding that they move immediately.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I want to quote my good friend, the chairman, again, this time from 2017, when he stated that martial law allows the majority to “rush their bill with its brand-new backroom deals to the floor today without any proper deliberation.”

I think that pretty much sums up perfectly what we are doing here today.

Madam Speaker, I urge my colleagues to vote “no” on the previous question and “no” on the rule.

Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, I don’t think it is appropriate for my Republican friends to lecture us on hypocrisy. The last time the Republicans were in charge of this place, they ran it into the ground.

When Republicans were in charge, they broke the record for the most closed Congress in the history of the United States of America.

When Republicans were in charge and our country was on the brink of a shutdown, the Rules Committee, under Republican control, held an emergency meeting. Do you know what that emergency meeting was on? Not on emergency funding but on cheese, actually, as we were about to shut the government down. We had a major crisis, and they did an emergency meeting on cheese.

They couldn’t even get their act together to keep the lights on. They literally lost the majority because of how badly they ran this place, and then they handed us a shutdown of government, the longest shutdown in history, by the way. That cost American taxpayers \$11 billion.

When Republicans were in charge, I voted to give them same-day authority. I stood on this floor and urged my Democratic colleagues to support the rule because I wanted to give us extra flexibility to do the work the American people had asked us to do.

Republicans ran this place like a dictatorship, and then they tried to turn our country into one on January 6, 2021, a day that will live forever in history as a date that a twice-impeached ex-President and Republicans tried to unconstitutionally overturn a free and

fair election and subvert the will of the American people in an attempted coup.

So, please do not lecture us about Democratic process or any process at all. Do not lecture us on hypocrisy.

I said last night in the Rules Committee what I hoped we would bring forward today, and I still hope we will move forward on an assault weapons ban.

Do you know why? Because people in this country are being massacred, and they are tired of thoughts and prayers. They are tired of press releases in which we say that our hearts are with the families of those who were killed.

They want action. The question is whether or not we can deliver on what the American people want.

Do you want to talk about outrage? I am outraged by the gun violence in this country. I am outraged that an 18-year-old who can’t legally have a sip of beer can go into a gun store and buy an AR-15 and then go out and kill people, massacre people. Enough of this.

This rule preserves the option, if we decide to move forward, to be able to move forward. That is what this is all about. We can talk about whatever you want to talk about, but the bottom line is that is what this rule does.

We have an obligation to act with urgency. We have a responsibility to address this crisis.

The material previously referred to by Mr. RESCHENTHALER is as follows:

AMENDMENT TO HOUSE RESOLUTION 1300

At the end of the resolution, add the following:

SEC. 3. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 8589) to prohibit the Securities and Exchange Commission from finalizing the proposed rule titled “The Enhancement and Standardization of Climate-Related Disclosures for Investors”. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 8589.

Mr. MCGOVERN. Madam Speaker, I urge a “yes” vote. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 216, nays 205, not voting 9, as follows:

[Roll No. 405]

YEAS—216

Adams	Garcia (IL)	Newman
Aguilar	Garcia (TX)	Norcross
Allred	Golden	O’Halleran
Auchincloss	Gomez	Ocasio-Cortez
Axne	Gonzalez,	Omar
Barragan	Vicente	Pallone
Bass	Gottheimer	Panetta
Beatty	Green, Al (TX)	Pappas
Bera	Grijalva	Pascrell
Beyer	Harder (CA)	Payne
Bishop (GA)	Hayes	Perlmutter
Blumenauer	Higgins (NY)	Peters
Blunt Rochester	Himes	Phillips
Bonamici	Horsford	Pingree
Bourdeaux	Houlihan	Pocan
Bowman	Hoyer	Pressley
Boyle, Brendan	Huffman	Price (NC)
F.	Jackson Lee	Quigley
Brown (MD)	Jacobs (CA)	Raskin
Brown (OH)	Jayapal	Rice (NY)
Brownley	Jeffries	Ross
Bush	Johnson (GA)	Roybal-Allard
Bustos	Jones	Ruiz
Butterfield	Kahele	Ruppersberger
Carbajal	Kaptur	Rush
Cárdenas	Keating	Ryan
Carson	Kelly (IL)	Sánchez
Carter (LA)	Khanna	Sarbanes
Cartwright	Kildee	Scanlon
Case	Kilmer	Schakowsky
Casten	Kim (NJ)	Schiff
Castor (FL)	Kind	Schneider
Castro (TX)	Kirkpatrick	Schrader
Cherfilus-	Krishnamoorthi	Schrier
McCormick	Kuster	Scott (VA)
Chu	Lamb	Scott, David
Ciçilline	Langevin	Sewell
Clark (MA)	Larsen (WA)	Sherman
Clarke (NY)	Larson (CT)	Sherrill
Cleaver	Lawrence	Sires
Clyburn	Lawson (FL)	Slotkin
Cohen	Lee (CA)	Smith (WA)
Connolly	Lee (NV)	Soto
Cooper	Leger Fernandez	Spanberger
Correa	Levin (CA)	Stansbury
Costa	Levin (MI)	Stanton
Courtney	Lieu	Stevens
Craig	Lofgren	Strickland
Crist	Lowenthal	Suozi
Crow	Luria	Swalwell
Cuellar	Lynch	Takano
Davids (KS)	Malinowski	Thompson (CA)
Davis, Danny K.	Maloney,	Thompson (MS)
Dean	Carolyn B.	Titus
DeFazio	Maloney, Sean	Tlaib
DeGette	Manning	Tonko
DeLauro	Matsui	Torres (CA)
DelBene	McBath	Torres (NY)
Demings	McCullum	Trahan
DeSaulnier	McEachin	Trone
Deutch	McGovern	Underwood
Dingell	McNerney	Vargas
Doggett	Meeks	Veasey
Doyle, Michael	Meng	Velázquez
F.	Mfume	Wasserman
Escobar	Moore (WI)	Schultz
Eshoo	Morelle	Waters
Espallat	Moulton	Watson Coleman
Evans	Mirman	Welch
Fletcher	Murphy (FL)	Wexton
Foster	Nadler	Wild
Frankel, Lois	Napolitano	Williams (GA)
Gallego	Neal	Wilson (FL)
Garamendi	Neguse	Yarmuth

NAYS—205

Aderholt	Bishop (NC)	Carter (TX)
Allen	Boebert	Cawthorn
Amodei	Bost	Chabot
Armstrong	Brady	Cheney
Arrington	Brooks	Cline
Babin	Buchanan	Cloud
Bacon	Buck	Clyde
Baird	Bucshon	Cole
Balderson	Budd	Comer
Banks	Burchett	Conway
Barr	Burgess	Crawford
Bentz	Calvert	Crenshaw
Bergman	Cammack	Curtis
Bice (OK)	Carey	Davidson
Biggs	Carl	Davis, Rodney
Bilirakis	Carter (GA)	DesJarlais

Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Flood  
Flores  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Grothman  
Guest  
Guthrie  
Harris  
Harshbarger  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson  
Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson

NOT VOTING—9

Good (VA)  
Griffith  
Hartzler

□ 1116

So the previous question was ordered.  
The result of the vote was announced  
as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)  
Bass (Neguse)  
Beyer (Connolly)  
Blumenauer  
(Kuster)  
Bourdeaux  
(Correa)  
Bowman (Ocasio-  
Cortez)  
Boyle, Brendan  
F. (Trone)  
Bush (Ocasio-  
Cortez)  
Bustos (Kuster)  
Carter (TX)  
(Weber (TX))  
Casten (Neguse)  
Cherfilus-  
McCormick  
(Neguse)  
Comer (Keller)  
Crist  
(Wasserman  
Schultz)  
DeGette  
(Perlmutter)  
DeSaulnier  
(Perlmutter)  
Deutch  
(Wasserman  
Schultz)

Donalds  
(Norman)  
Evans (Neguse)  
Gonzalez (OH)  
(Meijer)  
Gosar (Gaetz)  
Green (TN)  
(Fleischmann)  
Guthrie (Barr)  
Herrera Beutler  
(Moore (UT))  
Higgins (NY)  
(Pallone)  
Huffman  
(Neguse)  
Jacobs (NY)  
(Fleischmann)  
Jayapal  
(Pallone)  
Jeffries  
(Velázquez)  
Jones (Trone)  
Joyce (PA)  
(Keller)  
Kahele (Correa)  
Katko (Meijer)  
Kirkpatrick  
(Pallone)  
LaHood  
(Wenstrup)  
Levin (MI)  
(Correa)

Perry  
Pfluger  
Posey  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyne  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
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Brown (MD)  
Brown (OH)  
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Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson  
Carter (LA)  
Cartwright  
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Castor (FL)  
Castro (TX)  
Cherfilus-  
McCormick  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
Crow  
Cuellar  
Davids (KS)  
Davis, Danny K.  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Escobar  
Eshoo  
Españal  
Evans  
Fletcher

Taylor  
(Armstrong)  
Thompson (CA)  
(Correa)  
Tlaib (Dingell)  
Torres (NY)  
(Correa)  
Walorski (Banks)  
Williams (GA)  
(Neguse)  
Wilson (SC)  
(Norman)  
Underwood  
Vargas  
Veasey  
Velázquez  
Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Calvert  
Cammack  
Carey  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Clyde  
Cole  
Comer  
Conway  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fleischmann  
Flood  
Flores  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz

Torres (NY)  
(Correa)  
Trahan (Trone)  
Van Drew  
(Fleischmann)  
Vargas (Correa)  
The SPEAKER pro tempore (Mrs.  
LEE of Nevada). The question is on the  
resolution.  
The question was taken; and the  
Speaker pro tempore announced that  
the yeas appeared to have it.  
Mr. RESCHENTHALER. Madam  
Speaker, on that I demand the yeas  
and nays.  
The yeas and nays were ordered.  
The SPEAKER pro tempore. This  
will be a 5-minute vote.  
The vote was taken by electronic de-  
vice, and there were—yeas 218, nays  
206, not voting 7, as follows:  
[Roll No. 406]  
YEAS—218  
Adams  
Aguilar  
Alfred  
Auchincloss  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan  
F.  
Brown (MD)  
Brown (OH)  
Brownley  
Bush  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson  
Carter (LA)  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Cherfilus-  
McCormick  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
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Cuellar  
Davids (KS)  
Davis, Danny K.  
Dean  
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DeLauro  
DelBene  
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DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
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Escobar  
Eshoo  
Españal  
Evans  
Fletcher

Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
NAYS—206  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez  
Gohmert  
Golden  
Gonzales, Tony  
Gonzalez (OH)  
Gooden (TX)  
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Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
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Harshbarger  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson  
Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson  
Miller (IL)  
Miller (WV)  
Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Oberholte  
Owens  
Palazzo  
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Pence  
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Pfluger  
Posey  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (KY)  
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Rouzer  
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Salazar  
Scalise  
Schweikert  
Scott, Austin  
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Loudermilk  
Lucas  
Luetkemeyer  
Mace  
Malliotakis  
Mann  
Massie  
McCarthy  
McCaul  
McClain  
McClintock  
McHenry  
McKinley  
Meijer  
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Newhouse  
Norman  
Oberholte  
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Pfluger  
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Rodgers (WA)  
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Rouzer  
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Dingell  
Doggett  
Doyle, Michael  
F.  
Escobar  
Eshoo  
Españal  
Evans  
Fletcher

NOT VOTING—7

Good (VA)  
Griffith  
Hartzler

□ 1130

So the resolution was agreed to.  
The result of the vote was announced  
as above recorded.

A motion to reconsider was laid on  
the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)  
Bass (Neguse)  
Beyer (Connolly)  
Blumenauer  
(Kuster)  
Bourdeaux  
(Correa)  
Bowman (Ocasio-  
Cortez)  
Boyle, Brendan  
F. (Trone)  
Bush (Ocasio-  
Cortez)  
Bustos (Kuster)  
Carter (TX)  
(Weber (TX))  
Casten (Neguse)

Cherfilus-McCormick (Neguse)	Jeffries (Velázquez)	Rice (SC) (Meijer)
Comer (Keller)	Johnson (TX) (Pallone)	Ruppersberger (Trone)
Crist (Wasserman Schultz)	Jones (Trone)	Ryan (Kuster)
DeGette (Perlmutter)	Joyce (PA) (Keller)	Sires (Pallone)
DeSaulnier (Perlmutter)	Kahele (Correa)	Speier (Garcia) (TX)
Deutch (Wasserman Schultz)	Katko (Meijer)	Stefanik (Keller)
Donalds (Norman)	Kirkpatrick (Pallone)	Stevens (Kuster)
Evans (Neguse)	LaHood (Wenstrup)	Stewart (Crawford)
Gonzalez (OH) (Meijer)	Levin (MI) (Correa)	Strickland (Neguse)
Gosar (Gaetz)	McBath (Bishop) (GA)	Swalwell (Correa)
Green (TN) (Fleischmann)	McEachin (Trone)	Taylor (Armstrong)
Guthrie (Barr)	McHenry (Wagner)	Thompson (CA) (Correa)
Herrera Beutler (Moore (UT))	McNerney (Pallone)	Tlaib (Dingell)
Higgins (NY) (Pallone)	Moore (WI) (Neguse)	Torres (NY) (Correa)
Huffman (Neguse)	Nehls (Weber) (TX)	Trahan (Trone)
Jacobs (NY) (Fleischmann)	Newman (Trone)	Van Drew (Fleischmann)
Jayapal (Pallone)	Porter (Wexton)	Vargas (Correa)
	Rice (NY) (Wasserman Schultz)	Walorski (Banks)
		Williams (GA) (Neguse)
		Wilson (SC) (Norman)

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 28, 2022.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 28, 2022, at 5:13 p.m.

That the Senate passed S. 3369.  
That the Senate passed without amendment H.R. 7334.  
That the Senate passed without amendment H.R. 7352.

With best wishes, I am,  
Sincerely,

CHERYL L. JOHNSON,  
*Clerk.*

CONTINENTAL DIVIDE TRAIL  
COMPLETION ACT

The SPEAKER pro tempore (Mr. VEASEY). Pursuant to House Resolution 1254 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5118.

The Chair appoints the gentlewoman from Nevada (Mrs. LEE) to preside over the Committee of the Whole.

□ 1136

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5118) to direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes, with Mrs. LEE of Nevada in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in House Resolution 1254 and shall not exceed 1 hour equally divided and controlled by the chair and ranking member of the Committee on Natural Resources or their respective designees.

The gentleman from Colorado (Mr. NEGUSE) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. NEGUSE. Madam Chair, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5118.

The CHAIR. That request cannot be entertained in the Committee of the Whole.

Mr. NEGUSE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of H.R. 5118, the Wildfire Response and Drought Resiliency Act. This legislation represents another major effort to act on climate by responding to record-setting wildfires and drought that are impacting communities across our country.

I represent Colorado's Second Congressional District, and it was barely over 6 months ago, in December, when the Marshall Fire burned through Boulder County and became the most destructive fire in Colorado history. The fire destroyed a 30-acre subdivision in a matter of hours; nearly 200 homes burned to the ground and caused over \$1 billion in damages.

This comes on the heels of my district experiencing the first and second largest wildfires in the history of Colorado in Larimer and Grand Counties in 2020, and as parts of the western United States is currently experiencing their driest drought conditions in over 1,000 years.

Fires have become the primary occupation of so many of our offices. Countless constituents come to us, grieving the loss of their homes, but also seeking the resources that they deserve from the Federal Government. We have a duty to provide our constituents with the support that they need to rebuild and to recover.

The reality is that we are living with a new normal as climate change results in a hotter, drier, planet where historic drought and record-setting wildfires are not merely a possibility, but an inevitability. Wildfires no longer occur in a season, but throughout the entire year.

I am grateful to my colleagues, to Chairman GRIJALVA, Chairman SCOTT, Chairwoman MALONEY, Chairwoman JOHNSON, Chairman DEFAZIO, Chairman PALLONE, Chairman NADLER, Chairwoman VELÁZQUEZ, Chairwoman WATERS, Chairwoman LOFGREN, and House leadership for helping bring this package to the floor. This is exactly the kind of response that our constituents desperately want to see from Congress.

H.R. 5118 provides a whole-of-government response to the droughts and the wildfires impacting American communities across the country, and it combines more than 50 standalone pieces of legislation originating from nine different House committees, including Republican and Democratic bills.

We began this important work last year, as my colleagues know, working with President Biden to pass the Infrastructure Investment and Jobs Act, which included historic investments to reduce wildfire risks, improve ecosystem resilience, and ensure reliable water supplies.

The Wildfire Response and Drought Resiliency Act builds on those investments. It provides an increased starting wage for our brave and courageous Federal wildland firefighters. It invests in water security and in drought resilience and advancing wildfire science.

As climate-change-induced drought means long-term reductions in rain, snow, and necessary water supplies, this legislation invests in drought-proof water projects like water recycling, modern desalination, advancing water data management and technology, protecting and restoring ecosystems.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 8167

Mr. DESJARLAIS. Madam Speaker, I hereby remove my name as cosponsor from H.R. 8167.

The SPEAKER pro tempore. The gentleman's request is accepted.

PERMISSION FOR MEMBER TO BE  
CONSIDERED AS FIRST SPONSOR  
OF H.R. 783

Mr. LARSEN of Washington. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 783, a bill originally introduced by Representative Young of Alaska for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 7769

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I ask unanimous consent to remove the gentleman from North Carolina (Mr. PRICE) as cosponsor of H.R. 7769, the Helicopter Safety and Noise Management Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

The bill also advances projects to deliver reliable water across Indian Country, including by incorporating key provisions from my bill, the Tribal Access to Clean Water Act. And it provides significant resources to prevent key Colorado River reservoirs from declining to critically low water levels, protecting the supplies of a river that 40 million Americans, 40 million, rely on.

H.R. 5118 also includes several other important pieces of legislation introduced by many Members in the body today. Provisions from Tim's Act, named after a heroic smoke jumper, Tim Hart, who tragically lost his life fighting a wildfire in New Mexico, would increase pay and benefits for Federal wildland firefighters, and that provision is part of this bill.

Finally, the bill includes provisions that would provide flexibility in Federal FEMA cost shares to support our local communities and to protect watersheds impacted by wildfire.

Madam Chair, this bill is a good bill, and it meets the moment for the American West. And for that reason, I will encourage my colleagues today to support it. I look forward to hearing from many of my colleagues who will speak on the bill.

Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I am glad we are finally here on the floor today talking about an issue that is important to our whole country. I appreciate the gentleman from Colorado and his concerns about wildfires. I wish that we could work together on actually solving these issues in a manner and with policy that would actually do something.

I learned in engineering school that expending effort is not work. For example, you can push on a boulder all day, but until something moves, no work has been accomplished.

To put it another way, there is a saying that you should never confuse motion with action, which is exactly what the legislation before us today does. This bill is more than 550 pages yet does absolutely nothing to prevent wildfires or significantly improve our resiliency to drought.

This bill will actually make our wildfire crisis worse. Perhaps that is why my Democrat colleagues named it the Wildfire Response Act, instead of naming it the wildfire prevention act, which is what we should be focusing on because we will have to respond to all the wildfires that are going to happen anyway and the new ones that this bill creates.

Here is a little bit of forestry 101. There are two ways to reduce wildfire risk: thinning and controlled burning. This bill mentions thinning zero times. Not once does it mention thinning, but it mentions environmental justice 165 times. That should tell you what this bill is really about.

Instead of streamlining environmental regulations and addressing frivolous litigation, which delay vital forest management projects across the country, this bill would add mountains of new red tape on our Federal agencies that will grind their already glacial pace of treatments to a complete halt.

□ 1145

It would throw out the Forest Service's 10-year strategy to reduce hazardous fuels and make them completely redo this work less than 6 months after they started implementing their current strategy.

This makes you wonder if congressional Democrats disagree with the work of the Biden administration or if they have found the administration's work product is deficient and unreliable.

It would lock up 58 million acres of land into new roadless areas, despite research showing that more than half of all fires, including most of the largest fires on Western U.S. national forest lands, burn primarily in roadless areas, areas where land use restrictions mean that we can't thin and can't do management.

Instead, the bill would fund environmental volunteerism and provide N-95 masks and smoke inhalation equipment for homes, which I am sure will be of little comfort to people as their homes are burning to the ground.

Democrats will tell you this legislation raises wildland firefighter pay to \$20 per hour. The only problem with that is that firefighters already make at least \$20 per hour, meaning this so-called raise is an empty promise.

In the long term, the bill would write a check that it can't cash by setting up this new minimum pay rate with no actual money to back it up. The Forest Service has told us this means they would have to lay off over 610 wildland firefighters. Let me say that again: The Democrats' bill could result in the firing of more than 610 wildland firefighters who are putting their lives on the line to protect communities. This is a disgrace and will hurt our fire preparedness and response.

As if that weren't enough, the bill would create new pay disparities by leaving out 10,000 brave men and women fighting fires from receiving new benefits. That is roughly 40 percent of the Federal firefighting workforce.

Some of my Western colleagues will soon speak about the water provisions in this bill, but I want to say that the bill misses the mark on drought as well by proposing \$4 billion in new authorizations and has unlimited mandatory spending.

Once again, the other side of the aisle is passing on more debt to our future generations, and we see what uncontrolled spending has done to our economy with inflation, high energy prices, high food prices, and, really, higher prices across the board.

According to conventional economics, we have had two quarters of economic

decline, and we are in a recession. Why would we want to put more government funding and debt on our constituents? I do not understand.

It would also devote some of these dollars to studies, research, and environmental water restoration projects that will not provide any water in the near term.

It picks winners and losers in water projects, ignoring the need for expanded water storage reservoirs, the kind of infrastructure investment that has made the West what it is today and is necessary to ensure a drought-resilient future.

This bill offers a one-dimensional approach to solving the Western drought that has impacted the entire country through decreased agricultural production. Reservoirs operated by the Bureau of Reclamation provide needed water to 10 million acres of farmland that collectively grow 60 percent of the Nation's vegetables and one quarter of our fresh fruit and nut crops.

By throwing money at an issue and not recognizing that regulatory streamlining to expand water storage and efficiency of operations to promote drought resiliency should be part of this equation, this bill fails not only the West but everyone who buys food nationwide. Put another way, this bill fails every American household. This is bad policy and bad process.

Democrats cobbled together this 550-plus-page bill behind closed doors, and not one wildfire provision was marked up in the Committee on Natural Resources.

Republican Members made real attempts to provide alternatives and additions to this bill. Dozens of regulatory streamlining amendments that could have helped provide water or immediately prevented wildfires were submitted to the Rules Committee by Republicans, only to be ignored. Even the majority of bipartisan amendments were rejected.

This is an abomination of process, but it is nothing new that we are seeing on this House floor. If you were here last night, you know that a Senate NEPA streamlining bill was parachuted in at the last minute. It was put on the suspension calendar.

I hope this bill passes during the next voting series, but we should be doing NEPA revisions through hearings, through markups, and through regular order. If it takes getting one dropped in on the suspension calendar by the Senate, I guess we will have to take what we have got. But it would be nice if we could actually debate these and come up with more NEPA streamlining.

In the midst of historic drought conditions and what is on track to be the most devastating wildfire season on record, we simply cannot afford to confuse motion with action.

Madam Chair, I strongly urge my colleagues on both sides of the aisle to reject this partisan package and, instead, work together on real solutions to prevent wildfires.

Madam Chair, I reserve the balance of my time.

Mr. NEGUSE. Madam Chair, I yield myself such time as I may consume.

Let me just say this: The gentleman is entitled to his own opinion but not to his own facts, and I take great umbrage at his reference to the word “disgrace.”

He knows and my colleagues know just as well as anyone in this Chamber that the pay increase that was authorized by the bipartisan infrastructure law, which, by the way, my colleagues on the other side of the aisle voted against, all but 13 of them, that pay increase expires a year from now.

Every wildland firefighter in the United States will receive a pay diminution if this bill isn’t passed, if we don’t authorize the pay increases that are in this bill. It is a disgrace to suggest anything otherwise.

Madam Chair, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Chair, I thank the gentleman from Colorado for his leadership on this issue.

Climate change has brought the most severe drought to the West in hundreds and hundreds of years, and it has created an environment where wildfires are roaring through the West.

In fact, seven of the worst wildfires in California history have occurred in the last 4 years. They are destroying homes, farms, infrastructure. They cause injury. That is why this bill is so important.

I am proud that four of my bills are incorporated in the legislation that will allow firefighters to get overtime they have earned and allow for FEMA to predeploy assets and, yes, to use science in the fight against wildfires.

I am proud of the chair and ranking member of the Committee on Science who have turned their attention to the things that can be done to advance funding for the critical research that is happening at places like San Jose State University in their Wildfire Interdisciplinary Research Center.

We can’t prevent all disasters, Madam Chair, but we can use our power and use our science to better prepare, to better counter these disasters, and, yes, to make sure that those who are victimized by the disasters are treated fairly. They are our neighbors. We need to help them in their time of loss.

Madam Chair, I thank the Speaker for making this a priority.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

I just want to point out those weren’t my words. That was the information we got from the U.S. Forest Service that said there is no funding in this bill. If this bill passes without additional funding in the future, they will have to lay off 610 wildland firefighters.

Maybe there is going to be a bill in the future to pour more money into the Forest Service, but this bill doesn’t do it.

Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), the ranking member of the Committee on Agriculture.

Mr. THOMPSON of Pennsylvania. Madam Chair, I thank the gentleman for yielding and for his leadership on this issue. If there is anyone that should be leading this discussion, it should be somebody whose career was as a professionally trained forester who actually knows this topic.

I rise in opposition to this legislation. Wildfire is a national crisis that we must confront immediately. Tens of millions of acres are overgrown and unhealthy, but this bill won’t meet those challenges or provide the Forest Service with the tools that they need to combat this threat.

The Forest Service has already announced a strategy to treat 50 million acres. Mandating a new plan is duplicative, removes flexibility, creates restrictions, and limits projects.

This bill authorizes billions for recreation, wilderness programs, and old growth, which have nothing to do with protecting communities and mitigating wildfire. Because this is only authorizing legislation, the Forest Service will be directed to carry out the provisions without being provided the necessary funding.

Additionally, there are none of the much-needed regulatory reforms that would allow the Forest Service to increase the pace and scale of restoration and wildfire mitigation.

There have been no committee hearings, markups, stakeholder feedback, or technical assistance. The majority also blocked nearly every amendment filed from even being debated today.

The provisions within the Committee on Agriculture’s jurisdiction are largely unvetted but are being crammed into this 558-page bill, which we only first saw last week.

Madam Chair, let me just say, on the issue of firefighting, I served as a state-certified firefighter, so, on behalf of my brothers and sisters, I appreciate what they do, those that are fighting wildfires or structure fires.

But I agree with the ranking member here that the Forest Service’s own words said that they were going to have to lay off more than 610 wildland firefighters because of this bill.

What my brothers and sisters who are wildland firefighters need more than anything else are other firefighters. They are the primary tool when it comes to battling these conflagrations.

This bill is an insult to them, an authorizing bill that provides no additional funds. Quite frankly, Madam Chair, I urge a “no” vote.

Mr. NEGUSE. Madam Chair, I yield myself such time as I may consume.

I would, again, simply say the irony is rich. My colleagues will vote against the authorization for more wildland firefighter pay, and then when we fight for the appropriation, they will vote against it, too. So, it is a bit difficult to hear them make those claims.

I also would say that the 10-year Forest Service management plan is something we support, I support. I am glad to hear my colleagues support it because they all voted against it.

Literally, a year ago, when we passed a bill in this Chamber to authorize the Forest Service to spend \$20 million to invest in forest management in Idaho, Colorado, Utah, Arizona, and Nevada, where were they? They voted against it. Now, they claim to support it, yet they will vote against a bill that authorizes more projects along those same lines.

Madam Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Chair, I thank the gentleman from Colorado for yielding time, and I rise in strong support of H.R. 5118, the Wildfire Response and Drought Resiliency Act.

Climate change and extreme weather are already wreaking havoc on American families and businesses. Every day, we read news stories about drought conditions in the West and the corn belt, wildfires displacing Americans from their homes, and the potential collapse of Texas’ power grid from extreme heat and unreliable fossil fuel power plants.

Just this week, in my home State of New Jersey, Governor Murphy is encouraging residents to conserve water due to dry conditions.

Now, the impacts of climate and extreme weather are truly being felt everywhere. That is why I am proud to support this package of commonsense proposals, including many from the Energy and Commerce Committee, to mitigate the effects of extreme weather on our electric grid and water resources.

I just want to highlight a couple of the key provisions from our committee.

The bill includes legislation from Representative O’HALLERAN, requiring the Federal Government to identify grid infrastructure that is vulnerable to natural disasters.

It includes Representative CASTEN’s legislation to ensure that different regions of the country can share power during extreme weather events.

The legislation also includes a provision from Representative PANETTA to increase the energy resilience and productivity of critical facilities through investments in microgrids, energy storage, and energy efficiency.

Finally, it includes two provisions championed by Representative MCNERNEY. The first would help water systems implement water loss control programs and water efficiency programs, and the second directs the Federal Government to study the need and feasibility for standards to ensure that power plants are capable of operating in drought conditions.

Madam Chair, this legislation is essential to helping us address the climate crisis. Frankly, this legislation should garner overwhelming bipartisan support.

I can't understand why my Republican colleagues would oppose the bill. They have farmers in their districts whose crops are ravaged by drought. They represent homeowners displaced by wildfires. They certainly have constituents who use the power grid.

Extreme weather clearly threatens our security, but my Republican colleagues seem content to watch the world burn. I am not, and neither are my Democratic colleagues. That is why I will vote for H.R. 5118, and I urge my colleagues to do the same.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

I know there is a lot of talk about the IIJA and what a great bill it was. It was the largest infrastructure bill passed in the history of the world. It was so important that it never even went through a committee here in the House. It came right to the House floor, and it seems like all we are doing is fixing it. We have a suspension bill we will be voting on later that fixes a problem that was in the IIJA.

I am confused why my colleague is pushing this bill that would undo much of the core work in the IIJA, including the \$170 million that would go to his district under the current 10-year strategy.

I think it is another example of why we have to do regular order and why we have to bring these bills to committee.

□ 1200

We want to solve these problems, but you have to have real solutions to solve a problem. There are examples of how we can do bipartisan work to fix forestry.

Madam Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), who is working on bipartisan forestry legislation.

Mr. MCCARTHY. Madam Chair, I thank the gentleman for yielding, and I thank him for his work. This is probably one of the areas we work on where his knowledge when it comes to the forest, healthy forests, and making sure they are there for the future is so important.

I rise today in support of my amendment, which would simply establish a program to incentivize larger communities to integrate nearby smaller, rural communities into their drinking water systems when the smaller communities' drinking water wells run dry.

In my district, the community of Tooleville has run out of water, as the groundwater table drops, and aging infrastructure fails or becomes obsolete. While the long-term solution is to connect Tooleville to the city of Exeter's drinking water system, that can be expensive for both Exeter and Tooleville.

This amendment would reduce connection costs for Tooleville residents while also enabling Exeter to increase its water supply to meet increased demands with its customers.

Tulare County advises me that if California's droughts continue, more

small and rural communities in my district with older infrastructure could meet the exact same fate as groundwater tables drop, making this amendment even more important. We cannot leave our Western communities vulnerable to drought and aging infrastructure.

I encourage my colleagues to support this amendment.

Madam Chair, I include in the RECORD letters supporting my amendment from the county of Tulare, county of Kern, and city of Exeter, all of which are located in my congressional district.

COUNTY OF TULARE,

Visalia, CA, July 26, 2022.

Re H.R. Conway/McCarthy Amendment to H.R. 5118, Wildfire Response and Drought Resiliency Act—Support.

Hon. KEVIN MCCARTHY,  
House of Representatives,  
Washington, DC.

Hon. CONNIE CONWAY,  
House of Representatives,  
Washington, DC.

DEAR HOUSE MINORITY LEADER MCCARTHY AND REPRESENTATIVE CONWAY: On behalf of the Tulare County Board of Supervisors, I write in support of House Minority Leader McCarthy and Congresswoman Conway's proposed amendment to H.R. 5118, the Wildfire Response and Drought Resiliency Act. The proposed amendment will address critical water supply challenges faced by our County's most vulnerable and underserved populations.

Tulare County oversees more than 50 census designated places and unincorporated communities across California's Central Valley. The majority of these sparsely populated districts rely upon groundwater to sustain daily life which continues to be adversely affected by drought induced water quality and quantity issues. Every community and municipality in Tulare County depend upon a system of wells to guarantee the water needs of their residents. As the California drought persists, water service providers of our economically disadvantaged communities struggle to find the required funding to excavate deeper wells or upgrade the infrastructure required to connect with nearby water systems.

The proposed amendment to H.R. 5118 would authorize significant grant funding that would fully fund water projects for our small unincorporated communities eliminating the current funding barriers in place that delay sustainable water solutions for up to six years before any ground can be broken. Our most vulnerable residents should not have to wait that long to have access to clean and sufficient drinking water.

For these reasons and more, the County of Tulare supports this proposed amendment and urges its adoption by the House.

EDDIE VALERO,

Chair, Tulare County Board of Supervisors.

BOARD OF SUPERVISORS,

Kern County, CA, July 26, 2022.

Re Amendments to H.R. 5118, Rural Communities Drinking Water Resiliency—Support.

Hon. KEVIN MCCARTHY,  
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: I am writing on behalf of the Kern County Board of Supervisors to express our strong support for the amendments to H.R. 5118 authored by you and Congresswoman Conway. The proposed rural communities drinking water resiliency appropriation of \$50 million per year

through 2027 will provide desperately needed resources for those in our community whose potable water wells run dry.

In 2021, the Board declared a local emergency due to severe water shortages and conditions of extreme drought within Kern County. State Water Project deliveries were reduced to only 5 percent of full contract amounts in water year 2021 and the U.S. Department of Agriculture designated Kern, among 50 other California counties, as primary natural disaster areas due to drought.

Since then, drought conditions have worsened. According to the U.S. Department of Agriculture and National Oceanic and Atmospheric Administration's *US Drought Monitor* released on July 21, over 97 percent of California is now in a severe drought and over 59 percent is considered to be in extreme drought. With roughly four months of hot, dry weather likely until the winter rainy season begins again next November, precious groundwater resources will continue to decline.

California's water challenges are mounting as more intense and prolonged droughts recur. Rural communities are most susceptible to losing running water because they typically rely on groundwater from small community or domestic wells, which tend to run dry during these periods. Access to water is a fundamental human right and every Californian should be able turn on their tap and expect clean water to flow.

For these reasons, the Kern County Board of Supervisors strongly supports your proposed amendments to H.R. 5118 and urges the House to adopt them without delay.

Sincerely,

ZACK SCRIVNER,

Chairman, Kern County Board of Supervisors.

CITY OF EXETER,

OFFICE OF THE CITY ADMINISTRATOR,

Exeter, CA, July 27, 2022.

Re McCarthy/Conway Amendment to the Wildfire Response and Drought Resiliency Act (H.R. 5118).

To Rep. MCCARTHY and Rep. CONWAY: The City of Exeter supports the McCarthy/Conway Amendment to the Wildfire Response and Drought Resiliency Act (H.R. 5118). One of the biggest stumbling blocks for an agency to supply water to an adjacent rural community is funding for the improvements needed not only to make the connection but also to the agency system to be able to supply water outside their jurisdiction. Most cities don't have the means to do this on their own, especially since the agency rate payers cannot be burdened with this additional cost, which is illegal to do in most cases. This amendment would help cities like Exeter to fund the needed improvements to make these connections a possibility. Accordingly, we urge its adoption by the House.

If you have any questions, please feel free to contact me.

Thank you,

ADAM ENNIS,

City Administrator.

Mr. MCCARTHY. Madam Chair, now, why are we asking for this amendment?

The one thing you would have to see, there have been no major reservoirs built in California since 1979. Think of the population difference in between that time.

California is very blessed. We get snow in the north, we grow the agriculture for the world in the Central Valley—my good friend from the other side of the aisle, I believe that is where his family used to be from—and in the

south, we have major population. But no new reservoirs.

Now we have got challenges where cities are actually running out of water, but it is not that we don't have enough water. In those wet years, we can save it. We can even pump it out of the ground to bring it back out. But in California, at times they care more about a fish and the water goes out to the ocean.

Now, we talk about desalinization. So we would spend billions of dollars to create a desalinization plant for the freshwater we put into the ocean to make it saltwater to bring it back into freshwater.

Why wouldn't we just store more water for those dry years?

We have worked on this issue for quite some time. We actually think the greatest return on investment would be to just lift Shasta Dam, the reservoir. If you simply enlarged it, it could store more.

We got to a bipartisan bill, the WIIN Act, working with DIANNE FEINSTEIN. It passed this House with big numbers. It passed the Senate with more than 70 votes.

But you know what happened after it passed?

Speaker PELOSI and other Democrats fought it, actually killed the ability that California could determine their own destiny.

And now today we come down, and this is supposed to be a wildfire bill. In my State, we have wildfires all the time. We have one raging right now. We have a very large one in Yosemite.

Also in California, we are blessed to be the only State in the world that grows giant sequoias. You all know that iconic tree. You all know and have seen it before. It grows for 2,000 to 3,000 years. History tells us that the only major time we have ever seen a giant sequoia die was in 1297 from a fire. Normally they just die because they get so large and they topple over.

But do you realize in the last 2 years we have lost 20 percent of all the giant sequoias? There is a warning right now that we can lose them all just in the next couple years. Firefighters right now are risking their lives to protect them.

But you know what? This body can be very proud of the fact that there is a bipartisan bill, Save Our Sequoias, with the same number of Democrats and Republicans on that piece of legislation. They would go into these groves, clean out, and protect them where firefighters wouldn't have to risk their lives, or even when fires came, these giant sequoias would continue to live.

It has been introduced. How did that bill get introduced?

Because a bipartisan group went to the giant sequoias, studied what needed to happen, and came together. Everybody didn't get what they want, but at the end of the day they could save the giant sequoias.

You know what is not in this bill?

Save Our Sequoias.

This is a wildfire bill that won't even save the sequoias, even though the President talked about this just last week, that it was a big concern to him.

Why wouldn't it get put in?

It is not that it hasn't been through committee because the committee won't bring it up. But that is not the pattern of the Democrats. It doesn't matter if a bill has been through committee or not; they will drop anything in.

This is a bill that both sides agree upon. I have to give credit to the Democrats—Congressmen PETERS, PANETTA, COSTA, and others—who went to the giant sequoias to study the issue to know what needs to happen, to work toward it, and save them.

Why would we want to destroy them?

Why would we not use this opportunity and put it in this bill?

Is it because it is bipartisan?

Can you only bring bills to the floor that are partisan?

It is interesting when my constituents ask—all the challenges on this floor, when my constituents were going to ask me about a firefighter bill to help save our forests, but it would eliminate 610 firefighters?

Only a Democrat Congress could think that is a wildfire bill, that you are going to eliminate 610 firefighters.

How is that going to protect them more?

It is only in this Congress that you could have a bill that is called the American Rescue Plan that creates inflation.

It is only in the American Rescue Plan that you could tell the American public, can you afford to lose a month's salary?

No one will say yes, but that is exactly what you took from them. That is what inflation has done.

This bill is needed, not the bill you have written, but on this issue. You have Save the Sequoias, it is a crisis before us, and you will not even put it in the bill when it is bipartisan.

I cannot imagine that you would bring a bill forward that would eliminate firefighters that we need when we are on fire.

And I cannot imagine that you wouldn't work to build more reservoirs so people can store water in the wet years so it will be there in the dry years.

Mr. NEGUSE. Madam Chair, I yield myself such time as I may consume.

I have just a few key points.

First, I understand why there is some confusion on the other side regarding the firefighter pay provision because, again, my colleagues voted against increasing firefighter pay a year ago when the bipartisan infrastructure bill was before this body, so I understand that they are prepared to vote against it again.

I would just simply say with respect to the provisions of this bill, and whether they are bipartisan, partisan or not, I suspect that Representative

LAMALFA, whose H.R. 4505 is in this bill, would disagree. I suspect H.R. 5345, a bill introduced by Mr. MOORE which is also in this bill, I think tends to refute that fact.

Madam Chair, I yield 1 minute to the distinguished gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Chair, I join my colleagues in support of the Wildfire Response and Drought Resiliency Act. I support this bill because we are in the midst of a crisis. After decades of severe drought, the Colorado River, which supplies water to 40 million people across seven States, is on the brink of collapse. The future of Arizona and the entire American Southwest depends on how we respond.

Bold action to protect our water supply has never been more important, and the Federal Government needs to act with the urgency before it is too late.

The Wildfire Response and Drought Resiliency Act is a necessary step to help our communities deal with the impacts of climate change and a drier future. It builds on the investments in the bipartisan infrastructure law to use our water more efficiently, and it includes my legislation to provide \$500 million for immediate action to protect critical water levels in Lake Mead and Lake Powell.

Time is of the essence. We must act now. We cannot allow this crisis to turn into a catastrophe. I urge my colleagues to save the Colorado River, save the American Southwest, and support this bill.

Mr. WESTERMAN. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Madam Chair, this is the Democratic equivalent of fiddling while our forests burn. They call it the Wildfire Response and Drought Resiliency Act, but while it spends lavishly, it accomplishes almost nothing.

For 14 years in Congress, I have dealt extensively with issues of fire and water, and here is what I have learned: Excess timber will always come out of the forest. Either we will carry it out or nature will burn it out. When we carried it out by logging, we enjoyed healthy forests and a thriving economy.

We stopped active forest management decades ago due to radical environmental laws that have made it impossible. Today our forests are now morbidly overgrown, and nature is again burning out the excess.

This bill does nothing to reform the laws that have made active forest management impossible, and instead it consigns us to fight a losing battle that will cost us our forests for generations to come.

When it comes to water, droughts are nature's fault. They happen. But water shortages are our fault. They are the choice we made when the same radical laws made new dam construction impossible. Dams save water for wet

years so that we have plenty in the dry ones. We will not solve our water shortage until we build more dams, and we can't build more dams until we overhaul these same laws.

Instead, this bill pours hundreds of millions of dollars into desalination. The most successful desalination plant is in Carlsbad, California. At a time when we can't guarantee enough electricity to keep your lights on, Carlsbad consumes enough electricity to power 250 homes in order to produce enough water for one home.

This bill is pure folly. It will consume billions of dollars of our resources while condemning us to a dismal future of chronic forest fires and water shortages.

Mr. NEGUSE. Madam Chair, I yield 2 minutes to the distinguished gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Madam Chair, it is great to see the gentlewoman in the chair. I thank Chairman GRIJALVA for bringing this important bill to the floor, and I applaud the gentleman from Colorado (Mr. NEGUSE), my friend and colleague, for leading this legislation.

Madam Chair, I rise today in strong support of H.R. 5118, the Wildfire Response and Drought Resiliency Act.

As a native of Las Vegas, I grew up with frequent trips to Lake Mead, which is part of my district. That is why it is heartbreaking to see levels at Lake Mead at their lowest point since the reservoir was first filled in 1937. It is currently only 27 percent full.

Madam Chair, Nevada and much of the U.S. West has experienced a very hot and dry summer, fueling drought and even fires in some areas.

In this year's appropriation bill, we secured \$6 million for the Lake Mead/Las Vegas Wash program to directly address the falling water levels, and this legislation, the Wildfire Response and Drought Resiliency Act, will further address some of the issues being caused by this heat and drought.

This package represents 49 individual Member bills, bringing together many great ideas and solutions to the problem.

Madam Chair, it establishes new hiring authorities and minimum basic pay for the brave men and women who serve as wildland firefighters.

It provides \$500 million to prevent key reservoirs, like Lake Mead, from declining to unsafe levels.

It invests in drought-proof water infrastructure, like water recycling and desalination projects.

This legislation also secures water reliability for Indian Country, investing \$1 billion in Tribal clean water access.

And it will support the development of modern water management data and technology.

H.R. 5118 will protect and restore important ecosystems, and I encourage this body to pass this legislation.

□ 1215

Mr. WESTERMAN. Madam Chair, many of the water and power users in

the Colorado basin were not consulted on this \$500 million Colorado River provision and don't even know what it would be used for. That is another reason why we should actually work on these issues in committee and have a bipartisan markup.

Madam Chair, I yield 1 minute to the gentleman from Utah (Mr. MOORE).

Mr. MOORE of Utah. Madam Chair, while I cannot support the entirety of the package we are considering today, I am grateful that my bipartisan, bicameral Saline Lake Ecosystems in the Great Basin States Program Act was included in this bill.

This important legislation, which moved through the House Natural Resources Committee with unanimous support, will be the first step in addressing the challenges many Utahns know we are going through right now with the Great Salt Lake and other saline lakes.

Let me say a special thank-you to my friend from California, Congressman HUFFMAN. He and I disagree on many issues, the entirety, almost, of this bill or this approach, but I do appreciate the relationship that we have been able to establish so we can get this to the point where we got it today.

It is very important to my State. My State legislature has been working on this, as well as our Governor. It has been a key aspect.

Let me add one piece about what we are going to be talking about today. The Republican team, led by Mr. WESTERMAN, has exceptional ideas on how to get out ahead of this issue that we are facing with wildfires, and we want to have that voice and have that be implemented more on these issues.

Mr. NEGUSE. Madam Chair, I say thank you to my Republican colleague and neighbor from Utah and that we are glad we can get his bill into this important bipartisan Wildfire Response and Drought Resiliency Act package.

Madam Chair, I yield 2 minutes to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Madam Chair, I thank the gentleman from Colorado for yielding. I also thank Chairman GRIJALVA for the work he put in.

I rise to speak, Madam Chair, in support of the Wildfire Response and Drought Resiliency Act. This bill includes many long-fought initiatives to address the mega-drought and year-round wildfires we see in Arizona.

Arizona's First Congressional District encompasses rural and Tribal communities, six national forests, three Tribal forests, along with the Grand Canyon. There is no longer a wildfire season in northern Arizona. Deadly wildfires happen year-round, and these fires threaten our homes, businesses, and communities.

Included within the final package are several bills that address key policy steps we can take to address wildfires, drought, and public safety in our national forests.

This legislation allows for the hiring of more Forest Service law enforce-

ment officers, which will improve safety and oversight of our forests, especially during high-risk days when fires can start in an instant.

Another critical provision included will create a grant program to remove nonnative plant species, like salt cedars, that contribute to drought and fire conditions.

Importantly, also within this package are two Tribal water settlements that I have fought for since 2017 when I arrived in Congress, the White Mountain Apache Tribe and Hualapai Tribe water settlements. The Tribes have been waiting decades for these Federal approvals.

In addition, these settlements will provide the State of Arizona with greater surety in its water future.

Today, I am looking forward to joining my colleagues gathered here to vote to pass this critical package of bills. I also acknowledge that there is a tremendous amount of work over decades that has not been done by this Congress that it has to complete.

Mr. WESTERMAN. Madam Chair, I yield 2 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Madam Chair, I thank my friend from Arkansas for allowing me to speak on this important issue.

Madam Chair, rural communities across the country are plagued by persistent drought and catastrophic wildfires, especially communities in the Western United States. As the Representative for Washington's Fourth Congressional District and as chairman of the Congressional Western Caucus, I have been consistently calling for these issues to be taken up in committees and here on the House floor.

In one sense, I am very glad that our colleagues from across the aisle are finally realizing just how crucial these issues are, but I am disappointed by the fact that today's rushed package of provisions fails to address the root challenges that we face in the West and ignores a myriad of solutions that were offered by my Republican colleagues.

Rather than fixing our broken, duplicative requirements under the National Environmental Policy Act, this package adds more regulation and bureaucratic red tape. Rather than enhancing opportunities for long-term water storage infrastructure and offering any type of lasting solutions for forests and species management, it focuses on adding environmental studies and prioritizing environmental justice.

Madam Chair, my colleagues and I submitted numerous amendments that would actually solve these problems—to encourage additional water storage, active land forest management, commonsense reforms to the Endangered Species Act, and critically needed domestic energy and timber development. Unfortunately, Madam Chair, Democrats refused to even let these amendments be considered for debate.

This bill fails to address the actual problems facing rural communities and



will likely exacerbate the very issues Democrats claim the bill addresses.

Madam Chair, I urge my colleagues to vote “no” on this legislation.

Mr. NEGUSE. Madam Chair, I have great respect for my colleague from Washington, and we have worked together closely in the past.

I would just say that we are considering a number of amendments today, including an amendment from the Republican leader, Mr. MCCARTHY, who spent a great deal of time on the floor just a few moments ago talking about his particular amendment.

Madam Chair, I yield 3 minutes to the gentlewoman from New Mexico (Ms. STANSBURY).

Ms. STANSBURY. Madam Chair, I rise today in support of the Wildfire Response and Drought Resiliency Act as wildfires have been burning across my home State of New Mexico and our life-giving Rio Grande has dried for the first time in decades in significant stretches of the river. This bill is vital to supporting our communities as they are responding to the impacts and working to build a more resilient future.

This year, communities across our State have been battling unprecedented wildfires that have devastated homes and livelihoods and taken the lives of four first responders just a couple of weeks ago from Bernalillo County in my home district, exacerbated by a millennial drought and the impacts of global climate change.

But we are New Mexicans, and we are resilient. This bill, which includes our wildfire legislation and three of my water bills, is crucial to the future of our State.

That is why I am so incredibly grateful for the leadership of this body, to Speaker PELOSI, Leader HOYER, my good friend Representative JOE NEGUSE, and our amazing committee chairman, Mr. GRIJALVA, for their incredible leadership in meeting this moment and putting together a comprehensive package to address drought and wildfire across our country.

These bills will empower our communities, our Tribes, and our Pueblos, who have depended on these life-giving waters since time immemorial, our acequias and our land grants, who have depended on these lands and waters for generations, and empower our communities with the tools, resources, and science to meet the moment.

My bipartisan Water Data Act will help unlock the power of big data and science to help transform water management across the United States.

Our Rio Grande Water Security Act will help to create a framework for collaboration and innovation to keep water in our precious river.

The WaterSMART Access for Tribes Act will help to lower barriers so that our Tribes and Pueblos can access vital funding for water security projects.

Our Hermits Peak bill will help to make our communities that have been devastated by wildfires whole again.

Madam Chair, we must pass the Wildfire Response and Drought Resiliency Act, and we must pass it to prevent more devastating fires. We must pass it to ensure that our life-giving rivers do not continue to run dry. We must pass this legislation so that our communities have the tools and the resources that they need to remain resilient.

Madam Chair, the time to act is now, and the time to support our communities is now.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from Idaho (Mr. FULCHER).

Mr. FULCHER. Madam Chair, what is a just transition to so-called clean energy? We have been hearing the term all week from my colleagues across the aisle. Does a just transition mean the highest inflation in 40 years or record energy prices? Does it mean handing out billions of dollars to the green socialist lobby?

Does a just transition mean we let our Federal forests burn year over year without maintaining them? Or does it mean we don't give Tribes the same ability to take care of the forests as States have?

Just transition means some, but not all, can maintain the spaces around them, and I am disappointed that my amendment was not included in today's bill.

My amendment would have enabled Native Tribes and counties, which have to live with the unmanaged forests around them, to have an opportunity to help our forests be healthy.

I stand in opposition to this bill for a lot of reasons, just two of which are not including Tribes and counties in this so-called wildfire response package.

Mr. NEGUSE. Madam Chair, I yield 2 minutes to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ).

Ms. LEGER FERNANDEZ. Madam Chair, I thank Chairman GRIJALVA and everybody who has worked to bring this bill to the floor today.

A historic drought has forced ranchers in our parched Eastern Plains to sell their cattle early.

We don't collect and share data about our precious water resources with the ranchers, Tribes, and farmers who need it most.

Four brave firefighters lost their lives battling wildfires across my beautiful State. Five more people died in the fires and the floods from the burn scars. Today, I honor each of those nine souls and their grieving friends and family.

The Wildfire Response and Drought Resiliency Act is like a gentle monsoon rain falling on our thirsty landscape. It brings real solutions to these problems.

It includes my Hermits Peak-Calf Canyon fire bill to compensate those who lost their ancestral homes, businesses, and ranches when the Forest Service started not one but two fires that became an inferno of destruction. These fires scorched 534 square miles of land in Mora, San Miguel, and Taos Counties.

When I visited the burn scar, Brandon Bustos, a third grader evacuated from his beloved village, said: “Mora will be back. I guarantee it.” He has not given up on his future. Neither have I, and neither have any of us who will vote for this bill because this bill will help Mora rebuild.

It will pay firefighters a minimum wage that is necessary because they risk their lives for us. It will invest in burn centers of excellence and the science, technology, and data sharing we need to build resiliency and make every precious drop of water count because *agua es vida*.

Madam Chair, I urge my colleagues to vote for the bill today.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Madam Chair, I appreciate Mr. NEGUSE working on this legislation here, but to have this all in a catchall bill—in my home State of California, the two biggest things going on are wildfire and drought, other than politics. So, to have so little time to put this together, I wish we had more time to work on this.

I appreciate that he included a small piece on biochar that I was working on, but the big picture here is the drought is affecting so much of my State. These crops listed here, many of them 100 percent of what is used in the United States. Hundreds of thousands of acres are being left out.

The people in this country will not see these crops come from California or the U.S. They will come from other countries if we get them at all.

On the forestry side, I had the Dixie fire last year. That was a million acres. Yet, we are going to take the power away from the Forest Service, which already moves at a glacial pace of 1 percent per year under their 10-year plan of treating forests lands—take away 600 of their staff and basically just make it that much slower for the Forest Service to respond.

Between the drought and the weaponizing, possibly, of monitoring against farmers the water supply, we are going backward on this. So, I am disappointed.

□ 1230

Mr. NEGUSE. Madam Chair, I would say first, we are glad that we got Mr. LAMALFA's H.R. 4505 into this bill, and I am looking forward to supporting it today. I have to, again, respond to this argument that has been made about the 10-year plan.

I would hope that my colleagues and I could agree to argue the merits of the bill based on the text of the bill. The bill makes clear that the activities that the Forest Service is mandated to implement include the Wildfire Crisis Landscape Investments plan titled: “Confronting the Wildfire Crisis: Initial Landscape Investments to Protect Communities and Improve Resilience in American's Forests” dated April 2002. What is that document? That is

the 10-year plan that the Forest Service authorized that we voted for back last November. So this codifies that and builds upon it by giving the Forest Service more resources to do even more landscape restoration and forest management across the country.

Madam Speaker, I yield 1 minute to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Madam Chair, I rise today with my daughters in strong support of H.R. 5118, the Wildfire Response and Drought Resiliency Act. This legislation includes my bill, the Salton Sea Projects Improvements Act, which will take strong action to address the crisis at the Salton Sea.

In our region, drought and reduced water flows into the Salton Sea have led to deteriorating water quality and toxic dust that threatens local communities' health.

My bill will authorize \$250 million the Bureau of Reclamation can spend on the Salton Sea and expand the types of transformative projects at the sea. This will ultimately strengthen our all-hands-on-deck approach to this environmental and public health crisis by expanding the bureau's ability to work with State, local, and Tribal partners in the area.

I urge my colleagues to swiftly pass this drought and wildfire bill, and I urge the Senate to do the same.

The SPEAKER pro tempore. The Chair will remind all Members to refrain from references to guests on the floor.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from Montana (Mr. ROSENDALE).

Mr. ROSENDALE. Madam Chair, as it stands now, this bill will make a vast swath of land inaccessible, making it harder for wildfires to respond.

This bill's approach to wildfires is backwards. The people of Montana and across the West have seen too many fires scorch homes, businesses, and forests. It has destroyed air quality, water quality, and fisheries. They appreciate the bravery of the responding firefighters, but I believe many would prefer never to see the wildfires in the first place.

My amendment would have addressed root causes of wildfires by clarifying language in statute that allows radical environmentalists to delay the harvest of timber as per the Cottonwood decision, which has made proper forest management near impossible.

The Cottonwood decision has delayed forest planning, wildfire mitigation efforts, and ultimately weaponized the Endangered Species Act, allowing special interest groups to line up like pigs at the trough, lapping up legal fees and settlements, stripping valuable resources from agencies and keeping them from carrying out their mission.

In closing, I will say that I am appalled that Democrats will not consider the commonsense amendments like mine, which would allow these mitigation efforts to take place.

Mr. NEGUSE. Madam Chair, I yield 2 minutes to the distinguished gentleman from California (Mr. PANETTA), who has become a real leader here in our caucus and in the Congress on forestry and forest management.

Mr. PANETTA. Madam Chair, I rise today in support of the Wildfire Response and Drought Resiliency Act.

Let me, of course, thank Representative NEGUSE for his strong leadership on these issues, as well as Leader HOYER for getting this bill to the floor.

I also acknowledge and understand my good friend Mr. WESTERMAN's complaints about regular order, but I also know that he understands how urgent of action is needed, especially when it comes to us getting a grip on the conflagrations, the devastation, and the destruction that we are experiencing in the American West when it comes to wildfires.

Right now we have a record drought that has led to record levels of dryness. Dead and dying fuels have created vast swaths of wilderness that are flammable, ignitable, and combustible just from a single spark, a simple downed power line, a smoldering campfire, or a strike of lightning that can absolutely wipe out not just our forests and our parks, but lives and livelihoods.

This legislation contains a number of bills that would help reduce that threat, including my Save Our Forests Act that would authorize the Forest Service to hire more employees to help manage not just forests but the people who visit our forests.

Eighty percent of wildfires are caused by humans, so more Forest Service personnel are needed to manage humans acting like humans.

Additionally, the Wildfire Emergency Safety Act, which I authored with Senator FEINSTEIN, provides a strategy and the authority to start thinning out the undergrowth of overgrown forests and then set prescribed burns to eliminate those dead and dying fuels.

This bill would do that at the national level with large-scale restoration projects, and it would do that at the local level with non-Federal lands through partnerships with our Federal stakeholders.

Let me also make one thing clear to our environmental allies. This is not a slippery slope to clear-cutting or commercial logging. This is not about timber harvesting for economic interests. This is about smart, science-based, commonsensical stewardship for our forests. It is a solution to deal with our drought and a strategy to not just suppress wildfires, but, also, to do everything we can to prevent them.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from California (Mr. OBERNOLTE).

Mr. OBERNOLTE. Madam Chair, last year, my home State of California experienced the worst year for wildfires in the entire history of the State.

As of this morning, the Oak Fire is burning just outside my district. It has consumed over 100 homes and displaced tens of thousands of people.

Science tells us that the only way to reduce the intensity of these wildfires is to reduce the density of the fuels through either mechanical thinning or prescribed burns. But unfortunately, this bill makes the situation even worse by locking up over 58 million new acres of forest with a wilderness designation that would prevent the use of mechanical thinning or prescribed burns to reduce the density of the fuels.

This bill is called the Wildfire Response Act, but, Madam Chair, our response to wildfires cannot be to take actions that make future wildfires even more destructive.

I urge a "no" vote.

Mr. NEGUSE. Madam Chair, I yield 1½ minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Chair, I thank the distinguished gentleman from Colorado for yielding, and I thank this body for recognizing the cruciality of where we are today as it relates to fires.

I know the gentleman's territory, but many people might not know that Texas also is impacted by wildfires. So, I rise in strong support for H.R. 5118, the Wildfire Response and Drought Resiliency Act for many reasons.

One, I support my firefighters. As anyone has seen firefighters who fight these fires being interviewed, they are in the midst of the fire. As anyone has heard the families that look and say there is nothing here; but for firefighters, I would not be here.

So Houston is no stranger to these weather conditions. Fifty-one trillion gallons of water fell from Hurricane Harvey, yet wildfires are another type of extreme weather that imperils our community, and it is attributable to climate change, as Hurricane Harvey was.

Wildfires are often unplanned fires, which burn in a natural area such as a forest. Along with the destruction and loss of forests caused by blazes, there are immediate and long-term environmental impacts that dramatically affect vital resources. Expanded areas of high-severity fire can impact tree regeneration, soil erosion, and water quality, and, yes, the quality of life. It can cause major destruction of property and loss of life, and this legislation is a recognition of attempting to address this question and address it now.

The CHAIR. The time of the gentlewoman has expired.

Mr. NEGUSE. Madam Chair, I yield an additional 15 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Chair, this bill would boost pay and benefits for firefighters, help the U.S. Forest Service fill gaps in fire management staff, expand forest management projects, and reduce hazardous fuels.

I ask my colleagues to support the underlying bill.

Madam Chair, I rise in support of H.R. 5118, also known as the Wildfire Response and Drought Resiliency Act.

Climate change is the most important existential challenge of our lifetime. It is not simply an issue, but a threat with credible and uncompromising dangers to our world.

Climate change degrades living conditions, human security, and our government's ability to meet the basic needs of their populations.

For too many years, we have heard warnings from scientists regarding the danger to people if nothing is done to reverse the amounts of greenhouse gases released into the atmosphere.

One of the most devastating consequences of climate change is the frequency and intensity of extreme weather disasters.

Houston is no stranger to these intense weather incidents. On August 25, 2017, Hurricane Harvey, a Category 4 storm hit Texas, causing \$125 billion in damages and affecting over 13 million people from Texas through Louisiana, Mississippi, Tennessee, and Kentucky.

Climatologists agree that global warming contributed to Hurricane Harvey's impact. Studies found the amount of rainfall was between 15 to 38 percent higher because of global warming.

Rising sea levels as a result of climate change also made flooding more likely near Gulf Coast cities. The sea levels around Houston were six inches higher than 20 years ago. This is partly because warmer global temperatures have been melting the ice caps in Antarctica. They have been shrinking at 1.6 meters per year, compared to 3.8 centimeters annually before 1992.

Global warming also stalled weather patterns in the region. That allowed Harvey to hover over Houston instead of moving back out into the ocean.

Wildfires are another type of extreme weather event that imperils many regions of the country. Wildfires are often unplanned fires which burn in a natural area such as a forest, grassland or prairie. They have devastating consequences on a region by decimating an environment, while weakening a community's health and economy.

Along with the destruction and loss of forest caused by blazes, there are immediate and long-term environmental impacts that dramatically affect vital resources. Expanded areas of high-severity fire can impact tree regeneration, soil erosion, and water quality.

Wildfires can affect the physical, chemical, and biological quality of streams, rivers, lakes and reservoirs. These changes are noticeable for years and even decades after a fire.

The smoke from wildfires can cause eye and respiratory tract irritation and in more severe cases, reduced lung function, bronchitis, and an exacerbation of asthma and heart failure. Air pollution can spread up to thousands of miles away, not just in the surrounding region.

Property loss and damage is another consequence of wildfires. In 2020 alone, fires in the U.S. caused \$21.9 billion in property damage. What's more, eight of the 10 costliest wildfires ever in the U.S. have taken place in the past five years.

Climate change exacerbates these conditions. Long periods of record high temperatures as a result of climate change intensify droughts that contribute to dry conditions and drive wildfires, which, in turn, reinforce the cycle of environmental peril.

Wildfire risk depends on a number of factors such as temperature, soil moisture, and the

presence of trees, shrubs, and other potential fuel. All these factors have strong direct or indirect ties to climate variability and climate change.

Climate change enhances the drying of organic matter in forests (the material that burns and spreads wildfire) and has doubled the number of large fires between 1984 and 2015 in the western United States.

The stress that extreme weather is placing on the nation cannot be understated.

H.R. 5118 would boost pay and benefits for firefighters, help the U.S. Forest Service fill gaps in fire management staff, and expand forest management projects to reduce hazardous fuels.

The provisions and purpose of this bill are not new. Historically, Congress has made numerous investments to fight drought, wildfire and the climate crisis.

The Bipartisan Infrastructure Bill, passed in November 2021, dedicated \$7.81 billion under Title VIII to the DOI and the Forest Service to reduce wildfire risk and support ecosystem restoration. In total, the bill allotted \$3.369 billion aimed at reducing wildfire risks. This amount was allocated to supporting firefighters, research dedicated to risk mapping, satellite wildfire detection, etc.

The measure would provide \$1.6 billion in annual spending on firefighter salaries and expenses at the Forest Service, and just under \$2.4 billion annually for salaries and expenses for forest stewardship and management in the fiscal year beginning Oct. 1.

Forest management projects, which mainly involve reducing hazardous fuels such as dead trees, are part of the bill, authorizing \$500 million annually for that purpose. The Department of Agriculture would select up to 20 large, landscape-scale restoration projects over five years.

H.R. 5118 represents a continuation of bipartisan efforts to support the reduction of wildfire risk. It is essential in order to protect communities from the devastating consequences of wildfires and to actively fight against the impending climate crisis. The provisions within H.R. 5118 are essential to the protection of our ecosystems and to the brave first responders who are tasked with wildfire recovery efforts.

I urge my colleagues to support H.R. 5118.

I include in the RECORD "North Texas wildfire continues to grow amid high heat" and "Bottle-magnified sunlight ignited paper and started a 500-acre Texas wildfire, officials say."

[From ABC News, July 19, 2022]

#### NORTH TEXAS WILDFIRE CONTINUES TO GROW AMID HIGH HEAT

GRAFORD, TEXAS.—A North Texas wildfire continued to grow Tuesday amid sweltering temperatures and dry conditions after burning at least a dozen structures, officials said.

The Chalk Mountain Fire about 50 miles (80 kilometers) southwest of Fort Worth was the largest active Texas wildfire as of Tuesday afternoon after blackening 6,000 acres (2,400 hectares), an increase from 4,000 acres (1,600 hectares) Tuesday morning, the Texas A&M Forest Service said. The fire, which began Monday afternoon, was just 10% contained, and crews using bulldozers were digging containment lines while fire trucks and aircraft worked to extinguish the flames, the Forest Service said.

Late Tuesday afternoon, Hood County Judge Ron Massingill ordered the mandatory

evacuation of a rural area south of Tolar, about 45 miles (72 kilometers) southwest of Fort Worth.

It was not yet clear how many, if any, of the 12 structures lost as of Tuesday afternoon were residences or businesses, Forest Service spokeswoman Mary Leathers said.

Meanwhile, crews continued to battle a wildfire that has burned at least 10 structures, five of them homes, around a lake in North Texas, authorities said.

The fire at Possum Kingdom Lake about 70 miles (113 kilometers) west of Fort Worth, which began Monday afternoon, had burned about 500 acres (202 hectares) and was 10% contained Tuesday, Forest Service spokesman Adam Turner said. Firefighting crews were working around the clock, focusing on protecting threatened homes in resort subdivisions along the lake's western shore.

The area remained under a voluntary evacuation notice, the Forest Service said.

No injuries have been reported from the fires, and their causes were under investigation. A combination of near-record and record-high temperatures approaching 110 degrees Fahrenheit (43 degrees Celsius) combined with breezes gusting as high as 30 mph (40-50 kph) and drought conditions leave the region ripe for fire, the forest service said.

The National Weather Service has issued a red flag fire warning for northern and central Texas and western and eastern Oklahoma for Tuesday.

"We are experiencing dry fuels to a level that we haven't seen in the past 10 years," Turner said. "Any spark that lands in tall grass or even lands in some short grass right now is liable to spark."

Wildfires and intense heat in Texas and some other parts of the United States come as unusually hot, dry weather has gripped large swaths of Europe since last week, triggering wildfires from Portugal to the Balkans and leading to hundreds of heat-related deaths.

[From the Associated Press, July 28, 2022]

#### BOTTLE-MAGNIFIED SUNLIGHT IGNITED PAPER AND STARTED A 500-ACRE TEXAS WILDFIRE, OFFICIALS SAY

Sunlight magnified by glass bottles in an open garbage can ignite paper trash, starting a 500-acre North Texas wildfire that destroyed five homes, fire officials said Thursday.

The July 18 fire on Possum Kingdom Lake's western shore, about 70 miles west of Fort Worth, took eight days to fully contain.

Chief Bonnie Watkins of the Possum Kingdom West Side Volunteer Fire Department found a trash can packed with party trash that included paper goods, food and numerous glass bottles, according to a department statement Thursday.

Watkins concluded that a wind gust opened the can lid, allowing sunlight magnified by the glass bottles to ignite the paper. The fire built rapidly until the fire spilled from the can and spread to nearby cedar trees, the statement said.

Rich Johnson, a spokesman for the Insurance Council of Texas, a nonprofit insurance industry association, said he had never heard of such a freakish cause for a wildfire.

"A fire started in a trash can is one thing, but one caused by sunlight magnified by glass bottles? That's a new one," Johnson said.

North Texas has been plagued by numerous explosive wildfires fostered by extreme drought conditions combined with temperatures topping 100 degrees and wind gusts.

Another fire that began the same day as the Possum Kingdom Lake fire continued to burn Thursday about 50 miles southwest of Fort Worth. However, a multi-agency firefighting team continued to make slow by

steady progress in containing the Chalk Mountain Fire that has blackened 10 1/2 square miles, destroyed 16 homes and damaged five others.

In a statement, team officials said crews had improved containment from 50% to 53% from Wednesday to Thursday and crews suppressed a particularly stubborn portion of the fire with bulldozers Thursday. However, they also continued to strengthen fire lines and attack hotspots as conditions remained critically conducive to ignitions and spreading.

The cause of the Chalk Mountain Fire has not yet been determined.

[From the Center for Climate and Energy Solutions, July 2, 2022]

#### WILDFIRES AND CLIMATE CHANGE

Climate change has been a key factor in increasing the risk and extent of wildfires in the Western United States. Wildfire risk depends on a number of factors, including temperature, soil moisture, and the presence of trees, shrubs, and other potential fuel. All these factors have strong direct or indirect ties to climate variability and climate change. Climate change enhances the drying of organic matter in forests (the material that burns and spreads wildfire), and has doubled the number of large fires between 1984 and 2015 in the western United States.

Research shows that changes in climate create warmer, drier conditions. Increased drought, and a longer fire season are boosting these increases in wildfire risk. For much of the U.S. West, projections show that an average annual 1 degree C temperature increase would increase the median burned area per year as much as 600 percent in some types of forests. In the Southeastern United States modeling suggests increased fire risk and a longer fire season, with at least a 30 percent increase from 2011 in the area burned by lightning-ignited wildfire by 2060.

Once a fire starts—more than 80 percent of U.S. wildfires are caused by people—warmer temperatures and drier conditions can help fires spread and make them harder to put out. Warmer, drier conditions also contribute to the spread of the mountain pine beetle and other insects that can weaken or kill trees, building up the fuels in a forest.

Land use and forest management also affect wildfire risk. Changes in climate add to these factors and are expected to continue to increase the area affected by wildfires in the United States.

Since 2000, 15 forest fires in the United States have caused at least \$1 billion in damages each, mainly from the loss of homes and infrastructure, along with firefighting costs. The 2017 wildfire season was well above average, with deadly fires in California and throughout the West, including Montana, Oregon, and Washington state. The 2018 wildfire season went on to also break records as the deadliest and most destructive season on record in California. NOAA estimates the total costs of wildfires in 2017 and 2018 to be more than \$40 billion. In 2019, wildfires caused an estimated \$4.5 billion in damages in California and Alaska. Alaska's record-breaking heat and dry conditions over the summer months set the conditions for the state's historic wildfire season. In 2020, five of the six largest fires on record burned in California and Oregon saw historic levels of wildfire spread and damage. Wildfires across the West led to weeks-long periods of unhealthy air quality levels for millions of people.

Wildfire can affect:

Federal and State Budgets:

U.S. Forest Service fire suppression expenditures had increased from about 15 percent of the agency's appropriated budget to

more than 50 percent in 2017. Nationwide suppression costs in 2017 and 2018 ballooned to \$2.9 billion and \$3.1 billion respectively, while state wildfire expenditures have also increased substantially.

Public Health:

The growing number of people in wild lands is increasing the risk to life, property and public health. Smoke reduces air quality and can cause eye and respiratory illness, especially among children and the elderly. Wildfires that burn in residential areas can melt plastic water pipes and cause contamination of water systems with a known carcinogen.

Natural Environment:

Wildfires are a natural part of many ecosystems. Although wildfires produce a number of greenhouse gases and aerosols including carbon dioxide, methane, and black carbon, the plants that re-colonize burned areas remove carbon from the atmosphere, generally leading to a net neutral effect on climate. However, when fires burn more frequently and consume larger areas, as they are doing with climate change, the released greenhouse gases may not be completely removed from the atmosphere if plants can't grow to maturity before burning, or if the plants that re-colonize are less efficient at carbon uptake.

#### HOW TO BUILD RESILIENCE

Communities, builders, homeowners, and forest managers can reduce the likelihood and impacts of wildfires by:

Discouraging developments (especially residential) near fire-prone forests through smart zoning rules.

Increasing the space between structures and nearby trees and brush, and clearing space between neighboring houses.

Incorporating fire-resistant design features and materials in buildings.

Increasing resources allocated to firefighting and fire prevention.

Removing fuels, such as dead trees, from forests that are at risk.

Developing recovery plans before a fire hits, and implementing plans quickly after a fire to reduce erosion, limit flooding, and minimize habitat damage.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from Oregon (Mr. BENTZ).

Mr. BENTZ. Madam Chair, Oregon, Idaho, California, New Mexico; the Western United States is on fire. We need to do something now. The folks here probably remember last year when we looked out the window here in D.C., we saw smoke going over the top of this town and that was Oregon or what used to be part of Oregon.

If we are going to avoid that, we need to do something now. To delay is to destroy. This bill, sadly, should be called the delay bill. Why? Because built into it throughout are obstacles to getting back into the forests. Obstacles in the form of foundations for litigation of all sorts, all types, and what we engage in then is paralysis through litigation.

This bill creates numerous new means of delaying getting back into the woods. We cannot afford to do this. To delay is to destroy. This bill needs to be opposed.

Mr. NEGUSE. Madam Chair, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. Madam Chair, in September of 2020, as the El Dorado fire raged through California, Big Bear hot-

shot firefighter Charlie Morton said to his loved ones what he always said when there was a fire in the area: "I've got to go protect my mountains."

Hotshots like Morton serve in the Vanguard. They are tasked with making the area safe for other firefighters to operate. As one hotshot explained: "We do not get to turn around and walk away."

I am hopeful that the Congress today does not turn around and walk away. This bill is a step to deal with the extraordinary consequences of climate change that is afflicting our country. Yes, it is the West of our country, but it is afflicting us all, in particularly, the West.

Firefighter Morton knew his work was extremely dangerous, but he did it anyway because he believed in the importance of protecting our Nation's forests and the communities they sustain.

On September 17, 2020, backed into a corner by the encroaching flames, Morton laid down his life in defense of that conviction. It was a noble sacrifice but one that no one should have to make.

Much like Morton and his fellow hotshots, America cannot afford to turn around and walk away from the issue of wildfires.

We must do everything we can to ensure that other brave firefighters do not have to give the full measure of their devotion as Morton did. That is why I am proud to serve as co-chair of the Congressional Fire Service Caucus and to bring this Wildfire Response and Drought Resiliency Act to the floor today.

Exacerbated, as we know, by the climate crisis, parts of the American West are experiencing the worst drought in 1,200 years, and this is fueling deadly and damaging wildfires affecting millions of Americans.

These disasters, Madam Chair, tear through communities and inflict untold destruction and grief.

This issue doesn't just affect those living in the West, however. As I have said, the effects of drought and wildfires cost our country tens of billions of dollars each year. We all pay a price; not the price that Morton paid, but we pay a price.

To my friends on the other side of the aisle who constantly deride our attempts to address the climate crisis as too expensive, I would remind them that the cost of inaction in the form of more frequent, more severe fires, droughts, and other natural disasters is far greater.

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From time to time, I quote a former Governor of our State, Ted Agnew, who, in his inaugural address in 1967, on the east front of the capitol in Annapolis, where I was just entering as a new State senator, said: "The cost of failure far exceeds the price of progress." That is true here.

We must not fail, and we must respond. And we must respond effectively.

This legislation will help us prevent and fight future wildfires by making investments to support our firefighting response and to protect vulnerable communities from wildfire. This bill, for instance, would establish a minimum basic pay of roughly \$20 an hour for wildland firefighters and ensure they have access to other benefits, such as at least 1 week of mental health leave.

Additionally, this legislation will authorize a 10-year national wildfire response plan, building on actions already taken by the Biden administration, and it will expand the role of Tribes and conservation corps programs in reducing wildfire risks.

This bill, Madam Chair, also includes \$500 million in Federal funding to programs to preserve key Colorado River reservoirs, an absolutely critical objective for us all. Tens of millions of Americans rely on that water.

All of these provisions will help us build on the progress we made with the fire and drought protection measures, including the bipartisan infrastructure law, which included close to \$17 billion for wildfire and drought prevention and response.

As an aside, Madam Chair, I am told some say this is an authorizing bill. It is an authorizing bill. That is regular order. It will be our responsibility to then appropriate the funds that are necessary to carry out the objectives of this bill, and I hope we can do so in a bipartisan way.

I thank House Natural Resources Committee Chairman RAÚL GRIJALVA for his leadership and Mr. NEGUSE, the ranking member, as well, for the work that they have done. Whether they agree or not, there has been joint work on this bill. I thank Chairs DAVID SCOTT, FRANK PALLONE, EDDIE BERNICE JOHNSON, and CAROLYN MALONEY for their committees' contributions.

We can take meaningful action to address these wildfires and drought by voting "yes" on this bill.

Madam Chair, although Charlie Morton perished in the El Dorado fire, his courageous efforts and those of his fellow firefighters made it possible to extinguish, ultimately, the flames. They were able to protect Morton's mountains, including a pristine meadow now named in his memory.

They did their part to defend our forest and our communities. Today, Madam Chair, we must do our part.

Mr. WESTERMAN. Madam Chair, I yield 1 minute to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Madam Chair, I rise today in opposition to H.R. 5118, the so-called wildfire response package.

The Greenwood fire in northern Minnesota was the worst in decades. It ravaged my district, forcing home evacuations, closing the Boundary Waters, and upending people's lives. Still, even worse wildfires ravage southern California and across the West.

Wildfires are the result of weather, topography, and fuel. Madam Chair,

the only factor we can control is fuel. Our forests are thick with dead wood fuel, and they are, predictably, going up in flames.

Real solutions include reforming our broken permitting process so we can get our loggers into forests on projects to really make a difference. There are no better conservationists and forest managers. They know better than anyone how to preserve our forests for future generations.

Like everything done by this majority, it throws money at a problem and offers no real solutions to ensure this doesn't happen again. And, no, not one single wildland firefighter receives a raise under this bill. \$20 an hour is already the minimum wage, and when you authorize no money with it, it will, in fact, lead to wildland firefighting jobs being cut.

Republicans are offering solutions. Ranking Member WESTERMAN has the Trillion Trees Act. I have the ESA Flexibility Act and the Healthy Forests for Hunters Act.

Madam Chair, Republicans will keep offering solutions until you accept them because we need to fix this problem. It cannot go on like this any longer.

Mr. NEGUSE. Madam Chair, might I inquire how much time is remaining for the respective sides.

The CHAIR. The gentleman from Colorado has 3¼ minutes remaining. The gentleman from Arkansas has 6½ minutes remaining.

Mr. WESTERMAN. Madam Chair, I yield 2 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Madam Chair, I rise in support of the motion to recommit and in opposition to the underlying bill.

The legislation before us today is rightly labeled a wildfire response bill. But, Madam Chair, I believe instead of just focusing on wildfire response, we as Congress should be focused on wildfire prevention.

The most immediate way to protect Americans who are threatened by potential catastrophic wildfire is to prevent these fires from happening in the first place, and the only way to do this is to actively manage our forests.

Therefore, I urge my colleagues to support my bill, the Wildfire Prevention and Drought Mitigation Act, which is a part of this motion to recommit. This legislation would grant categorical exclusion authority for forest management projects whose primary purpose is to protect municipal water resources and to improve watershed health, water yield, and snowpack.

In addition, projects that are specifically tailored to adapt a forest landscape to an increased threat of drought would be granted categorical exclusion authority. Granting categorical exclusion authority to these projects would streamline the NEPA process and protect communities in my district that are adjacent to fire-prone forests.

The underlying bill we are debating here today will make it more difficult to prevent wildfires by adding new red tape and locking up millions of acres in wilderness. This is the same approach and continues to hurt my constituents.

Just a few months ago, the Black fire burned over 300,000 acres of mostly wilderness area in my district. In northern New Mexico, the devastating Hermits Peak-Calf Canyon fire burned through the unmanaged Pecos Wilderness and became the largest fire in our State history. These fires have destroyed hundreds of homes and will cost New Mexicans millions of dollars to clean up the damage and rebuild. All of this was preventable.

Instead of making it more difficult to prevent catastrophic wildfires, as the underlying bill would do, I ask my colleagues to support this motion to recommit.

Mr. NEGUSE. Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, I know the distinguished gentleman, Mr. HOYER, has left the Chamber, but I did want to personally thank him for putting the Senate NEPA streamlining bill on the suspension calendar today. I hope we can work on more issues like that in the future.

Madam Chair, I yield 3½ minutes to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Madam Chair, my constituents have faced drought conditions for years. Communities throughout the Central Valley and the entire American West are running out of water for daily use in homes, businesses, and agriculture production. Farmers are being forced to fallow their fields and dry out their orchards, and hundreds of thousands of acres will be unable to be planted again this year.

Instead of coming to the table to work on real solutions that would give families and farmers in my community the water they desperately need to survive, the majority has decided they would rather play politics with the most critical resource in the valley.

Apparently, passing political messaging bills to check a box is more important to my Democratic colleagues than trying to save the livelihood of thousands of valley farmers trying to put food on the tables of Americans across the country.

This bill is completely silent on the desperate need for enhanced water storage infrastructure to better prepare us during wet years. It does not cut red tape, decrease time delays, or address increased project costs due to redundant requirements under NEPA.

The bottom line is this bill is bad policy and bad for the Central Valley. My colleagues don't seem to understand that the fewer agriculture products the Central Valley produces, the worse off our own domestic food supply will be. Reduced ag means more of a reliance on other nations for our food, which is an issue for national security.

We must do better to address the severe drought we are suffering through in the American West.

The WIIN Act, which passed with bipartisan support under President Obama in 2016, provided real relief to valley farmers by increasing operational flexibility of the Central Valley Project and the California State Water Project. It also authorized millions of dollars for important water infrastructure projects to improve the Friant-Kern Canal, the Delta-Mendota Canal, and the California Aqueduct.

The WIIN Act was critical to ensuring that valley families in rural communities across the United States have clean, reliable water. We made great progress because of this legislation. Unfortunately, authorities under the WIIN Act expired in 2021.

This is why I introduced the RENEW WIIN Act, to extend storage and operation provisions of the WIIN Act and authorize funds for critical water storage projects.

Over three quarters of the Democrats in this House supported these positions in 2016. But this week, they refused to include my bill in this so-called drought relief package. They are blocking an actual solution to the crisis in the name of environmental justice.

Madam Chair, where is the justice in letting thousands of valley farmers lose their livelihoods because they cannot get something as basic as water?

If this drought bill was truly about solving the water crisis in the West, the House majority would include the RENEW WIIN Act in this package instead of actively blocking its consideration.

Madam Chair, I am once again urging the House majority to consider this legislation that will bring water to the people in my community doing everything possible to survive this terrible drought.

Madam Chair, I urge the Democrat majority to stop playing politics with the resource that the entire country is so reliant on.

Madam Chair, I include in the RECORD the text of the amendment.

At the end of division A, insert the following:

**SEC. 303. CATEGORICAL EXCLUSION FOR WILDFIRE PREVENTION AND DROUGHT MITIGATION.**

(a) CATEGORICAL EXCLUSION ESTABLISHED.—Forest management activities described in subsection (b) are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(b) FOREST MANAGEMENT ACTIVITIES DESIGNATED FOR CATEGORICAL EXCLUSION.—The forest management activities designated under this section for a categorical exclusion are forest management activities carried out by the Secretary concerned on National Forest System lands or public lands where the primary purpose of such activity is to—

- (1) protect a municipal or Tribal water source from damage caused by wildfire;
- (2) improve ecosystem health, resilience, and other watershed and habitat conditions;
- (3) improve, maintain, or restore water yield or quality;
- (4) improve, maintain, or restore snowpack;

(5) adapt the forest landscape to an increased threat of drought; or

(6) any combination of the purposes specified in paragraphs (1) through (5).

(c) AVAILABILITY OF CATEGORICAL EXCLUSION.—On and after the date of the enactment of this Act, the Secretary concerned may use the categorical exclusion established under subsection (a) in accordance with this section.

(d) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—Except in the case of a forest management activity described in paragraph (2), a forest management activity covered by the categorical exclusion established under subsection (a) may not contain treatment units exceeding a total of 10,000 acres.

(2) LARGER AREAS AUTHORIZED.—A forest management activity covered by the categorical exclusion established under subsection (a) may contain treatment units exceeding a total of 10,000 acres but not more than a total of 30,000 acres if the forest management activity is located in an area that, at the time of such activity—

(A) is in a severe, extreme, or exceptional drought; or

(B) has been in a severe, extreme, or exceptional drought in the previous 5 years.

(e) EXCLUSIONS.—The authorities provided by this section do not apply with respect to any National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within a national or State specific inventoried roadless area established by the Secretary of Agriculture through regulation, unless—

(A) the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area; or

(B) the Secretary concerned determines the activity is allowed under the applicable roadless rule governing such lands; or

(3) on which timber harvesting for any purpose is prohibited by Federal statute.

(f) DEFINITIONS.—In this section—

(1) FOREST MANAGEMENT ACTIVITY.—The term “forest management activity” means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands consistent with the forest plan covering such lands.

(2) FOREST PLAN.—The term “forest plan” means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(3) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(4) PUBLIC LANDS.—The term “public lands” has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(5) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

At the end of division B, insert the following:

**TITLE IX—RENEW WIIN ACT**

**SEC. 901. SHORT TITLE.**

This title may be cited as the “Responsible, No-Cost Extension of Western Water Infrastructure Improvements Act” or the “RENEW WIIN Act”.

**SEC. 902. EXTENSION OF AUTHORITY.**

Subtitle J of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322) is amended—

(1) in section 4007 (43 U.S.C. 390(b) note), in subsection (i), by striking “January 1, 2021” and inserting “January 1, 2031”; and

(2) in section 4013 (43 U.S.C. 390(b) note)—

(A) in the first sentence, by striking “the date that is 5 years after the date of its enactment” and inserting “December 31, 2031”; and

(B) in paragraph (1), by striking “10 years after the date of its enactment” and inserting “on December 31, 2036”.

Mr. WESTERMAN. Madam Chair, may I inquire as to the time remaining on both sides.

The CHAIR. The gentleman from Arkansas has 1 minute remaining. The gentleman from Colorado has 3¼ minutes remaining.

Mr. WESTERMAN. Madam Chair, I reserve the balance of my time.

Mr. NEGUSE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I heard with great interest my colleague from California’s remarks. I have to say I did take umbrage with his characterization of the bills within this omnibus package, as I think he put it, as “political messaging bills.”

I don’t think that Mr. LAMALFA, a Republican from California, would characterize his bill, the Tribal Biochar Promotion Act, as a political messaging bill. His bill is in this bill.

I don’t think that Mr. MOORE, a Republican of Utah, would characterize his bill, the Saline Lake Ecosystems in the Great Basin States Program Act, as a political messaging bill. His bill is in this bill.

I don’t think that Ms. LOFGREN would characterize her bill, the Wildland Firefighter Fair Pay Act, as a political messaging bill. That bill is before the House today.

That is probably the best place for me to begin to close.

We have heard a lot from the other side about various mischaracterization’s of firefighter pay and wildland firefighter pay and what this bill does and does not do. For the benefit of every American watching, I would encourage you to read the bill.

This body approved a pay increase for wildland firefighters a year ago. All but 13 of my colleagues on the other side of the aisle voted against it. You can check the RECORD. That pay increase expires a year from now. This bill seeks to make that pay increase permanent.

One could only hope that my colleagues who have made much about appropriating language will join me. I look forward to asking the ranking member after this vote to join me on

the bill to appropriate the firefighter pay increase that this bill will authorize.

Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

A poet named Joyce Kilmer wrote his most famous poem called "Trees," and it begins with, "I think that I shall never see a poem as lovely as a tree."

Trees and forests are poetic. They tug at our heartstrings. They evoke emotion. And I sincerely appreciate the emotion that my colleagues across the aisle have. I really believe we want to get to the same place of having healthy trees and healthy forests.

It was that that motivated me to go to forestry school and study forestry. Little did I know that I would have the honor and the huge responsibility of standing on the floor of this august body and speaking for the trees.

We want to do the right thing. We know how to do the right thing. We know how to take care of these trees and take care of these forests.

Unfortunately, what is in this bill doesn't do that. What is in this bill doesn't help the water situation. We should not pass this bill.

Let's work together, come up with real solutions, pass them out of this House, and get them signed into law to help our forests, our firefighters, and our drought conditions.

Madam Chair, I yield back the balance of my time.

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Mr. NEGUSE. Madam Chair, how much time do I have remaining.

The Acting CHAIR (Mrs. WATSON COLEMAN). The gentleman from Colorado has 1¼ minutes remaining.

Mr. NEGUSE. Madam Chair, I yield myself the balance of my time.

Madam Chair, I have great respect for the ranking member. We work together and have had rigorous and robust debates about forest management. We have partnered on some bills, and we have opposed each other's respective positions on others. But the signs that the other side have been using during this debate about firefighter pay and the like are simply not true.

I understand if my colleagues on the other side believe that the firefighter pay increase that is authorized by this bill and that makes the pay increases that were authorized last year permanent, I understand if they believe that it is too expensive. They are welcome to make that argument. I disagree.

But I hope that every Member of this Chamber can, again, adhere to substantive debate on the text of the bill that is before the House, and the text of this bill authorizes an increase for wildland firefighters who are bravely sacrificing so much for our country. It authorizes additional dollars for the Forest Service to do incredibly important forest management work to prevent the next fire in Colorado, in Utah,

in New Mexico, and in Arizona. The bill authorizes significant investments to ensure that the drought we are experiencing at record levels in the West can be addressed.

Madam Chair, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. THOMPSON of California. Madam Chair, I rise in strong support of H.R. 5118, the Wildfire Response and Drought Resiliency Act.

Our communities have been hit hard by wildfires year after year. During the 2017 wildfire season, 44 people were killed and nearly 5,000 people lost their homes. Five years later, our communities are still rebuilding.

We made significant investments in the Infrastructure Investment and Jobs Act to fight and prepare for wildfires.

The Wildfire Response and Drought Resiliency Act is another step towards providing our communities with the resources we need to combat wildfires and reduce drought.

I am particularly pleased to see my language requesting information from the Department of Agriculture on crop losses due to natural disasters included in this bill.

Given the prolonged drought conditions and the constant threat of wildfire and smoke exposure, we already know that many of our growers will need disaster assistance for 2022 losses.

The information we request from USDA will help inform my work to reauthorize the Emergency Relief Program for 2022 losses.

This bill includes a crucial cost share adjustment and establishes a minimum basic pay and hiring authorities for federal wildland firefighters—providing necessary resources to those who put their lives on the line to save our lives and homes.

This bill provides authorization for the pre-deployment of resources during red flag warnings similar to how we prepare resources in advance of oncoming hurricanes.

This bill also includes provisions from the FEED Act, legislation I was proud to introduce, allowing local restaurants to partner with the government to distribute healthy food to wildfire victims during their time of need.

As we continue to address the climate crisis, I will continue to do everything I can to ensure our communities have the resources they need to prevent and recover from the fires that continue to threaten our homes and livelihoods every year.

I urge a yes vote on this bill.

Ms. DEGETTE. Madam Chair, studies show that when our environmental laws are broken our poorest communities disproportionately pay the price. Communities such as Globeville and Elyria-Swansea—two predominantly Hispanic neighborhoods in my district—are being inundated by the pollution coming from the highways, railyard and industrial plants around them.

The problem is: While EPA monitors each of these sources individually, they don't consider the cumulative health impact that all of these sources combined can have on nearby residents.

The legislation I included in this bill will change that. It will require EPA, for the first time, to address the cumulative effect of multiple sources of nearby pollution. It will also require EPA to identify 100 of the most heavily polluted communities in the country and en-

sure the laws put in place to protect them are being enforced.

Ensuring "Environmental Justice" for all Americans needs to be more than just a catchphrase, it should be our collective mission. I urge all of my colleagues to support this bill.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-57, modified by the amendment printed in part B of House Report 117-432, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 5118

*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 "Wildfire Response and Drought Resiliency Act".*

**SEC. 2. TABLE OF CONTENTS.**

*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

**DIVISION A—WILDFIRE**

**TITLE I—FEDERAL LANDS WORKFORCE**

*Subtitle A—Federal Wildland Firefighters*

*Sec. 101. Tim Hart Wildland Firefighter Pay Parity.*

*Sec. 102. Waiver of premium pay limitations for certain employees engaged in emergency wildland fire suppression activities.*

*Sec. 103. Direct hire authority.*

*Subtitle B—Authorization of Appropriations for Forest Service Fire and Non-Fire Salaries and Expenses*

*Sec. 111. In general.*

*Subtitle C—Other Personnel*

*Sec. 121. National Environmental Policy Act strike teams.*

*Sec. 122. Community mitigation assistance teams.*

*Sec. 123. Filling Forest Service recreation management staff vacancies.*

*Sec. 124. Filling vacancies and increasing number of positions available in the Forest Service to address public safety and protection concerns.*

**TITLE II—WILDFIRE, ECOSYSTEM PROTECTION, COMMUNITY PREPAREDNESS, AND RECOVERY**

*Subtitle A—10-Year National Wildfire Plan*

*Sec. 201. Definitions.*

*Sec. 202. Implementation of 10-year National Wildfire Plan.*

*Sec. 203. Selection and implementation of landscape-scale forest restoration projects.*

*Sec. 204. Youth and conservation corps assistance with projects under the Plan.*

*Sec. 205. Prescribed fire training exchanges.*

*Sec. 206. Ecosystem restoration grant fund through National Fish and Wildlife Foundation.*

- Sec. 207. National community capacity and land stewardship grant program.
- Sec. 208. Protection of inventoried roadless areas.
- Sec. 209. Strategic wildland fire management planning for prescribed fire.
- Sec. 210. Long-Term Burned Area Recovery account.
- Sec. 211. Report on 10-year National Wildfire Plan implementation.
- Sec. 212. Performance metrics tracking.
- Subtitle B—Tribal Biochar Promotion
- Sec. 221. Tribal and Alaska Native Biochar demonstration project.

## TITLE III—OTHER MATTERS

- Sec. 301. Requirements relating to certain fire suppression cost share agreements.
- Sec. 302. Investment of certain funds into interest bearing obligations.

## DIVISION B—DROUGHT

## TITLE I—DROUGHT RESPONSE AND CLIMATE RESILIENCY

- Sec. 101. Advancing large-scale water recycling and reuse projects.
- Sec. 102. Salton Sea projects improvements.
- Sec. 103. Near-term actions to preserve Colorado River system.
- Sec. 104. WaterSMART access for Tribes.
- Sec. 105. Reclamation water settlements fund.
- Sec. 106. Bureau of Reclamation Tribal clean water assistance.
- Sec. 107. White Mountain Apache Tribe Rural Water System.
- Sec. 108. Desalination research authorization.
- Sec. 109. Water Resources Research Act amendments.
- Sec. 110. Saline Lake ecosystems in the Great Basin States Assessment and Monitoring Program.
- Sec. 111. Extension of authorizations related to fish recovery programs.
- Sec. 112. Reclamation climate change and water program.
- Sec. 113. Authorization of appropriations for the Las Vegas Wash program.
- Sec. 114. Terminal lakes assistance.
- Sec. 115. Expedited measures for drought response.
- Sec. 116. Water efficiency, conservation, and sustainability.

## TITLE II—FUTURE WESTERN WATER AND DROUGHT RESILIENCY

- Sec. 201. Short title.
- Sec. 202. Definitions.
- Subtitle A—Assistance for Projects With Fastest Construction Timelines
- Sec. 211. Water recycling and reuse projects.
- Sec. 212. Desalination project development.
- Sec. 213. Assistance for disadvantaged communities without adequate drinking water.
- Subtitle B—Improved Water Technology and Data
- Sec. 221. X-prize for water technology breakthroughs.
- Sec. 222. Water technology investment program established.
- Sec. 223. Federal priority streamgages.
- Subtitle C—Drought Response and Preparedness for Ecosystems
- Sec. 231. Aquatic ecosystem restoration program.
- Sec. 232. Watershed health program.
- Sec. 233. Waterbird habitat creation program.
- Sec. 234. Support for refuge water deliveries.
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- Sec. 811. Definitions.
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## DIVISION C—OTHER FIRE, DROUGHT, AND EXTREME WEATHER PROGRAMS

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- Sec. 101. Natural Disaster Grid Mitigation Map.
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- Sec. 104. Hermit's Peak/Calf Canyon Fire Assistance.
- Sec. 105. Fire management assistance cost share.
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- Sec. 107. Grid resilience study.
- Sec. 108. Nonnative plant species removal grant program.
- Sec. 109. Centers of excellence for research on wildfire smoke.
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## TITLE II—NATIONAL DISASTER SAFETY BOARD ACT

- Sec. 201. Establishment and purpose.
- Sec. 202. General authority.
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- Sec. 209. Training.
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- Sec. 302. Program activities.
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## DIVISION D—ENVIRONMENTAL JUSTICE

- Sec. 101. Definitions.
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- Sec. 111. Environmental justice community solid waste disposal technical assistance grants.
- Sec. 112. Environmental justice community, State, and Tribal grant programs.
- Sec. 113. Protections for environmental justice communities against harmful Federal actions.
- Sec. 114. Prohibited discrimination.
- Sec. 115. Right of action.
- Sec. 116. Rights of recovery.
- Sec. 117. Public health risks associated with cumulative environmental stressors.



Sec. 118. Climate justice grant program.

Sec. 119. Environmental justice for communities overburdened by environmental violations.

**SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**DIVISION A—WILDFIRE**

**TITLE 1—FEDERAL LANDS WORKFORCE**

**Subtitle A—Federal Wildland Firefighters**

**SEC. 101. TIM HART WILDLAND FIREFIGHTER PAY PARITY.**

(a) FEDERAL WILDLAND FIREFIGHTER PAY.—  
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act—

(A) the minimum rate of basic pay for any Federal wildland firefighter position shall be not less than the rate of pay for step 3 of GS-6 of the General Schedule; and

(B) any such position shall receive locality pay under section 5304 of title 5, United States Code, at the rate of "Rest of U.S."

(2) ANNUAL ADJUSTMENTS.—Notwithstanding any other provision of law, beginning in the first pay period beginning on or after the date that the minimum rates of pay under paragraph (1) begin to apply, and annually thereafter, the basic rate of pay for each Federal wildland firefighter shall be increased by not less than the percentage equal to the percent change in the Consumer Price Index (all items—United States city average), published monthly by the Bureau of Labor Statistics, for December of the preceding year over such Consumer Price Index for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.

(3) COMPENSATION COMPARABLE TO NON-FEDERAL FIREFIGHTERS.—Not later than 1 year after the date the minimum rates of pay under paragraph (1) begin to apply, the Secretary of Agriculture and the Secretary of the Interior shall submit a report to Congress on whether pay, benefits, and bonuses provided to Federal wildland firefighters are comparable to the pay, benefits, and bonuses provided for non-Federal firefighters in the State or locality where Federal wildland firefighters are based.

(4) HAZARDOUS DUTY PAY.—Each Federal wildland firefighter who is carrying out work completed during prescribed fire, parachuting, tree climbing over 20 feet, hazard tree removal, and other hazardous work as identified by the Secretary of the Interior and the Secretary of Agriculture, shall be considered an employee in an occupational series covering positions for which the primary duties involve the prevention, control, suppression, or management of wildland fires under section 5545(d) of title 5, United States Code. The Director of the Office of Personnel Management may prescribe regulations to carry out this paragraph.

(5) MENTAL HEALTH LEAVE.—Each Federal wildland firefighter shall be entitled to 7 consecutive days of leave, without loss or reduction in pay, during any calendar year. Leave provided under this paragraph shall not—

(A) accumulate for use in succeeding years; and

(B) be considered to be annual or vacation leave for purposes of section 5551 or 5552 of title 5, United States Code, or for any other purpose.

(b) PAY PARITY FOR FEDERAL STRUCTURAL FIREFIGHTERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, any pay, benefits, and bonuses provided to any Federal structural firefighter shall be comparable with the pay, benefits, and bonuses provided for Federal wildland firefighters.

(2) REPORT.—Not later than 1 year after the date the minimum rates of pay under subsection (a)(1) begin to apply, the Director of the Office of Personnel Management shall submit a report to Congress on whether pay for such Federal structural firefighters is competitive with Federal wildland firefighters

(c) DEFINITIONS.—In this section—

(1) the term "Federal structural firefighter"—  
(A) has the meaning given the term "firefighter" in section 8401 of chapter 84 of title 5, United States Code; and

(B) does not include any Federal wildland firefighter; and

(2) the term "Federal wildland firefighter" means any individual occupying a position within the Wildland Fire Management Series, 0456 established by the Office of Personnel Management pursuant to section 40803(d) of the Infrastructure Investment and Jobs Act (Public Law 117-58), or any subsequent series.

**SEC. 102. WAIVER OF PREMIUM PAY LIMITATIONS FOR CERTAIN EMPLOYEES ENGAGED IN EMERGENCY WILDLAND FIRE SUPPRESSION ACTIVITIES.**

(a) SHORT TITLE.—This section may be cited as the "Wildland Firefighter Fair Pay Act".

(b) DEFINITIONS.—In this section:

(1) COVERED EMPLOYEE.—The term "covered employee" means an employee of the Department of Agriculture, the Department of the Interior, or the Department of Commerce.

(2) COVERED SERVICES.—The term "covered services" means services performed by a covered employee that are determined by the Secretary concerned to be primarily relating to emergency wildland fire suppression activities.

(3) PREMIUM PAY.—The term "premium pay" means the premium pay paid under the provisions of law described in section 5547(a) of title 5, United States Code.

(4) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary of Agriculture, with respect to an employee of the Department of Agriculture;

(B) the Secretary of the Interior, with respect to an employee of the Department of the Interior; and

(C) the Secretary of Commerce, with respect to an employee of the Department of Commerce.

(c) WAIVER OF PREMIUM PAY PERIOD LIMITATION.—Any premium pay for covered services shall be disregarded in calculating the aggregate of the basic pay and premium pay for the applicable covered employee for purposes of a pay period limitation under section 5547(a) of title 5, United States Code, or under any other provision of law.

(d) WAIVER OF ANNUAL PREMIUM PAY LIMITATION.—Any premium pay for covered services shall be disregarded in calculating any annual limitation on the amount of overtime pay payable in a calendar year or fiscal year under section 5547(b) of title 5, United States Code.

(e) PAY LIMITATION.—A covered employee may not be paid premium pay if, or to the extent that, the aggregate amount of the basic pay and premium pay (including premium pay for covered services) of the covered employee for a calendar year would exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code, as in effect at the end of that calendar year.

(f) TREATMENT OF ADDITIONAL PREMIUM PAY.—If the application of this section results in the payment of additional premium pay to a covered employee of a type that is normally creditable as basic pay for retirement or any other purpose, that additional premium pay shall not be—

(1) considered to be basic pay of the covered employee for any purpose; or

(2) used in computing a lump-sum payment to the covered employee for accumulated and accrued annual leave under section 5551 or 5552 of title 5, United States Code.

(g) OVERTIME RATES.—Section 5542(a)(5) of title 5, United States Code, is amended by striking "the United States Forest Service in".

**SEC. 103. DIRECT HIRE AUTHORITY.**

(a) SHORT TITLE.—This section may be cited as the "Conservation Jobs Act of 2022".

(b) DIRECT HIRE AUTHORITY.—Section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) is amended by adding at the end the following:

"(A) DIRECT HIRE AUTHORITY.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), covered graduates directly to any position with the Forest Service for which the candidate meets Office of Personnel Management qualification standards.

"(B) LIMITATIONS.—The Secretary may not appoint under subparagraph (A)—

"(i) during fiscal year 2023, more than 10 covered job corps graduates;

"(ii) during fiscal year 2024, more than 20 covered job corps graduates;

"(iii) during fiscal year 2025, more than 30 covered job corps graduates; and

"(iv) during fiscal year 2026 and each fiscal year thereafter, more than 50 covered job corps graduates.

"(C) COVERED JOB CORPS GRADUATE DEFINED.—In this paragraph, the term 'covered graduate' means a graduate of a Civilian Conservation Center who successfully completed a training program, including in administration, human resources, business, or quality assurance, that was focused on forestry, wildland firefighting, or another topic relating to the mission of the Forest Service."

**Subtitle B—Authorization of Appropriations for Forest Service Fire and Non-Fire Salaries and Expenses**

**SEC. 111. IN GENERAL.**

There is authorized to be appropriated—

(1) for salaries and expenses of fire-related employees of the Forest Service to carry out wildfire preparedness under the wildland fire management program authorized pursuant to the Organic Administration Act of 1897 (16 U.S.C. 551), \$1,615,600,000 for fiscal year 2023 and each fiscal year thereafter; and

(2) for salaries and expenses of National Forest System employees not described in paragraph (1) to carry out activities for the stewardship and management of the National Forest System, \$2,353,400,000 for fiscal year 2023 and each fiscal year thereafter.

**Subtitle C—Other Personnel**

**SEC. 121. NATIONAL ENVIRONMENTAL POLICY ACT STRIKE TEAMS.**

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall, for each region of the Forest Service, establish and maintain at least one NEPA strike team per region.

(b) PRIORITY ASSIGNMENTS.—The Secretary of Agriculture shall give priority assignments to NEPA strike teams established under subsection (a) that serve—

(1) areas of the National Forest System with a high or very high risk of wildfire; and

(2) at-risk communities with a significant number or percentage of homes exposed to wildfire.

(c) COMPOSITION OF STRIKE TEAMS.—Strike teams established under subsection (a) shall, to the maximum extent practicable, consist of interdisciplinary members who have demonstrated success in the efficient and effective completion of all stages of compliance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.).

**SEC. 122. COMMUNITY MITIGATION ASSISTANCE TEAMS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the

Secretary of Agriculture shall, for each region of the Forest Service, establish and maintain at least one community mitigation assistance team.

(b) **PRIORITY ASSIGNMENTS.**—The Secretary of Agriculture shall give priority assignments to community mitigation assistance teams established under subsection (a) that serve at-risk communities with a significant number or percentage of homes exposed to a high or very high risk of wildfire.

(c) **ASSESSMENTS.**—With respect to a community mitigation assistance team established under subsection (a), the Secretary of Agriculture may—

(1) at the request of a State or political subdivision, assign such a team to provide pre-fire assessments; and

(2) assign such a team to an area or community to provide post-fire assessments.

**SEC. 123. FILLING FOREST SERVICE RECREATION MANAGEMENT STAFF VACANCIES.**

(a) **IN GENERAL.**—The Secretary of Agriculture, acting through the Chief of the Forest Service, shall fill vacancies in Forest Service recreation management and planning staff, including recreation technicians, recreation officers, and natural resource managers.

(b) **PRIORITY.**—The Secretary shall prioritize filling vacancies under subsection (a) in units of the National Forest System that—

(1) are at high or very high risk of wildfires; and

(2) are located in areas of substantial public use.

(c) **TRAINING AND CERTIFICATION AS A FOREST PROTECTION OFFICER.**—The Secretary may provide the opportunity for any individual who fills a vacancy pursuant to subsection (a) to receive training and certification as a Forest Protection Officer.

**SEC. 124. FILLING VACANCIES AND INCREASING NUMBER OF POSITIONS AVAILABLE IN THE FOREST SERVICE TO ADDRESS PUBLIC SAFETY AND PROTECTION CONCERNS.**

(a) **IN GENERAL.**—The Secretary of Agriculture, acting through the Chief of the Forest Service, shall—

(1) fill vacancies in the Forest Service in roles that primarily address public safety and protection;

(2) assess the number of positions necessary to promote public safety and protect resources from unauthorized use; and

(3) seek to increase the number of positions available, as described in paragraph (2), as appropriate.

(b) **PRIORITY.**—The Secretary shall prioritize filling vacancies and increasing the number of positions under subsection (a) in units of the National Forest System that—

(1) are at high or very high risk of wildfires; and

(2) are located in areas of substantial public use.

**TITLE II—WILDFIRE, ECOSYSTEM PROTECTION, COMMUNITY PREPAREDNESS, AND RECOVERY**

**Subtitle A—10-Year National Wildfire Plan**

**SEC. 201. DEFINITIONS.**

In this subtitle:

(1) **PLAN.**—The term “Plan” means the plan required under section 202(a).

(2) **SECRETARIES.**—The term “Secretaries” means the Secretary of Agriculture and the Secretary of the Interior.

(3) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

**SEC. 202. IMPLEMENTATION OF 10-YEAR NATIONAL WILDFIRE PLAN.**

(a) **IN GENERAL.**—The Secretary of Agriculture shall, in coordination with the Secretary of the Interior, implement a 10-year National Wildfire Plan that—

(1) includes—

(A) hazardous fuels and prescribed fire activities to address wildfire risk;

(B) vegetation, watershed, wildlife and fisheries habitat management to maintain habitat and improve ecological conditions, including—

(i) protecting mature and old-growth trees and forests;

(ii) maintaining habitat in a way that advances at-risk species recovery and conservation; and

(iii) completing consultations required under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(C) management of recreation, heritage, and wilderness programs;

(D) activities under the Joint Fire Science Program to address wildfire risk;

(E) the activities required under this subtitle;

(F) the activities included in—

(i) the National Cohesive Wildland Fire Management Strategy (and successor documents);

(ii) the Wildfire Crisis Strategy entitled “Confronting the Wildfire Crisis: A Strategy for Protecting Communities and Improving Resilience in America’s Forests” and dated January 2022 (and successor documents);

(iii) the Wildfire Crisis Strategy Implementation Plan entitled “Wildfire Crisis Implementation Plan” and dated January 2022 (and successor documents); and

(iv) the Wildfire Crisis Landscape Investments plan entitled “Confronting the Wildfire Crisis: Initial Landscape Investments to Protect Communities and Improve Resilience in America’s Forests” dated April 2022 (and successor documents); and

(G) such other wildfire-related activities as determined appropriate by the Secretary of Agriculture or the Secretary of the Interior, in accordance with existing law and regulations; and

(2) in accordance with section 203, prioritizes carrying out landscape-scale restoration projects.

(b) **COORDINATION.**—In carrying out subsection (a), to the maximum extent practicable, the Secretary of Agriculture, in coordination with the Secretary of the Interior, shall—

(1) utilize cooperative forestry authorities and agreements, including but not limited to the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.);

(2) solicit proposals from States, counties, and Tribes to address water quantity and quality concerns;

(3) solicit proposals from States, counties, and Tribes for hazardous fuels treatments;

(4) consider the long-term State-wide assessments and forest resource strategies established in section 2A the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a); and

(5) provide priority to collaboratively developed projects.

(c) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **HAZARDOUS FUELS AND PRESCRIBED FIRE.**—There is authorized to be appropriated to the Secretary of Agriculture to carry out hazardous fuels and prescribed fire activities under subsection (a)(1)(A), \$500,000,000 for each of fiscal years 2023 through 2032.

(B) **VEGETATION, WATERSHED, WILDLIFE, AND FISHERIES MANAGEMENT.**—There is authorized to be appropriated to the Secretary of Agriculture to carry out vegetation, watershed, wildlife and fisheries management activities under subsection (a)(1)(B), \$500,000,000 for each of fiscal years 2023 through 2032.

(C) **RECREATION, HERITAGE, WILDERNESS.**—There is authorized to be appropriated to the Secretary of Agriculture to carry out recreation, heritage, and wilderness programs under subsection (a)(1)(C), \$500,000,000 for each of fiscal years 2023 through 2032.

(D) **JOINT FIRE SCIENCE PROGRAM.**—There is authorized to be appropriated to carry out wildfire risk reduction and research activities of the Joint Fire Science Program pursuant to the

Plan, \$20,000,000, for each of fiscal years 2023 through 2032, of which—

(i) \$10,000,000 shall be made available to the Secretary of Agriculture; and

(ii) \$10,000,000 shall be made available to the Secretary of the Interior.

(2) **HAZARDOUS FUELS.**—

(A) **PERMISSIVE USE.**—Of the amounts made available pursuant to paragraph (1)(A) for a fiscal year, up to 10 percent may be used to cover a portion of wildland firefighter salaries, so long as the positions to which such salaries apply are full-time and cover projects and activities to reduce wildfire risk.

(B) **LIMITATION.**—The amounts made available pursuant to paragraph (1)(A) may not be used to cover any portion of wildland firefighter salaries if the activities to reduce wildfire risk are considered wildfire suppression activities.

**SEC. 203. SELECTION AND IMPLEMENTATION OF LANDSCAPE-SCALE FOREST RESTORATION PROJECTS.**

(a) **IN GENERAL.**—In carrying out the Plan, the Secretary of Agriculture shall select, in accordance with this section, landscape-scale forest restoration projects—

(1) to implement on National Forest System land; and

(2) if applicable, to implement on land adjoining National Forest System land, in coordination with other Federal and non-Federal entities.

(b) **INITIAL PHASE.**—During the 5-year period beginning on the date of enactment of this Act, subject to the availability of appropriations, the Secretary of Agriculture shall select not more than 20 landscape-scale forest restoration projects under subsection (a).

(c) **ELIGIBILITY REQUIREMENTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), to be eligible for selection and implementation under subsection (a), a landscape-scale forest restoration project shall satisfy the following requirements:

(A) The purposes and needs for the project shall be—

(i) to restore the ecological integrity and ecological resilience of terrestrial and aquatic areas that have departed from reference conditions within the forest landscape;

(ii) to restore appropriate natural fire regimes, including by reducing fuel loads in areas that have departed from reference conditions, taking into account the current and projected impacts of climate change; and

(iii) to conduct wildfire risk reduction activities within the wildland-urban interface to the extent that the project includes lands within the wildland-urban interface.

(B) The project shall be developed and supported by a collaborative group that—

(i) includes multiple interested persons representing diverse interests;

(ii) is transparent and inclusive; and

(iii) has sufficient expertise, capacity, and scientific support to effectively plan, implement, and monitor landscape-level, ecologically based forest restoration activities.

(C) The project shall be based on a landscape assessment that shall—

(i) cover a landscape of—

(I) except as provided in subclauses (II) and (III), not less than 100,000 acres;

(II) in such limited cases as the Secretary of Agriculture determines to be appropriate, not less than 80,000 acres if—

(aa) the assessment is completed or substantially completed as of the date of enactment of this Act; and

(bb) in the determination of the Secretary of Agriculture, assessing a larger area is not necessary to restore the integrity, resilience, and fire regimes of the landscape; or

(III) not less than 50,000 acres in the case of a project that is carried out east of the 100th meridian;

(ii) evaluate ecological integrity and determine reference conditions for the landscape;

(iii) identify terrestrial and aquatic areas within the landscape that have departed from reference conditions;

(iv) identify criteria to determine appropriate restoration treatments within degraded areas of the landscape to achieve reference conditions, including management prescriptions and necessary mitigation measures to protect at-risk species;

(v) be based on the best available scientific information and data, including, where applicable, high-resolution imagery, LiDAR, and similar technologies and information, and involve direct engagement by scientists; and

(vi) identify priority restoration strategies for terrestrial and aquatic areas, including prescribed fire and wildfires managed for multiple resource benefits, which shall focus on—

(I) areas that are the most departed from reference conditions; and

(II) areas that would benefit the most from reducing the risk of uncharacteristic wildfire, especially with respect to nearby communities, taking into account other completed, ongoing, planned fuels-reduction projects, and the effects of recent wildfires.

(D) Restoration treatments under the project—

(i) shall emphasize the reintroduction of characteristic fire, based on forest ecology and reference conditions, through the use of prescribed fire, wildfire, or both;

(ii) that involve any proposed mechanical treatments shall be designed to promote—

(I) the restoration of reference conditions in areas that lack ecological integrity, with a focus on the reduction of surface and ladder fuels; and

(II) the establishment of conditions that will facilitate prescribed fire or managed wildfire;

(iii) shall—

(I) fully maintain or contribute to the restoration of reference old forest conditions, taking into account the current and projected impacts of climate change; and

(II) protect or increase the number and distribution of large old trees, consistent with reference conditions, excepting any de minimis losses of large old trees from prescribed fire or hazardous tree removal; and

(iv) that involve prescribed fire shall provide advance notification, in accordance with notification procedures developed by the Secretary of Agriculture, to the owner or operator of critical infrastructure, such as a power line right-of-way, of any prescribed fire treatments within close proximity to the infrastructure.

(E) The project shall be consistent with all applicable environmental laws, including—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(iii) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(F) The project shall be consistent with section 208.

(G) The project shall require multiparty monitoring, including opportunities for public engagement, and an adaptive management approach that—

(i) conditions the future implementation of the project on the satisfactory completion of—

(I) priority restoration actions; and

(II) required monitoring after implementation;

(ii) validates conditions projected to occur in the environmental analysis for the project; and

(iii) requires modifications to the project if monitoring reveals impacts beyond the anticipated impacts of the project.

(H)(i) No new permanent road may be built as part of the project.

(ii) Any new temporary roads needed to implement the project shall be decommissioned not later than 3 years after completion of the project.

(I) The project shall use an efficient approach to landscape-scale analysis and decisionmaking

that is consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), which may include—

(i) the preparation of a single environmental impact statement or environmental assessment, as applicable, for the entire project, incorporating the landscape assessment described in subparagraph (C);

(ii) the use of, as applicable—

(I) multiple records of decision to implement a single environmental impact statement; or

(II) multiple decision notices to implement a single environmental assessment;

(iii) the preparation of a programmatic environmental impact statement or environmental assessment, as applicable, for the entire project, incorporating the landscape assessment described in subparagraph (C), followed by focused, concise, and site-specific—

(I) environmental assessments; or

(II) categorical exclusions consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(iv) the use of the landscape assessment described in subparagraph (C), through incorporation by reference and similar approaches, to support focused, concise, and site-specific—

(I) environmental assessments; or

(II) categorical exclusions consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) EXCEPTION.—If the Secretary of Agriculture determines that there are an insufficient number of projects that fully comply with the requirements described in paragraph (1) to implement based on all available funding, then the Secretary of Agriculture may, during the 2-year period beginning on the date of enactment of this Act, select under subsection (a) not more than a total of 5 landscape-scale forest restoration projects to implement that do not fully comply with those requirements if the projects—

(A) fully comply with the requirements described in subparagraphs (B), (D), (E), (F), (G), (H), and (I) of that paragraph;

(B) in the determination of the Secretary of Agriculture, have purposes and needs that are consistent with the purposes and needs described in subparagraph (A) of that paragraph; and

(C) are supported by landscape assessments that are substantially (if not completely) consistent with the requirements described in subparagraph (C) of that paragraph, subject to the condition that the applicable landscape assessments fully comply with the requirements described in clauses (i) and (v) of that subparagraph.

(d) EVALUATION OF ELIGIBLE PROJECTS.—

(1) IN GENERAL.—In determining which landscape-scale forest restoration projects to select under subsection (a), the Secretary of Agriculture shall consider—

(A) the criteria described in paragraph (2);

(B) the extent to which the project utilizes the approaches to project implementation described in paragraph (3); and

(C) the recommendations of the advisory panel established under subsection (e).

(2) CRITERIA.—The criteria referred to in paragraph (1)(A) are—

(A) the demonstrated need, based on the best available science, to restore ecological integrity to degraded or departed areas within the landscape covered by the project, taking into account the current and projected impacts of climate change;

(B)(i) the importance of watersheds in the area covered by the project for downstream waters supply; and

(ii) the opportunity to improve the ecological integrity and ecological conditions of those watersheds and reduce risks to water resources through landscape-scale forest restoration;

(C)(i) the potential extent of cost sharing for the development and implementation of the project from diverse sources, such as State or local governments, water or electric utilities, carbon credits, or private entities; and

(ii) the proportion of the non-Federal cost share that is in the form of cash contributions;

(D) whether the area covered by the project has high-resolution, remote-sensing data and other information available that enables a landscape assessment and a robust analysis and disclosure of the effects and outcomes of implementing restoration activities;

(E) whether the project is using, or will use, innovative approaches to completing resource surveys that are less costly and less time-consuming than usual practices while providing the information necessary for project design and analysis;

(F) whether the project will reduce the number of miles of permanent roads on National Forest System land that are not necessary for resource management or recreational access;

(G) whether the project will assess or quantify the ecosystem service benefits of forest restoration within the landscape covered by the project, such as water, carbon, biodiversity, fire risk reduction, public health, and community safety;

(H) whether the project has the potential to support new or existing wood processing infrastructure that can make economic use of the by-products of forest restoration;

(I) whether the project has the potential to support local employment and investment opportunities, particularly in economically disadvantaged communities;

(J) the scale of the landscape assessment for the project, with a preference for projects for which the landscape assessment covers a larger area; and

(K) whether the project—

(i) strives to restore ecological integrity and ecological conditions within areas across land ownerships, including State and private land; and

(ii) will reduce the risk of uncharacteristic wildfire, and, to the extent practicable, restore ecological integrity, within the wildland-urban interface.

(3) COLLABORATION.—The Secretary of Agriculture may coordinate with Federal, State, local, and Tribal agencies with respect to selection and implementation under subsection (a), a landscape-scale forest restoration project.

(e) ADVISORY PANEL.—

(1) IN GENERAL.—The Secretary of Agriculture shall establish and maintain an advisory panel composed of not more than 15 members to evaluate, and provide recommendations on—

(A) each landscape-scale forest restoration project that the Secretary of Agriculture is reviewing for potential selection under subsection (a); and

(B) proposals for planning and developing landscape-scale forest restoration projects.

(2) REPRESENTATION.—The Secretary of Agriculture shall ensure that the membership of the advisory panel established under paragraph (1) is fairly balanced in terms of the points of view represented and the functions to be performed by the advisory panel.

(3) INCLUSION.—The advisory panel established under paragraph (1) shall include experts in ecological forest restoration, fire ecology, fire management, rural economic and workforce development, strategies for ecological adaptation to climate change, fish and wildlife ecology, and woody biomass and small-diameter tree utilization.

(4) EXEMPTION.—The advisory panel established under paragraph (1) shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

#### SEC. 204. YOUTH AND CONSERVATION CORPS ASSISTANCE WITH PROJECTS UNDER THE PLAN.

In carrying out projects under the Plan, the Secretaries shall, to the maximum extent practicable—

(1) identify appropriate projects to be carried out by, and enter into cooperative agreements to carry out such projects with—

(A) qualified youth or conservation corps (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)); or

(B) nonprofit wilderness and trails stewardship organizations, including—

- (i) the Corps Network;
- (ii) the National Wilderness Stewardship Alliance;
- (iii) American Trails; and
- (iv) other public lands stewardship organizations, as appropriate; and

(2) waive any matching funds requirements, including under section 212(a)(1) of the Public Lands Corps Act of 1993 (16 U.S.C. 1729(a)(1)).

**SEC. 205. PRESCRIBED FIRE TRAINING EXCHANGES.**

(a) WESTERN PRESCRIBED FIRE CENTERS.—

(1) IN GENERAL.—In carrying out the Plan, the Secretaries shall establish 1 or more centers to train individuals in prescribed fire methods and other methods relevant to the mitigation of wildfire risk (referred to in this subsection as a “center”).

(2) HOST INSTITUTIONS.—The 1 or more centers shall be—

(A) located at 1 or more institutions of higher education; or

(B) developed in collaboration with 1 or more institutions of higher education.

(3) GOALS.—The 1 or more centers shall advance the following goals:

(A) Training individuals and conducting research on prescribed fire methods and other restoration methods relevant to the mitigation of wildfire risk.

(B) Developing and advancing interdisciplinary science relating to wildfire, including social science and human dimensions of wildfire.

(C) Conducting ongoing and forward-looking needs assessments among stakeholders, including Federal and State agencies and Indian Tribes, to determine common need requirements and emerging challenges to reduce wildfire risk and adapt communities to increased risk from wildfire, including the following hazard-related focus areas:

- (i) Increasing disaster resilience.
- (ii) Mitigation and management methods.
- (iii) Air quality.
- (iv) Firestorm weather forecasting and burn-area debris flow forecasting, including empirical and modeling research.

(D) Collaborating with Federal wildfire scientists at the Forest Service, the Department of the Interior, and other related Federal agencies.

(E) Identifying, through a detailed engagement process targeting defined end-users, the requirements and delivery mechanisms for products and services that are practical and will have an impact on mitigating wildfire risk.

(F) Promoting technology transfer with pathways for dissemination, implementation, and application of research results on the ground, using and enhancing previous research.

(G) Ensuring the connectivity and interoperability of distributed services to maximize synergies and benefits across services.

(H) Developing open digital infrastructure to make research data, science, and models open for all sectors to use.

(I) Collaborating with prescribed fire and wildfire science programs, including the Joint Fire Science Program, Fire Science Exchange Networks, and State and Regional Prescribed Fire Associations.

(J) Advancing best practices and training for safety pursuing, conducting, and controlling prescribed fires.

(K) Creating processes to facilitate public comment prior to prescribed fire implementation.

(4) LOCATION.—

(A) IN GENERAL.—The 1 or more centers shall be located in any State the entirety of which is located west of the 100th meridian.

(B) CONSULTATION.—The Secretaries shall consult with the Joint Fire Science Program to solicit and evaluate proposals for the location of the 1 or more centers.

(C) SELECTION.—Not later than 1 year after the date of enactment of this Act, based on the consultation under subparagraph (B), the Secretaries shall select a location for the 1 or more centers.

(b) ADDITIONAL TRAINING CENTERS.—Subject to the availability of appropriations, not later than September 30, 2023, the Secretary of the Interior, in cooperation with the Secretary of Agriculture, shall—

(1) establish and operate a prescribed fire training center in a western State;

(2) continue to operate a prescribed fire training center in an eastern State;

(3) establish a virtual prescribed fire training center; and

(4) establish and maintain a Strategic Wildfire Management Training Center.

**SEC. 206. ECOSYSTEM RESTORATION GRANT FUND THROUGH NATIONAL FISH AND WILDLIFE FOUNDATION.**

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this section, the Secretary shall enter into a cooperative agreement with the Foundation to establish the Community Resilience and Restoration Fund at the Foundation to—

(1) improve community safety in the face of climatic extremes through conservation and protection of restoration and resilience lands;

(2) to protect, conserve, and restore restoration and resilience lands in order to help communities respond and adapt to natural threats, including wildfire, drought, extreme heat, and other threats posed or exacerbated by the impacts of global climate;

(3) to build the resilience of restoration and resilience lands to adapt to, recover from, and withstand natural threats, including wildfire, drought, extreme heat, and other threats posed or exacerbated by the impacts of global climate change;

(4) to protect and enhance the biodiversity of wildlife populations, with special consideration to the recovery and conservation of at-risk species, across restoration and resilience lands;

(5) to support the health of restoration and resilience lands for the benefit of present and future generations;

(6) to foster innovative, nature-based solutions that help meet the goals of this section; and

(7) to enhance the nation’s natural carbon sequestration capabilities and help communities strengthen natural carbon sequestration capacity where applicable.

(b) MANAGEMENT OF THE FUND.—The Foundation shall manage the Fund—

(1) pursuant to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.); and

(2) in such a manner that, to the greatest extent practicable and consistent with the purposes for which the Fund is established—

(A) ensures that amounts made available through the Fund are accessible to historically underserved communities, including Tribal communities, communities of color, and rural communities; and

(B) avoids project selection and funding overlap with those projects and activities that could otherwise receive funding under—

(i) the National Oceans and Coastal Security Fund, established under the National Oceans and Coastal Security Act (16 U.S.C. 7501); or

(ii) other coastal management focused programs.

(c) COMPETITIVE GRANTS.—

(1) IN GENERAL.—To the extent amounts are available in the Fund, the Foundation shall award grants to eligible entities through a competitive grant process in accordance with procedures established pursuant to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) to carry out eligible projects and activities, including planning eligible projects and activities.

(2) PROPOSALS.—The Foundation, in coordination with the Secretary, shall establish re-

quirements for proposals for competitive grants under this section.

(d) USE OF AMOUNTS IN THE FUND.—

(1) PLANNING.—Not less than 8 percent of amounts appropriated annually to the Fund may be used to plan eligible projects and activities, including capacity building.

(2) ADMINISTRATIVE COSTS.—(A) Not more than 4 percent of amounts appropriated annually to the Fund may be used by the Foundation for administrative expenses of the Fund or administration of competitive grants offered under the Fund.

(B) Not more than 4 percent of the amounts appropriated annually to the Fund may be used by the United States Fish and Wildlife Service for administrative expenses.

(3) PRIORITY.—Not less than \$10,000,000 of the amounts appropriated annually to the Fund shall be awarded annually to support eligible projects and activities for Indian Tribes.

(4) COORDINATION.—The Secretary and Foundation shall ensure, to the greatest extent practicable and through meaningful consultation, that input from Indian Tribes, including traditional ecological knowledge, is incorporated in the planning and execution of eligible projects and activities.

(e) REPORTS.—

(1) ANNUAL REPORTS.—Beginning at the end of the first full fiscal year after the date of enactment of this section, and not later than 60 days after the end of each fiscal year in which amounts are deposited into the Fund, the Foundation shall submit to the Secretary a report on the operation of the Fund including—

(A) an accounting of expenditures made under the Fund, including leverage and match as applicable;

(B) an accounting of any grants made under the Fund, including a list of recipients and a brief description of each project and its purposes and goals; and

(C) measures and metrics to track benefits created by grants administered under the Fund, including enhanced biodiversity, water quality, natural carbon sequestration, and resilience.

(2) 5-YEAR REPORTS.—Not later than 90 days after the end of the fifth full fiscal year after the date of enactment of this section, and not later than 90 days after the end every fifth fiscal year thereafter, the Foundation shall submit to the Secretary a report containing—

(A) a description of any socioeconomic, biodiversity, community resilience, or climate resilience or mitigation (including natural carbon sequestration), impacts generated by projects funded by grants awarded by the Fund, including measures and metrics illustrating these impacts;

(B) a description of land health benefits derived from projects funded by grants awarded by the Fund, including an accounting of—

- (i) lands treated for invasive species;
- (ii) lands treated for wildfire threat reduction, including those treated with controlled burning or other natural fire-management techniques; and

(iii) lands restored either from wildfire or other forms or degradation, including over-grazing and sedimentation;

(C) key findings for Congress, including any recommended changes to the authorization or purposes of the Fund;

(D) best practices for other Federal agencies in the administration of funds intended for land and habitat restoration;

(E) information on the use and outcome of funds specifically set aside for planning and capacity building pursuant to subsection (d)(1); and

(F) any other information that the Foundation considers relevant.

(3) SUBMISSION OF REPORTS TO CONGRESS.—Not later than 10 days after receiving a report under this section, the Secretary shall submit the report to the Committee on Natural Resources of the House of Representatives and the

Committee on Environment and Public Works of the Senate.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Fund \$100,000,000 for each of fiscal years 2023 through 2032 to carry out this section.

(g) DEFINITIONS.—For purposes of this section:

(1) The term “eligible entity” means a Federal agency, State, the District of Columbia, a territory of the United States, a unit of local government, an Indian Tribe, a non-profit organization, or an accredited institution of higher education.

(2) The term “eligible projects and activities” means projects and activities carried out by an eligible entity on public lands, Tribal lands, or private land, or any combination thereof, to further the purposes for which the Fund is established, including planning and capacity building and projects and activities carried out in coordination with Federal, State, or Tribal departments or agencies, or any department or agency of a subdivision of a State.

(3) The term “Foundation” means the National Fish and Wildlife Foundation established under the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.).

(4) The term “Fund” means the Community Resilience and Restoration Fund established under subsection (a).

(5) The term “Indian Tribe” means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) on the list published by the Secretary under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(6) The term “restoration and resilience lands” means fish, wildlife, and plant habitats, and other important natural areas in the United States, on public lands, private land (after obtaining proper consent from the landowner), or land of Indian Tribes, including grasslands, shrublands, prairies, chapparral lands, forest lands, deserts, and riparian or wetland areas within or adjacent to these ecosystems.

(7) The term “public lands” means lands owned or controlled by the United States.

(8) The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(9) The term “State” means a State of the United States, the District of Columbia, any Indian Tribe, and any commonwealth, territory, or possession of the United States.

#### SEC. 207. NATIONAL COMMUNITY CAPACITY AND LAND STEWARDSHIP GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY CAPACITY.—The term “community capacity” means the ability of an eligible entity to carry out or assist in a land stewardship activity.

(2) DISADVANTAGED COMMUNITY.—The term “disadvantaged community” means—

(A) a low-income community (as defined in section 45D(e) of the Internal Revenue Code of 1986); and

(B) a community that includes a significant population that has been systematically denied a full opportunity to participate in aspects of economic, social, and civic life based on a particular characteristic, such as Black, Latino, Indigenous, and Native American persons, Asian Americans, Pacific Islanders, and other persons of color.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means any the following entities that is located in or represents a disadvantaged community:

(A) An organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

(B) A collaborative group fiscally sponsored by an organization described in subparagraph (A).

(C) A unit of local government.

(D) An Indian Tribe.

(E) A special district government, as defined by the Director of the Bureau of the Census.

(4) ECOLOGICAL INTEGRITY.—The term “ecological integrity” has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) LAND STEWARDSHIP ACTIVITY.—The term “land stewardship activity” means any of the following activities, as applied to a qualifying project:

(A) Planning.

(B) Collaboration and building community support.

(C) Implementation on land other than National Forest System land.

(D) Monitoring, including multiparty monitoring, and adaptive management.

(7) QUALIFYING PROJECT.—The term “qualifying project” means any of the following activities that takes place at least in substantial part on National Forest System land or national grasslands:

(A) Restoration of the ecological integrity of a forest, meadow, grassland, prairie, or other habitat.

(B) Tribal management for aligned cultural and ecological values.

(C) Enhancing community wildfire resilience in the wildland-urban interface.

(D) Increasing equitable access to environmental education and volunteerism opportunities.

(8) RESTORATION.—The term “restoration” has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(9) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) PURPOSE.—The purpose of this section is to support increasing community capacity, partnerships, and collaborations within and involving disadvantaged communities for land stewardship activities and restoration of ecological integrity on—

(1) National Forest System land;

(2) national grasslands; and

(3) adjacent private, State, and trust land associated with the health and resilience of land described in paragraphs (1) and (2).

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary may issue grants to eligible entities for increasing community capacity for land stewardship activities and related activities based on the criteria described in subsection (d).

(2) FEDERAL COST-SHARE.—

(A) IN GENERAL.—The Secretary may fund up to 100 percent of the cost of land stewardship activities and related activities carried out using a grant issued under paragraph (1).

(B) MATCHING ELIGIBILITY.—A grant issued under this section may be considered a non-Federal matching contribution from the eligible entity that received the grant towards other sources of Federal funding.

(3) DURATION.—The Secretary may issue a grant under paragraph (1) for a period of 1 or more years.

(4) MAXIMUM GRANT AMOUNT.—The amount of a grant issued under paragraph (1) shall be not more than \$50,000 per year.

(5) APPLICABLE LAWS.—The Secretary shall administer grants under paragraph (1) in accordance with all applicable Federal and State laws.

(d) CRITERIA FOR AWARDING GRANTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall award grants to eligible entities under subsection (c)(1) on a competitive basis in accordance with the following criteria:

(A) The extent to which the proposed land stewardship activities benefit units of the National Forest System and national grasslands over the short and long term.

(B) The extent to which valuable ecological, economic, and social benefits to disadvantaged communities, including job creation and business development or retention, are likely to result from the scope of the land stewardship activities.

(C) The extent to which the grant would benefit disadvantaged communities that have historically received less investment in collaborative capacity.

(D) The extent to which the proposal brings together diverse interests through planning, collaboration, implementation, or monitoring of land stewardship activities to benefit units of the National Forest System or national grasslands.

(E) The extent to which the grant funds appear to be critical for the success of the eligible entity and the identified land stewardship activities.

(F) The extent to which the budget for the land stewardship activities is reasonable given the anticipated outcomes.

(2) SET-ASIDE FOR INDIAN TRIBES.—The Secretary shall allocate not less than 10 percent of the funding awarded under this section to Indian Tribes or eligible entities representing Indian Tribes.

(e) ANNUAL REVIEWS.—

(1) IN GENERAL.—The Secretary shall establish and maintain an advisory panel composed of not more than 15 members to provide feedback each year to the Chief of the Forest Service on the extent to which the implementation of this section is fulfilling the purpose described in subsection (b).

(2) INCLUSIONS.—The advisory panel established under paragraph (1) shall include representation from a diversity of public land stakeholders from across interest groups, including—

(A) not fewer than 8 members representing the interests of a diversity of disadvantaged communities; and

(B) not fewer than 2 members representing not fewer than 2 Indian Tribes.

(3) EXEMPTION.—The advisory panel established under paragraph (1) shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

(f) REPORT EVALUATING PROGRAM IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate a report evaluating the implementation of this section, including—

(A) a list of the eligible entities and land stewardship activities selected for funding under this section and the accomplishments of those activities; and

(B) an evaluation of the extent to which the implementation of this section is fulfilling the purpose described in subsection (b).

(2) CONSULTATION; CONTRACTING.—In preparing the report under paragraph (1), the Secretary—

(A) shall consult with the advisory panel established under subsection (e)(1); and

(B) may contract with a third party to complete an evaluation of the implementation of this section to inform the report.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for the period of fiscal years 2023 through 2032.

(2) DISTRIBUTION.—The Secretary shall, to the maximum extent practicable, distribute amounts

made available under paragraph (1) in a geographically equitable manner.

(3) **ADMINISTRATIVE COSTS.**—Not more than 10 percent of any amounts made available to carry out this section may be used for administrative management and program oversight.

**SEC. 208. PROTECTION OF INVENTORIED ROADLESS AREAS.**

The Secretary of Agriculture shall not authorize road construction, road reconstruction, or the cutting, sale, or removal of timber on National Forest System lands subject to the Roadless Area Conservation Rule as published on January 12, 2001 (66 Fed. Reg. 3243) except as provided in—

(1) subpart B of part 294 of title 36, Code of Federal Regulations (as in effect on January 12, 2001);

(2) subpart C of part 294 of title 36, Code of Federal Regulations (as in effect on October 16, 2008 for Idaho); and

(3) subpart D of part 294 of title 36, Code of Federal Regulations (as provided for Colorado on July 3, 2012 and December 19, 2016).

**SEC. 209. STRATEGIC WILDLAND FIRE MANAGEMENT PLANNING FOR PRESCRIBED FIRE.**

(a) **IN GENERAL.**—Not later than September 30, 2024, the Secretary concerned shall, in accordance with this section, establish a spatial fire management plan for any prescribed fire.

(b) **USE OF EXISTING INFORMATION.**—To comply with this section, the Secretary concerned may use a fire management plan in existence on the date of enactment of this Act, and information from the Wildland Fire Decision Support System and the Interagency Fuels Treatment Decision Support System.

(c) **UPDATES.**—To be valid, a spatial fire management plan established under this section shall not be in use for longer than the 10-year period beginning on the date on which the plan is established.

(d) **CONTENTS.**—For each spatial fire management plan established under this section, the Secretary concerned shall—

(1) base the plans on a landscape-scale risk assessment that includes—

- (A) risks to firefighters;
- (B) risks to communities;
- (C) risks to highly valuable resources; and
- (D) other relevant considerations determined by the Secretary concerned;

(2) include direction, represented in spatial form, from land management plans and resource management plans;

(3) in coordination with States, delineate potential operational delineations that—

(A) identify potential prescribed fire or wild-fire control locations; and

(B) specify the places in which firefighters will not be sent because of the presence of unacceptable risk, including areas determined by the Secretary concerned as—

- (i) exceeding a certain slope;
- (ii) containing too high of a volume of hazardous fuels, under certain weather conditions; or

(iii) containing other known hazards;

(4) include a determination of average severe fire weather for the plan area;

(5) include prefire planning provisions;

(6) include a plan for emergency wildfire suppression activities; and

(7) include, at a minimum, any other requirement determined to be necessary by the Secretary concerned.

(e) **CONSISTENCY WITH MANAGEMENT PLANS.**—The spatial fire management plans established under this section shall, to the maximum extent practicable, be consistent with the fire management objectives and land management objectives in the applicable land management plan or resource management plan.

(f) **REVISIONS TO LAND MANAGEMENT PLANS AND RESOURCE MANAGEMENT PLANS.**—A revision to a land management plan or resource management plan shall consider fire ecology and fire

management in a manner that facilitates the issuance of direction for an incident response.

**SEC. 210. LONG-TERM BURNED AREA RECOVERY ACCOUNT.**

(a) **ESTABLISHMENT OF ACCOUNT.**—There is established in the Treasury of the United States the Long-Term Burned Area Recovery account for the Department of Agriculture.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for fiscal year 2023 and each fiscal year thereafter for the account established by subsection (a) such sums as are necessary to carry out the activities described in subsection (d), not to exceed \$100,000,000.

(c) **ANNUAL REQUESTS.**—For fiscal year 2023 and each fiscal year thereafter, the Secretary of Agriculture shall submit to Congress and in accordance with subsection (b), a request for amounts necessary to carry out the activities described in subsection (d).

(d) **AUTHORIZED ACTIVITIES.**—The Secretary of Agriculture shall use amounts in the account established by subsection (a) for recovery projects—

(1) that begin not earlier than 1 year after the date on which the wildfire was contained;

(2) that are—

(A) scheduled to be completed not later than 3 years after the date on which the wildfire was contained; and

(B) located at sites impacted by wildfire on non-Federal or Federal land; and

(3) that restore the functions of an ecosystem or protect life or property.

(e) **PRIORITIZATION OF FUNDING.**—The Secretary of Agriculture shall prioritize, on a nationwide basis, projects for which funding requests are submitted under this section, based on—

(1) downstream effects on water resources; and

(2) public safety.

**SEC. 211. REPORT ON 10-YEAR NATIONAL WILDFIRE PLAN IMPLEMENTATION.**

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Inspector General of the Department of Agriculture shall submit to Congress a report on the progress made in the prior year towards completing the goals established under the Plan that includes—

(1) the amount of funding appropriated to carry out the Plan pursuant to the provisions of this subtitle with respect to the prior fiscal year; and

(2) recommendations to improve implementation of the Plan.

**SEC. 212. PERFORMANCE METRICS TRACKING.**

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Agriculture shall submit to Congress an assessment with respect to the prior year of the following:

(1) The acres effectively treated by the Department of Agriculture on National Forest System lands to reduce wildfire risk or improve habitat condition—

(A) within the wildland urban interface;

(B) within backcountry areas (including roadless and wilderness);

(C) within a priority watershed area;

(D) within an identified wildlife corridor; and

(E) for which prescribed fire or wildfire achieved an ecosystem management goal.

(2) Watershed assessment of the National Forest System, including if watershed conditions have degraded, improved, or been maintained.

(3) Carbon emissions and sequestration from National Forest System lands.

**Subtitle B—Tribal Biochar Promotion**

**SEC. 221. TRIBAL AND ALASKA NATIVE BIOCHAR DEMONSTRATION PROJECT.**

The Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) is amended as follows:

(1) In section 2—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (g) as subsections (a) through (f), respectively,

(C) by striking “subsection (b)” each place it appears and inserting “subsection (a)”; and

(D) by striking “subsection (c)” each place it appears and inserting “subsection (b)”;.

(2) By adding at the end the following:

**“SEC. 3. TRIBAL AND ALASKA NATIVE BIOCHAR DEMONSTRATION PROJECT.**

“(a) **STEWARDSHIP CONTRACTS OR SIMILAR AGREEMENTS.**—For each of fiscal years 2021 through 2030, the Secretary shall enter into stewardship contracts or similar agreements (excluding direct service contracts) with Indian Tribes or Tribal organizations to carry out demonstration projects to support the development and commercialization of biochar on Indian forest land or rangeland and in nearby communities by providing reliable supplies of feedstock from Federal land.

“(b) **DEMONSTRATION PROJECTS.**—In each fiscal year for which demonstration projects are authorized under this section, not less than 4 new demonstration projects that meet the eligibility criteria described in subsection (c) shall be carried out under contracts or agreements described in subsection (a).

“(c) **ELIGIBILITY CRITERIA.**—To be eligible to enter into a contract or agreement under this section, an Indian Tribe shall submit to the Secretary an application that includes—

“(1) a description of—

“(A) the Indian forest land or rangeland under the jurisdiction of the Indian Tribe; and

“(B) the demonstration project proposed to be carried out by the Indian Tribe; and

“(2) such other information as the Secretary may require.

“(d) **SELECTION.**—In evaluating the applications submitted under subsection (c), the Secretary shall—

“(1) take into consideration whether a proposed project—

“(A) creates new jobs and enhances the economic development of the Indian Tribe;

“(B) demonstrates new and innovative uses of biochar, viable markets for cost effective biochar-based products, or ecosystem services of biochar;

“(C) improves the forest health or watersheds of Federal land or Indian forest land or rangeland;

“(D) demonstrates new investments in biochar infrastructure or otherwise promotes the development and commercialization of biochar;

“(E) is located in an area with—

“(i) nearby lands identified as having a high, very high, or extreme risk of wildfire;

“(ii) availability of sufficient quantities of feedstock; or

“(iii) a high level of demand for biochar or other commercial byproducts of biochar; or

“(F) any combination of purposes specified in subparagraphs (A) through (E); and

“(2) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

“(e) **IMPLEMENTATION.**—The Secretary shall—

“(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of the enactment of this section; and

“(2) to the maximum extent practicable, consult with Indian Tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

“(f) **REPORT.**—Not later than 2 years after the date of the enactment of this section and every year thereafter, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

“(1) each individual Tribal application received under this section; and

“(2) each contract and agreement entered into pursuant to this section.

“(g) **INCORPORATION OF MANAGEMENT PLANS.**—To the maximum extent practicable, on

receipt of a request from an Indian Tribe, the Secretary shall incorporate into a contract or agreement with that Indian Tribe entered into pursuant to this section, management plans (including forest management and integrated resource management plans and Indian Trust Asset Management Plans) in effect on the Indian forest land or rangeland of that Indian Tribe.

“(h) TERM.—A contract or agreement entered into under this section—

“(1) shall be for a term of not more than 10 years; and

“(2) may be renewed in accordance with this section for not more than an additional 10 years.

#### “SEC. 4. DEFINITIONS.

“In this Act:

“(1) BIOCHAR.—The term ‘biochar’ means carbonized biomass produced by converting feedstock through reductive thermal processing for non-fuel uses.

“(2) FEDERAL LAND.—The term ‘Federal land’ means—

“(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

“(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

“(3) FEEDSTOCK.—The term ‘feedstock’ means excess biomass in the form of plant matter or materials that serves as the raw material for the production of biochar.

“(4) INDIAN FOREST LAND OR RANGELAND.—The term ‘Indian forest land or rangeland’ means land that—

“(A) is held in trust by, or with a restriction against alienation by, the United States for an Indian Tribe or a member of an Indian Tribe; and

“(B)(i)(I) is Indian forest land (as defined in section 304 of the National Indian Forest Resources Management Act (25 U.S.C. 3103)); or

“(II) has a cover of grasses, brush, or any similar vegetation; or

“(ii) formerly had a forest cover or vegetative cover that is capable of restoration.

“(5) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(6) SECRETARY.—The term ‘Secretary’ means—

“(A) the Secretary of Agriculture, with respect to land under the jurisdiction of the Forest Service; and

“(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

“(7) TRIBAL ORGANIZATION.—The term ‘Tribal organization’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).”

### TITLE III—OTHER MATTERS

#### SEC. 301. REQUIREMENTS RELATING TO CERTAIN FIRE SUPPRESSION COST SHARE AGREEMENTS.

(a) ESTABLISHMENT OF STANDARD OPERATING PROCEDURES.—Not later than 1 year after the date of the enactment of this section, the covered Secretaries shall—

(1) establish standard operating procedures relating to fire suppression cost share agreements established under the Act of May 27, 1955 (42 U.S.C. 1856a) (commonly known as the “Reciprocal Fire Protection Act”); and

(2) with respect to each fire suppression cost share agreement in operation on such date—

(A) review each such agreement; and

(B) modify each agreement as necessary to comply with the standard operating procedures required under paragraph (1).

(b) ALIGNMENT OF FIRE SUPPRESSION COST SHARE AGREEMENTS WITH COOPERATIVE FIRE PROTECTION AGREEMENTS.—The standard operating procedures required under subsection (a)(1) shall include a requirement that each fire suppression cost share agreement be aligned with each of the cooperative fire protection agreements applicable to the entity subject to such fire suppression cost share agreement.

(c) SECOND-LEVEL REVIEW.—The standard operating procedures required under subsection (a)(1) shall include—

(1) a requirement that the covered Secretaries, to the maximum extent practicable, complete reviews, including second-level reviews of a fire suppression cost share agreement, as soon as practicable after a wildfire relating to the area covered by such fire suppression cost share agreement is contained; and

(2) a requirement that in completing such reviews, the covered Secretaries consults with State and local fire suppression organizations.

(d) COVERED SECRETARIES DEFINED.—In this section, the term “covered Secretaries” means—

(1) the Secretary of Agriculture;

(2) the Secretary of the Interior;

(3) the Secretary of Homeland Security; and

(4) the Secretary of Defense.

#### SEC. 302. INVESTMENT OF CERTAIN FUNDS INTO INTEREST BEARING OBLIGATIONS.

Section 7 of the Act of June 20, 1958 (16 U.S.C. 579c), is amended—

(1) by striking “of any improvement, protection, or rehabilitation” and inserting “of any assessment, improvement, protection, restoration, or rehabilitation”; and

(2) by striking “Provided, That” and all that follows through the period at the end and inserting: “Provided, That any monies covered into the Treasury under this section, including all monies that were previously collected by the United States in a forfeiture, judgment, compromise, or settlement, shall be invested by the Secretary of the Treasury in interest bearing obligations of the United States to the extent the amounts are not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals: Provided further, That any interest earned on the amounts, including any interest earned by investment, is hereby appropriated and made available until expended to cover the costs to the United States specified in this section: Provided further, That, for fiscal year 2021 and thereafter, the Secretary shall include in the budget materials submitted to Congress in support of the President’s annual budget request (submitted to Congress pursuant to section 1105 of title 31, United States Code) for each fiscal year the proposed use of such amounts with respect to the Forest Service: Provided further, That any portion of the monies received or earned under this section in excess of the amount expended in performing the work necessitated by the action which led to their receipt may be used to cover the other work specified in this section.”

#### SEC. 303. STUDY ON CROP LOSSES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the agricultural committees a report that includes—

(1) as of the date of the report, an estimate of—

(A) agricultural losses due to adverse weather events that have occurred in calendar year 2022;

(B) Emergency Relief Program funds spent for 2020 and 2021 losses;

(C) Emergency Livestock Relief Program funds spent for 2021 losses;

(D) the number of new producers that have purchased Federal crop insurance or coverage under the Noninsured Crop Disaster Assistance Program under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7

U.S.C. 7333) (including an overview of the coverage levels purchased) as a result of receiving assistance through—

(i) the Wildfire and Hurricane Indemnity Program (WHIP) for losses in 2017; and

(ii) the Wildfire and Hurricane Indemnity Program Plus (WHIP+) for losses in 2018 and 2019; and

(E) the number of producers who—

(i) newly purchased Federal crop insurance or coverage under the Noninsured Crop Disaster Assistance Program under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) as a result of receiving assistance through—

(I) the Wildfire and Hurricane Indemnity Program (WHIP) for losses in 2017; and

(II) the Wildfire and Hurricane Indemnity Program Plus (WHIP+) for losses in 2018; and

(ii) continued purchasing such insurance or coverage after the two-year requirement applicable to such producers; and

(2) with respect to calendar year 2022, the projected agricultural losses due to adverse weather events in calendar year 2022.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMITTEES.—The term “agricultural committees” means the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the House of Representatives and the Senate.

(2) AGRICULTURAL LOSSES.—The term “agricultural losses” means the losses described under the heading “Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary” in the Extending Government Funding and Delivering Emergency Assistance Act (Public Law 117–43) with respect to calendar year 2022.

#### SEC. 304. STUDY ON USE OF CH-47 CHINOOKS TO RESPOND TO WILDFIRES.

Not later 1 year after the date of the enactment of this Act, the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Homeland Security shall jointly submit to Congress a report—

(1) on the feasibility and effectiveness of using CH-47 Chinooks with firefighting modifications to—

(A) respond to wildfires; and

(B) perform search and rescue activities; and

(2) that identifies the governmental organizations (including Federal, State, and local government organizations) that would be most effective with respect to using the aircraft described in paragraph (1) to carry out the activities specified in that paragraph.

### DIVISION B—DROUGHT

#### TITLE I—DROUGHT RESPONSE AND CLIMATE RESILIENCE

##### SEC. 101. ADVANCING LARGE-SCALE WATER RECYCLING AND REUSE PROJECTS.

(a) ELIGIBLE PROJECT.—Section 40905(c)(4) of the Infrastructure Investment and Jobs Act (43 U.S.C. 3205(c)(4)) is amended to read as follows:

“(4) is—

“(A) constructed, operated, and maintained by an eligible entity; or

“(B) owned by an eligible entity; and”.

(b) REMOVAL OF TERMINATION OF AUTHORITY; ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—Section 40905(k) of the Infrastructure Investment and Jobs Act (43 U.S.C. 3205(k)) is amended to read as follows:

“(k) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts made available under section 40901(4)(B) to carry out this section, there is authorized to be appropriated to the Secretary \$700,000,000 to carry out this section, to remain available until expended.”

(c) APPLICABILITY.—The amendments made by this section shall apply to amounts appropriated on or after the date of the enactment of this Act.

**SEC. 102. SALTON SEA PROJECTS IMPROVEMENTS.**

Section 1101 of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575) is amended—

(1) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively;

(2) by inserting after subsection (a) the following:

“(b) **ADDITIONAL PROJECT AUTHORITIES.**—

“(1) **IN GENERAL.**—The Secretary, acting through the Bureau of Reclamation, may provide grants and enter into contracts and cooperative agreements to carry out projects located in the area of the Salton Sea in Southern California to improve air quality, fish and wildlife habitat, recreational opportunities, and water quality, in partnership with—

“(A) State, Tribal, and local governments;

“(B) water districts;

“(C) joint powers authorities, including the Salton Sea Authority;

“(D) nonprofit organizations; and

“(E) institutions of higher education.

“(2) **INCLUDED ACTIVITIES.**—The projects described in paragraph (1) may include—

“(A) construction, operation, maintenance, permitting, and design activities required for such projects; and

“(B) dust suppression projects.”; and

(3) in subsection (e), as so redesignated, by striking “\$13,000,000” and inserting “\$250,000,000”.

**SEC. 103. NEAR-TERM ACTIONS TO PRESERVE COLORADO RIVER SYSTEM.**

In addition to the amounts otherwise available and consistent with contractual arrangements and applicable State and Federal law, there is authorized to be appropriated to the Secretary of the Interior \$500,000,000, for the period of fiscal years 2023 through 2026, to use available legal authorities to reduce the near-term likelihood of Lake Mead and Lake Powell declining to critically low water elevations.

**SEC. 104. WATERSMART ACCESS FOR TRIBES.**

Section 9504(a)(3)(E)(i) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364(a)(3)(E)(i)) is amended—

(1) in subclause (I), by striking “subclause (II)” and inserting “subclauses (II) and (III)”;

and

(2) after subclause (II), by inserting the following:

“(III) **WAIVER; REDUCTION.**—With respect to a grant or other agreement entered into under paragraph (1) between the Secretary and an Indian tribe, the Secretary may reduce or waive the non-Federal share (and increase the Federal share accordingly) of the cost of any infrastructure improvement or activity that is the subject of that grant or other agreement if the Secretary determines that meeting the cost-share requirement presents a financial hardship for the Indian tribe.”.

**SEC. 105. RECLAMATION WATER SETTLEMENTS FUND.**

Section 10501 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407) is amended—

(1) in subsection (b)(1), by inserting “and for fiscal year 2033 and each fiscal year thereafter” after “For each of fiscal years 2020 through 2029”;

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking “for each of fiscal years 2020 through 2034” and inserting “for fiscal year 2020 and each fiscal year thereafter”; and

(B) in paragraph (3)(C), by striking “for any authorized use” and all that follows through the period at the end and inserting “for any use authorized under paragraph (2).”; and

(3) by striking subsection (f).

**SEC. 106. BUREAU OF RECLAMATION TRIBAL CLEAN WATER ASSISTANCE.**

(a) **RURAL WATER SUPPLY PROGRAM REAUTHORIZATION.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—Section 109(a) of the Rural Water Supply Act of 2006 (43 U.S.C. 2408(a)) is amended by striking “2016” and inserting “2032”.

(2) **TERMINATION OF AUTHORITY.**—Section 110 of the Rural Water Supply Act of 2006 (43 U.S.C. 2409) is amended by striking “2016” and inserting “2032”.

(b) **BUREAU OF RECLAMATION RURAL WATER SUPPLY PROGRAM.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(B) **RECLAMATION STATE.**—The term “Reclamation State” means a State described in the first section of the Act of June 17, 1902 (43 U.S.C. 391; 32 Stat. 388, ch. 1093).

(C) **REPORT.**—The term “Report” means the most recent annual report required to be submitted by the Secretary of Health and Human Services to the President under section 302(g) of the Indian Health Care Improvement Act (25 U.S.C. 1632(g)).

(D) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(E) **TRIBAL LAND.**—The term “Tribal land” means—

(i) land located within the boundaries of—

(I) an Indian reservation, pueblo, or rancharia; or

(II) a former reservation within Oklahoma;

(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancharia, title to which is held—

(I) in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

(II) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

(III) by a dependent Indian community;

(iii) land located within a region established pursuant to section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(a));

(iv) Hawaiian Home Lands (as defined in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221)); or

(v) an area or community designated by the Assistant Secretary of Indian Affairs of the Department of the Interior that is near, adjacent, or contiguous to an Indian reservation where financial assistance and social service programs are provided to Indians because of their status as Indians.

(2) **COMPETITIVE GRANT PROGRAM FOR TRIBAL CLEAN WATER ACCESS PROJECTS.**—

(A) **ESTABLISHMENT.**—In accordance with section 103 of the Rural Water Supply Act of 2006 (43 U.S.C. 2402), the Secretary shall establish a competitive grant program under which an Indian Tribe shall be eligible to apply for a grant from the Secretary in an amount not to exceed 100 percent of the cost of planning, design, and construction of a project determined by the Secretary to be eligible for funding under subparagraph (B).

(B) **ELIGIBILITY.**—To be eligible for a grant under subparagraph (A), a project shall—

(i) be carried out in a Reclamation State; and

(ii) as determined by the Secretary—

(I) provide, increase, or enhance access to safe drinking water for communities and households on Tribal land; or

(II) address public health and safety concerns associated with access to safe drinking water.

(C) **PRIORITY.**—

(i) **IN GENERAL.**—In awarding grants under subparagraph (A), the Secretary, in consultation with the Director of the Indian Health Service, shall give priority to projects that meet one or more of the following criteria:

(I) Provides potable water supplies to communities or households on Tribal land that do not have access to running water as of the date of the project application.

(II) Addresses an urgent and compelling public health or safety concern relating to access to safe drinking water for residents on Tribal land.

(III) Addresses needs identified in the Report.

(IV) Closer to being completed, or farther along in planning, design, or construction, as compared to other projects being considered for funding.

(V) Takes advantage of the experience and technical expertise of the Bureau of Reclamation in the planning, design, and construction of rural water projects, particularly with respect to a project that takes advantage of economies of scale.

(VI) Takes advantage of local or regional partnerships that complement related efforts by Tribal, State, or Federal agencies to enhance access to drinking water or water sanitation services on Tribal land.

(VII) Leverages the resources or capabilities of other Tribal, State, or Federal agencies to accelerate planning, design, and construction.

(VIII) Provides multiple benefits, including—

(aa) improved water supply reliability;

(bb) public health improvements;

(cc) ecosystem benefits;

(dd) groundwater management and enhancements; and

(ee) water quality improvements.

(ii) **CONSULTATION.**—In prioritizing projects for funding under clause (i), the Secretary—

(I) shall consult with the Director of the Indian Health Service; and

(II) may coordinate funding of projects under this paragraph with the Director of the Indian Health Service, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the head of any other Federal agency in any manner that the Secretary determines would—

(aa) accelerate project planning, design, or construction; or

(bb) otherwise take advantage of the capabilities of, and resources potentially available from, other Federal sources.

(3) **FUNDING.**—

(A) **IN GENERAL.**—In addition to amounts otherwise available, there is authorized to be appropriated to the Secretary \$1,000,000,000 to carry out this subsection, to remain available until expended.

(B) **ADMINISTRATIVE EXPENSES; USE OF FUNDS.**—Of the amounts authorized to be appropriated under subparagraph (A), not more than 2 percent is authorized to be appropriated for—

(i) the administration of the rural water supply program established under section 103 of the Rural Water Supply Act of 2006 (43 U.S.C. 2402); and

(ii) related management and staffing expenses.

(c) **FUNDING FOR NATIVE AMERICAN AFFAIRS TECHNICAL ASSISTANCE PROGRAM OF THE BUREAU OF RECLAMATION.**—In addition to amounts otherwise available, there is authorized to be appropriated to the Secretary \$90,000,000 for use, in accordance with section 201 of the Energy and Water Development Appropriations Act, 2003 (43 U.S.C. 373d), for the Native American Affairs Technical Assistance Program of the Bureau of Reclamation, to remain available until expended.

**SEC. 107. WHITE MOUNTAIN APACHE TRIBE RURAL WATER SYSTEM.**

(a) **CONVEYANCE OF TITLE TO TRIBE.**—Section 307(d)(2)(E) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111-291; 124 Stat. 3082; 132 Stat. 1626) is amended, in the matter preceding clause (i), by striking “water system—” and all that follows through the period at the end of clause (ii)(II), and inserting “water system is substantially complete, as determined by the Secretary in accordance with subsection (k).”.

(b) **REQUIREMENTS FOR DETERMINATION OF SUBSTANTIAL COMPLETION OF THE WMAT RURAL WATER SYSTEM.**—Section 307 of the White Mountain Apache Tribe Water Rights



Quantification Act of 2010 (title III of Public Law 111–291; 124 Stat. 3080; 132 Stat. 1626) is amended by adding at the end the following:

“(k) REQUIREMENTS FOR DETERMINATION OF SUBSTANTIAL COMPLETION OF THE WMAT RURAL WATER SYSTEM.—The WMAT rural water system shall be determined to be substantially complete if—

“(1) the infrastructure constructed is capable of storing, diverting, treating, transmitting, and distributing a supply of water as set forth in the final project design described in subsection (c); or

“(2) the Secretary—  
“(A) expended all of the available funding provided to construct the WMAT rural water system; and

“(B) despite diligent efforts, cannot complete construction as described in the final project design described in subsection (c) due solely to the lack of additional authorized funding.”.

(c) ENFORCEABILITY DATE.—

(1) IN GENERAL.—Section 309(d) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3088; 133 Stat. 2669) is amended—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) such amount, up to the amount made available under section 312(e)(2), as the Secretary determines to be necessary to construct the WMAT rural water system that is capable of storing, diverting, treating, transmitting, and distributing a supply of water as set forth in the final project design described in section 307(c) has been deposited in the WMAT Cost Overrun Subaccount;”;

(B) in paragraph (2), by striking “2023” each place it appears and inserting “2025”.

(2) CONFORMING AMENDMENT.—Section 3(b)(2) of the White Mountain Apache Tribe Rural Water System Loan Authorization Act (Public Law 110–390; 122 Stat. 4191; 124 Stat. 3092; 133 Stat. 2669) is amended by striking “beginning on” and all that follows through the period at the end and inserting “beginning on May 1, 2025.”.

(d) REQUIREMENT.—Section 310(b) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111–291; 124 Stat. 3090) is amended by adding at the end the following:

“(3) EXPENDITURES.—If, before the enforceability date under section 309(d), Federal funds are expended to carry out activities identified in subparagraphs (A) or (C) of paragraph (2) in excess of the amounts provided pursuant to the White Mountain Apache Tribe Rural Water System Loan Authorization Act (Public Law 110–390; 122 Stat. 4191), such expenditures shall be accounted for as White Mountain Apache Tribe Water Rights Settlement Subaccount funds.”.

(e) COST INDEXING.—Section 312(c) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111–291; 124 Stat. 3095) is amended to read as follows:

“(c) COST INDEXING.—

“(1) WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS SETTLEMENT SUBACCOUNT.—All amounts made available under subsection (a) shall be adjusted as necessary to reflect the changes made since October 1, 2007, with respect to the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(2) WMAT SETTLEMENT FUND.—All amounts made available under subsection (b)(2) shall be adjusted annually to reflect the changes made since October 1, 2007, with respect to the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(3) WMAT MAINTENANCE FUND.—All amounts made available under subsection (b)(3) shall be adjusted on deposit to reflect the changes made since October 1, 2007, with respect to the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 published by the Bureau of Labor Statistics.

“(4) WMAT COST OVERRUN SUBACCOUNT.—Of the amounts made available under subsection (e)(2)—

“(A) \$35,000,000 shall be adjusted as necessary to reflect the changes made since October 1, 2007, with respect to the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system; and

“(B) additional funds, in excess of the amount referred to in subparagraph (A), shall be adjusted as necessary to reflect the changes made since April 1, 2021, with respect to the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(5) CONSTRUCTION COSTS ADJUSTMENT.—The amounts made available under subsections (a), (b)(2), and (e)(2), shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.”.

(f) FUNDING.—Section 312(e)(2)(B) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111–291; 124 Stat. 3095) is amended by striking “\$11,000,000” and inserting “\$541,000,000”.

(g) RETURN TO TREASURY.—

(1) IN GENERAL.—Section 312(e)(4)(B) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3096) is amended, in the matter preceding clause (i), by striking “shall be” and all that follows through “subsection (b)(2)(C)” and inserting “shall be returned to the general fund of the Treasury”.

(2) CONFORMING AMENDMENT.—Section 312(b)(2) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3093; 132 Stat. 1626) is amended by striking subparagraph (B) and inserting the following:

“(B) TRANSFERS TO FUND.—There is authorized to be appropriated to the Secretary for deposit in the WMAT Settlement Fund \$78,500,000.”.

(h) PROHIBITION.—Section 312(e) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111–291; 124 Stat. 3096) is amended by adding at the end the following:

“(5) PROHIBITION.—Notwithstanding any other provision of law, any amounts made available under paragraph (2)(B) shall not be made available from the Indian Water Rights Settlement Completion Fund established by section 70101 of the Infrastructure Investment and Jobs Act (25 U.S.C. 149) or the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) until 2034.”.

#### SEC. 108. DESALINATION RESEARCH AUTHORIZATION.

The Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in section 3(e)—

(A) in paragraph (5), by striking “and”;

(B) in paragraph (6), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(7) to minimize the impacts of seawater desalination on aquatic life and coastal ecosystems, including technologies to monitor and reduce those impacts.”;

(2) in section 8(a)—

(A) by striking “\$5,000,000 per year for fiscal years 1997 through 2021” and inserting

“\$20,000,000 per year for fiscal years 2023 through 2027”; and

(B) by striking “\$1,000,000” and inserting “\$15,000,000”.

#### SEC. 109. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking “\$12,000,000 for each of fiscal years 2022 through 2025” and inserting “\$14,000,000 for each of fiscal years 2023 through 2032”.

(b) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended by striking “\$3,000,000 for each of fiscal years 2022 through 2025” and inserting “\$4,000,000 for each of fiscal years 2023 through 2032”.

(c) GRANTS.—Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended by—

(1) redesignating paragraph (2) as paragraph (4); and

(2) inserting after paragraph (1) the following:

“(2) ALLOCATION.—From the sums appropriated, the Secretary shall allocate a minimum of—

“(A) 80 percent of the sums to base grants consistent with subsection (f)(1); and

“(B) 20 percent of the sums to research focused on water problems of interstate nature consistent with subsection (g)(1).

“(3) ADDITIONAL SPECIAL PROJECTS.—Any sums Congress delineates for specific topics and water priorities shall fall under subsection (g)(1). All sums under subsection (g)(1), including congressionally delineated sums for specific topics and water priorities, shall not exceed 20 percent of the sums appropriated for the Water Resources Research Act program.”.

#### SEC. 110. SALINE LAKE ECOSYSTEMS IN THE GREAT BASIN STATES ASSESSMENT AND MONITORING PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term “Program” means the Saline Lake Ecosystems in the Great Basin States Assessment and Monitoring Program established under subsection (b).

(2) COORDINATING ENTITIES.—The term “coordinating entities” includes—

(A) Federal, State, Tribal, and local agencies;

(B) institutions of higher education;

(C) nonprofit organizations; and

(D) local stakeholders.

(3) SALINE LAKE ECOSYSTEMS.—The term “saline lake ecosystems” means the ecosystems associated with the following lakes:

(A) Lake Abert in Oregon.

(B) Eagle Lake in California.

(C) Franklin Lake in Nevada.

(D) Goose Lake in California and Oregon.

(E) Great Salt Lake in Utah.

(F) Harney Lake in Oregon.

(G) Honey Lake in California.

(H) Lahontan Valley wetlands, including Carson Lake, Carson Sink, and Stillwater Marsh in Nevada.

(I) Malheur Lake in Oregon.

(J) Mono Lake in California.

(K) Owens Lake in California.

(L) Pyramid Lake in Nevada.

(M) Ruby Lake in Nevada.

(N) Sevier Lake in Utah.

(O) Silver Lake in Oregon.

(P) Summer Lake in Oregon.

(Q) Walker Lake in Nevada.

(R) Warner Lake in Oregon.

(S) Winnemucca Lake in Nevada.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

(5) WORK AND IMPLEMENTATION PLAN.—The term “work and implementation plan” means the multiyear work and implementation plan established under subsection (c)(1).

(b) ESTABLISHMENT.—The Secretary shall establish a program to be known as the “Saline

Lake Ecosystems in the Great Basin States Assessment and Monitoring Program” to—

(1) assess and monitor the hydrology of saline lake ecosystems and the migratory birds and other wildlife that depend on saline lake ecosystems; and

(2) inform and support coordinated management and conservation actions to benefit saline lake ecosystems, migratory birds, and other wildlife.

(c) WORK AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—In carrying out the Program, the Secretary, in coordination with the Director of the United States Fish and Wildlife Service and coordinating entities, shall establish a multiyear work and implementation plan to assess, monitor, and conserve saline lake ecosystems and migratory birds and other wildlife that depend on saline lake ecosystems.

(2) INCLUSIONS.—The work and implementation plan shall include—

(A) a synthesis of available information, literature, and data, and an assessment of scientific and informational needs, relating to saline lake ecosystems with respect to—

(i) water quantity, water quality, water use, and water demand;

(ii) migratory bird and other wildlife populations, habitats, and ecology;

(iii) annual lifecycle needs of migratory birds; and

(iv) environmental changes and other stressors, including climatic stressors;

(B) a description of how the work and implementation plan will address the scientific and informational needs described in subparagraph (A), including monitoring activities, data infrastructure needs, and development of tools necessary to implement the Program;

(C) recommendations and a cost assessment for the work and implementation plan; and

(D) other matters, as determined necessary by the Secretary.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the work and implementation plan.

(d) IMPLEMENTATION.—The Secretary shall implement the Program based on the information, findings, and recommendations contained in the work and implementation plan.

(e) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may use funds made available pursuant to subsection (g) to enter into cooperative funding agreements with, or provide grants to, coordinating entities for the purposes of—

(1) participating in developing, or providing information to inform the development of, the work and implementation plan;

(2) carrying out assessments and monitoring of water quality, quantity, use, and demand under the Program; and

(3) carrying out ecological, biological, and avian assessments and monitoring under the Program.

(f) EFFECT.—The work and implementation plan shall not affect—

(1) any interstate water compacts in existence on the date of the enactment of this Act, including full development of any apportionment made in accordance with those compacts;

(2) valid and existing water rights in any State located wholly or partially within the Great Basin;

(3) water rights held by the United States in the Great Basin; or

(4) the management and operation of Bear Lake or Stewart Dam, including the storage, management, and release of water.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$5,000,000 for each of fiscal years 2023 through 2027 to carry out the Program.

(h) PRIORITY.—In carrying out the Program, the Secretary shall give priority to the following saline lake ecosystems:

(1) Lake Abert in Oregon.

(2) Great Salt Lake in Utah.

(3) Lahontan Valley Wetlands, including Carson Sink, Carson Lake, and Stillwater Marsh in Nevada.

(4) Ruby Lake in Nevada.

(5) Walker Lake in Nevada.

(6) Mono Lake in California.

(7) Owens Lake in California.

(8) Summer Lake in Oregon.

#### SEC. 111. EXTENSION OF AUTHORIZATIONS RELATED TO FISH RECOVERY PROGRAMS.

Section 3 of Public Law 106–392 (114 Stat. 1603) is amended—

(1) by striking “2023” each place it appears and inserting “2024”;

(2) in subsection (b)(1), by striking “\$179,000,000” and inserting “\$184,000,000”;

(3) in subsection (b)(2), by striking “\$30,000,000” and inserting “\$25,000,000”;

(4) in subsection (h), by striking “, at least 1 year prior to such expiration,”; and

(5) in subsection (j), by striking “2021” each place it appears and inserting “2022”.

#### SEC. 112. RECLAMATION CLIMATE CHANGE AND WATER PROGRAM.

Section 9503(f) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10363(f)) is amended by striking “2023” and inserting “2033”.

#### SEC. 113. AUTHORIZATION OF APPROPRIATIONS FOR THE LAS VEGAS WASH PROGRAM.

Section 529(b)(3) of the Water Resources Development Act of 2000 (114 Stat. 2658; 119 Stat. 2255; 125 Stat. 865) is amended by striking “\$30,000,000” and inserting “\$55,000,000”.

#### SEC. 114. TERMINAL LAKES ASSISTANCE.

Section 2507(f) of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3839b–6(f)) is amended by striking “2023” and inserting “2025”.

#### SEC. 115. EXPEDITED MEASURES FOR DROUGHT RESPONSE.

(a) EXPEDITED PROGRAM IMPLEMENTATION.—Section 40905(h) of the Infrastructure Investment and Jobs Act (43 U.S.C. 3205(h); 135 Stat. 1124) is amended by striking “Not later than 1 year after the date of enactment of this Act” and inserting “Not later than August 31, 2022”.

(b) ESTABLISHMENT OF PROGRAM.—Section 40907(b) of the Infrastructure Investment and Jobs Act (43 U.S.C. 3207(b); 135 Stat. 1125) is amended by striking “Not later than 1 year after the date of enactment of this Act” and inserting “Not later than August 31, 2022”.

#### SEC. 116. WATER EFFICIENCY, CONSERVATION, AND SUSTAINABILITY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means any of the following:

(A) A State, local, or Tribal government, or any special-purpose unit of such a government (including a municipal water authority).

(B) A public water system.

(C) A nonprofit organization.

(3) ENERGY STAR PROGRAM.—The term “Energy Star program” means the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

(4) LOW-INCOME HOUSEHOLD.—The term “low-income household” means a household that meets the income qualifications established under—

(A) section 2605(b)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(2)); or

(B) the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program authorized by section 533 of division H of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 1627).

(5) PUBLIC WATER SYSTEM.—The term “public water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(6) WATER EFFICIENCY INCENTIVE PROGRAM.—The term “water efficiency incentive program” means a program for providing incentives, including direct installation services, to residential, commercial, or industrial customers of a public water system for the purchase, lease, installation, use, or implementation, as applicable, of water-efficient upgrades.

(7) WATER-EFFICIENT UPGRADE.—

(A) IN GENERAL.—The term “water-efficient upgrade” means a product, landscape, label, process, or service for a residential, commercial, or industrial building, or the landscape of such a building, that is—

(i) rated for water efficiency and performance under the WaterSense program or the Energy Star program; or

(ii) otherwise determined by the Administrator to improve water-use efficiency.

(B) INCLUSIONS.—The term “water-efficient upgrade” includes—

(i) a faucet;

(ii) a showerhead;

(iii) a dishwasher;

(iv) a toilet;

(v) a clothes washer;

(vi) an irrigation product or service;

(vii) advanced metering infrastructure;

(viii) a flow monitoring device;

(ix) a landscaping or gardening product, including moisture control or water-enhancing technology;

(x) xeriscaping, turf removal, or another landscape conversion that reduces water use (except for the installation of artificial turf); and

(xi) any other product, landscape, process, or service—

(I) certified pursuant to the WaterSense program; or

(II) otherwise determined by the Administrator to reduce water use or water loss, including products rated for water efficiency and performance under the Energy Star program.

(8) WATER LOSS CONTROL PROGRAM.—The term “water loss control program” means a program to identify and quantify water uses and losses, implement controls to reduce or eliminate losses and leaks, and evaluate the effectiveness of such controls.

(9) WATERSENSE PROGRAM.—The term “WaterSense program” means the program established by section 324B of the Energy Policy and Conservation Act (42 U.S.C. 6294b).

(b) WATER EFFICIENCY AND CONSERVATION GRANT PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish a program to award grants to eligible entities that have established water efficiency incentive programs to carry out those water efficiency incentive programs (referred to in this subsection as the “grant program”).

(2) DISTRIBUTION.—In carrying out the grant program, the Administrator shall award not less than 50 percent of the amounts made available to carry out this subsection in each fiscal year to eligible entities that service an area that—

(A) has been designated as D2 (severe drought) or greater according to the United States Drought Monitor for a minimum of 4 weeks during any of the 3 years preceding the date of the grant award; or

(B) is within a county for which a drought emergency has been declared by the applicable Governor at any time during the 3-year period preceding the date of the grant award.

(3) GRANT AMOUNT.—

(A) IN GENERAL.—Subject to subparagraph (B), a grant awarded under the grant program shall be in an amount that is not less than \$250,000.

(B) SMALL PUBLIC WATER SYSTEMS.—The Administrator may award a grant in an amount that is less than \$250,000 if the grant is awarded to, or for the benefit of, a public water system that serves fewer than 10,000 customers.

(4) USE OF FUNDS.—An eligible entity receiving a grant under the grant program shall—

(A) use grant funds to carry out a water efficiency incentive program for customers of a public water system; or

(B) provide grant funds to another eligible entity to carry out a water efficiency incentive program described in subparagraph (A).

(5) **MINIMUM REQUIREMENT.**—An eligible entity receiving a grant under the grant program shall use not less than 40 percent of the amount of the grant to provide water-efficient upgrades to low-income households.

(6) **COST SHARE.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Federal share of the cost of carrying out a water efficiency incentive program using a grant awarded under the grant program shall not exceed 80 percent.

(B) **WAIVER.**—The Administrator may increase the Federal share under subparagraph (A) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

(7) **SUPPLEMENT, NOT SUPPLANT.**—Amounts provided under a grant under the grant program shall be used to supplement, and not supplant, other Federal, State, local, or Tribal funds made available to carry out water efficiency incentive programs.

(8) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2023 through 2028.

(B) **ADMINISTRATIVE COSTS.**—Of the amounts authorized to be appropriated under subparagraph (A) each fiscal year, not more than 4 percent is authorized to pay the administrative costs of the Administrator.

(C) **SUSTAINABLE WATER LOSS CONTROL PROGRAM.**—

(1) **TECHNICAL ASSISTANCE AND GRANT PROGRAM.**—The Administrator shall establish and carry out a program (referred to in this subsection as the “program”)—

(A) to make grants and provide technical assistance to eligible entities to perform annual audits of public water systems that are—

(i) conducted in accordance with the procedures contained in the manual published by the American Water Works Association entitled “M36 Water Audits and Loss Control Programs, Fourth Edition” (or any successor manual determined appropriate by the Administrator); and

(ii) validated under such criteria as may be specified by the Administrator; and

(B) to make grants and provide technical assistance to eligible entities—

(i) to implement controls to address real water losses, apparent water losses, or a combination of real and apparent water losses that are identified in an audit conducted and validated in accordance with the procedures and criteria described in subparagraph (A); and

(ii) to help public water systems that have conducted and validated such an audit establish water loss control programs.

(2) **CRITERIA.**—In selecting eligible entities to receive grants and technical assistance under the program, the Administrator shall consider—

(A) whether the public water system that would be served by the grants or technical assistance serves a disadvantaged community (as defined in section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(3))); and

(B) the ability of the public water system that would be served by the grants or technical assistance, on completion of an audit conducted and validated in accordance with the procedures and criteria described in paragraph (1)(A)—

(i) to successfully sustain a water loss control program; and

(ii) to demonstrate that the water loss control program will reduce real water losses, apparent water losses, or a combination of real and apparent water losses from the public water system.

(3) **ANNUAL WATER SAVINGS.**—The Administrator shall—

(A) annually compile, by Environmental Protection Agency region, information on the

amount of water savings achieved pursuant to this subsection; and

(B) publish on the website of the Administrator the information compiled under subparagraph (A).

(4) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to carry out this subsection \$40,000,000 for each of fiscal years 2023 through 2028, of which—

(i) \$20,000,000 each fiscal year is authorized to be appropriated to carry out paragraph (1)(A); and

(ii) \$20,000,000 each fiscal year is authorized to be appropriated to carry out paragraph (1)(B).

(B) **ADMINISTRATIVE COSTS.**—Of the amounts authorized to be appropriated under subparagraph (A) for grants under the program each fiscal year, not more than 4 percent is authorized to be appropriated for the administrative costs of making such grants.

**SEC. 117. SHORING UP ELECTRICITY GENERATION AND REDUCING EVAPORATION AT BUREAU OF RECLAMATION FACILITIES.**

(A) **ASSESSMENT.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall conduct, in consultation with the Secretary of Energy, an assessment of opportunities to install and maintain photovoltaic solar panels (including floating solar panels) at Bureau of Reclamation facilities.

(2) **CONTENTS.**—The assessment conducted under paragraph (1) shall—

(A) include a description of the economic, environmental, and technical feasibility of installing and maintaining, or contracting with third parties to install and maintain, photovoltaic solar panels at Bureau of Reclamation facilities;

(B) identify Bureau of Reclamation facilities with a high potential for the installation and maintenance of photovoltaic solar panels and whether such installation and maintenance would require additional authorization;

(C) account for potential impacts of photovoltaic solar panels at Bureau of Reclamation facilities and the authorized purposes of such facilities, including potential impacts related to evaporation suppression, energy yield, dam safety, recreation, water quality, and fish and wildlife;

(D) account for potential damage to floating photovoltaic solar panels from weather, water level fluctuations, recreational co-use and other project uses; and

(E) account for the availability of electric grid infrastructure, including underutilized transmission infrastructure.

(b) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress, and make publicly available (including on a publicly available website), a report containing the results of the assessment conducted under subsection (a).

**TITLE II—FUTURE WESTERN WATER AND DROUGHT RESILIENCY**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Furthering Underutilized Technologies and Unleashing Responsible Expenditures for Western Water and Drought Resiliency Act” or the “FUTURE Western Water and Drought Resiliency Act”.

**SEC. 202. DEFINITIONS.**

In this title:

(1) **RELEVANT COMMITTEES OF CONGRESS.**—The term “relevant committees of Congress” means—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) **RECLAMATION STATE.**—The term “Reclamation State” means a State or territory described in the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093; 43 U.S.C. 391).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, unless otherwise defined in a particular provision.

(4) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

**Subtitle A—Assistance for Projects With Fastest Construction Timelines**

**SEC. 211. WATER RECYCLING AND REUSE PROJECTS.**

(a) **SHORT TITLE.**—This section may be cited as the “Water Recycling Investment and Improvement Act”.

(b) **FUNDING PRIORITY.**—Section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.) is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) **PRIORITY.**—When funding projects under paragraph (1), the Secretary shall give funding priority to projects that meet one or more of the following criteria:

“(A) Projects that are likely to provide a more reliable water supply for States and local governments.

“(B) Projects that are likely to increase the water management flexibility and reduce impacts on environmental resources from projects operated by Federal and State agencies.

“(C) Projects that are regional in nature.

“(D) Projects with multiple stakeholders.

“(E) Projects that provide multiple benefits, including water supply reliability, eco-system benefits, groundwater management and enhancements, and water quality improvements.”.

(c) **LIMITATION ON FUNDING.**—Section 1631(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–13(d)) is amended by striking “\$20,000,000 (October 1996 prices)” and inserting “\$50,000,000 (July 2022 prices)”.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise available, there is authorized to be appropriated \$600,000,000 to remain available until expended for water recycling and reuse projects authorized in accordance with the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) that are—

(1) authorized or approved for construction funding by an Act of Congress; or

(2) selected for funding under the competitive grant program authorized under section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h(f)), with funding under this section to be provided in accordance with that section, notwithstanding section 4013 of the Water Infrastructure Improvements for the Nation Act (43 U.S.C. 390b note; Public Law 114–322), except that section 1602(g)(2) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h(g)(2)) shall not apply to amounts made available under this section.

**SEC. 212. DESALINATION PROJECT DEVELOPMENT.**

(a) **SHORT TITLE.**—This section may be cited as the “Desalination Development Act”.

(b) **DESALINATION PROJECTS AUTHORIZATION.**—Section 4(a) of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by striking paragraph (2) and inserting the following:

“(2) **PROJECTS.**—

“(A) **DEFINITION OF ELIGIBLE DESALINATION PROJECT.**—In this paragraph, the term “eligible desalination project” means any project located in a Reclamation State that—

“(i) involves an ocean or brackish water desalination facility—

“(I) constructed, operated, and maintained by a State, Indian Tribe, irrigation district, water district, or other organization with water or power delivery authority; or

“(II) sponsored or funded by any State, department of a State, subdivision of a State, or public agency organized pursuant to State law, including—

“(aa) direct sponsorship or funding; or  
 “(bb) indirect sponsorship or funding, such as by paying for the water provided by the facility;  
 “(ii) provides a Federal benefit in accordance with the reclamation laws; and

“(iii) is consistent with all applicable State and Federal resource protection laws, including the protection of marine protected areas.

“(B) DEFINITION OF DESIGNATED DESALINATION PROJECT.—The term ‘designated desalination project’ means an eligible desalination project that—

“(i) is an ocean desalination project that uses a subsurface intake;

“(ii) has a total estimated cost of \$80,000,000 or less; and

“(iii) is designed to serve a community or group of communities that collectively import more than 75 percent of their water supplies.

“(C) COST-SHARING REQUIREMENT.—

“(i) IN GENERAL.—Subject to the requirements of this paragraph, the Federal share of an eligible desalination project carried out under this subsection shall be—

“(I) not more than 25 percent of the total cost of the eligible desalination project; or

“(II) in the case of a designated desalination project, the applicable percentage determined in accordance with clause (ii).

“(ii) COST-SHARING REQUIREMENT FOR CONSTRUCTION COSTS.—In the case of a designated desalination project carried out under this subsection, the Federal share of the cost of construction of the designated desalination project shall not exceed the greater of—

“(I) 35 percent of the total cost of construction, up to a Federal cost of \$20,000,000; or

“(II) 25 percent of the total cost of construction.

“(D) STATE ROLE.—The Secretary shall not participate in an eligible desalination project under this paragraph unless—

“(i)(I) the eligible desalination project is included in a State-approved plan; or

“(II) the participation has been requested by the Governor of the State in which the eligible desalination project is located; and

“(ii) the State or local sponsor of the eligible desalination project determines, and the Secretary concurs, that—

“(I) the eligible desalination project—

“(aa) is technically and financially feasible;

“(bb) provides a Federal benefit in accordance with the reclamation laws; and

“(cc) is consistent with applicable State laws, State regulations, State coastal zone management plans, and other State plans such as California’s Water Quality Control Plan for the Ocean Waters in California;

“(II) sufficient non-Federal funding is available to complete the eligible desalination project; and

“(III) the eligible desalination project sponsors are financially solvent; and

“(iii) the Secretary submits to Congress a written notification of the determinations under clause (ii) by not later than 30 days after the date of the determinations.

“(E) ENVIRONMENTAL LAWS.—In participating in an eligible desalination project under this paragraph, the Secretary shall comply with all applicable environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and State laws implementing the Coastal Zone Management Act.

“(F) INFORMATION.—In participating in an eligible desalination project under this subsection, the Secretary—

“(i) may rely on reports prepared by the sponsor of the eligible desalination project, including feasibility or equivalent studies, environmental analyses, and other pertinent reports and analyses; but

“(ii) shall retain responsibility for making the independent determinations described in subparagraph (D).

“(G) FUNDING.—

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry

out this paragraph \$260,000,000 for the period of fiscal years 2023 through 2027.

“(ii) CONGRESSIONAL APPROVAL INITIALLY REQUIRED.—

“(I) IN GENERAL.—Each initial award under this paragraph for design and study or for construction of an eligible desalination project shall be approved by an Act of Congress.

“(II) RECLAMATION RECOMMENDATIONS.—The Commissioner of Reclamation shall submit recommendations regarding the initial award of preconstruction and construction funding for consideration under subclause (I) to—

“(aa) the Committee on Appropriations of the Senate;

“(bb) the Committee on Energy and Natural Resources of the Senate;

“(cc) the Committee on Appropriations of the House of Representatives; and

“(dd) the Committee on Natural Resources of the House of Representatives.

“(iii) SUBSEQUENT FUNDING AWARDS.—After approval by Congress of an initial award of preconstruction or construction funding for an eligible desalination project under clause (ii), the Commissioner of Reclamation may award additional preconstruction or construction funding, respectively, for the eligible desalination project without further congressional approval.”.

(c) PRIORITIZATION FOR PROJECTS.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by striking subsection (c) and inserting the following:

“(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary and the Commissioner of Reclamation shall each prioritize projects—

“(1) for the benefit of drought-stricken States and communities;

“(2) for the benefit of States that have authorized funding for research and development of desalination technologies and projects;

“(3) that demonstrably reduce a reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(4) that, in a measurable and verifiable manner, reduce a reliance on imported water supplies from imperiled ecosystems such as the Sacramento-San Joaquin River Delta;

“(5) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel;

“(6) that maximize use of renewable energy to power desalination facilities;

“(7) that maximize energy efficiency so that the lifecycle energy demands of desalination are minimized;

“(8) located in regions that have employed strategies to increase water conservation and the capture and recycling of wastewater and stormwater; and

“(9) that meet the following criteria, if they are ocean desalination facilities—

“(A) use a subsurface intake or, if a subsurface intake is not technologically feasible, an intake that uses the best available site, design, technology, and mitigation measures to minimize the mortality of all forms of marine life and impacts to coastal dependent resources;

“(B) are sited and designed to ensure that the disposal of wastewaters including brine from the desalination process—

“(i) are not discharged to impaired bodies of water or State or Federal Marine Protected Areas; and

“(ii) achieve ambient salinity levels within a reasonable distance from the discharge point;

“(C) are sited, designed, and operated in a manner that maintains indigenous marine life and a healthy and diverse marine community;

“(D) do not cause significant unmitigated harm to aquatic life; and

“(E) include a construction and operation plan designed to minimize loss of coastal habitat and aesthetic, noise, and air quality impacts.”.

(d) RECOMMENDATIONS TO CONGRESS.—In determining project recommendations to Congress under section 4(a)(2)(G)(ii)(I) of the Water Desalination Act of 1996, the Commissioner of Reclamation shall establish a priority scoring system that assigns priority scores to each project evaluated based on the prioritization criteria of section 4(c) of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298).

**SEC. 213. ASSISTANCE FOR DISADVANTAGED COMMUNITIES WITHOUT ADEQUATE DRINKING WATER.**

(a) IN GENERAL.—The Secretary shall provide grants within the Reclamation States to assist eligible applicants in planning, designing, or carrying out projects to help disadvantaged communities address a significant decline in the quantity or quality of drinking water.

(b) ELIGIBLE APPLICANTS.—To be eligible to receive a grant under this section, an applicant shall submit an application to the Secretary that includes a proposal of the project or activity in subsection (c) to be planned, designed, constructed, or implemented, the service area of which—

(1) is not located in a city or town with a population of more than 60,000 residents; and

(2) has a median household income of less than 100 percent of the nonmetropolitan median household income of the State.

(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this program may be used for—

(1) emergency water supplies;

(2) distributed treatment facilities;

(3) construction of new wells and connections to existing water source systems;

(4) water distribution facilities;

(5) connection fees to existing systems;

(6) assistance to households to connect to water facilities;

(7) local resource sharing, including voluntary agreements between water systems to jointly contract for services or equipment, or to study or implement the physical consolidation of two or more water systems;

(8) technical assistance, planning, and design for any of the activities described in paragraphs (1) through (7); or

(9) any combination of activities described in paragraphs (1) through (8).

(d) PRIORITIZATION.—In determining priorities for funding projects, the Secretary shall take into consideration—

(1) where the decline in the quantity or quality of water poses the greatest threat to public health and safety;

(2) the degree to which the project provides a long-term solution to the water needs of the community; and

(3) whether the applicant has the ability to qualify for alternative funding sources.

(e) MAXIMUM AMOUNT.—The amount of a grant provided under this section may be up to 100 percent of costs, including—

(1) initial operation costs incurred for startup and testing of project facilities;

(2) costs of components to ensure such facilities and components are properly operational; and

(3) costs of operation or maintenance incurred subsequent to placing the facilities or components into service.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$100,000,000, to remain available until expended.

(g) COORDINATION REQUIRED.—In carrying out this section, the Secretary shall consult with the Secretary of Agriculture and the Administrator of the Environmental Protection Agency to identify opportunities to improve the efficiency, effectiveness, and impact of activities carried out under this section to help disadvantaged communities address a significant decline in the quantity or quality of drinking water.

**Subtitle B—Improved Water Technology and Data**

**SEC. 221. X-PRIZE FOR WATER TECHNOLOGY BREAKTHROUGHS.**

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term “board” means the board established under subsection (c).

(2) ELIGIBLE PERSON.—The term “eligible person” means—

(A) an individual who is—  
(i) a citizen or legal resident of the United States; or

(ii) a member of a group that includes citizens or legal residents of the United States;

(B) an entity that is incorporated and maintains its primary place of business in the United States; or

(C) a public water agency.

(3) FINANCIAL AWARD COMPETITION.—The term “financial award competition” means the award competition under subsection (d)(1).

(4) PROGRAM.—The term “program” means the program established under subsection (b)

(b) WATER TECHNOLOGY AWARD PROGRAM ESTABLISHED.—The Secretary, working through the Bureau of Reclamation, and in coordination with the Secretary of Energy, shall establish a program to award prizes to eligible persons for achievement in one or more of the following applications of water technology:

(1) Demonstration of wastewater and industrial process water purification for reuse or desalination of brackish water or seawater with significantly less energy than current municipally and commercially adopted technologies.

(2) Demonstration of portable or modular desalination units that can process 1 to 5,000,000 gallons per day that could be deployed for temporary emergency uses in coastal communities or communities with brackish groundwater supplies.

(3) Demonstration of significant advantages over current municipally and commercially adopted reverse osmosis technologies as determined by the board established under subsection (c).

(4) Demonstration of significant improvements in the recovery of residual or waste energy from the desalination process.

(5) Reducing open water evaporation.

(c) ESTABLISHMENT OF BOARD.—

(1) IN GENERAL.—The Secretary shall establish a board to administer the program.

(2) MEMBERSHIP.—The board shall be composed of not less than 15 and not more than 21 members appointed by the Secretary, of whom not less than 2 shall—

(A) be a representative of the interests of public water districts or other public organizations with water delivery authority;

(B) be a representative of the interests of academic organizations with expertise in the field of water technology, including desalination or water reuse;

(C) be representative of a non-profit conservation organization;

(D) have expertise in administering award competitions; and

(E) be a representative of the Bureau of Reclamation of the Department of the Interior with expertise in the deployment of desalination or water reuse.

(d) AWARDS.—Subject to the availability of appropriations, the board may make the following awards:

(1) FINANCIAL PRIZE.—A financial award given through a competition in an amount determined before the commencement of the competition to the first competitor to meet such criteria as the board shall establish.

(2) RECOGNITION PRIZE.—A non-monetary award, through which the board recognizes an eligible person for superlative achievement in 1 or more applications described in subsection (a). An award under this paragraph shall not include any financial remuneration.

(e) ADMINISTRATION.—

(1) CONTRACTING.—The board may contract with a private organization to administer a financial award competition described in subsection (d)(1).

(2) SOLICITATION OF FUNDS.—A member of the board or any administering organization with

which the board has a contract under paragraph (1) may solicit gifts from private and public entities to be used for a financial award competition.

(3) LIMITATION ON PARTICIPATION OF DONORS.—The board may allow a donor who is a private person described in paragraph (2) to participate in the determination of criteria for an award under subsection (d), but such donor may not solely determine the criteria for such award.

(4) NO ADVANTAGE FOR DONATION.—A donor who is a private person described in paragraph (3) shall not be entitled to any special consideration or advantage with respect to participation in a financial award competition.

(f) INTELLECTUAL PROPERTY.—The Federal Government may not acquire an intellectual property right in any product or idea by virtue of the submission of such product or idea in the financial award competition.

(g) LIABILITY.—The board may require a competitor in a financial award competition to waive liability against the Federal Government for injuries and damages that result from participation in such competition.

(h) ANNUAL REPORT.—Each year, the board shall submit to the relevant committees of Congress a report on the program.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated sums for the program as follows:

(1) For administration of the awards under subsection (d), \$750,000 for each fiscal year through fiscal year 2027, to remain available until expended.

(2) For the financial prize award under subsection (d)(1), in addition to any amounts received under subsection (e)(2), \$5,000,000 for each fiscal year through fiscal year 2027, to remain available until expended.

**SEC. 222. WATER TECHNOLOGY INVESTMENT PROGRAM ESTABLISHED.**

(a) IN GENERAL.—The Secretary, acting through the Bureau of Reclamation, shall establish a program, pursuant to the Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102-575, title XVI), the Water Desalination Act of 1996 (Public Law 104-298), and other applicable laws, to promote the expanded use of technology for improving availability and resiliency of water supplies and power deliveries, which shall include investments to enable expanded and accelerated—

(1) deployment of desalination technology; and

(2) use of recycled water.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each fiscal year through fiscal year 2027 for the Secretary to carry out the purposes and provisions of this section.

**SEC. 223. FEDERAL PRIORITY STREAMGAGES.**

(a) FEDERAL PRIORITY STREAMGAGES.—The Secretary shall make every reasonable effort to make operational all streamgages identified as Federal Priority Streamgages by the United States Geological Survey not later than 10 years after the date of the enactment of this Act.

(b) COLLABORATION WITH STATES.—The Secretary shall, to the maximum extent practicable, seek to leverage Federal investments in Federal Priority Streamgages through collaborative partnerships with States and local agencies that invest non-Federal funds to maintain and enhance streamgage networks to improve both environmental quality and water supply reliability.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available, there is authorized to be appropriated \$150,000,000 to the Secretary to carry out this section, to remain available until expended.

**Subtitle C—Drought Response and Preparedness for Ecosystems**

**SEC. 231. AQUATIC ECOSYSTEM RESTORATION PROGRAM.**

In addition to amounts otherwise available, there is authorized to be appropriated

\$400,000,000 to remain available until expended for design, study, and construction of aquatic ecosystem restoration and protection projects in accordance with section 1109 of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

**SEC. 232. WATERSHED HEALTH PROGRAM.**

In addition to amounts otherwise available, there is authorized to be appropriated \$200,000,000 to carry out section 40907 of the Infrastructure Investment and Jobs Act (43 U.S.C. 3207), to remain available until expended.

**SEC. 233. WATERBIRD HABITAT CREATION PROGRAM.**

(a) AUTHORIZATION OF HABITAT CREATION PROGRAM.—The Secretary shall establish a program to incentivize farmers to keep fields flooded during appropriate time periods for the purposes of waterbird habitat creation and maintenance, including waterfowl and shorebird habitat creation and maintenance, provided that—

(1) such incentives may not exceed \$3,500,000 annually, either directly or through credits against other contractual payment obligations;

(2) the holder of a water contract receiving payments under this section pass such payments through to farmers participating in the program, less reasonable contractor costs, if any; and

(3) the Secretary determines that habitat creation activities receiving financial support under this section will create new habitat that is not likely to be created without the financial incentives provided under this section.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$3,500,000 for each fiscal year through fiscal year 2027 to carry out this section, to remain available until expended.

(c) REPORT.—Not later than October 1, 2023, and every 2 years thereafter, the Secretary shall submit to Congress a report summarizing the environmental performance of activities that are receiving, or have received, assistance under the program authorized by this section.

**SEC. 234. SUPPORT FOR REFUGE WATER DELIVERIES.**

(a) REPORT ON HISTORIC REFUGE WATER DELIVERIES.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the relevant committees of Congress and make publicly available a report that describes the following:

(1) Compliance with section 3406(d)(1) and section 3406(d)(2) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) in each of years 1992 through 2018, including an indication of the amount of water identified as the Level 2 amount and incremental Level 4 amount for each wetland area.

(2) The difference between the mandated quantity of water to be delivered to each wetland habitat area described in section 3406(d)(2) and the actual quantity of water delivered since October 30, 1992, including a listing of every year in which the full delivery of water to wetland habitat areas was achieved in accordance with Level 4 of the “Dependable Water Supply Needs” table, described in section 3406(d)(2) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575).

(3) Which of the authorities granted to the Secretary under Public Law 102-575 to achieve the full Level 4 deliveries of water to wetland habitat areas was employed in achieving the increment of water delivery above the Level 2 amount for each wetland habitat area, including whether water conservation, conjunctive use, water purchases, water leases, donations, water banking, or other authorized activities have been used and the extent to which such authorities have been used.

(4) An assessment of the degree to which the elimination of water transaction fees for the donation of water rights to wildlife refuges would help advance the goals of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575).

(b) **PRIORITY CONSTRUCTION LIST.**—The Secretary shall establish, through a public process and in consultation with the Interagency Refuge Water Management Team, a priority list for the completion of the conveyance construction projects at the wildlife habitat areas described in section 3406(d)(2) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575), including the Mendota Wildlife Area, Pixley National Wildlife Refuge and Sutter National Wildlife Refuge.

(c) **ECOLOGICAL MONITORING AND EVALUATION PROGRAM.**—Not later than 1 year after the date of the enactment of this Act, the Secretary, acting through the Director of the United States Fish and Wildlife Service, shall design and implement an ecological monitoring and evaluation program, for all Central Valley wildlife refuges, that produces an annual report based on existing and newly collected information, including—

- (1) the United States Fish and Wildlife Service Animal Health Lab disease reports;
- (2) mid-winter waterfowl inventories;
- (3) nesting and brood surveys;
- (4) additional data collected regularly by the refuges, such as herptile distribution and abundance;
- (5) a new coordinated systemwide monitoring effort for at least one key migrant species and two resident species listed as threatened and endangered pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including one warm-blooded and one cold-blooded), that identifies population numbers and survival rates for the 3 previous years; and
- (6) an estimate of the bioenergetic food production benefits to migrant waterfowl, consistent with the methodology used by the Central Valley Joint Venture, to compliment and inform the Central Valley Joint Venture implementation plan.

(d) **ADEQUATE STAFFING FOR REFUGE WATER DELIVERY OBJECTIVES.**—The Secretary shall ensure that adequate staffing is provided to advance the refuge water supply delivery objectives under the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575).

(e) **FUNDING.**—There is authorized to be appropriated \$25,000,000 to carry out subsections (a) through (d), which shall remain available until expended.

(f) **EFFECT ON OTHER FUNDS.**—Amounts authorized under this section shall be in addition to amounts collected or appropriated under the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575).

**SEC. 235. DROUGHT PLANNING AND PREPAREDNESS FOR CRITICALLY IMPORTANT FISHERIES.**

(a) **DEFINITIONS.**—In this section:  
(1) **CRITICALLY IMPORTANT FISHERIES.**—The term “critically important fisheries” means—

- (A) commercially and recreationally important fisheries located within the Reclamation States;
- (B) fisheries containing fish species that are listed as threatened or endangered pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) within the Reclamation States; or
- (C) fisheries used by Indian Tribes within the Reclamation States for ceremonial, subsistence, or commercial purposes.

(2) **QUALIFIED TRIBAL GOVERNMENT.**—The term “qualified Tribal Government” means any government of an Indian Tribe that the Secretary determines—

(A) is involved in fishery management and recovery activities including under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(B) has the management and organizational capability to maximize the benefits of assistance provided under this section.

(b) **DROUGHT PLAN FOR CRITICALLY IMPORTANT FISHERIES.**—Not later than January 1, 2024, and every three years thereafter, the Secretary, acting through the Director of the United States Fish and Wildlife Service shall, in

consultation with the National Marine Fisheries Service, the Bureau of Reclamation, the Army Corps of Engineers, State fish and wildlife agencies, and affected Indian Tribes, prepare a plan to sustain the survival of critically important fisheries within the Reclamation States during periods of extended drought. The plan shall focus on actions that can aid the survival of critically important fisheries during the driest years. In preparing such plan, the Director shall consider—

- (1) habitat restoration efforts designed to provide drought refugia and increased fisheries resilience during droughts;
- (2) relocating the release location and timing of hatchery fish to avoid predation and temperature impacts;
- (3) barging of hatchery release fish to improve survival and reduce straying;
- (4) coordination with water users, the Bureau of Reclamation, State fish and wildlife agencies, and interested public water agencies regarding voluntary water transfers, including through groundwater substitution activities, to determine if water releases can be collaboratively managed in a way that provides additional benefits for critically important fisheries without negatively impacting wildlife habitat;
- (5) hatchery management modifications, such as expanding hatchery production of fish during the driest years, if appropriate for a particular river basin;
- (6) hatchery retrofit projects, such as the installation and operation of filtration equipment and chillers, to reduce disease outbreaks, egg mortality and other impacts of droughts and high water temperatures;
- (7) increasing rescue operations of upstream migrating fish;
- (8) improving temperature modeling and related forecasted information to predict water management impacts to the habitat of critically important fisheries with a higher degree of accuracy than current models;
- (9) testing the potential for parentage-based tagging and other genetic testing technologies to improve the management of hatcheries;
- (10) programs to reduce predation losses at artificially created predation hot spots; and
- (11) retrofitting existing water facilities to provide improved temperature conditions for fish.

(c) **PUBLIC COMMENT.**—The Director of the United States Fish and Wildlife Service shall provide for a public comment period of not less than 90 days before finalizing a plan under subsection (b).

(d) **AUTHORIZATION OF APPROPRIATIONS FOR FISH RECOVERY EFFORTS.**—There is authorized to be appropriated \$25,000,000 for the United States Fish and Wildlife Service for fiscal year 2023 for fish, stream, and hatchery activities related to fish recovery efforts, including work with the National Marine Fisheries Service, the Bureau of Reclamation, the Army Corps of Engineers, State fish and wildlife agencies, or a qualified Tribal Government.

(e) **EFFECT.**—Nothing in this section is intended to expand, diminish, or affect any obligation under Federal or State environmental law.

**SEC. 236. REAUTHORIZATION OF THE FISHERIES RESTORATION AND IRRIGATION MITIGATION ACT OF 2000.**

Section 10(a) of the Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended by striking “\$15 million through 2021” and inserting “\$25,000,000 through 2028”.

**SEC. 237. SUSTAINING BIODIVERSITY DURING DROUGHTS.**

Section 9503(b) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10363(b)) is amended—

- (1) in paragraph (3)(D), by inserting “and native biodiversity” after “wildlife habitat”; and
- (2) in paragraph (4)(B), by inserting “and drought biodiversity plans to address sustaining native biodiversity during periods of drought” after “restoration plans”.

**SEC. 238. WATER RESOURCE EDUCATION.**

(a) **GENERAL AUTHORITY.**—In accordance with this section, the Secretary may enter into a cooperative agreement or contract or provide financial assistance in the form of a grant, to support activities related to education on water resources.

(b) **ELIGIBLE ACTIVITIES.**—The Secretary may enter into a cooperative agreement or contract or provide financial assistance for activities that improve water resources education, including through tours, publications or other activities that—

- (1) disseminate information on water resources via educational tools, materials or programs;
- (2) publish relevant information on water resource issues, including environmental and ecological conditions;
- (3) advance projects that improve public understanding of water resource issues or management challenges, including education on drought, drought awareness, and drought resiliency;
- (4) provide training or related education for teachers, faculty, or related personnel, including in a specific geographic area or region; or
- (5) enable tours, conferences, or other activities to foster cooperation in addressing water resources or management challenges, including cooperation relating to water resources shared by the United States and Canada or Mexico.

(c) **GRANT PRIORITY.**—In making grants under this section, the Secretary shall give priority to activities that—

- (1) provide training for the professional development of legal and technical experts in the field of water resources management; or
- (2) help educate the public, teachers or key stakeholders on—
  - (A) a new or significantly improved water resource management practice, method, or technique;
  - (B) the existence of a water resource management practice, method, or technique that may have wide application;
  - (C) a water resource management practice, method, or technique related to a scientific field or skill identified as a priority by the Secretary; or
  - (D) general water resource issues or management challenges, including as part of a science curricula in elementary or secondary education setting.

**TITLE III—OPEN ACCESS  
EVAPOTRANSPIRATION DATA**

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Open Access Evapotranspiration Data Act”.

**SEC. 302. DEFINITIONS.**

In this title:

(1) **EVAPOTRANSPIRATION.**—The term “evapotranspiration” or “ET” means the process by which water is transferred from the land to the atmosphere by—

- (A) evaporation from soil and other surfaces; and
- (B) transpiration from plants.

(2) **PROGRAM.**—The term “Program” means the Open Access Evapotranspiration (OpenET) Data Program established under section 304(a).

(3) **PROGRAM PARTNER.**—The term “Program partner” means—

- (A) an institution of higher education;
- (B) a State (including a State agency);
- (C) an Indian Tribe as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304);
- (D) a private sector entity;
- (E) a nongovernmental organization; or
- (F) any other entity determined to be appropriate by the Secretary.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

**SEC. 303. FINDINGS.**

Congress finds that—

- (1) evapotranspiration is the second largest component of the water budget, which is an accounting of the allocation of water resources to various water uses;

(2) evapotranspiration is a measure of the water that is consumed and lost from a water system, removed from available supplies, and unavailable for other uses within a watershed;

(3) accurate information on evapotranspiration is required to balance water supply and water demand in a watershed and ensure that adequate water supplies for beneficial uses are available over time;

(4) water users and managers are impeded in more efficient decision making by—

(A) the lack of consistent and comprehensive water use data; and

(B) the fact that access to existing data is often limited and cost-prohibitive; and

(5) evapotranspiration data may be applied for the purposes of—

(A) assisting users and decisionmakers to better manage resources and protect financial viability of farm operations during drought;

(B) developing more accurate water budgets and innovative management programs to better promote conservation and sustainability efforts; and

(C) employing greater groundwater management practices and understanding impacts of consumptive water use.

**SEC. 304. OPEN ACCESS EVAPOTRANSPIRATION (OPENET) DATA PROGRAM.**

(a) **ESTABLISHMENT.**—The Secretary shall establish a program to be known as the “Open Access Evapotranspiration (OpenET) Data Program” under which the Secretary shall provide for the delivery of satellite-based evapotranspiration data, as available, supported by other ET methods—

(1) to advance the quantification of evaporation and consumptive water use; and

(2) to provide data users with estimates of evapotranspiration data across large landscapes over certain periods of time, with a priority for Landsat scale (30–100m) when available.

(b) **PURPOSE.**—The purpose of the Program is to support the operational distribution of satellite-based evapotranspiration data generated under the Program to sustain and enhance water resources in the United States.

(c) **DUTIES.**—In carrying out the Program, the Secretary shall—

(1) evaluate, use, and modify sources of satellite-based evapotranspiration data, supported by other ET methods, based on best available science and technologies; and

(2) coordinate and consult with—

(A) the heads of other relevant Federal agencies, including—

(i) the Commissioner of Reclamation;

(ii) the Administrator of the National Aeronautics and Space Administration;

(iii) the Administrator of the National Oceanic and Atmospheric Administration;

(iv) the Administrator of the Agricultural Research Service; and

(v) the Chief of the Natural Resources Conservation Service; and

(B) Program partners.

(d) **COMPONENTS.**—In carrying out the Program, the Secretary shall, in coordination with other relevant agencies, carry out activities to develop, maintain, establish, expand, or advance delivery of satellite-based evapotranspiration data, supported by other ET methods, to advance the quantification of evaporation and consumptive water use, with an emphasis on carrying out activities that—

(1) support the development and maintenance of evapotranspiration data and software systems and associated research and development in a manner that ensures that Program data are reflective of the best available science, including by providing support to Program partners, or coordinating activities with other programs within the Department of the Interior, that have developed and are maintaining evapotranspiration software systems and datasets;

(2) demonstrate or test new and existing evapotranspiration measurement technology;

(3) improve evapotranspiration measurement science and technology; and

(4) develop or refine the application of satellite-based evapotranspiration data available to Federal agencies, States, and Indian Tribes, including programs within both the Water Resources and Core Science Systems divisions of the United States Geological Survey. These may include—

(A) the Water Availability and Use Science Program, the National Water Census, and Integrated Water Availability Assessments; and

(B) the National Land Imaging Program, the Land Change Science Program, and the Science Analytics and Synthesis Program.

(e) **WATER USE AND AVAILABILITY OF PROGRAM DATA.**—The Secretary—

(1) shall incorporate, to the maximum extent practicable, program information and data for purposes of determining consumptive water use on irrigated or other vegetated landscapes for use by water resource management agencies;

(2) may continue to coordinate data analyses, use, and collection efforts with other Federal agencies, States, and Tribal governments through existing coordinating organizations, such as—

(A) the Western States Water Council; and

(B) the Western States Federal Agency Support Team; and

(3) may provide information collected and analyzed under the Program to Program partners through appropriate mechanisms, including through agreements with Federal agencies, States (including State agencies), or Indian Tribes, leases, contracts, cooperative agreements, grants, loans, and memoranda of understanding.

(f) **COOPERATIVE AGREEMENTS.**—The Secretary shall—

(1) enter into cooperative agreements with Program partners to provide for the efficient and cost-effective administration of the Program, including through cost sharing or by providing additional in-kind resources necessary to carry out the Program; and

(2) provide nonreimbursable matching funding, as permissible, for programmatic and operational activities under this section, in consultation with Program partners.

(g) **ENVIRONMENTAL LAWS.**—Nothing in this title modifies any obligation of the Secretary to comply with applicable Federal and State environmental laws in carrying out this title.

**SEC. 305. REPORT.**

Not later than 5 years after the date of the enactment of this title, the Secretary shall submit to the Committees on Energy and Natural Resources, Agriculture, Nutrition, and Forestry, and Appropriations of the Senate and the Committees on Natural Resources, Agriculture, and Appropriations of the House of Representatives a report that includes—

(1) a status update on the operational incorporation of Program data into modeling, water planning, and reporting efforts of relevant Federal agencies; and

(2) a list of Federal agencies and Program partners that are applying Program data to beneficial use, including a description of examples of beneficial uses.

**SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Secretary to carry out this title \$23,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

**TITLE IV—COLORADO RIVER INDIAN TRIBES WATER RESILIENCY**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Colorado River Indian Tribes Water Resiliency Act of 2022”.

**SEC. 402. FINDINGS.**

The purposes of this title are to authorize—

(1) the CRIT to enter into lease or exchange agreements, storage agreements, and agreements for conserved water for the economic well-being of the CRIT; and

(2) the Secretary to approve any lease or exchange agreements, storage agreements, or agreements for conserved water entered into by the CRIT.

**SEC. 403. DEFINITIONS.**

In this title:

(1) **AGREEMENT FOR CONSERVED WATER.**—The term “agreement for conserved water” means an agreement for the creation of system conservation, storage of conserved water in Lake Mead, or other mechanisms for voluntarily leaving a portion of the CRIT reduced consumptive use in Lake Mead.

(2) **ALLOTTEE.**—The term “allottee” means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the exterior boundaries of the Reservation; and

(B) held in trust by the United States.

(3) **CONSOLIDATED DECREE.**—The term “Consolidated Decree” means the decree entered by the Supreme Court of the United States in *Arizona v. California* (547 U.S. 150 (2006)).

(4) **CONSUMPTIVE USE.**—The term “consumptive use” means a portion of the decreed allocation that has a recent history of use by the CRIT within the exterior boundary of the Reservation. Any verified reduction in consumptive use pursuant to a lease or exchange agreement, storage agreement, or agreement for conserved water, shall be deemed to be a consumptive use in the year in which the reduction occurred, if the reduction is reflected in the Water Accounting Report.

(5) **CRIT.**—The term “CRIT” means the Colorado River Indian Tribes, a federally recognized Indian Tribe.

(6) **DECREED ALLOCATION.**—The term “decreed allocation” means the volume of water of the mainstream of the Colorado River allocated to the CRIT that is accounted for as part of the apportionment for the State in part I–A of the Appendix of the Consolidated Decree.

(7) **LOWER BASIN.**—The term “Lower Basin” has the meaning given the term in article II(g) of the Colorado River Compact of 1922, as approved by Federal law in section 13 of the Boulder Canyon Project Act (43 U.S.C. 617l) and by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000).

(8) **PERSON.**—The term “person” means an individual, a public or private corporation, a company, a partnership, a joint venture, a firm, an association, a society, an estate or trust, a private organization or enterprise, the United States, an Indian Tribe, a governmental entity, or a political subdivision or municipal corporation organized under, or subject to, the constitution and laws of the State.

(9) **RESERVATION.**—The term “Reservation” means the portion of the reservation established for the CRIT that is located in the State.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(11) **STATE.**—Except for purposes of section 416, the term “State” means the State of Arizona.

(12) **STORAGE.**—The term “storage” means the underground storage, in accordance with State law, of a portion of the consumptive use off the Reservation within the Lower Basin in the State.

(13) **WATER ACCOUNTING REPORT.**—The term “Water Accounting Report” means the annual report of the Bureau of Reclamation entitled the “Colorado River Accounting and Water Use Report: Arizona, California, and Nevada” which includes the compilation of records in accordance with article V of the Consolidated Decree.

**SEC. 404. LEASE OR EXCHANGE AGREEMENTS.**

(a) **AUTHORIZATION.**—Notwithstanding section 2116 of the Revised Statutes (commonly known as the “Indian Trade and Intercourse Act”); 25 U.S.C. 177) or any other provision of law, the CRIT is authorized, subject to the approval of the Secretary under section 407(a), and has the sole authority, to enter into, with any person,

an agreement to lease or exchange, or an option to lease or exchange, a portion of the consumptive use for a use off the Reservation (referred to in this title as a "lease or exchange agreement"), on the condition that the use off the Reservation is located in the Lower Basin in the State and is not in Navajo, Apache, or Cochise counties.

(b) **TERM OF LEASE OR EXCHANGE AGREEMENT.**—The term of any lease or exchange agreement entered into under subsection (a) shall be mutually agreed, except that the term shall not exceed 100 years.

(c) **MODIFICATIONS.**—Any lease or exchange agreement entered into under subsection (a) may be renegotiated or modified at any time during the term of the lease or exchange agreement, subject to the approval of the Secretary under section 407(a), on the condition that the term of the renegotiated lease or exchange agreement does not exceed 100 years.

(d) **APPLICABLE LAW.**—Any person entering into a lease or exchange agreement with the CRIT under this section shall use the water received under the lease or exchange agreement in accordance with applicable Federal and State law.

#### **SEC. 405. STORAGE AGREEMENTS.**

(a) **AUTHORIZATION.**—Notwithstanding section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act"; 25 U.S.C. 177) or any other provision of law, the CRIT is authorized, subject to the approval of the Secretary under section 407(a), and has the sole authority, to enter into an agreement, including with the Arizona Water Banking Authority (or successor agency or entity), for the storage of a portion of the consumptive use, or the water received under an exchange pursuant to an exchange agreement under section 404, at 1 or more underground storage facilities or groundwater savings facilities off the Reservation (referred to in this title as a "storage agreement"), on the condition that the facility is located in the Lower Basin in the State and is not in Navajo, Apache, or Cochise counties.

(b) **APPLICABLE LAW.**—Any storage agreement entered into under this section shall be in accordance with applicable Federal and State law.

(c) **DELEGATION OF RIGHTS.**—The CRIT may assign or sell any long-term storage credits accrued as a result of a storage agreement, on the condition that the assignment or sale is in accordance with applicable State law.

#### **SEC. 406. AGREEMENTS FOR CREATION OF WATER FOR THE COLORADO RIVER SYSTEM OR FOR STORING WATER IN LAKE MEAD.**

(a) **AUTHORIZATION.**—Notwithstanding section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act"; 25 U.S.C. 177) or any other provision of law, the CRIT is authorized, subject to the approval of the Secretary under section 407(a), and has the sole authority, to enter into, with any person, an agreement for conserved water on the condition that if the conserved water is delivered, the delivery is to a location in the Lower Basin of the State and not in Navajo, Apache, or Cochise counties.

(b) **TERM OF AN AGREEMENT FOR CONSERVED WATER.**—The term of any agreement for conserved water entered into under subsection (a) shall be mutually agreed, except that the term shall not exceed 100 years.

(c) **APPLICABLE LAW.**—Any person entering into an agreement for conserved water with the CRIT under this section shall use the water received in accordance with applicable Federal and State law.

#### **SEC. 407. SECRETARIAL APPROVAL; DISAPPROVAL; AGREEMENTS.**

(a) **AUTHORIZATION.**—The Secretary shall approve or disapprove any—

- (1) lease or exchange agreement;
- (2) modification to a lease or exchange agreement;

- (3) storage agreement;
- (4) modification to a storage agreement; or
- (5) agreement for conserved water.

(b) **SECRETARIAL AGREEMENTS.**—The Secretary is authorized to enter lease or exchange agreements, storage agreements, or agreements for conserved water with the CRIT, provided the Secretary pays the fair market value for the CRIT reduced consumptive use.

(c) **REQUIREMENTS.**—

(1) **IN GENERAL.**—The Secretary shall not approve any lease or exchange agreement, or any modification to a lease or exchange agreement, any storage agreement, or any modification to a storage agreement that is not in compliance with—

- (A) this title; and
- (B) the agreement entered into between the CRIT, the State, and the Secretary under section 410(a).

(2) **CONSERVED WATER.**—The Secretary shall not approve any agreement for conserved water that is not in compliance with—

- (A) this title; and
- (B) other applicable Federal law.

(3) **PERMANENT ALIENATION.**—The Secretary shall not approve any lease or exchange agreement, or any modification to a lease or exchange agreement, or any storage agreement, or modification to a storage agreement, or agreement for conserved water that permanently alienates any portion of the CRIT decreed allocation.

(d) **OTHER REQUIREMENTS.**—The requirement for Secretarial approval under subsection (a) shall satisfy the requirements of section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act"; 25 U.S.C. 177).

(e) **AUTHORITY OF THE SECRETARY.**—Nothing in this title, or any agreement entered into or approved by the Secretary under this title, including any lease or exchange agreement, storage agreement, or agreement for conserved water, shall diminish or abrogate the authority of the Secretary to act under applicable Federal law or regulation, including the Consolidated Decree.

#### **SEC. 408. RESPONSIBILITIES OF THE SECRETARY.**

(a) **COMPLIANCE.**—When approving a lease or exchange agreement, a storage agreement, or an agreement for conserved water, the Secretary shall promptly comply with all aspects of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all other applicable environmental Acts and regulations.

(b) **DOCUMENTATION.**—The Secretary shall document any lease or exchange agreement, storage agreement, or agreement for conserved water in the Water Accounting Report.

#### **SEC. 409. AGREEMENT BETWEEN THE CRIT AND THE STATE.**

(a) **IN GENERAL.**—Before entering into the first lease or exchange agreement or storage agreement, the CRIT shall enter into an agreement with the State that outlines all notice, information sharing, and collaboration requirements that shall apply to any potential lease or exchange agreement or storage agreement the CRIT may enter into.

(b) **REQUIREMENT.**—The agreement required under subsection (a) shall include a provision that requires the CRIT to submit to the State all documents regarding a potential lease or exchange agreement or storage agreement.

#### **SEC. 410. AGREEMENT BETWEEN THE CRIT, THE STATE, AND THE SECRETARY.**

(a) **IN GENERAL.**—Before approving the first lease or exchange agreement or storage agreement under section 407, the Secretary shall enter into an agreement with the State and the CRIT that describes the procedural, technical, and accounting methodologies for any lease or exchange agreement or storage agreement the CRIT may enter into, including quantification of the reduction in consumptive use and water accounting.

(b) **NEPA.**—The execution of the agreement required under subsection (a) shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) **EFFECT.**—Nothing in this title shall prohibit the Secretary from agreeing with the CRIT and the State to a modification to an agreement entered into under subsection (a) (including an appendix or exhibit to the agreement) if that the modification—

- (1) is in compliance with this title; and
- (2) does not otherwise require congressional approval under section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act"; 25 U.S.C. 177) or any other provision of law.

#### **SEC. 411. NO EFFECT ON THE CRIT DECREED ALLOCATION.**

(a) **TEMPORARY USE.**—A lease or exchange agreement, storage agreement, or agreement for conserved water—

- (1) shall provide for the temporary use, storage or conservation of a portion of the consumptive use off the Reservation; and
- (2) shall not permanently alienate the decreed allocation.

(b) **PRIORITY STATUS.**—

(1) **IN GENERAL.**—The lease or exchange of a portion of the consumptive use shall not cause that portion to lose or change its priority under the Consolidated Decree.

(2) **NONUSE.**—Any nonuse by a person who is a party to any lease or exchange agreement or storage agreement with the CRIT shall not result in forfeiture, abandonment, relinquishment, or other loss by the CRIT of all or any portion of the decreed allocation.

(c) **RESERVATION OF RIGHTS.**—The lease, exchange, storage, or conservation of a portion of the consumptive use shall not reduce or limit the right of the CRIT to use the remaining portion of the decreed allocation on the Reservation.

(d) **STORAGE AGREEMENTS.**—A storage agreement entered into under this title shall account for the quantity of water in storage off the Reservation in accordance with applicable State law.

#### **SEC. 412. ALLOTTEE USE OF WATER.**

(a) **INTERFERENCE.**—The lease, exchange, storage, or conservation of a portion of the consumptive use shall not directly or indirectly interfere with, or diminish, any entitlement to water for an allottee under Federal or Tribal law.

(b) **WATER RIGHTS OF ALLOTTEES.**—The Secretary shall protect the rights of the allottees to a just and equitable distribution of water for irrigation purposes, pursuant to section 7 of the Act of February 8, 1887 (commonly known as the "Indian General Allotment Act"; 24 Stat. 390, chapter 119; 25 U.S.C. 381) (referred to in this section as the "Act").

(c) **RELIEF UNDER TRIBAL LAW.**—Prior to asserting any claim against the United States pursuant to the Act, or any other applicable law, an allottee shall exhaust all remedies available under applicable Tribal law.

(d) **RELIEF UNDER THE INDIAN GENERAL ALLOTMENT ACT.**—Following an exhaustion of remedies available under applicable Tribal law, an allottee may seek relief under the Act, or any other applicable law.

(e) **RELIEF FROM THE SECRETARY.**—Following exhaustion of remedies available under the Act, or any other applicable law, an allottee may petition the Secretary for relief.

#### **SEC. 413. CONSIDERATION PAID TO THE CRIT.**

The CRIT, and not the United States in any capacity, shall be entitled to all consideration due to the CRIT under any lease or exchange agreement, storage agreement, or agreement for conserved water.

#### **SEC. 414. LIABILITY OF THE UNITED STATES.**

(a) **LIMITATION OF LIABILITY.**—The United States shall not be liable to the CRIT or to any party to a lease or exchange agreement, storage



agreement, or agreement for conserved water in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement, storage agreement, or an agreement for conserved water, including any claim relating to the terms included in such an agreement, except for claims related to section 408(a).

(b) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(1) any funds received by the CRIT as consideration under any lease or exchange agreement, storage agreement, or agreement for conserved water; or

(2) the expenditure of such funds.

#### SEC. 415. APPLICATION.

(a) IN GENERAL.—This title shall apply only to the portion of the decreed allocation that is available for use in the State.

(b) REQUIREMENT.—The portion of the decreed allocation that is available for use in the State shall not be used, directly or indirectly, outside the Lower Basin in the State or in Navajo, Apache, or Cochise counties.

#### SEC. 416. RULE OF CONSTRUCTION.

Nothing in this title establishes, or shall be considered to establish, a precedent in any litigation involving, or alters, affects, or quantifies, any water right with respect to—

(1) the United States;

(2) any other Indian Tribe, band, or community;

(3) any State or political subdivision or district of a State; or

(4) any person.

### TITLE V—HUALAPAI TRIBE WATER RIGHTS SETTLEMENT

#### SEC. 501. SHORT TITLE.

This title may be cited as the “Hualapai Tribe Water Rights Settlement Act of 2022”.

#### SEC. 502. PURPOSES.

The purposes of this title are—

(1) to resolve, fully and finally, all claims to rights to water in the State, including the Verde River, the Bill Williams River, and the Colorado River, of—

(A) the Hualapai Tribe, on behalf of the Hualapai Tribe and the members of the Hualapai Tribe; and

(B) the United States, acting as trustee for the Hualapai Tribe, the members of the Hualapai Tribe, and the allottees;

(2) to authorize, ratify, and confirm the Hualapai Tribe water rights settlement agreement, to the extent that agreement is consistent with this title;

(3) to authorize and direct the Secretary to execute and perform the duties and obligations of the Secretary under the Hualapai Tribe water rights settlement agreement and this title; and

(4) to authorize the appropriation of funds necessary to carry out the Hualapai Tribe water rights settlement agreement and this title.

#### SEC. 503. DEFINITIONS.

In this title:

(1) 1947 JUDGMENT.—The term “1947 Judgment” means the Judgment and the Stipulation and Agreement, including exhibits to the Judgment and the Stipulation and Agreement, entered on March 13, 1947, in *United States v. Santa Fe Pac. R.R. Co.*, No. E-190 (D. Ariz.) and attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.1.

(2) AFY.—The term “AFY” means acre-feet per year.

(3) ALLOTMENT.—The term “allotment” means any of the 4 off-reservation parcels that are—

(A) held in trust by the United States for individual Indians in the Big Sandy River basin in Mohave County, Arizona, under the patents numbered 1039995, 1039996, 1039997, and 1019494; and

(B) identified as Parcels 1A, 1B, 1C, and 2 on the map attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.6.

(4) ALLOTTEE.—The term “allottee” means any Indian owner of an allotment.

(5) AVAILABLE CAP SUPPLY.—The term “available CAP supply” means, for any year—

(A) all fourth priority water available for delivery through the Central Arizona Project;

(B) water available from Central Arizona Project dams and reservoirs other than the Modified Roosevelt Dam; and

(C) return flows captured by the Secretary for Central Arizona Project use.

(6) BILL WILLIAMS ACT.—The term “Bill Williams Act” means the Bill Williams River Water Rights Settlement Act of 2014 (Public Law 113-223; 128 Stat. 2096).

(7) BILL WILLIAMS AGREEMENTS.—The term “Bill Williams agreements” means the Amended and Restated Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Amended and Restated Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, including all exhibits to each agreement, copies of which (excluding exhibits) are attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.11.

(8) BILL WILLIAMS RIVER PHASE 2 ENFORCEABILITY DATE.—The term “Bill Williams River Phase 2 Enforceability Date” means the date described in section 514(d).

(9) BILL WILLIAMS RIVER PHASE 2 WATER RIGHTS SETTLEMENT AGREEMENT.—The term “Bill Williams River phase 2 water rights settlement agreement” means the agreement of that name that is attached to, and incorporated in, the Hualapai Tribe water rights settlement agreement as Exhibit 4.3.3.

(10) CAP CONTRACT.—The term “CAP contract” means a long-term contract (as defined in the CAP repayment stipulation) with the United States for delivery of CAP water through the CAP system.

(11) CAP CONTRACTOR.—The term “CAP contractor”—

(A) means a person that has entered into a CAP contract; and

(B) includes the Hualapai Tribe.

(12) CAP FIXED OM&R CHARGE.—The term “CAP fixed OM&R charge” has the meaning given the term “Fixed OM&R Charge” in the CAP repayment stipulation.

(13) CAP M&I PRIORITY WATER.—The term “CAP M&I priority water” means water within the available CAP supply having a municipal and industrial delivery priority.

(14) CAP NIA PRIORITY WATER.—The term “CAP NIA priority water” means water within the available CAP supply having a non-Indian agricultural delivery priority.

(15) CAP OPERATING AGENCY.—The term “CAP operating agency” means—

(A) the 1 or more entities authorized to assume responsibility for the care, operation, maintenance, and replacement of the CAP system; and

(B) as of the date of the enactment of this title, the Central Arizona Water Conservation District.

(16) CAP PUMPING ENERGY CHARGE.—The term “CAP pumping energy charge” has the meaning given the term “Pumping Energy Charge” in the CAP repayment stipulation.

(17) CAP REPAYMENT CONTRACT.—The term “CAP repayment contract” means—

(A) the contract dated December 1, 1988 (Contract No. 14-06-W-245, Amendment No. 1), between the United States and the Central Arizona Water Conservation District for the Delivery of Water and Repayment of Costs of the Central Arizona Project; and

(B) any amendment to, or revision of, that contract.

(18) CAP REPAYMENT STIPULATION.—The term “CAP repayment stipulation” means the Stipulated Judgment and the Stipulation for Judgment, including any exhibits to those documents, entered on November 21, 2007, in the United States District Court for the District of Arizona in the consolidated civil action *Central Arizona Water Conservation District v. United States*, numbered CIV 95-625-TUC-WDB (EHC) and CIV 95-1720-PHX-EHC.

(19) CAP SUBCONTRACT.—The term “CAP subcontract” means a long-term subcontract (as defined in the CAP repayment stipulation) with the United States and the Central Arizona Water Conservation District for the delivery of CAP water through the CAP system.

(20) CAP SUBCONTRACTOR.—The term “CAP subcontractor” means a person that has entered into a CAP subcontract.

(21) CAP SYSTEM.—The term “CAP system” means—

(A) the Mark Wilmer Pumping Plant;

(B) the Hayden-Rhodes Aqueduct;

(C) the Fannin-McFarland Aqueduct;

(D) the Tucson Aqueduct;

(E) any pumping plant or appurtenant work of a feature described in subparagraph (A), (B), (C), or (D); and

(F) any extension of, addition to, or replacement for a feature described in subparagraph (A), (B), (C), (D), or (E).

(22) CAP WATER.—The term “CAP water” has the meaning given the term “Project Water” in the CAP repayment stipulation.

(23) CENTRAL ARIZONA PROJECT.—The term “Central Arizona Project” means the reclamation project authorized and constructed by the United States in accordance with title III of the Colorado River Basin Project Act (43 U.S.C. 1521 et seq.).

(24) CENTRAL ARIZONA WATER CONSERVATION DISTRICT.—The term “Central Arizona Water Conservation District” means the political subdivision of the State that is the contractor under the CAP repayment contract.

(25) COLORADO RIVER COMPACT.—The term “Colorado River Compact” means the Colorado River Compact of 1922, as ratified and reprinted in article 2 of chapter 7 of title 45, Arizona Revised Statutes.

(26) COLORADO RIVER WATER ENTITLEMENT.—The term “Colorado River water entitlement” means the right or authorization to use Colorado River water in the State through a mainstem contract with the Secretary pursuant to section 5 of the Boulder Canyon Project Act (43 U.S.C. 617d).

(27) DIVERSION.—The term “diversion” means an act to divert.

(28) DIVERT.—The term “divert” means to receive, withdraw, develop, produce, or capture water using—

(A) a ditch, canal, flume, bypass, pipeline, pit, collection or infiltration gallery, conduit, well, pump, turnout, dam, or any other mechanical device; or

(B) any other act of man.

(29) DOMESTIC PURPOSE.—

(A) IN GENERAL.—The term “domestic purpose” means any use relating to the supply, service, or activity of a household or private residence.

(B) INCLUSIONS.—The term “domestic purpose” includes the application of water to not more than 2 acres of land to produce a plant or parts of a plant for—

(i) sale or human consumption; or

(ii) use as feed for livestock, range livestock, or poultry.

(30) EFFLUENT.—The term “effluent” means water that—

(A) has been used in the State for domestic, municipal, or industrial purposes, other than solely for hydropower generation; and

(B) is available for reuse for any purpose, regardless of whether the water has been treated to improve the quality of the water.

(31) ENFORCEABILITY DATE.—The term “Enforceability Date” means the date described in section 514(a).

(32) EXCHANGE.—The term “exchange” means a trade between 1 or more persons of any water for any other water, if each person has a right or claim to use the water the person provides in the trade, regardless of whether the water is traded in equal quantities or other consideration is included in the trade.

(33) FOURTH PRIORITY WATER.—The term “fourth priority water” means Colorado River

water that is available for delivery in the State for the satisfaction of entitlements—

(A) in accordance with contracts, Secretarial reservations, perfected rights, and other arrangements between the United States and water users in the State entered into or established after September 30, 1968, for use on Federal, State, or privately owned land in the State, in a total quantity of not greater than 164,652 AFY of diversions; and

(B) after first providing for the delivery of Colorado River water for the CAP system, including for use on Indian land, under section 304(e) of the Colorado River Basin Project Act (43 U.S.C. 1524(e)), in accordance with the CAP repayment contract.

(34) **FREEPORT.**—The term “Freeport”—

(A) means the Delaware corporation named “Freeport Minerals Corporation”; and

(B) includes all subsidiaries, affiliates, successors, and assigns of Freeport Minerals Corporation, including Byner Cattle Company, a Nevada corporation.

(35) **GILA RIVER ADJUDICATION.**—The term “Gila River adjudication” means the action pending in the Superior Court of the State, in and for the County of Maricopa, *In Re the General Adjudication of All Rights To Use Water In The Gila River System and Source, W-1 (Salt), W-2 (Verde), W-3 (Upper Gila), W-4 (San Pedro)* (Consolidated).

(36) **GILA RIVER ADJUDICATION COURT.**—The term “Gila River adjudication court” means the Superior Court of the State, in and for the County of Maricopa, exercising jurisdiction over the Gila River adjudication.

(37) **GILA RIVER ADJUDICATION DECREE.**—The term “Gila River adjudication decree” means the judgment or decree entered by the Gila River adjudication court in substantially the same form as the form of judgment attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.43.

(38) **GROUNDWATER.**—The term “groundwater” means all water beneath the surface of the Earth within the State that is not—

(A) surface water;

(B) effluent; or

(C) Colorado River water.

(39) **HUALAPAI FEE LAND.**—The term “Hualapai fee land” means land, other than Hualapai trust land, that—

(A) is located in the State;

(B) is located outside the exterior boundaries of the Hualapai Reservation or Hualapai trust land; and

(C) as of the Enforceability Date, is owned by the Hualapai Tribe, including by a tribally owned corporation.

(40) **HUALAPAI LAND.**—The term “Hualapai land” means—

(A) the Hualapai Reservation;

(B) Hualapai trust land; and

(C) Hualapai fee land.

(41) **HUALAPAI RESERVATION.**—The term “Hualapai Reservation” means the land within the exterior boundaries of the Hualapai Reservation, including—

(A) all land withdrawn by the Executive order dated January 4, 1883, as modified by the May 28, 1942, order of the Secretary pursuant to the Act of February 20, 1925 (43 Stat. 954, chapter 273);

(B) the land identified by the Executive orders dated December 22, 1898, May 14, 1900, and June 2, 1911; and

(C) the land added to the Hualapai Reservation by sections 511 and 512.

(42) **HUALAPAI TRIBE.**—The term “Hualapai Tribe” means the Hualapai Tribe, a federally recognized Indian Tribe of Hualapai Indians organized under section 16 of the Act of June 18, 1934 (25 U.S.C. 5123; commonly known as the “Indian Reorganization Act”).

(43) **HUALAPAI TRIBE CAP WATER.**—The term “Hualapai Tribe CAP water” means the 4,000 AFY of the CAP NIA priority water that—

(A) was previously allocated to non-Indian agricultural entities;

(B) was retained by the Secretary for reallocation to Indian Tribes in the State pursuant to section 104(a)(1)(A)(iii) of the Central Arizona Project Settlement Act of 2004 (Public Law 108-451; 118 Stat. 3487); and

(C) is reallocated to the Hualapai Tribe pursuant to section 513.

(44) **HUALAPAI TRIBE WATER DELIVERY CONTRACT.**—The term “Hualapai Tribe water delivery contract” means the contract entered into in accordance with the Hualapai Tribe water rights settlement agreement and section 513(c) for the delivery of Hualapai Tribe CAP water.

(45) **HUALAPAI TRIBE WATER RIGHTS SETTLEMENT AGREEMENT.**—

(A) **IN GENERAL.**—The term “Hualapai Tribe water rights settlement agreement” means the agreement, including exhibits, entitled “Hualapai Tribe Water Rights Settlement Agreement” and dated February 11, 2019.

(B) **INCLUSIONS.**—The term “Hualapai Tribe water rights settlement agreement” includes—

(i) any amendments necessary to make the Hualapai Tribe water rights settlement agreement consistent with this title; and

(ii) any other amendments approved by the parties to the Hualapai Tribe water rights settlement agreement and the Secretary.

(46) **HUALAPAI TRUST LAND.**—The term “Hualapai trust land” means land, other than Hualapai fee land, that is—

(A) located—

(i) in the State; and

(ii) outside the exterior boundaries of the Hualapai Reservation; and

(B) as of the Enforceability Date, held in trust by the United States for the benefit of the Hualapai Tribe.

(47) **HUALAPAI WATER PROJECT.**—The term “Hualapai Water Project” means the project constructed in accordance with section 506(a)(7)(A).

(48) **HUALAPAI WATER TRUST FUND ACCOUNT.**—The term “Hualapai Water Trust Fund Account” means the account established under section 506(a)(1).

(49) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(50) **INJURY TO WATER RIGHTS.**—

(A) **IN GENERAL.**—The term “injury to water rights” means any interference with, diminution of, or deprivation of, a water right under Federal, State, or other law.

(B) **EXCLUSION.**—The term “injury to water rights” does not include any injury to water quality.

(51) **LOWER BASIN.**—The term “lower basin” has the meaning given the term in article II(g) of the Colorado River Compact.

(52) **LOWER COLORADO RIVER BASIN DEVELOPMENT FUND.**—The term “Lower Colorado River Basin Development Fund” means the fund established by section 403(a) of the Colorado River Basin Project Act (43 U.S.C. 1543(a)).

(53) **MEMBER.**—The term “member” means any person duly enrolled as a member of the Hualapai Tribe.

(54) **OM&R.**—The term “OM&R” means—

(A) any recurring or ongoing activity relating to the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(55) **PARCEL 1.**—The term “Parcel 1” means the parcel of land that is—

(A) depicted as 3 contiguous allotments identified as 1A, 1B, and 1C on the map attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.6; and

(B) held in trust for certain allottees.

(56) **PARCEL 2.**—The term “Parcel 2” means the parcel of land that is—

(A) depicted as “Parcel 2” on the map attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.6; and

(B) held in trust for certain allottees.

(57) **PARCEL 3.**—The term “Parcel 3” means the parcel of land that is—

(A) depicted as “Parcel 3” on the map attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.6;

(B) held in trust for the Hualapai Tribe; and

(C) part of the Hualapai Reservation pursuant to Executive Order 1368, dated June 2, 1911.

(58) **PARTY.**—The term “party” means a person that is a signatory to the Hualapai Tribe water rights settlement agreement.

(59) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(60) **STATE.**—The term “State” means the State of Arizona.

(61) **STOCK WATERING.**—The term “stock watering” means the watering of livestock, range livestock, or poultry.

(62) **SURFACE WATER.**—The term “surface water” means all water in the State that is appropriate under State law.

(63) **TRUXTON BASIN.**—The term “Truxton Basin” means the groundwater aquifer described in the report issued by the United States Geological Survey entitled “Groundwater Availability in the Truxton Basin, Northwestern Arizona”, Scientific Investigations Report No. 2020-5017-A.

(64) **WATER.**—The term “water”, when used without a modifying adjective, means—

(A) groundwater;

(B) surface water;

(C) effluent; and

(D) Colorado River water.

(65) **WATER RIGHT.**—The term “water right” means any right in or to groundwater, surface water, effluent, or Colorado River water under Federal, State, or other law.

#### **SEC. 504. RATIFICATION AND EXECUTION OF HUALAPAI TRIBE WATER RIGHTS SETTLEMENT AGREEMENT.**

(a) **RATIFICATION.**—

(1) **IN GENERAL.**—Except as modified by this title and to the extent the Hualapai Tribe water rights settlement agreement does not conflict with this title, the Hualapai Tribe water rights settlement agreement is authorized, ratified, and confirmed.

(2) **AMENDMENTS.**—If an amendment to the Hualapai Tribe water rights settlement agreement, or to any exhibit attached to the Hualapai Tribe water rights settlement agreement requiring the signature of the Secretary, is executed in accordance with this title to make the Hualapai Tribe water rights settlement agreement consistent with this title, the amendment is authorized, ratified, and confirmed, to the extent the amendment is consistent with this title.

(b) **EXECUTION.**—

(1) **IN GENERAL.**—To the extent the Hualapai Tribe water rights settlement agreement does not conflict with this title, the Secretary shall execute the Hualapai Tribe water rights settlement agreement, including all exhibits to, or parts of, the Hualapai Tribe water rights settlement agreement requiring the signature of the Secretary.

(2) **MODIFICATIONS.**—Nothing in this title prohibits the Secretary from approving any modification to an appendix or exhibit to the Hualapai Tribe water rights settlement agreement that is consistent with this title, to the extent the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) **ENVIRONMENTAL COMPLIANCE.**—

(1) **IN GENERAL.**—In implementing the Hualapai Tribe water rights settlement agreement (including all exhibits to the Hualapai Tribe water rights settlement agreement requiring the signature of the Secretary) and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) all other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Hualapai Tribe water rights settlement agreement and this title, the Hualapai Tribe shall prepare any necessary environmental documents, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Hualapai Tribe water rights settlement agreement by the Secretary under this section shall not constitute a major action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

**SEC. 505. WATER RIGHTS.**

(a) WATER RIGHTS TO BE HELD IN TRUST.—

(1) HUALAPAI TRIBE.—The United States shall hold the following water rights in trust for the benefit of the Hualapai Tribe:

(A) The water rights for the Hualapai Reservation described in subparagraph 4.2 of the Hualapai Tribe water rights settlement agreement.

(B) The water rights for Hualapai trust land described in subparagraph 4.4 of the Hualapai Tribe water rights settlement agreement.

(C) The water rights described in section 512(e)(2) for any land taken into trust by the United States for the benefit of the Hualapai Tribe—

(i) after the Enforceability Date; and

(ii) in accordance with section 512(e)(1).

(D) All Hualapai Tribe CAP water.

(2) ALLOTTEES.—The United States shall hold in trust for the benefit of the allottees all water rights for the allotments described in subparagraph 4.3.2 of the Hualapai Tribe water rights settlement agreement.

(b) FORFEITURE AND ABANDONMENT.—The following water rights shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law:

(1) The water rights for the Hualapai Reservation described in subparagraph 4.2 of the Hualapai Tribe water rights settlement agreement.

(2) The water rights for Hualapai trust land described in subparagraph 4.4 of the Hualapai Tribe water rights settlement agreement.

(3) Any Colorado River water entitlement purchased by the Hualapai Tribe wholly or substantially with amounts in the Economic Development Fund described in section 8.1 of the Amended and Restated Hualapai Tribe Bill Williams River Water Rights Settlement Agreement.

(c) ALIENATION.—Any Colorado River water entitlement purchased by the Hualapai Tribe wholly or substantially with amounts in the Economic Development Fund described in section 8.1 of the Amended and Restated Hualapai Tribe Bill Williams River Water Rights Settlement Agreement shall be restricted against permanent alienation by the Hualapai Tribe.

(d) HUALAPAI TRIBE CAP WATER.—The Hualapai Tribe shall have the right to divert, use, and store the Hualapai Tribe CAP water in accordance with section 513.

(e) COLORADO RIVER WATER ENTITLEMENTS.—

(1) USES.—The Hualapai Tribe shall have the right to use any Colorado River water entitlement purchased by or donated to the Hualapai

Tribe at the location to which the entitlement is appurtenant on the date on which the entitlement is purchased or donated.

(2) STORAGE.—

(A) IN GENERAL.—Subject to paragraphs (3) and (5), the Hualapai Tribe may store Colorado River water available under any Colorado River water entitlement purchased by or donated to the Hualapai Tribe at underground storage facilities or groundwater savings facilities located within the State and in accordance with State law.

(B) ASSIGNMENTS.—The Hualapai Tribe may assign any long-term storage credits accrued as a result of storage under subparagraph (A) in accordance with State law.

(3) TRANSFERS.—The Hualapai Tribe may transfer the entitlement for use or storage under paragraph (1) or (2), respectively, to another location within the State, including the Hualapai Reservation, in accordance with the Hualapai Tribe water rights settlement agreement and all applicable Federal and State laws governing the transfer of Colorado River water entitlements within the State.

(4) LEASES.—The Hualapai Tribe may lease any Colorado River water entitlement for use or storage under paragraph (1) or (2), respectively, to a water user within the State, in accordance with the Hualapai Tribe water rights settlement agreement and all applicable Federal and State laws governing the transfer of Colorado River water entitlements within the State.

(5) TRANSPORTS.—The Hualapai Tribe, or any person who leases a Colorado River water entitlement from the Hualapai Tribe under paragraph (4), may transport Colorado River water available under the Colorado River water entitlement through the Central Arizona Project in accordance with all laws of the United States and the agreements between the United States and the Central Arizona Water Conservation District governing the use of the Central Arizona Project to transport water other than CAP water.

(f) USE OFF-RESERVATION.—No water rights to groundwater under the Hualapai Reservation or Hualapai trust land, or to surface water on the Hualapai Reservation or Hualapai trust land, may be sold, leased, transferred, or used outside the boundaries of the Hualapai Reservation or Hualapai trust land, other than under an exchange.

(g) GROUNDWATER TRANSPORTATION.—

(1) FEE LAND.—Groundwater may be transported in accordance with State law away from Hualapai fee land and away from land acquired in fee by the Hualapai Tribe, including by a tribally owned corporation, after the Enforceability Date.

(2) LAND ADDED TO HUALAPAI RESERVATION.—Groundwater may be transported in accordance with State law away from land added to the Hualapai Reservation by sections 511 and 512 to other land within the Hualapai Reservation.

**SEC. 506. HUALAPAI WATER TRUST FUND ACCOUNT; CONSTRUCTION OF HUALAPAI WATER PROJECT; FUNDING.**

(a) HUALAPAI WATER TRUST FUND ACCOUNT.—

(1) ESTABLISHMENT.—The Secretary shall establish a trust fund account, to be known as the “Hualapai Water Trust Fund Account”, to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Hualapai Water Trust Fund Account under paragraph (2), together with any interest earned on those amounts, for the purposes of carrying out this title.

(2) DEPOSITS.—The Secretary shall deposit in the Hualapai Water Trust Fund Account the amounts made available pursuant to section 507(a)(1).

(3) MANAGEMENT AND INTEREST.—

(A) MANAGEMENT.—On receipt and deposit of funds into the Hualapai Water Trust Fund Ac-

count, the Secretary shall manage, invest, and distribute all amounts in the Hualapai Water Trust Fund Account in a manner that is consistent with the investment authority of the Secretary under—

(i) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(ii) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(iii) this subsection.

(B) INVESTMENT EARNINGS.—In addition to the deposits made to the Hualapai Water Trust Fund Account under paragraph (2), any investment earnings, including interest, credited to amounts held in the Hualapai Water Trust Fund Account are authorized to be used in accordance with paragraph (7).

(4) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts appropriated to, and deposited in, the Hualapai Water Trust Fund Account, including any investment earnings, shall be made available to the Hualapai Tribe by the Secretary beginning on the Enforceability Date, subject to the requirements of this section.

(B) USE.—Notwithstanding subparagraph (A), amounts deposited in the Hualapai Water Trust Fund Account shall be available to the Hualapai Tribe on the date on which the amounts are deposited for environmental compliance, as provided in section 508.

(5) WITHDRAWALS.—

(A) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(i) IN GENERAL.—The Hualapai Tribe may withdraw any portion of the amounts in the Hualapai Water Trust Fund Account on approval by the Secretary of a Tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(ii) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this subparagraph shall require that the Hualapai Tribe spend all amounts withdrawn from the Hualapai Water Trust Fund Account and any investment earnings accrued through the investments under the Tribal management plan in accordance with this title.

(iii) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this subparagraph to ensure that amounts withdrawn by the Hualapai Tribe from the Hualapai Water Trust Fund Account under clause (i) are used in accordance with this title.

(B) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(i) IN GENERAL.—The Hualapai Tribe may submit to the Secretary a request to withdraw funds from the Hualapai Water Trust Fund Account pursuant to an approved expenditure plan.

(ii) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under this subparagraph, the Hualapai Tribe shall submit to the Secretary an expenditure plan for any portion of the Hualapai Water Trust Fund Account that the Hualapai Tribe elects to withdraw pursuant to this subparagraph, subject to the condition that the amounts shall be used for the purposes described in this title.

(iii) INCLUSIONS.—An expenditure plan under this subparagraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Hualapai Water Trust Fund Account will be used by the Hualapai Tribe, in accordance with paragraph (7).

(iv) APPROVAL.—The Secretary shall approve an expenditure plan submitted under clause (ii) if the Secretary determines that the plan—

(I) is reasonable; and

(II) is consistent with, and will be used for, the purposes of this title.

(v) **ENFORCEMENT.**—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subparagraph are used in accordance with this title.

(6) **EFFECT OF TITLE.**—Nothing in this section gives the Hualapai Tribe the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under paragraph (5)(A) or an expenditure plan under paragraph (5)(B) except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

(7) **USES.**—Amounts from the Hualapai Water Trust Fund Account shall be used by the Hualapai Tribe—

(A) to plan, design, construct, and conduct related activities, including compliance with Federal environmental laws under section 508, the Hualapai Water Project, which shall be designed to divert, treat, and convey up to 3,414 AFY of water from the Colorado River in the lower basin in the State, including locations on or directly adjacent to the Hualapai Reservation, for municipal, commercial, and industrial uses on the Hualapai Reservation;

(B) to perform OM&R on the Hualapai Water Project;

(C) to construct facilities to transport electrical power to pump water for the Hualapai Water Project;

(D) to construct, repair, and replace such infrastructure as may be necessary for groundwater wells on the Hualapai Reservation and to construct infrastructure for delivery and use of such groundwater on the Hualapai Reservation;

(E) to acquire land, interests in land, and water rights outside the exterior boundaries of the Hualapai Reservation that are located in the Truhton Basin;

(F) to reimburse the Hualapai Tribe for any—

(i) planning, design, and engineering costs associated with the Hualapai Water Project that the Hualapai Tribe incurs using Tribal funds during the period—

(I) beginning on the date of the enactment of this title; and

(II) ending on the Enforceability Date; and

(ii) construction costs associated with the Hualapai Water Project that the Hualapai Tribe incurs using Tribal funds during the period—

(I) beginning on the date on which the Secretary issues a record of decision; and

(II) ending on the Enforceability Date; and

(G) to make contributions to the Economic Development Fund described in section 8.1 of the Amended and Restated Hualapai Tribe Bill Williams River Water Rights Settlement Agreement for the purpose of purchasing additional Colorado River water entitlements and appurtenant land.

(8) **LIABILITY.**—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Hualapai Water Trust Fund Account by the Hualapai Tribe under paragraph (5).

(9) **TITLE TO INFRASTRUCTURE.**—Title to, control over, and operation of any project constructed using funds from the Hualapai Water Trust Fund Account shall remain in the Hualapai Tribe.

(10) **OM&R.**—All OM&R costs of any project constructed using funds from the Hualapai Water Trust Fund Account shall be the responsibility of the Hualapai Tribe.

(11) **NO PER CAPITA DISTRIBUTIONS.**—No portion of the Hualapai Water Trust Fund Account shall be distributed on a per capita basis to any member of the Hualapai Tribe.

(12) **EXPENDITURE REPORTS.**—The Hualapai Tribe shall annually submit to the Secretary an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under this title.

(b) **HUALAPAI WATER SETTLEMENT IMPLEMENTATION FUND ACCOUNT.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the “Hualapai Water Settlement Implementation Fund Account” (referred to in this subsection as the “Implementation Fund Account”) to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(2) **DEPOSITS.**—The Secretary shall deposit in the Implementation Fund Account the amounts made available pursuant to section 507(a)(2).

(3) **USES.**—The Implementation Fund Account shall be used by the Secretary to carry out section 515(c), including for groundwater monitoring in the Truhton Basin.

(4) **INTEREST.**—In addition to the deposits under paragraph (2), any investment earnings, including interest, credited to amounts unexpended in the Implementation Fund Account are authorized to be appropriated to be used in accordance with paragraph (3).

#### **SEC. 507. AUTHORIZATIONS OF APPROPRIATIONS.**

(a) **AUTHORIZATIONS.**—

(1) **HUALAPAI WATER TRUST FUND ACCOUNT.**—There is authorized to be appropriated to the Secretary for deposit in the Hualapai Water Trust Fund Account \$180,000,000, to be available until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) **HUALAPAI WATER SETTLEMENT IMPLEMENTATION FUND ACCOUNT.**—There is authorized to be appropriated to the Secretary for deposit in the Hualapai Water Settlement Implementation Fund account established by section 506(b)(1) \$5,000,000.

(3) **PROHIBITION.**—Notwithstanding any other provision of law, any amounts made available under paragraph (1) or (2) shall not be made available from the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) until 2034.

(b) **FLUCTUATION IN COSTS.**—

(1) **IN GENERAL.**—The amount authorized to be appropriated under subsection (a)(1) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of the enactment of this title, as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend.

(2) **CONSTRUCTION COSTS ADJUSTMENT.**—The amount authorized to be appropriated under subsection (a)(1) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) **REPETITION.**—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(4) **PERIOD OF INDEXING.**—The period of indexing adjustment for any increment of funding shall end on the date on which the funds are deposited in the Hualapai Water Trust Fund Account.

#### **SEC. 508. ENVIRONMENTAL COMPLIANCE.**

(a) **IN GENERAL.**—Effective beginning on the date of deposit of funds in the Hualapai Water Trust Fund Account, the Hualapai Tribe may commence any environmental, cultural, and historical compliance activities necessary to implement the Hualapai Tribe water rights settlement agreement and this title, including activities necessary to comply with all applicable provisions of—

(1) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(3) all other applicable Federal environmental or historical and cultural protection laws and regulations.

(b) **NO EFFECT ON OUTCOME.**—Nothing in this title affects or directs the outcome of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other applicable Federal environmental or historical and cultural protection law.

(c) **COMPLIANCE COSTS.**—Any costs associated with the performance of the compliance activities under subsection (a) shall be paid from funds deposited in the Hualapai Water Trust Fund Account, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

(d) **RECORD OF DECISION.**—Construction of the Hualapai Water Project shall not commence until the Secretary issues a record of decision after completion of an environmental impact statement for the Hualapai Water Project.

(e) **CONSTRUCTION COSTS.**—Any costs of construction incurred by the Hualapai Tribe during the period beginning on the date on which the Secretary issues a record of decision and ending on the Enforceability Date shall be paid by the Hualapai Tribe and not from funds deposited in the Hualapai Water Trust Fund Account, subject to the condition that, pursuant to section 506(a)(7)(F), the Hualapai Tribe may be reimbursed after the Enforceability Date from the Hualapai Water Trust Fund Account for any such costs of construction incurred by the Hualapai Tribe prior to the Enforceability Date.

#### **SEC. 509. WAIVERS, RELEASES, AND RETENTIONS OF CLAIMS.**

(a) **WAIVERS AND RELEASES OF CLAIMS BY THE HUALAPAI TRIBE.**—

(1) **CLAIMS AGAINST THE STATE AND OTHERS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (C), the Hualapai Tribe, on behalf of the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees) and the United States, acting as trustee for the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees), as part of the performance of the respective obligations of the Hualapai Tribe and the United States under the Hualapai Tribe water rights settlement agreement and this title, are authorized to execute a waiver and release of any claims against the State (or any agency or political subdivision of the State) and any other individual, entity, corporation, or municipal corporation under Federal, State, or other law for all—

(i) past, present, and future claims for water rights, including rights to Colorado River water, for Hualapai land, arising from time immemorial and, thereafter, forever;

(ii) past, present, and future claims for water rights, including rights to Colorado River water, arising from time immemorial and, thereafter, forever, that are based on the aboriginal occupancy of land by the Hualapai Tribe, the predecessors of the Hualapai Tribe, the members of the Hualapai Tribe, or predecessors of the members of the Hualapai Tribe;

(iii) past and present claims for injury to water rights, including injury to rights to Colorado River water, for Hualapai land, arising from time immemorial through the Enforceability Date;

(iv) past, present, and future claims for injury to water rights, including injury to rights to Colorado River water, arising from time immemorial and, thereafter, forever, that are based on the aboriginal occupancy of land by the Hualapai Tribe, the predecessors of the Hualapai Tribe, the members of the Hualapai Tribe, or predecessors of the members of the Hualapai Tribe;

(v) claims for injury to water rights, including injury to rights to Colorado River water, arising

after the Enforceability Date, for Hualapai land, resulting from the off-reservation diversion or use of surface water, Colorado River water, or effluent in a manner not in violation of the Hualapai Tribe water rights settlement agreement or State law;

(vi) past, present, and future claims arising out of, or relating in any manner to, the negotiation, execution, or adoption of the Hualapai Tribe water rights settlement agreement, any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement, or this title;

(vii) claims for water rights of the Hualapai Tribe or the United States, acting as trustee for the Hualapai Tribe and members of the Hualapai Tribe, with respect to Parcel 3, in excess of 300 AFY;

(viii) claims for injury to water rights arising after the Enforceability Date for Hualapai land resulting from the off-reservation diversion or use of groundwater from—

(I) any well constructed outside of the Truxton Basin on or before the date of the enactment of this title;

(II) any well constructed outside of the Truxton Basin, and not more than 2 miles from the exterior boundaries of the Hualapai Reservation, after the date of the enactment of this title if—

(aa) the well was constructed to replace a well in existence on the date of the enactment of this title;

(bb) the replacement well was constructed within 660 feet of the well being replaced; and

(cc) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced; or

(III) any well constructed outside the Truxton Basin, and not less than 2 miles from the exterior boundaries of the Hualapai Reservation, after the date of the enactment of this title, subject to the condition that the authorizations and restrictions regarding the location, size, and operation of wells in the Bill Williams River watershed set forth in the Bill Williams agreements and the Bill Williams Act, and the waivers of claims in the Bill Williams agreements and the Bill Williams Act, shall continue to apply to the parties to the Bill Williams agreements, notwithstanding the provisions of this subsection; and

(ix) claims for injury to water rights arising after the Enforceability Date, for Hualapai land, resulting from the off-reservation diversion or use of groundwater in the Truxton Basin from—

(I) any well constructed within the Truxton Basin for domestic purposes or stock watering—

(aa) on or before the date on which the Secretary provides written notice to the State pursuant to section 515(c)(2); or

(bb) after the date on which the Secretary provides written notice to the State pursuant to that section if—

(AA) the well was constructed to replace a well in existence on the date on which the notice was provided;

(BB) the replacement well was constructed within 660 feet of the well being replaced; and

(CC) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced; and

(II) any well constructed within the Truxton Basin for purposes other than domestic purposes or stock watering—

(aa) on or before the date of the enactment of this title;

(bb) after the date of the enactment of this title if the Secretary has not provided written notice to the State pursuant to section 515(c)(2); or

(cc) after the date of the enactment of this title if the Secretary has provided written notice to the State pursuant to section 515(c)(2) and if—

(AA) the well was constructed to replace a well in existence on the on which date the notice was provided;

(BB) the replacement well was constructed within 660 feet of the well being replaced; and

(CC) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced.

(B) EFFECTIVE DATE.—The waiver and release of claims described in subparagraph (A) shall take effect on the Enforceability Date.

(C) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waiver and release of claims described in subparagraph (A), the Hualapai Tribe, acting on behalf of the Hualapai Tribe and the members of the Hualapai Tribe, and the United States, acting as trustee for the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees), shall retain any right—

(i) subject to subparagraph 12.7 of the Hualapai Tribe water rights settlement agreement, to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under the Hualapai Tribe water rights settlement agreement or this title in any Federal or State court of competent jurisdiction;

(ii) to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement;

(iii) to assert claims for water rights based on State law for land owned or acquired by the Hualapai Tribe in fee, under subparagraph 4.8 of the Hualapai Tribe water rights settlement agreement;

(iv) to object to any claims for water rights or injury to water rights by or for any Indian Tribe or the United States, acting on behalf of any Indian Tribe;

(v) to assert past, present, or future claims for injury to water rights against any Indian Tribe or the United States, acting on behalf of any Indian Tribe;

(vi) to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under the Bill Williams agreements or the Bill Williams Act in any Federal or State court of competent jurisdiction;

(vii) subject to paragraphs (1), (3), (4), and (5) of section 505(e), to assert the rights of the Hualapai Tribe under any Colorado River water entitlement purchased by or donated to the Hualapai Tribe; and

(viii) to assert claims for injury to water rights arising after the Enforceability Date for Hualapai land resulting from any off-reservation diversion or use of groundwater, without regard to quantity, from—

(I) any well constructed after the date of the enactment of this Act outside of the Truxton Basin and not more than 2 miles from the exterior boundaries of the Hualapai Reservation, except a replacement well described in subparagraph (A)(viii)(II), subject to the authorizations and restrictions regarding the location, size, and operation of wells in the Bill Williams River watershed, and the waivers of claims, set forth in the Bill Williams agreements and the Bill Williams Act;

(II) any well constructed within the Truxton Basin for domestic purposes or stock watering after the date on which the Secretary has provided written notice to the State pursuant to section 515(c)(2), except for a replacement well described in subparagraph (A)(ix)(I)(bb); and

(III) any well constructed within the Truxton Basin for purposes other than domestic purposes or stock watering after the date of the enactment of this Act, if the Secretary has provided notice to the State pursuant to section 515(c)(2), except for a replacement well as described in subparagraph (A)(ix)(II)(cc).

(2) CLAIMS AGAINST UNITED STATES.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Hualapai Tribe, acting on behalf of the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the ca-

capacity of the members as allottees) as part of the performance of the obligations of the Hualapai Tribe under the Hualapai Tribe water rights settlement agreement and this title, is authorized to execute a waiver and release of all claims against the United States, including agencies, officials, and employees of the United States, under Federal, State, or other law for all—

(i) past, present, and future claims for water rights, including rights to Colorado River water, for Hualapai land, arising from time immemorial and, thereafter, forever;

(ii) past, present, and future claims for water rights, including rights to Colorado River water, arising from time immemorial and, thereafter, forever, that are based on the aboriginal occupancy of land by the Hualapai Tribe, the predecessors of the Hualapai Tribe, or predecessors of the members of the Hualapai Tribe;

(iii) past and present claims relating in any manner to damages, losses, or injury to water rights (including injury to rights to Colorado River water), land, or other resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to the failure to protect, acquire, or develop water, water rights, or water infrastructure) within the State that first accrued at any time prior to the Enforceability Date;

(iv) past and present claims for injury to water rights, including injury to rights to Colorado River water, for Hualapai land, arising from time immemorial through the Enforceability Date;

(v) past, present, and future claims for injury to water rights, including injury to rights to Colorado River water, arising from time immemorial and, thereafter, forever, that are based on the aboriginal occupancy of land by the Hualapai Tribe, the predecessors of the Hualapai Tribe, or predecessors of the members of the Hualapai Tribe;

(vi) claims for injury to water rights, including injury to rights to Colorado River water, arising after the Enforceability Date for Hualapai land, resulting from the off-reservation diversion or use of surface water, Colorado River water, or effluent in a manner not in violation of the Hualapai Tribe water rights settlement agreement or State law;

(vii) past, present, and future claims arising out of, or relating in any manner to, the negotiation, execution, or adoption of the Hualapai Tribe water rights settlement agreement, any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement, or this title;

(viii) claims for injury to water rights arising after the Enforceability Date for Hualapai land resulting from the off-Reservation diversion or use of groundwater from—

(I) any well constructed on public domain land outside of the Truxton Basin on or before the date of the enactment of this title;

(II) any well constructed on public domain land outside of the Truxton Basin, and not more than 2 miles from the exterior boundaries of the Hualapai Reservation, after the date of the enactment of this title if—

(aa) the well was constructed to replace a well in existence on the date of the enactment of this title;

(bb) the replacement well was constructed within 660 feet of the well being replaced; and

(cc) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced; or

(III) any well constructed on public domain land outside of the Truxton Basin, and not less than 2 miles from the exterior boundaries of the Hualapai Reservation, after the date of the enactment of this Act, subject to the condition that

the authorizations and restrictions regarding the location, size, and operation of wells in the Bill Williams River watershed set forth in the Bill Williams agreements and the Bill Williams Act, and the waivers of claims in the Bill Williams agreements and the Bill Williams Act, shall continue to apply to the parties to the Bill Williams agreements, notwithstanding the provisions of this subsection; and

(ix) claims for injury to water rights arising after the Enforceability Date for Hualapai land resulting from the off-reservation diversion or use of groundwater in the Truxton Basin from—

(I) any well constructed on public domain land within the Truxton Basin for domestic purposes or stock watering—

(aa) on or before the date on which the Secretary provides written notice to the State pursuant to section 515(c)(2); or

(bb) after the date on which the Secretary provides written notice to the State pursuant to that section if—

(AA) the well was constructed to replace a well in existence on the date on which the notice was provided;

(BB) the replacement well was constructed within 660 feet of the well being replaced; and

(CC) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced; and

(II) any well constructed on public domain land within the Truxton Basin for purposes other than domestic purposes or stock watering—

(aa) on or before the date of the enactment of this title;

(bb) after the date of the enactment of this title if the Secretary has not provided written notice to the State pursuant to section 515(c)(2); or

(cc) after the date of the enactment of this title if the Secretary has provided written notice to the State pursuant to section 515(c)(2) and if—

(AA) the well was constructed to replace a well in existence on the date on which the notice was provided;

(BB) the replacement well was constructed within 660 feet of the well being replaced; and

(CC) the pumping capacity and case diameter of the replacement well do not exceed the pumping capacity and case diameter of the well being replaced.

(B) EFFECTIVE DATE.—The waiver and release of claims described in subparagraph (A) shall take effect on the Enforceability Date.

(C) RETENTION OF CLAIMS.—Notwithstanding the waiver and release of claims described in subparagraph (A), the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees) shall retain any right—

(i) subject to subparagraph 12.7 of the Hualapai Tribe water rights settlement agreement, to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under the Hualapai Tribe water rights settlement agreement or this title in any Federal or State court of competent jurisdiction;

(ii) to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement;

(iii) to assert claims for water rights based on State law for land owned or acquired by the Hualapai Tribe in fee under subparagraph 4.8 of the Hualapai Tribe water rights settlement agreement;

(iv) to object to any claims for water rights or injury to water rights by or for any Indian Tribe or the United States, acting on behalf of any Indian Tribe;

(v) to assert past, present, or future claims for injury to water rights against any Indian Tribe or the United States, acting on behalf of any Indian Tribe;

(vi) to assert claims for injuries to, and seek enforcement of, the rights of the Hualapai Tribe under the Bill Williams agreements or the Bill Williams Act in any Federal or State court of competent jurisdiction;

(vii) subject to paragraphs (1), (3), (4), and (5) of section 505(e), to assert the rights of the Hualapai Tribe under any Colorado River water entitlement purchased by or donated to the Hualapai Tribe; and

(viii) to assert any claims for injury to water rights arising after the Enforceability Date for Hualapai land resulting from any off-reservation diversion or use of groundwater, without regard to quantity, from—

(I) any well constructed after the date of the enactment of this title on public domain land outside of the Truxton Basin and not more than 2 miles from the exterior boundaries of the Hualapai Reservation, except for a replacement well described in subparagraph (A)(viii)(II), subject to the authorizations and restrictions regarding the location, size, and operation of wells in the Bill Williams River watershed, and the waivers of claims, set forth in the Bill Williams agreements and the Bill Williams Act;

(II) any well constructed on public domain land within the Truxton Basin for domestic purposes or stock watering after the date on which the Secretary has provided written notice to the State pursuant to section 515(c)(2), except for a replacement well described in subparagraph (A)(ix)(I)(bb); and

(III) any well constructed on public domain land within the Truxton Basin for purposes other than domestic purposes or stock watering after the date of the enactment of this title, if the Secretary has provided notice to the State pursuant to section 515(c)(2), except for a replacement well as described in subparagraph (A)(ix)(II)(cc).

(b) WAIVERS AND RELEASES OF CLAIMS BY UNITED STATES, ACTING AS TRUSTEE FOR ALLOTTEES.—

(1) IN GENERAL.—Except as provided in paragraph (3), the United States, acting as trustee for the allottees of the Hualapai Tribe, as part of the performance of the obligations of the United States under the Hualapai Tribe water rights settlement agreement and this title, is authorized to execute a waiver and release of any claims against the State (or any agency or political subdivision of the State), the Hualapai Tribe, and any other individual, entity, corporation, or municipal corporation under Federal, State, or other law, for all—

(A) past, present, and future claims for water rights, including rights to Colorado River water, for the allotments, arising thereafter, forever, that are based on the aboriginal occupancy of land by the allottees or predecessors of the allottees from time immemorial and, thereafter, forever;

(B) past, present, and future claims for water rights, including rights to Colorado River water, arising from time immemorial and,

(C) past and present claims for injury to water rights, including injury to rights to Colorado River water, for the allotments, arising from time immemorial through the Enforceability Date;

(D) past, present, and future claims for injury to water rights, if any, including injury to rights to Colorado River water, arising from time immemorial and, thereafter, forever, that are based on the aboriginal occupancy of land by the allottees or predecessors of the allottees;

(E) claims for injury to water rights, including injury to rights to Colorado River water, arising after the Enforceability Date, for the allotments, resulting from the off-reservation diversion or use of water in a manner not in violation of the Hualapai Tribe water rights settlement agreement or State law;

(F) past, present, and future claims arising out of, or relating in any manner to, the negotiation, execution, or adoption of the Hualapai Tribe water rights settlement agreement, any

judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement, or this title; and

(G) claims for any water rights of the allottees or the United States acting as trustee for the allottees with respect to—

(i) Parcel 1, in excess of 82 AFY; or

(ii) Parcel 2, in excess of 312 AFY.

(2) EFFECTIVE DATE.—The waiver and release of claims under paragraph (1) shall take effect on the Enforceability Date.

(3) RETENTION OF CLAIMS.—Notwithstanding the waiver and release of claims described in paragraph (1), the United States, acting as trustee for the allottees of the Hualapai Tribe, shall retain any right—

(A) subject to subparagraph 12.7 of the Hualapai Tribe water rights settlement agreement, to assert claims for injuries to, and seek enforcement of, the rights of the allottees, if any, under the Hualapai Tribe water rights settlement agreement or this title in any Federal or State court of competent jurisdiction;

(B) to assert claims for injuries to, and seek enforcement of, the rights of the allottees under any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement;

(C) to object to any claims for water rights or injury to water rights by or for—

(i) any Indian Tribe other than the Hualapai Tribe; or

(ii) the United States, acting on behalf of any Indian Tribe other than the Hualapai Tribe;

(D) to assert past, present, or future claims for injury to water rights against—

(i) any Indian Tribe other than the Hualapai Tribe; or

(ii) the United States, acting on behalf of any Indian Tribe other than the Hualapai Tribe; and

(E) to assert claims for injuries to, and seek enforcement of, the rights of the allottees under the Bill Williams agreements or the Bill Williams Act in any Federal or State court of competent jurisdiction.

(c) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AGAINST HUALAPAI TRIBE.—

(1) IN GENERAL.—Except as provided in paragraph (3), the United States, in all capacities (except as trustee for an Indian Tribe other than the Hualapai Tribe), as part of the performance of the obligations of the United States under the Hualapai Tribe water rights settlement agreement and this title, is authorized to execute a waiver and release of all claims against the Hualapai Tribe, the members of the Hualapai Tribe, or any agency, official, or employee of the Hualapai Tribe, under Federal, State or any other law for all—

(A) past and present claims for injury to water rights, including injury to rights to Colorado River water, resulting from the diversion or use of water on Hualapai land arising from time immemorial through the Enforceability Date;

(B) claims for injury to water rights, including injury to rights to Colorado River water, arising after the Enforceability Date, resulting from the diversion or use of water on Hualapai land in a manner that is not in violation of the Hualapai Tribe water rights settlement agreement or State law; and

(C) past, present, and future claims arising out of, or related in any manner to, the negotiation, execution, or adoption of the Hualapai Tribe water rights settlement agreement, any judgment or decree approving or incorporating the Hualapai Tribe water rights settlement agreement, or this title.

(2) EFFECTIVE DATE.—The waiver and release of claims under paragraph (1) shall take effect on the Enforceability Date.

(3) RETENTION OF CLAIMS.—Notwithstanding the waiver and release of claims described in paragraph (1), the United States shall retain any right to assert any claim not expressly waived in accordance with that paragraph, including any right to assert a claim for injury to,

and seek enforcement of, any right of the United States under the Bill Williams agreements or the Bill Williams Act, in any Federal or State court of competent jurisdiction.

(d) **BILL WILLIAMS RIVER PHASE 2 WATER RIGHTS SETTLEMENT AGREEMENT WAIVER, RELEASE, AND RETENTION OF CLAIMS.**—

(1) **CLAIMS AGAINST FREEPORT.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (C), the United States, acting solely on behalf of the Department of the Interior (including the Bureau of Land Management and the United States Fish and Wildlife Service), as part of the performance of the obligations of the United States under the Bill Williams River phase 2 water rights settlement agreement, is authorized to execute a waiver and release of all claims of the United States against Freeport under Federal, State, or any other law for—

(i) any past or present claim for injury to water rights resulting from—

(I) the diversion or use of water by Freeport pursuant to the water rights described in Exhibit 4.1(ii) to the Bill Williams River phase 2 water rights settlement agreement; and

(II) any other diversion or use of water for mining purposes authorized by the Bill Williams River phase 2 water rights settlement agreement;

(ii) any claim for injury to water rights arising after the Bill Williams River Phase 2 Enforceability Date resulting from—

(I) the diversion or use of water by Freeport pursuant to the water rights described in Exhibit 4.1(ii) to the Bill Williams River phase 2 water rights settlement agreement in a manner not in violation of the Bill Williams River phase 2 water rights settlement agreement;

(II) the diversion of up to 2,500 AFY of water by Freeport from Sycamore Creek as permitted by section 4.3(iv) of the Bill Williams River phase 2 water rights settlement agreement; and

(III) any other diversion or use of water by Freeport authorized by the Bill Williams River phase 2 water rights settlement agreement, subject to the condition that such a diversion and use of water is conducted in a manner not in violation of the Bill Williams River phase 2 water rights settlement agreement; and

(iii) any past, present, or future claim arising out of, or relating in any manner to, the negotiation or execution of the Bill Williams River phase 2 water rights settlement agreement, the Hualapai Tribe water rights settlement agreement, or this title.

(B) **EFFECTIVE DATE.**—The waiver and release of claims under subparagraph (A) shall take effect on the Bill Williams River Phase 2 Enforceability Date.

(C) **RETENTION OF CLAIMS.**—The United States shall retain all rights not expressly waived in the waiver and release of claims under subparagraph (A), including, subject to section 6.4 of the Bill Williams River phase 2 water rights settlement agreement, the right to assert a claim for injury to, and seek enforcement of, the Bill Williams River phase 2 water rights settlement agreement or this title, in any Federal or State court of competent jurisdiction (but not a Tribal court).

(2) **NO PRECEDENTIAL EFFECT.**—

(A) **PENDING AND FUTURE PROCEEDINGS.**—The Bill Williams River phase 2 water rights settlement agreement shall have no precedential effect in any other administrative or judicial proceeding, including—

(i) any pending or future general stream adjudication, or any other litigation involving Freeport or the United States, including any proceeding to establish or quantify a Federal reserved water right;

(ii) any pending or future administrative or judicial proceeding relating to an application—

(I) to appropriate water (for instream flow or other purposes);

(II) to sever and transfer a water right;

(III) to change a point of diversion; or

(IV) to change a place of use for any water right; and

(iii) any proceeding regarding water rights or a claim relating to any Federal land.

(B) **NO METHODOLOGY OR STANDARD.**—Nothing in the Bill Williams River phase 2 water rights settlement agreement establishes any standard or methodology to be used for the quantification of any claim to water rights (whether based on Federal or State law) in any judicial or administrative proceeding, other than a proceeding to enforce the terms of the Bill Williams River phase 2 water rights settlement agreement.

**SEC. 510. SATISFACTION OF WATER RIGHTS AND OTHER BENEFITS.**

(a) **HUALAPAI TRIBE AND MEMBERS.**—

(1) **IN GENERAL.**—The benefits realized by the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees) under the Hualapai Tribe water rights settlement agreement, this title, the Bill Williams agreements, and the Bill Williams Act shall be in full satisfaction of all claims of the Hualapai Tribe, the members of the Hualapai Tribe, and the United States, acting in the capacity of the United States as trustee for the Hualapai Tribe and the members of the Hualapai Tribe, for water rights and injury to water rights under Federal, State, or other law with respect to Hualapai land.

(2) **SATISFACTION.**—Any entitlement to water of the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees) or the United States, acting in the capacity of the United States as trustee for the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees), for Hualapai land shall be satisfied out of the water resources and other benefits granted, confirmed, quantified, or recognized by the Hualapai Tribe water rights settlement agreement, this title, the Bill Williams agreements, and the Bill Williams Act to or for the Hualapai Tribe, the members of the Hualapai Tribe (but not members in the capacity of the members as allottees), and the United States, acting in the capacity of the United States as trustee for the Hualapai Tribe and the members of the Hualapai Tribe (but not members in the capacity of the members as allottees).

(b) **ALLOTTEE WATER CLAIMS.**—

(1) **IN GENERAL.**—The benefits realized by the allottees of the Hualapai Tribe under the Hualapai Tribe water rights settlement agreement, this title, the Bill Williams agreements, and the Bill Williams Act shall be in complete replacement of and substitution for, and full satisfaction of, all claims with respect to allotments of the allottees and the United States, acting in the capacity of the United States as trustee for the allottees, for water rights and injury to water rights under Federal, State, or other law.

(2) **SATISFACTION.**—Any entitlement to water of the allottees or the United States, acting in the capacity of the United States as trustee for the allottees, for allotments shall be satisfied out of the water resources and other benefits granted, confirmed, or recognized by the Hualapai Tribe water rights settlement agreement, this title, the Bill Williams agreements, and the Bill Williams Act to or for the allottees and the United States, acting as trustee for the allottees.

(c) **EFFECT.**—Notwithstanding subsections (a) and (b), nothing in this title or the Hualapai Tribe water rights settlement agreement—

(1) recognizes or establishes any right of a member of the Hualapai Tribe or an allottee to water on Hualapai land; or

(2) prohibits the Hualapai Tribe or an allottee from acquiring additional water rights by purchase of land, credits, or water rights.

**SEC. 511. LAND ADDED TO HUALAPAI RESERVATION.**

The following land in the State is added to the Hualapai Reservation:

(1) **PUBLIC LAW 93-560.**—The land held in trust by the United States for the Hualapai Tribe pur-

suant to the first section of Public Law 93-560 (88 Stat. 1820).

(2) **1947 JUDGMENT.**—The land deeded to the United States in the capacity of the United States as trustee for the Hualapai Tribe pursuant to the 1947 judgment.

(3) **TRUXTON TRIANGLE.**—That portion of the S1/2 sec. 3, lying south of the south boundary of the Hualapai Reservation and north of the north right-of-way boundary of Arizona Highway 66, and bounded by the west section line of that sec. 3 and the south section line of that sec. 3, T. 24 N., R. 12 W., Gila and Salt River Base and Meridian, Mohave County, Arizona.

(4) **HUNT PARCEL 4.**—SW1/4NE1/4 sec. 7, T. 25 N., R. 13 W., Gila and Salt River Base and Meridian, Mohave County, Arizona.

(5) **HUNT PARCELS 1 AND 2.**—In T. 26 N., R. 14 W., Gila and Salt River Base and Meridian, Mohave County, Arizona—

(A) NE1/4SW1/4 sec. 9; and

(B) NW1/4SE1/4 sec. 27.

(6) **HUNT PARCEL 3.**—SW1/4NE1/4 sec. 25, T. 27 N., R. 15 W., Gila and Salt River Base and Meridian, Mohave County, Arizona.

(7) **HUNT PARCEL 5.**—In sec. 1, T. 25 N., R. 14 W., Gila and Salt River Base and Meridian, Mohave County, Arizona—

(A) SE1/4;

(B) E1/2 SW1/4; and

(C) SW1/4 SW1/4.

(8) **VALENTINE CEMETERY PARCEL.**—W1/2 NW1/4 SW1/4 sec. 22, T. 23 N., R. 13 W., Gila and Salt River Base and Meridian, Mohave County, Arizona, excepting and reserving to the United States a right-of-way for ditches or canals constructed by the authority of the United States, pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

**SEC. 512. TRUST LAND.**

(a) **LAND TO BE TAKEN INTO TRUST.**—

(1) **IN GENERAL.**—On the date of the enactment of this Act, the Secretary is authorized and directed to take legal title to the land described in paragraph (2) and hold such land in trust for the benefit of the Hualapai Tribe.

(2) **CHOLLA CANYON RANCH PARCELS.**—The land referred to in paragraph (1) is, in T. 16 N., R. 13 W., Gila and Salt River Base and Meridian, Mohave County, Arizona—

(A) SW1/4 sec. 25; and

(B) NE1/4 and NE1/4 SE1/4 sec. 35.

(b) **RESERVATION STATUS.**—The land taken into trust under subsection (a) shall be part of the Hualapai Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe.

(c) **VALID EXISTING RIGHTS.**—The land taken into trust under subsection (a) shall be subject to valid existing rights, including easements, rights-of-way, contracts, and management agreements.

(d) **LIMITATIONS.**—Nothing in subsection (a) affects—

(1) any water right of the Hualapai Tribe in existence under State law before the date of the enactment of this Act; or

(2) any right or claim of the Hualapai Tribe to any land or interest in land in existence before the date of the enactment of this title.

(e) **FUTURE TRUST LAND.**—

(1) **NEW STATUTORY REQUIREMENT.**—Effective beginning on the date of the enactment of this title, and except as provided in subsection (a), any land located in the State outside the exterior boundaries of the Hualapai Reservation may only be taken into trust by the United States for the benefit of the Hualapai Tribe by an Act of Congress—

(A) that specifically authorizes the transfer of the land for the benefit of the Hualapai Tribe; and

(B) the date of the enactment of which is after the date of the enactment of this title.

(2) **WATER RIGHTS.**—Any land taken into trust for the benefit of the Hualapai Tribe under paragraph (1)—

(A) shall include water rights only under State law; and

(B) shall not include any federally reserved water rights.

**SEC. 513. REALLOCATION OF CAP NIA PRIORITY WATER; FIRING; WATER DELIVERY CONTRACT; COLORADO RIVER ACCOUNTING.**

(a) REALLOCATION TO THE HUALAPAI TRIBE.—On the Enforceability Date, the Secretary shall reallocate to the Hualapai Tribe the Hualapai Tribe CAP water.

(b) FIRING.—

(1) HUALAPAI TRIBE CAP WATER.—Except as provided in subsection (c)(2)(H), the Hualapai Tribe CAP water shall be firmed as follows:

(A) In accordance with section 105(b)(1)(B) of the Central Arizona Project Settlement Act of 2004 (Public Law 108-451; 118 Stat. 3492), for the 100-year period beginning on January 1, 2008, the Secretary shall firm 557.50 AFY of the Hualapai Tribe CAP water to the equivalent of CAP M&I priority water.

(B) In accordance with section 105(b)(2)(B) of the Central Arizona Project Settlement Act of 2004 (Public Law 108-451; 118 Stat. 3492), for the 100-year period beginning on January 1, 2008, the State shall firm 557.50 AFY of the Hualapai Tribe CAP water to the equivalent of CAP M&I priority water.

(2) ADDITIONAL FIRING.—The Hualapai Tribe may, at the expense of the Hualapai Tribe, take additional actions to firm or supplement the Hualapai Tribe CAP water, including by entering into agreements for that purpose with the Central Arizona Water Conservation District, the Arizona Water Banking Authority, or any other lawful authority, in accordance with State law.

(c) HUALAPAI TRIBE WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—In accordance with the Hualapai Tribe water rights settlement agreement and the requirements described in paragraph (2), the Secretary shall enter into the Hualapai Tribe water delivery contract.

(2) REQUIREMENTS.—The requirements referred to in paragraph (1) are the following:

(A) IN GENERAL.—The Hualapai Tribe water delivery contract shall—

(i) be for permanent service (as that term is used in section 5 of the Boulder Canyon Project Act (43 U.S.C. 617d));

(ii) take effect on the Enforceability Date; and

(iii) be without limit as to term.

(B) HUALAPAI TRIBE CAP WATER.—

(i) IN GENERAL.—The Hualapai Tribe CAP water may be delivered for use in the lower basin in the State through—

(I) the Hualapai Water Project; or

(II) the CAP system.

(ii) METHOD OF DELIVERY.—The Secretary shall authorize the delivery of Hualapai Tribe CAP water under this subparagraph to be effected by the diversion and use of water directly from the Colorado River in the State.

(C) CONTRACTUAL DELIVERY.—The Secretary shall deliver the Hualapai Tribe CAP water to the Hualapai Tribe in accordance with the terms and conditions of the Hualapai Tribe water delivery contract.

(D) DISTRIBUTION OF CAP NIA PRIORITY WATER.—

(i) IN GENERAL.—Except as provided in clause (ii), if, for any year, the available CAP supply is insufficient to meet all demands under CAP contracts and CAP subcontracts for the delivery of CAP NIA priority water, the Secretary and the CAP operating agency shall prorate the available CAP NIA priority water among the CAP contractors and CAP subcontractors holding contractual entitlements to CAP NIA priority water on the basis of the quantity of CAP NIA priority water used by each such CAP contractor and CAP subcontractor in the last year in which the available CAP supply was sufficient to fill all orders for CAP NIA priority water.

(ii) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding clause (i), if the available CAP supply is insufficient to meet all demands under CAP contracts and CAP subcontracts for the delivery of CAP NIA priority water in the year following the year in which the Enforceability Date occurs, the Secretary shall assume that the Hualapai Tribe used the full volume of Hualapai Tribe CAP water in the last year in which the available CAP supply was sufficient to fill all orders for CAP NIA priority water.

(II) CONTINUATION.—The assumption described in subclause (I) shall continue until the available CAP supply is sufficient to meet all demands under CAP contracts and CAP subcontracts for the delivery of CAP NIA priority water.

(III) DETERMINATION.—The Secretary shall determine the quantity of CAP NIA priority water used by the Gila River Indian Community and the Tohono O'odham Nation in the last year in which the available CAP supply was sufficient to fill all orders for CAP NIA priority water in a manner consistent with the settlement agreements with those Tribes.

(E) LEASES AND EXCHANGES OF HUALAPAI TRIBE CAP WATER.—On and after the date on which the Hualapai Tribe water delivery contract becomes effective, the Hualapai Tribe may, with the approval of the Secretary, enter into contracts or options to lease, or contracts or options to exchange, the Hualapai Tribe CAP water within the lower basin in the State, and not in Navajo, Apache, or Cochise counties, providing for the temporary delivery to other persons of any portion of Hualapai Tribe CAP water.

(F) TERM OF LEASES AND EXCHANGES.—

(i) LEASING.—Contracts or options to lease under subparagraph (E) shall be for a term of not more than 100 years.

(ii) EXCHANGING.—Contracts or options to exchange under subparagraph (E) shall be for the term provided for in the contract or option, as applicable.

(iii) RENEGOTIATION.—The Hualapai Tribe may, with the approval of the Secretary, renegotiate any lease described in subparagraph (E), at any time during the term of the lease, if the term of the renegotiated lease does not exceed 100 years.

(G) PROHIBITION ON PERMANENT ALIENATION.—No Hualapai Tribe CAP water may be permanently alienated.

(H) NO FIRING OF LEASED WATER.—The firming obligations described in subsection (b)(1) shall not apply to any Hualapai Tribe CAP water leased by the Hualapai Tribe to another person.

(I) ENTITLEMENT TO LEASE AND EXCHANGE FUNDS; OBLIGATIONS OF UNITED STATES.—

(i) ENTITLEMENT.—

(1) IN GENERAL.—The Hualapai Tribe shall be entitled to all consideration due to the Hualapai Tribe under any contract to lease, option to lease, contract to exchange, or option to exchange the Hualapai Tribe CAP water entered into by the Hualapai Tribe.

(II) EXCLUSION.—The United States shall not, in any capacity, be entitled to the consideration described in subclause (I).

(ii) OBLIGATIONS OF UNITED STATES.—The United States shall not, in any capacity, have any trust or other obligation to monitor, administer, or account for, in any manner, any funds received by the Hualapai Tribe as consideration under any contract to lease, option to lease, contract to exchange, or option to exchange the Hualapai Tribe CAP water entered into by the Hualapai Tribe, except in a case in which the Hualapai Tribe deposits the proceeds of any lease, option to lease, contract to exchange, or option to exchange into an account held in trust for the Hualapai Tribe by the United States.

(J) WATER USE AND STORAGE.—

(i) IN GENERAL.—The Hualapai Tribe may use the Hualapai Tribe CAP water on or off the

Hualapai Reservation within the lower basin in the State for any purpose.

(ii) STORAGE.—The Hualapai Tribe, in accordance with State law, may store the Hualapai Tribe CAP water at 1 or more underground storage facilities or groundwater savings facilities, subject to the condition that, if the Hualapai Tribe stores Hualapai Tribe CAP water that has been firmed pursuant to subsection (b)(1), the stored water may only be—

(I) used by the Hualapai Tribe; or

(II) exchanged by the Hualapai Tribe for water that will be used by the Hualapai Tribe.

(iii) ASSIGNMENT.—The Hualapai Tribe, in accordance with State law, may assign any long-term storage credit accrued as a result of storage described in clause (ii), subject to the condition that the Hualapai Tribe shall not assign any long-term storage credit accrued as a result of the storage of Hualapai Tribe CAP water that has been firmed pursuant to subsection (b)(1).

(K) USE LIMITATION.—The Hualapai Tribe may not use, lease, exchange, forbear, or otherwise transfer any Hualapai Tribe CAP water for use directly or indirectly outside of the lower basin in the State or in Navajo, Apache, or Cochise counties.

(L) CAP FIXED OM&R CHARGES.—

(i) IN GENERAL.—The CAP operating agency shall be paid the CAP fixed OM&R charges associated with the delivery of all Hualapai Tribe CAP water.

(ii) PAYMENT OF CHARGES.—Except as provided in subparagraph (O), all CAP fixed OM&R charges associated with the delivery of the Hualapai Tribe CAP water to the Hualapai Tribe shall be paid by—

(I) the Secretary, pursuant to section 403(f)(2)(A) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)(2)(A)), subject to the condition that funds for that payment are available in the Lower Colorado River Basin Development Fund; and

(II) if the funds described in subclause (I) become unavailable, the Hualapai Tribe.

(M) CAP PUMPING ENERGY CHARGES.—

(i) IN GENERAL.—The CAP operating agency shall be paid the CAP pumping energy charges associated with the delivery of Hualapai Tribe CAP water only in cases in which the CAP system is used for the delivery of that water.

(ii) PAYMENT OF CHARGES.—Except for CAP water not delivered through the CAP system, which does not incur a CAP pumping energy charge, or water delivered to other persons as described in subparagraph (O), any applicable CAP pumping energy charges associated with the delivery of the Hualapai Tribe CAP water shall be paid by the Hualapai Tribe.

(N) WAIVER OF PROPERTY TAX EQUIVALENCY PAYMENTS.—No property tax or in-lieu property tax equivalency shall be due or payable by the Hualapai Tribe for the delivery of CAP water or for the storage of CAP water in an underground storage facility or groundwater savings facility.

(O) LESSEE RESPONSIBILITY FOR CHARGES.—

(i) IN GENERAL.—Any lease or option to lease providing for the temporary delivery to other persons of any Hualapai Tribe CAP water shall require the lessee to pay the CAP operating agency all CAP fixed OM&R charges and all CAP pumping energy charges associated with the delivery of the leased water.

(ii) NO RESPONSIBILITY FOR PAYMENT.—Neither the Hualapai Tribe nor the United States in any capacity shall be responsible for the payment of any charges associated with the delivery of the Hualapai Tribe CAP water leased to other persons.

(P) ADVANCE PAYMENT.—No Hualapai Tribe CAP water shall be delivered unless the CAP fixed OM&R charges and any applicable CAP pumping energy charges associated with the delivery of that water have been paid in advance.

(Q) CALCULATION.—The charges for delivery of the Hualapai Tribe CAP water pursuant to the Hualapai Tribe water delivery contract shall be calculated in accordance with the CAP re-payment stipulation.



(R) CAP REPAYMENT.—For purposes of determining the allocation and repayment of costs of any stages of the CAP system constructed after November 21, 2007, the costs associated with the delivery of the Hualapai Tribe CAP water, regardless of whether the Hualapai Tribe CAP water is delivered for use by the Hualapai Tribe or in accordance with any lease, option to lease, exchange, or option to exchange providing for the delivery to other persons of the Hualapai Tribe CAP water, shall be—

(i) nonreimbursable; and  
(ii) excluded from the repayment obligation of the Central Arizona Water Conservation District.

(S) NONREIMBURSABLE CAP CONSTRUCTION COSTS.—

(i) IN GENERAL.—With respect to the costs associated with the construction of the CAP system allocable to the Hualapai Tribe—

(I) the costs shall be nonreimbursable; and  
(II) the Hualapai Tribe shall have no repayment obligation for the costs.

(ii) CAPITAL CHARGES.—No CAP water service capital charges shall be due or payable for the Hualapai Tribe CAP water, regardless of whether the Hualapai Tribe CAP water is delivered—

(I) for use by the Hualapai Tribe; or  
(II) under any lease, option to lease, exchange, or option to exchange entered into by the Hualapai Tribe.

(d) COLORADO RIVER ACCOUNTING.—All Hualapai Tribe CAP water diverted directly from the Colorado River shall be accounted for as deliveries of CAP water within the State.

#### SEC. 514. ENFORCEABILITY DATE.

(a) IN GENERAL.—Except as provided in subsection (d), the Hualapai Tribe water rights settlement agreement, including the waivers and releases of claims described in section 509, shall take effect and be fully enforceable on the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent the Hualapai Tribe water rights settlement agreement conflicts with this title—

(A) the Hualapai Tribe water rights settlement agreement has been revised through an amendment to eliminate the conflict; and

(B) the revised Hualapai Tribe water rights settlement agreement, including any exhibits requiring execution by any party to the Hualapai Tribe water rights settlement agreement, has been executed by the required party;

(2) the waivers and releases of claims described in section 509 have been executed by the Hualapai Tribe and the United States;

(3) the abstracts referred to in subparagraphs 4.8.1.2, 4.8.2.1, and 4.8.2.2 of the Hualapai Tribe water rights settlement agreement have been completed by the Hualapai Tribe;

(4) the full amount described in section 507(a)(1), as adjusted by section 507(b), has been deposited in the Hualapai Water Trust Fund Account;

(5) the Gila River adjudication decree has been approved by the Gila River adjudication court substantially in the form of the judgment and decree attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.43, as amended to ensure consistency with this title;

(6) the Secretary has executed the Hualapai Tribe water delivery contract described in section 513(c); and

(7) the Secretary has issued the record of decision required by section 508(d).

(b) REPEAL ON FAILURE TO MEET ENFORCEABILITY DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), if the Secretary fails to publish in the Federal Register a statement of findings under subsection (a) by April 15, 2029, or such alternative later date as may be agreed to by the Hualapai Tribe, the Secretary, and the State—

(A) this title is repealed;  
(B) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void; and

(C) any amounts appropriated under section 507, together with any investment earnings on those amounts, less any amounts expended under section 506(a)(4)(B), shall revert immediately to the general fund of the Treasury.

(2) SEVERABILITY.—Notwithstanding paragraph (1), if the Secretary fails to publish in the Federal Register a statement of findings under subsection (a) by April 15, 2029, or such alternative later date as may be agreed to by the Hualapai Tribe, the Secretary, and the State, section 511 and subsections (a), (b), (c), and (d) of section 512 shall remain in effect.

(c) RIGHT TO OFFSET.—If the Secretary has not published in the Federal Register the statement of findings under subsection (a) by April 15, 2029, or such alternative later date as may be agreed to by the Hualapai Tribe, the Secretary, and the State, the United States shall be entitled to offset any Federal amounts made available under section 506(a)(4)(B) that were used or authorized for any use under that section against any claim asserted by the Hualapai Tribe against the United States described in section 509(a)(2)(A).

(d) BILL WILLIAMS RIVER PHASE 2 ENFORCEABILITY DATE.—Notwithstanding any other provision of this title, the Bill Williams River phase 2 water rights settlement agreement (including the waivers and releases described in section 509(d) of this title and section 5 of the Bill Williams River phase 2 water rights settlement agreement) shall take effect and become enforceable among the parties to the Bill Williams River phase 2 water rights settlement agreement on the date on which all of the following conditions have occurred:

(1) The Hualapai Tribe water rights settlement agreement has become enforceable pursuant to subsection (a).

(2) Freeport has submitted to the Arizona Department of Water Resources a conditional withdrawal of any objection to the Bill Williams River watershed instream flow applications pursuant to section 4.4(i) of the Bill Williams River phase 2 water rights settlement agreement, which withdrawal shall take effect on the Bill Williams River Phase 2 Enforceability Date described in this subsection.

(3) Not later than the Enforceability Date, the Arizona Department of Water Resources has issued an appealable, conditional decision and order for the Bill Williams River watershed instream flow applications pursuant to section 4.4(iii) of the Bill Williams River phase 2 water rights settlement agreement, which order shall become nonconditional and effective on the Bill Williams River Phase 2 Enforceability Date described in this subsection.

(4) The conditional decision and order described in paragraph (3)—

(A) becomes final; and  
(B) is not subject to any further appeal.

#### SEC. 515. ADMINISTRATION.

(a) LIMITED WAIVER OF SOVEREIGN IMMUNITY.—

(1) WAIVER.—

(A) IN GENERAL.—In any circumstance described in paragraph (2)—

(i) the United States or the Hualapai Tribe may be joined in the action described in the applicable subparagraph of that paragraph; and

(ii) subject to subparagraph (B), any claim by the United States or the Hualapai Tribe to sovereign immunity from the action is waived.

(B) LIMITATION.—A waiver under subparagraph (A)(ii)—

(i) shall only be for the limited and sole purpose of the interpretation or enforcement of—

(I) this title;  
(II) the Hualapai Tribe water rights settlement agreement, as ratified by this title; or

(III) the Bill Williams River phase 2 water right settlement agreement, as ratified by this title; and

(ii) shall not include any award against the United States or the Hualapai Tribe for money damages, court costs, or attorney fees.

(2) CIRCUMSTANCES DESCRIBED.—A circumstance referred to in paragraph (1)(A) is any of the following:

(A) Any party to the Hualapai Tribe water rights settlement agreement—

(i) brings an action in any court of competent jurisdiction relating only and directly to the interpretation or enforcement of—

(I) this title; or  
(II) the Hualapai Tribe water rights settlement agreement; and

(ii) names the United States or the Hualapai Tribe as a party in that action.

(B) Any landowner or water user in the Verde River Watershed—

(i) brings an action in any court of competent jurisdiction relating only and directly to the interpretation or enforcement of—

(I) paragraph 10.0 of the Hualapai Tribe water rights settlement agreement;

(II) Exhibit 3.1.43 to the Hualapai Tribe water rights settlement agreement; or  
(III) section 509; and

(ii) names the United States or the Hualapai Tribe as a party in that action.

(C) Any party to the Bill Williams River phase 2 settlement agreement—

(i) brings an action in any court of competent jurisdiction relating only and directly to the interpretation or enforcement of—

(I) this title; or  
(II) the Bill Williams River phase 2 settlement agreement; and

(ii) names the United States or the Hualapai Tribe as a party in that action.

(b) EFFECT ON CURRENT LAW.—Nothing in this section alters the law with respect to pre-enforcement review of Federal environmental or safety-related enforcement actions.

(c) BASIN GROUNDWATER WITHDRAWAL ESTIMATES.—

(1) GROUNDWATER WITHDRAWAL ESTIMATES.—

(A) IN GENERAL.—Not later than 1 year of the date of the enactment of this title, the Secretary, acting through the United States Geological Survey Water Use Program, shall issue an estimate for groundwater withdrawals in the Truxton Basin outside the boundaries of the Hualapai Reservation.

(B) ANNUAL ESTIMATES.—Each year after publication of the initial estimate required by subparagraph (A), the Secretary, acting through the United States Geological Survey Water Use Program, shall issue an estimate for groundwater withdrawals in the Truxton Basin outside the boundaries of the Hualapai Reservation until such time as the Secretary, after consultation with the Hualapai Tribe, determines that annual estimates are not warranted.

(2) NOTICE TO THE STATE.—Based on the estimates under paragraph (1), the Secretary shall notify the State, in writing, if the total withdrawal of groundwater from the Truxton Basin outside the boundaries of the Hualapai Reservation exceeds the estimate prepared pursuant to that paragraph by 3,000 or more AFY, exclusive of any diversion or use of groundwater on Hualapai fee land and any land acquired by the Hualapai Tribe, including by a tribally owned corporation, in fee after the Enforceability Date.

(d) ANTIDEFICIENCY.—Notwithstanding any authorization of appropriations to carry out this title, the United States shall not be liable for any failure of the United States to carry out any obligation or activity authorized by this title (including all agreements or exhibits ratified or confirmed by this title) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out this title in the Lower Colorado River Basin Development Fund.

(e) APPLICATION OF RECLAMATION REFORM ACT OF 1982.—The Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.) and any other acreage limitation or full-cost pricing provision of Federal law shall not apply to any person, entity, or tract of land solely on the basis of—

(1) receipt of any benefit under this title;  
 (2) execution or performance of this title; or  
 (3) the use, storage, delivery, lease, or exchange of CAP water.

(f) EFFECT.—

(1) NO MODIFICATION OR PREEMPTION OF OTHER LAW.—Unless expressly provided in this title, nothing in this title modifies, conflicts with, preempts, or otherwise affects—

(A) the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the Boulder Canyon Project Adjustment Act (43 U.S.C. 618 et seq.);

(C) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);

(D) the Colorado River Basin Project Act (Public Law 90–537; 82 Stat. 885);

(E) the Treaty between the United States of America and Mexico respecting utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944 (59 Stat. 1219);

(F) the Colorado River Compact;

(G) the Upper Colorado River Basin Compact;

(H) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991); or

(I) case law concerning water rights in the Colorado River system other than any case to enforce the Hualapai Tribe water rights settlement agreement or this title.

(2) EFFECT ON AGREEMENTS.—Nothing in this title or the Hualapai Tribe water rights settlement agreement limits the right of the Hualapai Tribe to enter into any agreement for the storage or banking of water in accordance with State law with—

(A) the Arizona Water Banking Authority (or a successor agency or entity); or

(B) any other lawful authority.

(3) EFFECT OF TITLE.—Nothing in this title—

(A) quantifies or otherwise affects the water rights, claims, or entitlements to water of any Indian Tribe other than the Hualapai Tribe;

(B) affects the ability of the United States to take action on behalf of any Indian Tribe other than the Hualapai Tribe, the members of the Hualapai Tribe, and the allottees; or

(C) limits the right of the Hualapai Tribe to use any water of the Hualapai Tribe in any location on the Hualapai Reservation.

#### TITLE VI—WATER DATA

##### SEC. 601. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term “Advisory Committee” means the Advisory Committee on Water Information established by section 604(a).

(2) COUNCIL.—The term “Council” means the Water Data Council established under section 603(a).

(3) DATA STANDARDS.—The term “data standards” means standards relating to the manner in which data and metadata are to be structured, populated, and encoded in machine-readable formats, and made interoperable for data exchange.

(4) DEPARTMENTS.—The term “Departments” means each of the following:

(A) The Department of Agriculture.

(B) The Department of Commerce.

(C) The Department of Defense.

(D) The Department of Energy.

(E) The Department of Health and Human Services.

(F) The Department of Homeland Security.

(G) The Department of the Interior.

(H) The Environmental Protection Agency.

(I) The National Aeronautics and Space Administration.

(5) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) NATIONAL WATER DATA FRAMEWORK.—The term “National Water Data Framework” means the national water data framework developed under section 602.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(8) WATER DATA.—The term “water data” means measurements and observations of basic properties relating to the planning and management of water resources, including streamflow, precipitation, groundwater, soil moisture, snow, evaporation, water quality, and water use in agriculture, industry, natural systems, and municipal uses.

(9) WATER DATA GRANT PROGRAM.—The term “Water Data Grant Program” means the water data grant program established under section 605(a).

(10) WATER DATA INFRASTRUCTURE.—The term “water data infrastructure” means an integrated system of information technologies that includes common data standards and metadata, data formats, geospatial referencing, and tools to make water data available, easy to find, access, and share online.

##### SEC. 602. NATIONAL WATER DATA FRAMEWORK.

(a) IN GENERAL.—For the purpose of improving water resources management and access across the United States, including addressing drought, floods, and other water management challenges, the heads of the Departments shall jointly develop and implement a national water data framework for observing, integrating, sharing, and using water data.

(b) REQUIREMENTS.—In developing and implementing the National Water Data Framework, the Departments shall—

(1) identify and prioritize key water data needed to support water resources management and planning, including—

(A) water data sets, types, observations, and associated metadata; and

(B) water data infrastructure, technologies, and tools;

(2) develop and adopt common national water data standards for collecting, sharing, and integrating water data, infrastructure, technologies, and tools in consultation with States, Indian Tribes, local governments, and relevant bodies;

(3) ensure that Federal water data are made findable, accessible, interoperable, and reusable in accordance with the standards developed and adopted pursuant to this title;

(4) integrate water data and tools through common approaches to data and observing infrastructure, platforms, models, and tool development;

(5) establish a common, national geospatial index for publishing and linking water data from Federal, State, Tribal, and other non-Federal sources for online discovery;

(6) harmonize and align policies, programs, protocols, budgets, and funding programs relating to water data to achieve the purposes of this title, as appropriate;

(7) participate in and coordinate water data activities with the Council; and

(8) support the adoption of new technologies and the development of tools for water data collection, observing, sharing, and standardization by Federal, State, Tribal, local, and other entities.

##### SEC. 603. WATER DATA COUNCIL.

(a) IN GENERAL.—The heads of the Departments shall establish an interagency Council, to be known as the “Water Data Council”, to support the development and implementation of the National Water Data Framework.

(b) MEMBERSHIP.—

(1) DUTIES OF SECRETARY.—The Secretary, acting through the Director of the United States Geological Survey, shall—

(A) serve as the Chair of the Council;

(B) in collaboration with the Administrators of the National Oceanic and Atmospheric Administration and Environmental Protection Agency, and the Director of the Office of Science and Technology Policy, convene the Council not less frequently than 4 times each year; and

(C) provide staff support for the Council through the United States Geological Survey.

(2) MEMBERS.—Council Members shall include the heads of the following entities:

(A) The Departments.

(B) Bureaus and offices of the Departments that have a significant role or interest in water data, including—

(i) the Corps of Engineers;

(ii) the Bureau of Indian Affairs;

(iii) the Bureau of Reclamation;

(iv) the Federal Emergency Management Agency;

(v) the Federal Energy Regulatory Commission;

(vi) the United States Fish and Wildlife Service;

(vii) the Indian Health Service;

(viii) the Forest Service;

(ix) the National Laboratories;

(x) the Natural Resources Conservation Service;

(xi) the National Oceanic and Atmospheric Administration; and

(xii) the Rural Development program of the Department of Agriculture.

(C) Offices of the Executive Office of the President, including—

(i) the Council on Environmental Quality;

(ii) the Office of Management and Budget; and

(iii) the Office of Science and Technology Policy.

(D) Other Federal entities that the Chair and a majority of the members of the Council described in subparagraphs (A) through (C) determine to be appropriate.

(c) DUTIES.—The Council shall—

(1) support the development and implementation of the National Water Data Framework; and

(2) facilitate communication and collaboration among members of the Council—

(A) to establish, adopt, and implement common national water data standards;

(B) to promote water data sharing and integration across Federal departments and agencies, including—

(i) water data collection, observation, documentation, maintenance, distribution, and preservation strategies; and

(ii) development and use of water data infrastructure, tools, and technologies to support water management and planning;

(C) to align the policies, programs, protocols, budgets, and funding programs relating to water data of the members of the Council, as appropriate; and

(D) to promote partnerships across Federal entities and non-Federal entities—

(i) to advance innovation and solutions in water data, technology, tools, planning, and management; and

(ii) to develop guidelines for data sharing and protecting data privacy and security.

(d) WATER DATA COUNCIL REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary, acting on behalf of the Council, shall submit to members of the Council and the appropriate committees of Congress and make available publicly online a report that describes—

(1) the National Water Data Framework;

(2) the actions undertaken by the Departments to implement this title pursuant to section 602;

(3) key water data sets, types, and infrastructure needed to support water management and planning;

(4) goals, targets, and actions to carry out the National Water Data Framework in the subsequent fiscal year;

(5) a summary and evaluation of the progress of the Departments in achieving any prior goals, targets, and actions to carry out the National Water Data Framework;

(6) recommendations to align policies, programs, and budgetary resources to carry out the

National Water Data Framework, where appropriate, in the subsequent fiscal year;

(7) grants and assistance provided to State, Tribal, and local entities toward the development and adoption of new technologies and tools;

(8) opportunities to develop and incentivize the deployment of promising next-generation technologies, including new water data technologies and tools, in partnership with the private sector and others to accomplish the purposes of this title; and

(9) metrics for achieving the National Water Data Framework.

**SEC. 604. ADVISORY COMMITTEE ON WATER INFORMATION.**

(a) **ESTABLISHMENT.**—There is established within the Department of the Interior an advisory committee, to be known as the “Advisory Committee on Water Information”, to advise the Secretary, Departments, and Council on the development and implementation of the National Water Data Framework.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Advisory Committee shall be composed of members, to be appointed by the Secretary, in consultation with the Administrators of the National Oceanic and Atmospheric Administration and the Environmental Protection Agency, in a manner that provides for—

(A) balanced representation among various entities involved in water-related activities; and  
(B) consideration for a geographic balance of individuals representing localities across the United States.

(2) **SELECTION.**—Members of the Advisory Committee shall be selected by the Secretary from among entities involved in water-related activities, including—

(A) States;

(B) Indian Tribes;

(C) local governments;

(D) Federal entities;

(E) water agencies, utilities, conservation districts, irrigation districts, acequias, and other water user associations;

(F) organizations that facilitate collaboration across States and multi-state instrumentalities;

(G) educational institutions;

(H) professional organizations;

(I) water data and technology-related experts, professionals, and industries;

(J) private sector entities; and

(K) nonprofit organizations.

(3) **TERM.**—Members of the Advisory Committee shall be appointed by the Secretary for a term not to exceed 4 years.

(c) **CHAIR.**—The Secretary shall serve as the Chair of the Advisory Committee.

(d) **STAFF SUPPORT.**—The United States Geological Survey shall provide support services for the Advisory Committee.

(e) **MEETINGS.**—The Advisory Committee shall meet at the call of the Chair, but not less frequently than 4 times each year.

(f) **DUTIES.**—The duties of the Advisory Committee are to advise the Secretary, Departments, and Council on—

(1) the development and implementation of the National Water Data Framework;

(2) efforts to operate a cost-effective national network of water data collection and analysis that meets the priority water information needs of the Federal Government and, to the extent practicable using available resources, the needs of the non-Federal community that are tied to national interests;

(3) efforts to develop uniform standards, guidelines, and procedures for the collection, analysis, management, and dissemination of water information to improve quality, consistency, and accessibility nationwide; and

(4) the effectiveness of existing water information programs and recommended modifications needed to respond to changes in legislation, technology, and other conditions.

(g) **COORDINATION.**—To the extent practicable, the Advisory Committee shall coordinate with

the National Water Quality Monitoring Council and other water data related entities convened by the Federal Government.

(h) **REPORT.**—Not later than two years after the date of enactment of this Act, and every two years thereafter, the Advisory Committee shall submit a report of activities carried out by the Advisory Committee and a recommendation to continue, modify the duties of, or terminate the Advisory Committee.

(i) **APPLICABILITY OF FACA.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

(2) **NO TERMINATION.**—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

**SEC. 605. WATER DATA GRANT PROGRAM.**

(a) **IN GENERAL.**—The Secretary shall establish a water data grant program under which the Secretary shall award grants—

(1) to support non-Federal entities in making water data sets findable, accessible, interoperable, and reusable in accordance with the water data standards established under this title;

(2) to advance the development of water data infrastructure, observations, tools, and technologies to facilitate the sharing and use of water data;

(3) to support programs and projects that facilitate water data sharing and use in water resources management and the implementation of the National Water Data Framework; and

(4) to provide a prize for accelerating innovation and developing next-generation water data tools and technologies.

(b) **COORDINATION WITH THE COUNCIL.**—The Secretary shall consult and coordinate with the Council in creating and implementing the Water Data Grant Program to ensure that—

(1) the Water Data Grant Program is aligned with and carries out the purposes of this title; and

(2) grants and programs are harmonized across the Departments and members of the Council to achieve the purposes of this title, as appropriate.

(c) **ELIGIBLE ENTITIES.**—An entity eligible for a grant under the Water Data Grant Program—

(1) shall demonstrate significant needs or capabilities for advancing water data sharing and tools with a significant public benefit; and

(2) may include—

(A) a State, multistate instrumentality, Indian Tribe, or other unit of local government;

(B) a water agency, utility, conservation district, irrigation district, acequia, mutual domestic association, or other entity organized pursuant to Federal, Tribal, or local laws for the purpose of water-related activities;

(C) an educational institution or nonprofit organization; and

(D) in the case of carrying out activities described in subsection (a)(4)—

(i) an individual who is a citizen or legal resident of the United States; or

(ii) an entity that is incorporated and maintains the primary place of business of the entity in the United States.

(d) **REQUIREMENTS.**—

(1) **DATA SHARING AND STANDARDS.**—Any project funded through the Water Data Grant Program shall be implemented in accordance with the water data standards established under section 602.

(2) **USE OF EXISTING WATER DATA INFRASTRUCTURE.**—The recipient of a grant shall, to the extent practicable, leverage existing water data and water data infrastructure.

(e) **REPORT.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, in conjunction with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to Congress a report that describes the implementation of the Water Data Grant Program, including—

(1) a description of the use and deployment of amounts made available under the Water Data Grant Program;

(2) an accounting of all grants awarded under the Water Data Grant Program, including a description of—

(A) each grant recipient; and

(B) each project funded under the Water Data Grant Program;

(3) an assessment of the success of the Water Data Grant Program in advancing the purposes of this title; and

(4) a plan for the subsequent fiscal year to achieve the purposes of this title.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out the Water Data Grant Program \$25,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

(g) **ADMINISTRATIVE COSTS.**—Of the funds authorized to be appropriated under subsection (f), not more than 3 percent is authorized to be appropriated for administrative costs to carry out the Water Data Grant Program.

**SEC. 606. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out sections 602 through 604 \$15,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

(b) **TRANSFER OF FUNDS.**—The Secretary may, to the extent provided in advance in appropriations Acts, transfer to the Departments, including the Environmental Protection Agency, funds made available under subsection (a) to carry out sections 602 through 604.

**TITLE VII—NOGALES WASTEWATER IMPROVEMENT**

**SEC. 701. SHORT TITLE.**

This title may be cited as the “Nogales Wastewater Improvement Act of 2022”.

**SEC. 702. AMENDMENTS TO THE ACT OF JULY 27, 1953.**

The first section of the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10), is amended by striking the period at the end and inserting “: Provided further, That the equitable portion of the Nogales sanitation project for the city of Nogales, Arizona, shall be limited to the costs directly associated with the treatment and conveyance of the wastewater of the city and, to the extent practicable, shall not include any costs directly associated with the quality or quantity of wastewater originating in Mexico.”.

**SEC. 703. NOGALES SANITATION PROJECT.**

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means the City of Nogales, Arizona.

(2) **COMMISSION.**—The term “Commission” means the United States Section of the International Border and Water Commission.

(3) **INTERNATIONAL OUTFALL INTERCEPTOR.**—The term “International Outfall Interceptor” means the pipeline that conveys wastewater from the United States-Mexico border to the Nogales International Wastewater Treatment Plant.

(4) **NOGALES INTERNATIONAL WASTEWATER TREATMENT PLANT.**—The term “Nogales International Wastewater Treatment Plant” means the wastewater treatment plant that—

(A) is operated by the Commission;

(B) is located in Rio Rico, Santa Cruz County, Arizona, after manhole 99; and

(C) treats sewage and wastewater originating from—

(i) Nogales, Sonora, Mexico; and

(ii) Nogales, Arizona.

(b) **OWNERSHIP AND CONTROL.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and in accordance with authority under the Act of July 27, 1953 (67 Stat. 195, chapter 242; 22 U.S.C. 277d–10 et seq.), on transfer by donation from the City of the current stake of the City in the International Outfall Interceptor to the Commission, the Commission shall enter into such

agreements as are necessary to assume full ownership and control over the International Outfall Interceptor.

(2) **AGREEMENTS REQUIRED.**—The Commission shall assume full ownership and control over the International Outfall Interceptor under paragraph (1) after all applicable governing bodies in the State of Arizona, including the City, have—

(A) signed memoranda of understanding granting to the Commission access to existing easements for a right of entry to the International Outfall Interceptor for the life of the International Outfall Interceptor;

(B) entered into an agreement with respect to the flows entering the International Outfall Interceptor that are controlled by the City; and

(C) agreed to work in good faith to expeditiously enter into such other agreements as are necessary for the Commission to operate and maintain the International Outfall Interceptor.

(c) **OPERATIONS AND MAINTENANCE.**—

(1) **IN GENERAL.**—Beginning on the date on which the Commission assumes full ownership and control of the International Outfall Interceptor under subsection (b)(1), but subject to subsection (e), the Commission shall be responsible for the operations and maintenance of the International Outfall Interceptor.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Commission to carry out this subsection, to remain available until expended—

(A) \$4,400,000 for fiscal year 2023; and

(B) not less than \$2,500,000 for fiscal year 2024 and each fiscal year thereafter.

(d) **DEBRIS SCREEN.**—

(1) **DEBRIS SCREEN REQUIRED.**—

(A) **IN GENERAL.**—The Commission shall construct, operate, and maintain a debris screen at Manhole One of the International Outfall Interceptor for intercepting debris and drug bundles coming to the United States from Nogales, Sonora, Mexico.

(B) **REQUIREMENT.**—In constructing and operating the debris screen under subparagraph (A), the Commission and the Commissioner of U.S. Customs and Border Protection shall coordinate—

(i) the removal of drug bundles and other illicit goods caught in the debris screen; and

(ii) other operations at the International Outfall Interceptor that require coordination.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Commission, to remain available until expended—

(A) \$11,900,000 for fiscal year 2023 for construction of the debris screen described in paragraph (1)(A); and

(B) \$2,200,000 for fiscal year 2024 and each fiscal year thereafter for the operations and maintenance of the debris screen described in paragraph (1)(A).

(e) **LIMITATION OF CLAIMS.**—Chapter 171 and section 1346(b) of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), shall not apply to any claim arising from the activities of the Commission in carrying out this section, including any claim arising from damages that result from overflow of the International Outfall Interceptor due to excess inflow to the International Outfall Interceptor originating from Nogales, Sonora, Mexico.

## **TITLE VIII—RIO GRANDE WATER SECURITY**

### **SEC. 801. SHORT TITLE.**

This title may be cited as the “Rio Grande Water Security Act”.

#### **Subtitle A—Rio Grande Water Security**

### **SEC. 811. DEFINITIONS.**

In this subtitle:

(1) **BASIN PLAN.**—The term “Basin Plan” means the integrated water resources management plan for the Rio Grande Basin developed under section 812(a).

(2) **BASIN STATE.**—The term “Basin State” means each of the following States:

(A) Colorado.

(B) New Mexico.

(C) Texas, which shall participate upon consent and agreement by the State of Texas, acting through the Texas Commission on Environmental Quality.

(3) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) **NATURE-BASED FEATURE.**—The term “nature-based feature” has the meaning given the term in section 9502 of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10362).

(5) **RIO GRANDE BASIN.**—The term “Rio Grande Basin” means the mainstem of the Rio Grande from the headwaters of the Rio Grande in Colorado to the mouth of the Rio Grande and any hydrologically connected groundwater, aquifers, and tributaries within the Basin States.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(7) **WORKING GROUP.**—The term “Working Group” means the Rio Grande Basin Working Group convened under section 812(a).

### **SEC. 812. INTEGRATED WATER RESOURCES MANAGEMENT PLAN FOR THE RIO GRANDE BASIN.**

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a Federal Working Group, to be known as the “Rio Grande Basin Working Group”, to consult and collaborate with the Basin States, Indian Tribes, units of local government, irrigation districts, conservation districts, acequias, land grant-mercedes, and other local partners in the Rio Grande Basin to develop and implement an integrated water resources management plan for the Rio Grande Basin using the best available science, data, and local knowledge.

(b) **PURPOSE.**—The purpose of the Basin Plan is to improve—

(1) water security and quality for communities throughout the Rio Grande Basin;

(2) river and watershed health for ecosystems, fish, and wildlife in the Rio Grande Basin;

(3) the resilience of communities and ecosystems in the Rio Grande Basin to drought and hydrologic change; and

(4) consultation, collaboration, and partnerships among Federal agencies, Basin States, Indian Tribes, and local partners within the Rio Grande Basin.

(c) **REQUIREMENTS.**—The Basin Plan shall include—

(1) a list of recommended projects and activities to achieve the purpose described in subsection (b), using the best available science for current and future conditions in the Rio Grande Basin, including recommendations for—

(A) improving infrastructure design, maintenance, repair, planning, management, and operations throughout the Rio Grande Basin;

(B) improving science, data, monitoring, and collaboration to improve understanding of the Rio Grande Basin, including—

(i) the hydrology and other processes of the Rio Grande Basin; and

(ii) the long-term availability of water across the Rio Grande Basin;

(C) increasing water conservation in the Rio Grande Basin through partnerships with communities and water users;

(D) investments in nature-based features, infrastructure, and habitat improvements to improve river health, resilience, water security, and hazard mitigation in the Rio Grande Basin;

(E) updating reservoir operations authorities and water control manuals; and

(F) improving consultation, collaboration, and partnerships throughout the Rio Grande Basin to achieve the objectives described in subparagraphs (A) through (E);

(2) a list of potential changes to existing Federal authorities that may be needed to implement the Basin Plan; and

(3) a timeline for implementing the Basin Plan over a 30-year period.

(d) **REPORT TO CONGRESS.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) submit the Basin Plan to—

(A) the appropriate committees of Congress; and

(B) the Basin States, Indian Tribes located within the Rio Grande Basin, and local partners; and

(2) make the Basin Plan publicly available online.

(e) **IMPLEMENTATION.**—

(1) **IN GENERAL.**—On submission of the Basin Plan to Congress under subsection (d)(1)(A), the relevant agencies of the Working Group may implement recommended projects and activities from the Basin Plan to achieve the purposes of this subtitle, including—

(A) water conservation and restoration projects;

(B) streamflow and groundwater recharge improvements;

(C) optimization of Federal project management, including—

(i) improvements and flexibility in reservoir, irrigation, and flood control project operations; and

(ii) updates and amendments to particular reservoir operations authorities, contracts, and water control manuals within the Rio Grande Basin, consistent with the recommendations provided in subsection (c)(1)(E);

(D) studies of relevant projects and activities requiring further authorization;

(E) the establishment of a collaborative science, data, and monitoring program for the Rio Grande Basin; and

(F) the establishment of a coordinated technical assistance program to support Rio Grande Basin stakeholders in accessing resources and programs to achieve the purposes of this subtitle.

(2) **WAIVER.**—In implementing this subsection, the relevant agencies of the Working Group may waive or reduce Federal cost-share requirements for projects and activities that demonstrate significant public benefits in accordance with the purpose described in subsection (b).

(f) **REQUIREMENTS.**—The projects and activities implemented pursuant to subsection (e) shall be—

(1) subject to required authorization and appropriation by Congress;

(2) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for the proposed projects and activities; and

(3) implemented—

(A) in accordance with applicable law, including—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) in consultation with and in accordance with State, Tribal, and local authorities in the Basin States;

(C) within the State of Colorado—

(i) only upon the consent of the State of Colorado, acting through the Colorado Division of Water Resources; and

(ii) rely on and not duplicate existing studies and models developed and maintained by the State of Colorado to the greatest extent practicable;

(D) in accordance with interstate and international agreements applicable to the Rio Grande Basin; and

(E) in accordance with the water rights of any Indian Tribe or agreements between any Indian Tribe and the United States.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the

heads of the agencies represented on the Working Group such sums as are necessary to carry out this subtitle for each of fiscal years 2023 through 2052.

**SEC. 813. RIO GRANDE BASIN WORKING GROUP.**

(a) COMPOSITION.—The Working Group shall be composed of the following members:

- (1) The Administrator of the Environmental Protection Agency.
- (2) The Assistant Secretary of the Army for Civil Works.
- (3) The Chief of the Forest Service.
- (4) The Chief of the Natural Resources Conservation Service.
- (5) The Commissioner of the International Boundary and Water Commission.
- (6) The Commissioner of Reclamation.
- (7) The Director of any National Laboratory located in a Basin State.
- (8) The Director of the Bureau of Indian Affairs.
- (9) The Director of the Bureau of Land Management.
- (10) The Director of the National Park Service.
- (11) The Director of the United States Fish and Wildlife Service.
- (12) The Director of the United States Geological Survey.
- (13) The Secretary of Energy.
- (14) The Under Secretary for Rural Development.

(15) The heads of any other relevant Federal agencies, as determined to be appropriate by a majority of the members of the Working Group described in paragraphs (1) through (14).

(b) DUTIES.—The Working Group shall consult, collaborate, and work with Basin States, Indian Tribes located within the Rio Grande Basin, and local partners—

- (1) to develop and implement a Basin Plan; and
- (2) on submission of the Basin Plan to Congress under section 812(d)(1)(A), to support ongoing collaboration across the Rio Grande Basin among Federal stakeholders and non-Federal stakeholders within the Rio Grande Basin.

**SEC. 814. EFFECT OF SUBTITLE.**

Nothing in this subtitle—

- (1) affects, waives, abrogates, diminishes, defines, or interprets any water right of any Indian Tribe or agreement between any Indian Tribe and the United States;
- (2) affects a contract or benefit in existence on the date of enactment of this Act that was executed pursuant to the reclamation laws, unless otherwise agreed to by the parties to the contract or benefit;
- (3) amends, modifies, or is in conflict with any interstate or international agreement regarding the Rio Grande and the waters of the Rio Grande, or any other interstate compact or agreement regarding water, including the Rio Grande Compact consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, Ch. 155), or the Colorado River Compact consented to by Congress in the Act of August 19, 1921 (42 Stat. 171, Ch. 72), the 1906 Convention, the 1944 Treaty with Mexico, and Upper Colorado River Basin Compact consented to by Congress in the Act of April 6, 1949 (63 Stat. 31);
- (4) affects any ongoing treaty obligations;
- (5) changes the commitments and requirements contained in Public Law 92-514 concerning the Closed Basin Project; or
- (6) limits or affects any Basin State or Indian Tribe in the management of water quantity or quality in accordance with State or Tribal laws, as applicable.

**Subtitle B—Pueblo Irrigation**

**SEC. 821. REAUTHORIZATION OF PUEBLO IRRIGATION INFRASTRUCTURE GRANTS.**

Section 9106(g)(2) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1309) is amended—

- (1) by striking “is authorized” and inserting “are authorized”; and

(2) by striking “\$6,000,000” and all that follows through the period at the end and inserting “such sums as are necessary for each of fiscal years 2022 through 2032.”.

**DIVISION C—OTHER FIRE, DROUGHT, AND EXTREME WEATHER PROGRAMS**  
**TITLE I—INFRASTRUCTURE, ENERGY, AND ASSISTANCE**

**SEC. 101. NATURAL DISASTER GRID MITIGATION MAP.**

(a) ESTABLISHMENT.—The Secretary shall establish and maintain a Natural Disaster Grid Mitigation Map that identifies critical electric grid infrastructure in each State that is vulnerable to natural disasters.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall develop a report that—

(A) analyzes how vulnerable critical electric grid infrastructure in each State is to natural disasters; and

(B) identifies parts of such critical electric grid infrastructure that are high risk for energy disruptions caused by natural disasters.

(2) AVAILABILITY.—The Secretary shall make the report developed under paragraph (1) available to other relevant Federal agencies to consider when funding disaster mitigation and resiliency efforts.

(c) DEFINITIONS.—In this section:

(1) CRITICAL ELECTRIC GRID INFRASTRUCTURE.—The term “critical electric grid infrastructure” includes transmission lines of 66 kilovolt-amperes and above and other infrastructure, as determined by the Secretary.

(2) NATURAL DISASTER.—The term “natural disaster” means a wildfire, hurricane, tornado, extreme temperature, storm, flood, earthquake, volcanic eruption, or other natural occurrence of such magnitude or severity so as to be considered disastrous, as determined by the Secretary.

(3) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(4) STATE.—The term “State” means each of the several States, the District of Columbia, any territory or possession of the United States, and any federally recognized Indian Tribe.

**SEC. 102. INTERREGIONAL MINIMUM TRANSFER CAPABILITY REQUIREMENTS.**

(a) FINDING.—Congress finds that extreme weather is increasing in frequency and poses a significant risk to the reliability of the electric grid.

(b) RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Federal Energy Regulatory Commission shall, pursuant to section 206 of the Federal Power Act (16 U.S.C. 824e), promulgate a final rule that establishes minimum transfer capability requirements between transmission planning regions.

**SEC. 103. CRITICAL DOCUMENT FEE WAIVER.**

Section 1238(a) of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5174b) is amended—

(1) in paragraph (2), by striking “applies regardless” and inserting “and the requirement of the President to waive fees under paragraph (4) apply regardless”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

“(4) MANDATORY AUTOMATIC WAIVER.—The President, in consultation with the Governor of a State, shall automatically provide a fee waiver described in paragraph (1) to an individual or household that has been adversely affected by a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)—

“(A) for which the President provides assistance to individuals and households under section 408 of that Act (42 U.S.C. 5174); and

“(B) that destroyed a critical document described in paragraph (1) of the individual or household.”.

**SEC. 104. HERMIT'S PEAK/CALF CANYON FIRE ASSISTANCE.**

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) on April 6, 2022, the Forest Service initiated the Las Dispensas-Gallinas prescribed burn on Federal land in the Santa Fe National Forest in San Miguel County, New Mexico, when erratic winds were prevalent in the area that was also suffering from severe drought after many years of insufficient precipitation;

(B) on April 6, 2022, the prescribed burn, which became known as the “Hermit's Peak Fire”, exceeded the containment capabilities of the Forest Service, was declared a wildfire, and spread to other Federal and non-Federal land;

(C) on April 19, 2022, the Calf Canyon Fire, also in San Miguel County, New Mexico, began burning on Federal land and was later identified as the result of a pile burn in January 2022 that remained dormant under the surface before reemerging;

(D) on April 27, 2022, the Hermit's Peak Fire and the Calf Canyon Fire merged, and both fires were reported as the Hermit's Peak Fire or the Hermit's Peak/Calf Canyon Fire, (referred hereafter in this subsection as the “Hermit's Peak/Calf Canyon Fire”);

(E) by May 2, 2022, the fire had grown in size and caused evacuations in multiple villages and communities in San Miguel County and Mora County, including in the San Miguel county jail, the State's psychiatric hospital, the United World College, and New Mexico Highlands University;

(F) on May 4, 2022, the President issued a major disaster declaration for the counties of Colfax, Mora, and San Miguel, New Mexico;

(G) on May 20, 2022, U.S. Forest Service Chief Randy Moore ordered a 90-day review of prescribed burn policies to reduce the risk of wildfires and ensure the safety of the communities involved;

(H) the U.S. Forest Service has assumed responsibility for the Hermit's Peak/Calf Canyon Fire;

(I) the fire resulted in the loss of Federal, State, local, Tribal, and private property; and

(J) the United States should compensate the victims of the Hermit's Peak/Calf Canyon Fire.

(2) PURPOSES.—The purposes of this section are—

(A) to compensate victims of the Hermit's Peak/Calf Canyon Fire, for injuries resulting from the fire; and

(B) to provide for the expeditious consideration and settlement of claims for those injuries.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means—

(A) the Administrator of the Federal Emergency Management Agency; or

(B) if a Manager is appointed under subsection (c)(1)(C), the Manager.

(2) HERMIT'S PEAK/CALF CANYON FIRE.—The term “Hermit's Peak/Calf Canyon Fire” means—

(A) the fire resulting from the initiation by the Forest Service of a prescribed burn in the Santa Fe National Forest in San Miguel County, New Mexico, on April 6, 2022;

(B) the pile burn holdover resulting from the prescribed burn by the Forest Service, which reemerged on April 19, 2022; and

(C) the merger of the two fires described in subparagraphs (A) and (B), reported as the Hermit's Peak Fire or the Hermit's Peak Fire/Calf Canyon Fire.

(3) INDIAN TRIBE.—The term “Indian Tribe” means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(4) **INJURED PERSON.**—The term “injured person” means—

(A) an individual, regardless of the citizenship or alien status of the individual; or

(B) an Indian Tribe, corporation, Tribal corporation, partnership, company, association, county, township, city, State, school district, or other non-Federal entity (including a legal representative) that suffered injury resulting from the Hermit’s Peak/Calf Canyon Fire.

(5) **INJURY.**—The term “injury” has the same meaning as the term “injury or loss of property, or personal injury or death” as used in section 1346(b)(1) of title 28, United States Code.

(6) **MANAGER.**—The term “Manager” means an Independent Claims Manager appointed under subsection (c)(1)(C).

(7) **OFFICE.**—The term “Office” means the Office of Hermit’s Peak/Calf Canyon Fire Claims established by subsection (c)(1)(B).

(8) **TRIBAL ENTITY.**—The term “Tribal entity” includes any Indian Tribe, tribal organization, Indian-controlled organization serving Indians, Native Hawaiian organization, or Alaska Native entity, as such terms are defined or used in section 166 of the Workforce Innovation and Opportunity Act (25 U.S.C. 5304).

(c) **COMPENSATION FOR VICTIMS OF HERMIT’S PEAK/CALF CANYON FIRE.**—

(1) **IN GENERAL.**—

(A) **COMPENSATION.**—Each injured person shall be entitled to receive from the United States compensation for injury suffered by the injured person as a result of the Hermit’s Peak/Calf Canyon Fire.

(B) **OFFICE OF HERMIT’S PEAK/CALF CANYON FIRE CLAIMS.**—

(i) **IN GENERAL.**—There is established within the Federal Emergency Management Agency an Office of Hermit’s Peak/Calf Canyon Fire Claims.

(ii) **PURPOSE.**—The Office shall receive, process, and pay claims in accordance with this section.

(iii) **FUNDING.**—The Office—

(I) shall be funded from funds made available to the Administrator under this section;

(II) may appoint and fix the compensation of such temporary personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service; and

(III) may reimburse other Federal agencies for claims processing support and assistance.

(C) **OPTION TO APPOINT INDEPENDENT CLAIMS MANAGER.**—The Administrator may appoint an Independent Claims Manager to—

(i) head the Office; and

(ii) assume the duties of the Administrator under this section.

(2) **SUBMISSION OF CLAIMS.**—Not later than 2 years after the date on which regulations are first promulgated under paragraph (6), an injured person may submit to the Administrator a written claim for 1 or more injuries suffered by the injured person in accordance with such requirements as the Administrator determines to be appropriate.

(3) **INVESTIGATION OF CLAIMS.**—

(A) **IN GENERAL.**—The Administrator shall, on behalf of the United States, investigate, consider, ascertain, adjust, determine, grant, deny, or settle any claim for money damages asserted under paragraph (2).

(B) **APPLICABILITY OF STATE LAW.**—Except as otherwise provided in this section, the laws of the State of New Mexico shall apply to the calculation of damages under paragraph (4)(D).

(C) **EXTENT OF DAMAGES.**—Any payment under this section—

(i) shall be limited to actual compensatory damages measured by injuries suffered; and

(ii) shall not include—

(I) interest before settlement or payment of a claim; or

(II) punitive damages.

(4) **PAYMENT OF CLAIMS.**—

(A) **DETERMINATION AND PAYMENT OF AMOUNT.**—

(i) **IN GENERAL.**—

(1) **PAYMENT.**—Not later than 180 days after the date on which a claim is submitted under this section, the Administrator shall determine and fix the amount, if any, to be paid for the claim.

(II) **PRIORITY.**—The Administrator, to the maximum extent practicable, shall pay subrogation claims submitted under this section only after paying claims submitted by injured parties that are not insurance companies seeking payment as subrogees.

(ii) **PARAMETERS OF DETERMINATION.**—In determining and settling a claim under this section, the Administrator shall determine only—

(I) whether the claimant is an injured person;

(II) whether the injury that is the subject of the claim resulted from the fire;

(III) the amount, if any, to be allowed and paid under this section; and

(IV) the person or persons entitled to receive the amount.

(iii) **INSURANCE AND OTHER BENEFITS.**—

(1) **IN GENERAL.**—In determining the amount of, and paying, a claim under this section, to prevent recovery by a claimant in excess of actual compensatory damages, the Administrator shall reduce the amount to be paid for the claim by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature that were paid, or will be paid, with respect to the claim.

(II) **GOVERNMENT LOANS.**—This subparagraph shall not apply to the receipt by a claimant of any government loan that is required to be repaid by the claimant.

(B) **PARTIAL PAYMENT.**—

(i) **IN GENERAL.**—At the request of a claimant, the Administrator may make 1 or more advance or partial payments before the final settlement of a claim, including final settlement on any portion or aspect of a claim that is determined to be severable.

(ii) **JUDICIAL DECISION.**—If a claimant receives a partial payment on a claim under this section, but further payment on the claim is subsequently denied by the Administrator, the claimant may—

(I) seek judicial review under paragraph (9); and

(II) keep any partial payment that the claimant received, unless the Administrator determines that the claimant—

(aa) was not eligible to receive the compensation; or

(bb) fraudulently procured the compensation.

(C) **RIGHTS OF INSURER OR OTHER THIRD PARTY.**—If an insurer or other third party pays any amount to a claimant to compensate for an injury described in paragraph (1), the insurer or other third party shall be subrogated to any right that the claimant has to receive any payment under this section or any other law.

(D) **ALLOWABLE DAMAGES.**—

(i) **LOSS OF PROPERTY.**—A claim that is paid for loss of property under this section may include otherwise uncompensated damages resulting from the Hermit’s Peak/Calf Canyon Fire for—

(I) an uninsured or underinsured property loss;

(II) a decrease in the value of real property;

(III) damage to physical infrastructure, including irrigation infrastructure such as acequia systems;

(IV) a cost resulting from lost subsistence from hunting, fishing, firewood gathering, timbering, grazing, or agricultural activities conducted on land damaged by the Hermit’s Peak/Calf Canyon Fire;

(V) a cost of reforestation or revegetation on Tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program; and

(VI) any other loss that the Administrator determines to be appropriate for inclusion as loss of property.

(ii) **BUSINESS LOSS.**—A claim that is paid for injury under this section may include damages resulting from the Hermit’s Peak/Calf Canyon Fire for the following types of otherwise uncompensated business loss:

(I) Damage to tangible assets or inventory.

(II) Business interruption losses.

(III) Overhead costs.

(IV) Employee wages for work not performed.

(V) Any other loss that the Administrator determines to be appropriate for inclusion as business loss.

(iii) **FINANCIAL LOSS.**—A claim that is paid for injury under this section may include damages resulting from the Hermit’s Peak/Calf Canyon Fire for the following types of otherwise uncompensated financial loss:

(I) Increased mortgage interest costs.

(II) An insurance deductible.

(III) A temporary living or relocation expense.

(IV) Lost wages or personal income.

(V) Emergency staffing expenses.

(VI) Debris removal and other cleanup costs.

(VII) Costs of reasonable efforts, as determined by the Administrator, to reduce the risk of wildfire, flood, or other natural disaster in the counties impacted by the Hermit’s Peak/Calf Canyon Fire to risk levels prevailing in those counties before the Hermit’s Peak/Calf Canyon Fire, that are incurred not later than the date that is 3 years after the date on which the regulations under paragraph (6) are first promulgated.

(VIII) A premium for flood insurance that is required to be paid on or before May 31, 2024, if, as a result of the Hermit’s Peak/Calf Canyon Fire, a person that was not required to purchase flood insurance before the Hermit’s Peak/Calf Canyon Fire is required to purchase flood insurance.

(IX) A disaster assistance loan received from the Small Business Administration.

(X) Any other loss that the Administrator determines to be appropriate for inclusion as financial loss.

(5) **ACCEPTANCE OF AWARD.**—The acceptance by a claimant of any payment under this section, except an advance or partial payment made under paragraph (4)(B), shall—

(A) be final and conclusive on the claimant, with respect to all claims arising out of or relating to the same subject matter; and

(B) constitute a complete release of all claims against the United States (including any agency or employee of the United States) under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), or any other Federal or State law, arising out of or relating to the same subject matter.

(6) **REGULATIONS AND PUBLIC INFORMATION.**—

(A) **REGULATIONS.**—Notwithstanding any other provision of law, not later than 45 days after the date of enactment of this section, the Administrator shall promulgate and publish in the Federal Register interim final regulations for the processing and payment of claims under this section.

(B) **PUBLIC INFORMATION.**—

(i) **IN GENERAL.**—At the time at which the Administrator promulgates regulations under subparagraph (A), the Administrator shall publish, online and in print, in newspapers of general circulation in the State of New Mexico, a clear, concise, and easily understandable explanation, in English and Spanish, of—

(I) the rights conferred under this section; and

(II) the procedural and other requirements of the regulations promulgated under subparagraph (A).

(ii) **DISSEMINATION THROUGH OTHER MEDIA.**—The Administrator shall disseminate the explanation published under clause (i) through websites, blogs, social media, brochures, pamphlets, radio, television, and other media that the Administrator determines are likely to reach prospective claimants.

(7) **CONSULTATION.**—In administering this section, the Administrator shall consult with the

Secretary of the Interior, the Secretary of Energy, the Secretary of Agriculture, the Administrator of the Small Business Administration, other Federal agencies, and State, local, and Tribal authorities, as determined to be necessary by the Administrator, to—

(A) ensure the efficient administration of the claims process; and

(B) provide for local concerns.

(8) ELECTION OF REMEDY.—

(A) IN GENERAL.—An injured person may elect to seek compensation from the United States for 1 or more injuries resulting from the Hermit's Peak/Calf Canyon Fire by—

(i) submitting a claim under this section;

(ii) filing a claim or bringing a civil action under chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"); or

(iii) bringing an authorized civil action under any other provision of law.

(B) EFFECT OF ELECTION.—An election by an injured person to seek compensation in any manner described in subparagraph (A) shall be final and conclusive on the claimant with respect to all injuries resulting from the Hermit's Peak/Calf Canyon Fire that are suffered by the claimant.

(C) ARBITRATION.—

(i) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator shall establish by regulation procedures under which a dispute regarding a claim submitted under this section may be settled by arbitration.

(ii) ARBITRATION AS REMEDY.—On establishment of arbitration procedures under clause (i), an injured person that submits a disputed claim under this section may elect to settle the claim through arbitration.

(iii) BINDING EFFECT.—An election by an injured person to settle a claim through arbitration under this subparagraph shall—

(I) be binding; and

(II) preclude any exercise by the injured person of the right to judicial review of a claim described in paragraph (9).

(D) NO EFFECT ON ENTITLEMENTS.—Nothing in this section affects any right of a claimant to file a claim for benefits under any Federal entitlement program.

(9) JUDICIAL REVIEW.—

(A) IN GENERAL.—Any claimant aggrieved by a final decision of the Administrator under this section may, not later than 60 days after the date on which the decision is issued, bring a civil action in the United States District Court for the District of New Mexico, to modify or set aside the decision, in whole or in part.

(B) RECORD.—The court shall hear a civil action under subparagraph (A) on the record made before the Administrator.

(C) STANDARD.—The decision of the Administrator incorporating the findings of the Administrator shall be upheld if the decision is supported by substantial evidence on the record considered as a whole.

(10) ATTORNEY'S AND AGENT'S FEES.—

(A) IN GENERAL.—No attorney or agent, acting alone or in combination with any other attorney or agent, shall charge, demand, receive, or collect, for services rendered in connection with a claim submitted under this section, fees in excess of the limitations established under section 2678 of title 28, United States Code.

(B) VIOLATION.—An attorney or agent who violates subparagraph (A) shall be fined not more than \$10,000.

(11) WAIVER OF REQUIREMENT FOR MATCHING FUNDS.—

(A) STATE AND LOCAL PROJECT.—

(i) IN GENERAL.—Notwithstanding any other provision of law, a State or local project that is determined by the Administrator to be carried out in response to the Hermit's Peak/Calf Canyon Fire under any Federal program that applies to an area affected by the Hermit's Peak/Calf Canyon Fire shall not be subject to any re-

quirement for State or local matching funds to pay the cost of the project under the Federal program.

(ii) FEDERAL SHARE.—The Federal share of the costs of a project described in clause (i) shall be 100 percent.

(B) OTHER NEEDS PROGRAM ASSISTANCE.—Notwithstanding section 408(g)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(g)(2)), for any emergency or major disaster declared by the President under that Act for the Hermit's Peak/Calf Canyon Fire, the Federal share of assistance provided under that section shall be 100 percent.

(12) APPLICABILITY OF DEBT COLLECTION REQUIREMENTS.—Section 3711(a) of title 31, United States Code, shall not apply to any payment under this section, unless—

(A) there is evidence of civil or criminal fraud, misrepresentation, presentation of a false claim; or

(B) a claimant was not eligible under paragraph (4)(B) of this section to any partial payment.

(13) INDIAN COMPENSATION.—Notwithstanding any other provision of law, in the case of an Indian Tribe, a Tribal entity, or a member of an Indian Tribe that submits a claim under this section—

(A) the Bureau of Indian Affairs shall have no authority over, or any trust obligation regarding, any aspect of the submission of, or any payment received for, the claim;

(B) the Indian Tribe, Tribal entity, or member of an Indian Tribe shall be entitled to proceed under this section in the same manner and to the same extent as any other injured person; and

(C) except with respect to land damaged by the Hermit's Peak/Calf Canyon Fire that is the subject of the claim, the Bureau of Indian Affairs shall have no responsibility to restore land damaged by the Hermit's Peak/Calf Canyon Fire.

(14) REPORT.—Not later than 1 year after the date of promulgation of regulations under paragraph (6)(A), and annually thereafter, the Administrator shall submit to Congress a report that describes the claims submitted under this section during the year preceding the date of submission of the report, including, for each claim—

(A) the amount claimed;

(B) a brief description of the nature of the claim; and

(C) the status or disposition of the claim, including the amount of any payment under this section.

(15) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

**SEC. 105. FIRE MANAGEMENT ASSISTANCE COST SHARE.**

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

"(e) FEDERAL SHARE.—The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of such assistance."

(b) APPLICABILITY.—The amendment made by subsection (a) shall only apply to amounts appropriated on or after the date of enactment of this Act.

(c) RULEMAKING.—Not later than 3 years after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall conduct and complete a rulemaking to provide criteria for the circumstances under which the Administrator may recommend the President increase the Federal cost share for section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187). Such criteria

shall include a threshold metric that assesses the financial impact to a State or local government from responding to a fire for which fire management assistance is being provided.

**SEC. 106. TRANSITIONAL SHELTERING ASSISTANCE.**

(a) DEFINITIONS.—In this section:

(1) INDIVIDUAL AT RISK OF WILDFIRE SMOKE RELATED ILLNESS.—The term "individual at risk of wildfire smoke related illness" means an individual, living in an area where the air quality index is determined to be unhealthy for not less than 3 consecutive days as a result of a wildfire, who is—

(A) a low-income individual;

(B) a parent or guardian with a child who has not attained 19 years of age;

(C) a pregnant woman;

(D) an individual who is 65 years of age or older;

(E) an individual with chronic respiratory or cardiovascular illness; or

(F) an individual with a chronic disease that is exacerbated by smoke inhalation.

(2) LOW-INCOME INDIVIDUAL.—The term "low-income individual" means an individual from a family whose taxable income (as defined in section 63 of the Internal Revenue Code of 1986) for the preceding year did not exceed 200 percent of an amount equal to the poverty level, as determined by using criteria of poverty established by the Bureau of the Census.

(3) QUALIFIED ENTITY.—The term "qualified entity" means—

(A) a State or unit of local government;

(B) a local public health authority; and

(C) a coordinated care organization.

(b) TRANSITIONAL SHELTERING ASSISTANCE PROGRAM.—In carrying out the Transitional Sheltering Assistance Program of the Federal Emergency Management Agency under section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b), the President shall—

(1) provide assistance to a qualified entity to purchase and provide, to an individual at risk of wildfire smoke related illness, smoke-inhalation prevention equipment, including—

(A) a portable air filtration unit;

(B) an air filter;

(C) a face mask or respirator, such as—

(i) an N95 respirator;

(ii) a P100 respirator; or

(iii) other equipment certified by the National Institute for Occupational Safety and Health to protect from airborne particle exposure;

(D) low-cost equipment to keep smoke out of a house, such as:

(i) a weather strip;

(ii) not more than 1 portable air-conditioning unit per household;

(iii) ventilation equipment;

(iv) a screening and shading device; or

(v) a window covering; or

(E) other similarly effective devices; and

(2) in any case in which smoke-inhalation prevention equipment is not sufficient to mitigate the risk of illness, provide cost-efficient transitional shelter assistance to an individual at risk of wildfire smoke related illness.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any amounts appropriated after the date of enactment of this Act.

**SEC. 107. GRID RESILIENCE STUDY.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Federal Energy Regulatory Commission and the Department of Energy shall jointly—

(1) conduct a study on the need for, and feasibility of, establishing or modifying a reliability standard to ensure the reliable operation of thermoelectric power plants during droughts; and

(2) submit to the appropriate committees of Congress the results of such study.

(b) DEFINITIONS.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Energy and Commerce of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

**SEC. 108. NONNATIVE PLANT SPECIES REMOVAL GRANT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a partnership between 2 or more entities that—

(A) shall include—

(i) at least 1 flood control district; and  
(ii) at least 1 city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State or Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); and

(B) may include any other entity (such as a nonprofit organization or institution of higher education), as determined by the Secretary.

(2) NONNATIVE PLANT SPECIES.—The term “nonnative plant species” means a plant species that—

(A) is nonnative or alien to an ecosystem; and  
(B) if introduced to that ecosystem, will cause, or is likely to cause, economic harm, environmental harm, or harm to human health.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program to award grants, on a competitive basis, to eligible entities—

(1) to remove nonnative plant species in riparian areas that contribute to drought conditions;

(2) to replace those nonnative plant species with native plant species; and

(3) to maintain and monitor riparian areas in which nonnative plant species have been removed and replaced.

(c) APPLICATIONS.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

(A) a plan for how the eligible entity will use grant funds to carry out the activities described in paragraphs (1) through (3) of subsection (b);

(B) a description of the manner in which the eligible entity has carried out the consultation required under paragraph (2); and

(C) information demonstrating that each native plant species described in subsection (b)(2) will—

(i) reduce flood risk;

(ii) improve hydrology and water storage capacities; or

(iii) reduce fire hazard; and

(ii) protect and restore rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats.

(2) CONSULTATION.—An eligible entity seeking a grant under this section shall consult with local stakeholders, including conservation groups, to create the plan described in paragraph (1)(A).

(d) REPORT.—An eligible entity that receives a grant under this section shall submit to the Secretary a report at such time, in such manner, and containing such information as the Secretary may require, including information on methodology and outcomes of nonnative plant species removal and replacement efforts.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2023 and each fiscal year thereafter.

**SEC. 109. CENTERS OF EXCELLENCE FOR RESEARCH ON WILDFIRE SMOKE.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall establish at institutions of

higher education 4 centers, each of which shall be known as a “Center of Excellence for Wildfire Smoke”, to carry out research relating to—

(1) the effects on public health of smoke emissions from wildland fires; and

(2) the means by which communities can better respond to the impacts of emissions from wildland fires.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$10,000,000 for each of fiscal years 2023 through 2027.

**SEC. 110. COMMUNITY SMOKE PLANNING.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall establish a competitive grant program to assist eligible entities described in subsection (b) in developing and implementing collaborative community plans for mitigating the impacts of smoke emissions from wildland fires.

(b) ELIGIBLE ENTITIES.—An entity that is eligible to submit an application for a grant under subsection (a) is—

(1) a State, as defined in section 302 of the Clean Air Act (42 U.S.C. 7602);

(2) an air pollution control agency, as defined in section 302 of the Clean Air Act (42 U.S.C. 7602);

(3) a municipality, as defined in section 302 of the Clean Air Act (42 U.S.C. 7602); or

(4) an Indian tribe, as defined in section 302 of the Clean Air Act (42 U.S.C. 7602).

(c) APPLICATIONS.—To be eligible to receive a grant under subsection (a), an eligible entity described in subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide to eligible entities described in subsection (b) technical assistance in—

(1) submitting grant applications under subsection (c); or

(2) carrying out projects using a grant under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2023 through 2027.

**SEC. 111. DISASTER EQUITY AND FAIRNESS.**

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Agency;

(2) the term “Agency” means the Federal Emergency Management Agency;

(3) the term “emergency” means an emergency declared or determined to exist by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

(4) the terms “Indian tribal government” and “local government” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(5) the term “major disaster” means a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) INCREASE COST-SHARE FOR CONSECUTIVE IMPACTS.—

(1) IN GENERAL.—Notwithstanding the provisions of law described in paragraph (2), for assistance provided under sections 403, 404, 406, 408, 420, and 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5170c, 5172, 5174, 5187, 5189f) to a local government or Indian tribal government in connection with the second, or subsequent, major disaster during any 3-year period, the

Federal share shall be not less than 90 percent of the eligible cost of such assistance.

(2) PROVISIONS.—The provisions of law described in this paragraph are sections 403(b), 403(c)(4), 404(a), 406(b), 408(d), 408(g)(2), 420(a), and 428(e)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(b), 5170b(c)(4), 5170c(a), 5172(b), 5174(d), 5174(g)(2), 5187(a), 5189f(e)(2)).

(c) STATE AND LOCAL PLANS FOR MEAL DELIVERY.—

(1) IN GENERAL.—Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

**“SEC. 431. STATE AND LOCAL PLANS FOR MEAL DELIVERY.**

“(a) IN GENERAL.—The Administrator may provide assistance to a State, local government, or Indian tribal government to reimburse the cost of coordinating food delivery, production, and distribution in the event of a major disaster, including—

“(1) establishing a network to coordinate food delivery, production, and distribution with businesses and private nonprofit organizations;

“(2) establishing contracts with small and mid-sized restaurants, food vendors, and private nonprofit organizations, including faith-based organizations, food banks, and soup kitchens, to prepare healthy meals for people in need; and

“(3) partnering with private nonprofit organizations, including faith-based organizations, food banks, and soup kitchens to purchase directly from food producers and farmers.

“(b) FEDERAL SHARE.—The Federal share of the cost of an activity carried out using assistance under this section shall be—

“(1) not less than 90 percent of the eligible cost of food delivery, production, and distribution during the 30-day period beginning on the date of the declaration of the major disaster; and

“(2) not less than 90 percent of such eligible cost after the end of the 30-day period described in paragraph (1).”

(2) EMERGENCIES.—Section 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5192(a)) is amended—

(A) in paragraph (7), by striking “and” at the end;

(B) by redesignating paragraph (8) as paragraph (9); and

(C) by inserting after paragraph (7) the following:

“(8) provide assistance for food delivery, production, and distribution in accordance with section 431; and”.

(3) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall issue comprehensive guidance to States, local governments, and Indian tribal governments regarding receiving reimbursement for the cost of food delivery, production, and distribution in the event of an emergency or major disaster under section 431 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as added by paragraph (1), including—

(A) establishing a coordination network;

(B) enabling streamlined arrangements for food production and distribution; and

(C) streamlined contracting and partnering with private nonprofit organizations such that private nonprofit organizations may apply directly for reimbursement under such section as an agent of a State, local government, or Indian tribal government.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to any amounts appropriated after the date of enactment of this Act.

**SEC. 112. FEMA IMPROVEMENT, REFORM, AND EFFICIENCY.**

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Agency;

(2) the term “Agency” means the Federal Emergency Management Agency;



(3) the term “appropriate committees of Congress” means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives;

(4) the term “emergency” means an emergency declared or determined to exist by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

(5) the terms “Indian tribal government”, “local government”, and “State” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(6) the term “major disaster” means a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) REPORT ON RELOCATION ASSISTANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit a report regarding the use of relocation assistance under sections 203, 404, and 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133, 5170c, 5172) for wildfire risk to the appropriate committees of Congress.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) Any information on relocation projects that have been carried out due to fire risks or denied by the Agency, including the number and value of projects either carried out or denied.

(B) A discussion of the possible benefits or disadvantages of providing relocation assistance that may reduce, but not eliminate, the risk of loss due to wildfires.

(C) A discussion of how the Agency may optimize relocation assistance when entire States or geographic areas are considered subject to a fire risk.

(D) An analysis of whether other mitigation measures are more cost-effective than relocation assistance when the applicant is applying to move from a high-risk to a medium-risk or low-risk area with respect to wildfires.

(E) An analysis of the need for the Federal Government to produce wildfire maps that identify high-risk, moderate-risk, and low-risk wildfire zones.

(F) An analysis of whether other mitigation measures promote greater resilience to wildfires when compared to relocation or, if additional data is required in order to carry out such an analysis, a discussion of the additional data required.

(G) A discussion of the ability of States, local governments, and Indian tribal governments to demonstrate fire risk, and whether the level of this ability impacts the ability of States, local governments, or Indian tribal governments to access relocation assistance, including an assessment of existing fire mapping products and capabilities and recommendations on redressing any gaps in the ability of the Agency to assist States, local governments, and Indian tribal governments in demonstrating fire risk.

(H) An evaluation of—

(i) the scope of the data available to the Agency regarding historical wildfire losses;

(ii) how such data is utilized in benefit-cost analysis determinations by the Agency;

(iii) what additional data, if any, may be pertinent to such determinations; and

(iv) what, if any, alternative methods may be relevant to the determination of cost effectiveness.

(I) A discussion of the extent to which the decision process for relocation assistance appropriately considers the change in future risks for wildfires due to a changing climate.

(J) An analysis of whether statutes and regulations regarding relocation assistance by the

Agency present barriers for States, local governments, or Indian tribal governments trying to access funding to reduce wildfire risk.

(K) An analysis of—

(i) how, if at all, the Agency has modified policies and procedures to determine the eligibility of proposed relocation or mitigation projects with respect to wildfires;

(ii) the cost effectiveness of such projects, in light of the increasing losses and obligations for wildfires in recent years; and

(iii) the effectiveness of any modifications described in clause (i).

(L) An analysis of how, if at all, recent changes in the availability of fire insurance has resulted in modifications of policy or procedure with respect to determining the cost efficacy of relocation assistance for wildfires.

(M) An analysis of how to define repetitive loss and repetitively damaged properties in the context of wildfires.

(N) A discussion of whether any legislative, regulatory, or policy changes are necessary for the Agency to better implement relocation assistance to reduce risk from wildfires.

(O) Other related issues that the Administrator determines appropriate.

(c) RED FLAG WARNINGS AND PREDISASTER ACTIONS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in coordination with the National Weather Service of the National Oceanic and Atmospheric Administration, shall—

(1) conduct a study of, develop recommendations for, and initiate a process for the use of Red Flag Warnings and similar weather alert and notification methods, including the use of emerging technologies, to establish—

(A) plans and actions, consistent with law, that can be implemented prior to a wildfire event, including pre-impact disaster declarations and surge operations, that can limit the impact, duration, or severity of the fire; and

(B) mechanisms to increase interagency collaboration to expedite the delivery of disaster assistance; and

(2) submit to the appropriate committees of Congress a comprehensive report regarding the study described in paragraph (1), including any recommendations of the Administrator, and the activities of the Administrator to carry out paragraph (1).

(d) ASSISTANCE FOR WILDFIRE DAMAGE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress regarding—

(1) the application for assistance and consistency of assistance provided by the Agency in response to wildfires; and

(2) the kinds of damage that result from wildfires.

(e) GAO REPORT ON GAPS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that examines—

(1) gaps in the policies of the Agency related to wildfires, when compared to other hazards;

(2) disparities in regulations and guidance issued by the Administrator, including any oversight of the programs of the Agency, when addressing impacts of wildfires and other hazards;

(3) ways to shorten the period of time between the initiating of and the distribution of assistance, reimbursements, and grants;

(4) the effectiveness of the programs of the Agency in addressing wildfire hazards;

(5) ways to improve the ability of the Agency to assist States, local governments, and Indian tribal governments to prepare for, respond to, recover from, and mitigate against wildfire hazards;

(6) revising the application process for assistance relating to wildfires to more effectively assess uninsured and underinsured losses and serious needs; and

(7) ways to improve the disaster assistance programs of agencies other than the Agency.

(f) CRISIS COUNSELING CULTURAL COMPETENCY.—Section 416 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5183) is amended—

(1) by striking “The President” and inserting the following:

“(a) IN GENERAL.—The President”; and

(2) by adding at the end the following:

“(b) CULTURAL COMPETENCY.—The President shall, in consultation with affected States, local governments, and Indian tribal governments and cultural experts, ensure that any individual providing professional counseling services to victims of a major disaster as authorized under subsection (a), including those working for nonprofit partners and recovery organizations, is appropriately trained to address—

“(1) cultural competency and respectful care practices; and

“(2) impacts from major disasters in communities, and to individuals, with socio-economically disadvantaged backgrounds.”.

(g) CASE MANAGEMENT CULTURAL COMPETENCY.—Section 426 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189d) is amended—

(1) by striking “The President” and inserting the following:

“(a) IN GENERAL.—The President”; and

(2) by adding at the end the following:

“(b) CULTURAL COMPETENCY.—The President shall, in consultation with affected States, local governments, and Indian tribal governments and cultural experts, ensure that any individual providing case management services to victims of a major disaster as authorized under subsection (a), including those working for nonprofit partners and recovery organizations, is appropriately trained to address—

“(1) cultural competency and respectful care practices; and

“(2) impacts from major disasters in communities, and to individuals, with socio-economically disadvantaged backgrounds.”.

(h) STUDY AND PLAN FOR DISASTER HOUSING ASSISTANCE.—

(1) STUDY.—Not later than 180 days after the date of enactment of this Act, the Administrator shall—

(A) conduct a study and develop a plan, consistent with law, under which the Agency will address providing housing assistance to survivors of major disasters or emergencies when presented with challenges such as—

(i) the lack of proof of ownership or ownership documentation;

(ii) the presence of multiple families within a single household; and

(iii) the near loss of a community, with the majority of homes destroyed in that community, including as a result of a wildfire, earthquake, or other event causing a major disaster; and

(B) make recommendations for legislative changes needed to address—

(i) the unmet needs of survivors of major disasters or emergencies who are unable to document or prove ownership of the household;

(ii) the presence of multiple families within a single household; and

(iii) the near loss of a community, with the majority of homes destroyed in that community, including as a result of a wildfire, earthquake, or other event causing a major disaster.

(2) COMPREHENSIVE REPORT.—The Administrator shall submit to the appropriate committees of Congress a report that provides a detailed discussion of the plans developed under paragraph (1)(A) and the recommendations of the Administrator under paragraph (1)(B).

(3) BRIEFING.—Not later than 30 days after submission of the report and recommendations under paragraph (2), the Administrator shall brief the appropriate committees of Congress on the findings and any recommendations made pursuant to this subsection.

(i) REIMBURSEMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress regarding the extent to which

the Agency is using housing solutions proposed by a State or local government to reduce the time or cost required to implement housing solutions after a major disaster.

(j) WILDFIRE INSURANCE STUDY BY THE NATIONAL ACADEMIES.—

(1) STUDY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall seek to enter into an agreement with the National Academy of Sciences to conduct a study of—

(i) potential solutions to address the availability and affordability of insurance for wildfire perils in all regions of the United States, including consideration of a national all natural hazards insurance program;

(ii) the ability of States, communities, and individuals to mitigate wildfire risks, including the affordability and feasibility of such mitigation activities;

(iii) the current and potential future effects of land use policies and building codes on the potential solutions;

(iv) the reasons why many properties at risk of wildfire lack insurance coverage;

(v) the role of insurers in providing incentives for wildfire risk mitigation efforts;

(vi) the state of catastrophic insurance and reinsurance markets and the approaches in providing insurance protection to different sectors of the population of the United States;

(vii) the role of the Federal Government and State and local governments in providing incentives for feasible wildfire risk mitigation efforts and the cost of providing assistance in the absence of insurance;

(viii) the state of modeling and mapping wildfire risk and solutions for accurately and adequately identifying future wildfire risk;

(ix) approaches to insuring wildfire risk in the United States; and

(x) such other issues that may be necessary or appropriate for the report.

(B) CONSULTATION.—The agreement to conduct the study described in subparagraph (A) shall require that, in conducting the study, the National Academy of Sciences shall consult with State insurance regulators, consumer organizations, representatives of the insurance and reinsurance industry, policyholders, and other organizations and experts, as appropriate.

(2) SUBMISSION.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress the results of the study commissioned under paragraph (1).

(k) INCREASED CAP FOR EMERGENCY DECLARATIONS BASED ON REGIONAL COST OF LIVING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress regarding the benefits and drawbacks of establishing a maximum amount for assistance provided for an emergency that is based on the cost of living in the region in which the emergency occurs.

(l) FACILITATING DISPOSAL OF TEMPORARY TRANSPORTABLE HOUSING UNITS TO SURVIVORS.—Section 408(d)(2)(B)(i) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)(B)(i)) is amended by inserting “, with priority given to a survivor of a major disaster who suffered a property loss as a result of the major disaster” after “any person”.

(m) DEADLINE ON CODE ENFORCEMENT AND MANAGEMENT COST ELIGIBILITY.—Section 406(a)(2)(D) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)(D)) is amended by striking “180 days” and inserting “1 year”.

(n) PERMIT APPLICATIONS FOR TRIBAL UP-GRADES TO EMERGENCY OPERATIONS CENTERS.—Section 614(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c(a)) is amended by inserting “and Indian tribal governments” after “grants to States”.

(o) APPLICABILITY.—The amendments made by this section shall apply with respect to any

amounts appropriated after the date of enactment of this Act.

#### SEC. 113. FIRE INVESTIGATIONS.

The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following:

##### “SEC. 38. INVESTIGATION AUTHORITIES.

“(a) IN GENERAL.—In the case of any major fire, the Administrator may send incident investigators, which may include safety specialists, fire protection engineers, codes and standards experts, researchers, and fire training specialists, to the site of the fire to conduct an investigation as described in subsection (b).

“(b) INVESTIGATION REQUIRED.—A fire investigation conducted under this section—

“(1) shall be conducted in coordination and cooperation with appropriate Federal, State, and local authorities, including Federal agencies that are authorized to investigate a major fire or an incident of which the major fire is a part; and

“(2) shall examine the determined cause and origin of the fire and assess broader systematic matters to include use of codes and standards, demographics, structural characteristics, smoke and fire dynamics (movement) during the event, and costs of associated injuries and deaths.

“(c) REPORT.—Upon concluding any fire investigation under this section, the Administrator shall issue a public report to local, State, and Federal authorities on the findings of such investigation, or collaborate with another investigating Federal agency on that agency’s report, including recommendations on—

“(1) any other buildings with similar characteristics that may bear similar fire risks;

“(2) improving tactical response to similar fires;

“(3) improving civilian safety practices;

“(4) assessing the costs and benefits to the community of adding fire safety features; and

“(5) how to mitigate the causes of such fire.

“(d) DISCRETIONARY AUTHORITY.—In addition to investigations conducted pursuant to subsection (a), the Administrator may send fire investigators to conduct investigations at the site of any fire with unusual or remarkable context that results in losses less severe than those occurring as a result of a major fire, in coordination with appropriate Federal, State, and local authorities, including Federal agencies that are authorized to investigate a major fire or an incident of which the major fire is a part.

“(e) MAJOR FIRE DEFINED.—For purposes of this section, the term ‘major fire’ shall have the meaning given such term under regulations to be issued by the Administrator.”

#### SEC. 114. CRITICAL INFRASTRUCTURE AND MICROGRID PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CRITICAL FACILITY.—

(A) IN GENERAL.—The term “critical facility” means a facility that provides services or may be used—

(i) to save lives;

(ii) to protect property, public health, and public safety; or

(iii) to lessen or avert the threat of a catastrophe.

(B) INCLUSIONS.—The term “critical facility” includes—

(i) a hospital;

(ii) an outpatient clinic;

(iii) a nursing home;

(iv) a police station;

(v) an emergency operation center;

(vi) a jail or prison;

(vii) a fire station;

(viii) a facility in the communications sector, as determined by the Secretary;

(ix) a facility in the chemical sector, as determined by the Secretary;

(x) a school or other large building that may serve as a temporary gathering space;

(xi) a utility station, such as a water and wastewater station; and

(xii) a facility described in subparagraph (A) that is owned or operated by, or provides services to, an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(2) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) CRITICAL INFRASTRUCTURE AND MICROGRID PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a program—

(A) to provide grants to improve the energy resilience and power needs of critical facilities through the use of microgrids, renewable energy, energy efficiency, reduced electricity demand, and on-site storage;

(B) to provide grants to improve the energy efficiency of critical facilities by decreasing the size and cost of generators;

(C) to provide technical assistance and facilitate the distribution and sharing of information to develop more resilient electricity systems (including bulk systems and localized systems); and

(D) to promulgate consumer-facing information and resources to inform the public on best practices and resources related to increasing resilience of electricity systems and reducing the impacts of extreme weather events on electricity systems.

(2) REQUIREMENTS.—In carrying out the program established under paragraph (1), the Secretary shall ensure, with respect to critical facilities—

(A) provision of on-site back-up power with renewable resources, low-carbon liquid fuels, and on-site energy storage technologies; and

(B) installation, at the transmission and distribution level, of interoperable technologies, advanced power flow control, dynamic line rating, topology optimization, and communications systems.

(3) INTERESTED PARTY INPUT.—In establishing the program under paragraph (1), the Secretary shall seek the input of State energy regulators, electric utilities (as defined in section 3 of the Federal Power Act (16 U.S.C. 796)), regional transmission organizations and independent system operators, electric utility customers and ratepayer organizations, local governments, community choice aggregators or regional energy collaborators, and other interested parties.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary \$100,000,000 to carry out this section, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—Of the amount authorized to be appropriated to carry out this section, not more than 10 percent authorized to be appropriated for salaries and expenses, administrative management, and oversight of the program established under subsection (b)(1).

#### SEC. 115. ADVANCED TRANSMISSION TECHNOLOGY STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall—

(1) conduct a study on the ability of advanced transmission technologies, including low sag advanced conductors, to reduce the vulnerability of electric grid infrastructure to energy disruptions caused by natural disasters and extreme weather; and

(2) submit to the appropriate committees of Congress the results of such study.

(b) DEFINITIONS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Energy and Commerce of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

### TITLE II—NATIONAL DISASTER SAFETY BOARD ACT

#### SEC. 201. ESTABLISHMENT AND PURPOSE.

(a) ORGANIZATION.—There is established in the executive branch a National Disaster Safety

Board, which shall be an independent establishment, as defined in section 104 of title 5, United States Code.

(b) **PURPOSE.**—The purposes of the Board are—

(1) to reduce loss of life, injury, and economic injury caused by future incidents by learning from natural hazards, including the impacts and underlying factors of such incidents, in a standardized way;

(2) to maintain a focus that is future-looking and national in scope, by applying what the Board learns through the trends that emerge from the incidents the Board reviews nationally to prevent loss of life, or human or economic injury, not only in the affected jurisdiction, but nationally, as the Board determines relevant;

(3) in carrying out reviews, analyses, and recommendations, not to be accusatory in nature and the Board shall not seek to find blame in any individual or organization, or second-guess any relevant authorities;

(4) to address systemic causes behind the loss of life and human or economic injury in incidents, including by recommending the augmentation of resources available to entities responsible for managing incident consequences; and

(5) while preventing economic injury as part of the mission of the Board, when relevant, to prioritize efforts that focus on lifesaving and injury prevention, especially in disproportionately impacted communities, as its work determines them to be.

**SEC. 202. GENERAL AUTHORITY.**

(a) **AUTHORITY TO REVIEW.**—

(1) **IN GENERAL.**—Subject to subsection (b), the Board shall review and establish the facts, circumstances, and cause or probable cause of the loss of life, human injury, and economic injury due to a natural hazard with 10 or more fatalities or that meets the requirements described in paragraph (5) or (6) of subsection (b) that occurs after the date of enactment of this Act.

(2) **DUE TO A NATURAL HAZARD INCIDENT DEFINED.**—For purposes of paragraph (1), the term “due to a natural hazard” means a fatality that, if not for the natural hazard incident, as the case may be, would not have occurred within the time frame of the incident, as defined by standards developed by the Board.

(b) **DETERMINATION OF WHETHER INCIDENT WARRANTS BOARD REVIEW.**—In carrying out subsection (a), the Board—

(1) may begin the review of an incident, including by monitoring the natural hazard and collecting facts, before the total number of fatalities is known if the Board determines that the natural hazard incident has the potential to cause 10 or more fatalities at its onset, in accordance with the policies and procedures established by the Board;

(2) may, by a two-thirds vote, decide that an incident that caused 10 or more fatalities does not require a review and shall issue a public statement explaining the determination;

(3) may, by a majority vote, decide to review any natural hazard incident that occurs after the date of enactment of this Act upon request from a representative of an affected State, Tribal government, or unit of local government, regardless of the number of fatalities;

(4) may, by a majority vote, decide to review any natural hazard incident that occurs after the date of enactment of this Act upon recommendation by the Office for the Protection of Disproportionately Impacted Communities of the Board, which the Office may make because of the incident’s impacts on populations that are socially, medically, or economically vulnerable, as decided by the Office; and

(5) may, by a majority vote, decide to review a natural hazard incident that occurs after the date of enactment of this Act if—

(A) the Board determines that information may be gained by the review that will be useful in reducing systemic causes behind the loss of life and human or economic injury; and

(B) the incident—

(i) did not result in 10 or more fatalities; and  
(ii) (I) could have resulted in a large number of fatalities if not for swift intervention or a shift in the course of events; or

(II) resulted in, as determined by the Board—  
(aa) a significant amount of economic or infrastructure damage;

(bb) significant human displacement; or

(cc) a significant number of severe non-fatal injuries or cases of severe illness; and

(6) shall, by majority vote, determine whether each incident for which the President issues a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) meets the criteria for review under paragraph (5).

(c) **NATURE OF REVIEW.**—

(1) **IN GENERAL.**—In carrying out a review under this title, the Board shall—

(A) conduct the review to determine the facts, conditions, and circumstances relating to the loss of life, human injury, and economic injury due to an incident;

(B) following an initial assessment of an incident by the Board, notify any individual or organization that the Board anticipates will be affected by the review as to the extent of the expected review response of the Board;

(C) use the results of the review under subparagraph (A) to—

(i) determine how and why people die and are injured during an incident; and

(ii) issue recommendations to prevent or mitigate the loss of life, human injury, or economic injury due to similar incidents; and

(D) report on the facts and circumstances of the incident review, including the pre-incident resilience or vulnerabilities of the incident area or population.

(2) **GENERALIZED NATURE OF REVIEWS.**—A review of loss of life and injury conducted by the Board shall—

(A) be generalized;

(B) focus on trends across an incident; and

(C) not aim to determine the exact individual cause of death or injury of any affected people.

(3) **FACT-FINDING PROCEEDING.**—Any review of an incident by the Board under this title shall be a fact-finding proceeding with no adverse parties.

(4) **LIMITATION OF APPLICABILITY OF OTHER ACTS.**—

(A) **ADMINISTRATIVE PROCEDURE ACT.**—Any review proceedings of the Board under this title shall not be—

(i) subject to the Administrative Procedure Act (5 U.S.C. 551 et seq.); or

(ii) conducted for the purpose of determining the rights, liabilities, or blame of any person, as the review is not an adjudicatory proceeding.

(B) **PAPERWORK REDUCTION ACT.**—Chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), shall not apply to the review proceedings of the Board under this title.

(C) **FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(5) **INITIATING REVIEWS.**—The Board shall initiate a review of an incident by monitoring the situation and assessing available facts to determine the appropriate review response, without interfering in any ongoing lifesaving and life sustaining efforts underway by other entities.

(6) **ALIGNMENT AND COORDINATION.**—In carrying out this title, the Board shall coordinate with Federal, State, local, and Tribal entities to—

(A) establish or adopt standard methods of measuring the impacts of natural hazards and accessing response capacity and capabilities to maintain consistency and allow for the analysis of trends over time;

(B) ensure that the standard data sets and formats necessary for reviews developed under subparagraph (A) are propagated among Federal, State, local, and tribal entities that may be involved in response operations;

(C) leverage, to the extent practicable, data collected using standard data sets and formats established under subparagraph (B) by Federal entities involved in response operations to avoid any duplication of data collection; and

(D) during incident response operations, coordinate with partners active in the operation to collect data remotely or take other actions that the Board finds necessary to align and coordinate the requirements of the review with ongoing operations, including through the requirements of paragraph (7).

(7) **INCIDENT COMMAND.**—The Board shall—

(A) recognize the role of incident command systems to address incidents;

(B) observe the incident command system to identify and coordinate review needs related to the preservation and collection of information and evidence; and

(C) shall collect information and evidence from the incident command in a timely and reasonable manner so as not to interfere with the operations of the incident command.

(8) **PARTIES TO THE REVIEW.**—

(A) **PARTICIPANTS.**—Subject to subparagraph (B), the Board may invite one or more entities to serve as a party in a review on a voluntary basis, and any party participant shall be required to follow all directions and instructions from the Board.

(B) **ELIGIBLE ENTITY.**—In designating an entity to serve as a party under subparagraph (A), the Board may designate only a Federal, State, or local government agency or private organization whose employees, functions, activities, or products were involved in the incident, including responsible parties, and that can provide suitable qualified technical personnel to actively assist in the review.

(C) **REPRESENTATIVES OF ELIGIBLE ENTITIES.**—To the extent practicable, a representative proposed by an entity designated as a party under subparagraph (A) to participate in the review may not be an individual who had direct involvement in the incident under review.

(D) **REVOCACTION OF PARTY STATUS.**—A designation as a party under subparagraph (A) may be revoked or suspended by the Board if the party fails to comply with assigned duties and instructions, withholds information, or otherwise acts in a manner prejudicial or disruptive to a review.

(E) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to establish a right for any entity to participate in a Board review as a party.

(F) **INTERNAL REVIEW BY A PARTY.**—To assure coordination of concurrent efforts, a party to a review that conducts or authorizes an internal review of the processes and procedures of the party as a result of an incident that the Board is reviewing shall—

(i) inform the Board of the nature of the review; and

(ii) provide to the Board findings from the review.

(9) **REVIEW PROCEDURES.**—In addition to any procedures required under this title, the Board shall determine and publish detailed review procedures as the Board determines necessary.

(10) **PRODUCTS.**—The Board may use any medium that will effectively convey the findings and recommendations of the Board to the targeted audience of such findings or recommendations.

(d) **REVIEW BY AFFECTED AUTHORITIES.**—

(1) **IN GENERAL.**—When the Board has completed the findings and recommendations or other products as a result of a review under this title, the Board shall provide all affected States, Tribal governments, and units of local government, or their designees, an opportunity to review and comment not later than 30 days before the publication of the findings or recommendations.

(2) **REQUIREMENT.**—The Board shall make every reasonable effort, within its discretion, to respond to requests for additional information

and context that an affected jurisdiction may make and to edit their findings and recommendations with any useful additional information or context provided by any affected jurisdiction in its comments without affecting the integrity or independence of the review and its findings and recommendations, as the Board shall determine.

(e) **DISPROPORTIONATELY IMPACTED COMMUNITIES.**—

(1) **IN GENERAL.**—In carrying out a review of an incident under this section, including in determining whether to launch a review, the Board shall ensure the potential development of findings that would benefit the prevention of loss of life and human or economic injury to populations that are socially, medically, or economically vulnerable, as decided by the Board.

(2) **DATA REQUIREMENT.**—To forward the analysis and identification of trends of fatalities and injuries as a result of incidents, the Board shall publish information regarding the number of fatalities and injuries, and the facts and circumstances surrounding them, disaggregated by race, color or ethnicity, religion, nationality, sex, age, disability, English proficiency, occupation, or economic status, and other demographic characteristics that the Board may determine appropriate.

(f) **COORDINATION WITH OTHER REVIEWS AND INVESTIGATIONS.**—

(1) **IN GENERAL.**—Subject to the requirements of this section, a review of a natural hazard incident by the Board under subsection (a)(1) shall have priority over any investigation by another department, agency, or instrumentality of the Federal Government or a State, Tribal, or local government.

(2) **PARTICIPATION BY OTHER AGENCIES.**—The Board shall provide for appropriate participation by other departments, agencies, or instrumentalities in a review conducted by the Board, except that another department, agency, or instrumentality may not influence the final findings of the Board.

(3) **COORDINATION.**—The Board shall coordinate with all other Federal, State, Tribal, or local legally mandated investigations or reviews and may share information with those entities, according to policies and procedures that the Board will provide, to ensure that appropriate findings and recommendations to reduce loss of life, injury, and economic injury caused by future incidents are produced as efficiently as possible.

(4) **MEMORANDA OF UNDERSTANDING.**—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Chairman of the Board shall enter into memoranda of understanding with the Director of the National Institute of Standards and Technology, the Administrator of the Federal Emergency Management Agency, the Chairman of the Chemical Safety Board, and the Chairman of the National Transportation Safety Board, respectively, and may enter into additional memoranda of understanding with any other Federal entity that requests such due to the relationship that the requirements of the Federal entity may have with the requirements with the Board, in order to—

(A) determine the appropriate roles and responsibilities of the Board with respect to the other agency or board;

(B) avoid any duplication of effort; and

(C) ensure that appropriate findings and recommendations to reduce loss of life, injury, and economic injury caused by future incidents are provided.

(g) **PARTICIPATION IN SUPPORT OF ANOTHER AGENCY.**—

(1) **IN GENERAL.**—

(A) **INVESTIGATION OF ACTS OF VIOLENCE.**—The Board may participate in an investigation of an act of violence in support of another Federal department or agency, or other Federal investigative body with statutory authority to lead such an investigation, if the head of the lead investigative agency determines that the

participation of the Board would be beneficial to reduce the likelihood of the loss of life and human or economic injury, for future similar incidents.

(B) **INVESTIGATION OF TECHNOLOGICAL INCIDENTS.**—

(i) **IN GENERAL.**—The Board may participate in an investigation of a technological incident—

(1) in support of another Federal department or agency, or other Federal investigative body with statutory authority to lead such an investigation, if the head of the lead investigative agency determines that the participation of the Board would be beneficial to reduce the likelihood of the loss of life and human or economic injury, for future similar incidents; or

(II) in the case of no statutory authority for another Federal department or agency, or other Federal investigative body, to lead such an investigation, as the lead investigative entity.

(ii) **MEMORANDA OF UNDERSTANDING.**—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Chairman of the Board shall enter into memoranda of understanding with the heads of appropriate Federal agencies in order to—

(1) determine the appropriate roles and responsibilities of the Board in investigating technological incidents with respect to the other agency;

(II) avoid any duplication of effort; and

(III) ensure that appropriate findings and recommendations to reduce loss of life, injury, and economic injury caused by future incidents are provided.

(2) **FINDINGS.**—If the Board participates in an act of violence or technological incident investigation under subparagraph (A), the Board may issue independent findings and recommendations notwithstanding the outcome of any investigation conducted by another Federal agency or other Federal investigative body.

(3) **CRIMINAL CIRCUMSTANCES.**—If the Attorney General, in consultation with the Chairperson, determines and notifies the Board that circumstances reasonably indicate that the act of violence or technological incident described in subparagraph (A) may have been caused by an intentional criminal act, the Board shall relinquish investigative priority to the responsible Federal law enforcement entity.

(4) **RULE OF CONSTRUCTION.**—This section shall not be construed to affect the authority of another department, agency, or instrumentality of the Federal Government to investigate an incident under applicable law or to obtain information directly from the parties involved in, and witnesses to, the incident. The Board and other departments, agencies, and instrumentalities shall ensure that appropriate information developed about the incident is exchanged in a timely manner.

(h) **TECHNICAL ASSISTANCE.**—The Board may make the following types of technical assistance available to Federal, State, Tribal, and local government agencies and to private entities as designated by a Federal, State, Tribal, or local government agency:

(1) **INDEPENDENT REVIEW.**—The Board shall disseminate best practices to develop disaster investigation and review capacity within State, Tribal, and local governments.

(2) **IMPLEMENTATION OF RECOMMENDATIONS.**—The Board—

(A) may provide technical assistance to any entity identified as responsible for implementing a recommendation under section 203(a)(1) to assist the entity in implementing the recommendation; and

(B) to the extent possible, shall provide the technical assistance described in subparagraph (A) in coordination with technical assistance offered by another Federal department or agency.

(3) **PRIORITIZATION.**—In offering technical assistance under this subsection, the Board shall use a risk-based method of prioritization, as the Board determines appropriate.

(i) **FINDINGS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 1 year after the date on which the Board initiates a review conducted under this section, the Board shall make the findings and relevant underlying data of the review available to the public.

(2) **EXTENSION OF DEADLINE.**—The Chairperson of the Board may extend the 1-year period described in paragraph (1) if the Chairperson, before the end of such 1-year period—

(A) provides an explanation for the extension; and

(B) makes available to the public all available interim findings and underlying data.

**SEC. 203. RECOMMENDATIONS AND RESPONSES.**

(a) **IN GENERAL.**—If the Board issues a recommendation about an incident, the Board shall—

(1) explain the relationship between any recommendation and the results of a fact-finding review;

(2) identify each relevant entity responsible for making the change called for in the recommendation, including State, local, or private entities, as appropriate;

(3) publish any responses to the recommendation publicly; and

(4) assess whether the responses adequately lower the likelihood that a future similar incident will result in loss of life, or human or economic injury in the view of the Board.

(b) **FEDERAL RESPONSES TO RECOMMENDATIONS.**—

(1) **IN GENERAL.**—All Federal departments and agencies identified in a recommendation made by the Board shall reply to the recommendations not later than 90 days after the date on which the recommendation is published by the Board.

(2) **RESPONSE DESCRIBED.**—A response under paragraph (1) made by a Federal department or agency shall include—

(A) whether the department or agency intends to adopt the recommendation in whole, in part, or not at all;

(B) an explanation of the reasons for only adopting the recommendation in part or not at all; and

(C) a proposed timetable for completing the action the Federal department or agency has agreed to.

(3) **PROGRESS UPDATES.**—A Federal department or agency that agrees to adopt a recommendation of the Board shall—

(A) track the progress of the department or agency toward completion; and

(B) provide an update to the Board, to be published publicly, periodically, and not less frequently than annually.

(c) **PUBLIC AVAILABILITY.**—

(1) **IN GENERAL.**—Not later than 1 year after the date on which a final determination is made on a recommendation under this section, the Board shall make a copy of the recommendation and response to the recommendation available to the public.

(2) **EXTENSION OF DEADLINE.**—The Chairperson of the Board may extend the 1-year period described in paragraph (1) if the Chairperson, before the end of such 1-year period—

(A) provides an explanation for the extension; and

(B) makes available to the public any available interim response to the recommendation and underlying data.

(d) **DISSEMINATION.**—The Board shall propagate each recommendation issued under this section, including by—

(1) incorporating the recommendation, and any related findings, into training material used by Federal, State, Tribal, and private training facilities specializing in building resilience to and responding to and recovering from natural hazards, as the Board deems appropriate;

(2) coordinating with professional associations related to building resilience to and responding to and recovering from natural hazards;

(3) collaborating with relevant Federal, State, and Tribal authorities and private organizations; and

(4) coordinating with private and public institutions of higher education and research institutions.

**SEC. 204. REPORTS AND STUDIES.**

(a) **STUDIES AND OTHER REPORTS.**—

(1) **IN GENERAL.**—The Board shall annually submit a report containing the information described in paragraph (2) to—

(A) Congress;

(B) any department, agency, or instrumentality of the Federal Government concerned with natural hazards;

(C) all State and Tribal governments; and

(D) the general public.

(2) **INFORMATION DESCRIBED.**—The information described in this paragraph is—

(A) the results of special studies on how to reduce morbidity and mortality from incidents;

(B) an examination of techniques and methods of evaluating measures to protect the public from incidents and periodically publish recommended procedures for reviews;

(C) evaluation and examination of the effectiveness of the findings of the Board about the natural hazard resilience of other departments, agencies, and instrumentalities of the Federal Government and their effectiveness in preventing loss of life, or human or economic injury; and

(D) recommend meaningful responses to reduce the likelihood of loss of life, or human or economic injury, according to the findings of the above-mentioned research, including national and regional policies and programs.

(b) **BIENNIAL REPORT.**—Not later than June 1, 2023, and once every 2 years thereafter, the Board shall submit a report to Congress, which shall include—

(1) a statistical and analytical summary of the reviews conducted and reviewed by the Board during the prior 2 calendar years;

(2) a survey and summary of the recommendations made by the Board and the observed response to each recommendation, including the classification, containing a written justification and explanation of each recommendation as—

(A) open, if, in the determination of the Board, sufficient action to fulfill the intent of the recommendation has not been taken and still should be;

(B) closed, if, in the determination of the Board, sufficient action to fulfill the intent of the recommendation has been taken and no further action is necessary; and

(C) outdated, if, in the determination of the Board, the recommendation is no longer relevant because of any change in circumstances or actions by parties other than the intended recipient of the recommendation;

(3) an assessment of efforts of Federal, State, Tribal, and local governments to respond to recommendations made by the Board, if such entities have voluntarily provided information to the Board on the progress of the entity;

(4) a description of the training undertaken by the Board and its staff and persons sponsored by the Board;

(5) a list of natural hazards that caused 10 or more fatalities that the Board did not review and a recommendation with justification by the Board of whether similar incidents should be reviewed in the future;

(6) a recommendation on how, if at all, the thresholds and triggers for a review by the Board should change;

(7) an assessment of the sufficiency of Federal resources provided to State, Tribal, and local governments in aggregate relative to any vulnerabilities that the Board determines the governments have;

(8) a list of all requests for review from Governors of States and territories and chief executives of Tribal governments or recommended by the office established under section 205(f)(2) that the Board rejected, including comments and recommendations from the Board regarding whether similar incidents should be reviewed in the future; and

(9) a list of ongoing reviews that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such review.

(c) **DISSEMINATION.**—The Board shall propagate the information described in subsection (a)(2), including by—

(1) incorporating the information into training material used by Federal, State, Tribal, and private training facilities specializing in building resilience to and responding to and recovering from natural hazards, as the Board deems appropriate;

(2) coordinating with professional associations related to building resilience to and responding to and recovering from natural hazards;

(3) collaborating with relevant Federal, State, and Tribal authorities and private organizations; and

(4) coordinating with private and public institutions of higher education and research institutions.

**SEC. 205. APPOINTMENT AND ORGANIZATION.**

(a) **APPOINTMENT OF MEMBERS.**—

(1) **IN GENERAL.**—The Board shall be composed of 7 members, who shall, in accordance with paragraph (2) and subject to paragraph (3), be appointed by the President, by and with the advice and consent of the Senate.

(2) **PROCEDURE.**—

(A) **INITIAL APPOINTMENTS.**—The President shall, in consultation with the National Academies of Sciences, Engineering, and Medicine and relevant professional associations and leaders in the private sector, appoint the 7 members of the Board from among a list of 14 individuals provided by both houses of Congress, of which—

(i) the majority leader of the Senate shall provide the names of 4 individuals;

(ii) the minority leader of the Senate shall provide the names of 3 individuals;

(iii) the Speaker of the House of Representatives shall provide the names of 4 individuals; and

(iv) the minority leader of the House of Representatives shall provide the names of 3 individuals.

(B) **SUBSEQUENT APPOINTMENTS.**—Any vacancy of the Board shall be filled in the same manner as the original appointment.

(3) **REQUIREMENTS.**—Of the 7 members appointed under paragraph (1)—

(A) not more than 4 members may be appointed from the same political party;

(B) all members shall be appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in emergency management, fire management, emergency medical services, public-health, physical sciences, social science, behavioral science, or architectural and engineering with post-disaster evaluation or building forensics expertise in their respective field;

(C) a minimum of 2 members shall have experience working at the State or municipal level in 1 of the fields described in subparagraph (B); and

(D) a minimum of 2 members shall have demonstrated professional experience working with populations that have historically been more vulnerable to incidents because of their race, color, nationality, sex, age, disability, English proficiency, or economic status.

(b) **TERMS OF OFFICE AND REMOVAL.**—

(1) **TERM OF OFFICE.**—Except as provided in paragraph (2), the term of office of each member shall be 5 years.

(2) **FILLING OF VACANCY.**—An individual appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of that individual was appointed is appointed for the remainder of that term.

(3) **CONTINUATION UNTIL SUCCESSOR IS APPOINTED.**—When the term of office of a member ends, the member may continue to serve until a successor is appointed and confirmed.

(4) **REMOVAL.**—The President may remove a member only for inefficiency, neglect of duty, or malfeasance in office. Immediately upon removing a member of the Board, the President shall issue a public statement that details how the actions of the removed member met the criteria of this paragraph.

(c) **CHAIRPERSON AND VICE CHAIRPERSON.**—

(1) **CHAIRPERSON.**—The President shall designate, by and with the advice and consent of the Senate, a member appointed under subsection (b) to serve as the Chairperson of the Board.

(2) **VICE CHAIRPERSON.**—The President shall designate a member appointed under subsection (b) to serve as the Vice Chairperson of the Board and if the Chairperson is absent or unable to serve, or if the position of Chairperson is vacant, the Vice Chairperson shall act as the Chairperson.

(3) **TERM OF OFFICE.**—The Chairperson and Vice Chairperson shall each serve in such position for a term of 3 years.

(d) **DUTIES AND POWERS OF CHAIRPERSON.**—

(1) **IN GENERAL.**—The Chairperson shall be the chief executive and administrative officer of the Board.

(2) **POWERS.**—Subject to the general policies and decisions of the Board, the Chairperson shall—

(A) appoint and supervise officers and employees, other than regular and full-time employees in the immediate offices of another member, necessary to carry out this title;

(B) fix the pay of officers and employees necessary to carry out this title;

(C) distribute business among the officers, employees, and administrative units of the Board; and

(D) supervise the expenditures of the Board.

(e) **QUORUM.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), 4 members of the Board shall constitute a quorum for purposes of carrying out the duties and powers of the Board, subject to the limitations in the remainder of this subsection.

(2) **PARTY LIMITATION.**—Not less than 1 representative from each party shall be present for a quorum to be established.

(3) **CHAIRPERSON.**—Either the Chairperson or Vice Chairperson shall be present for a quorum to be established.

(f) **OFFICES.**—

(1) **IN GENERAL.**—The Board shall establish such offices as are necessary to carry out this title, which may include offices responsible for—

(A) operations;

(B) science and methodology;

(C) review and evaluation;

(D) communications;

(E) external coordination; or

(F) technical assistance.

(2) **OFFICE FOR THE PROTECTION OF DISPROPORTIONATELY IMPACTED COMMUNITIES.**—

(A) **IN GENERAL.**—The Board shall establish an office to review and make recommendations to mitigate and prevent the loss of life, or human or economic injury for vulnerable populations, including populations that may be more vulnerable because of their race, color, religion, nationality, sex, age, disability, English proficiency, or economic status, or other demographic characteristics that the Board may determine appropriate.

(B) **RESPONSIBILITIES.**—The office established under paragraph (1) shall—

(i) provide recommendations to the Board for incidents to review in accordance with section 202(b)(4) that do not otherwise meet the requirements of section 202(b);

(ii) determine and maintain a list specific demographic, economic, social, and health characteristics of populations that historically have shown to be disproportionately impacted by incidents;

(iii) during a review conducted by the Board, provide research and analysis on how the incident impacts populations that the Office determines to be disproportionately impacted;

(iv) provide recommendations for each review conducted by the Board and for each report developed under section 204 on actions that can be taken to reduce the impact to populations that are found to be disproportionately impacted under clause (ii); and

(v) provide training, and establish training requirements, for Board members and staff in the fields of diversity, inclusion, and equity in consultation with organizations specializing in those fields.

(3) REGIONAL OFFICES.—In establishing offices under this subsection, the Board may establish regional offices across the United States to facilitate collaboration, coordination, and the dissemination of findings, recommendations, and best practices to State, Tribal, and local governments and the private sector in such regions as the Board determines appropriate.

(4) PURPOSE.—Each office established under this subsection shall enable the Board to review, report on, and issue recommendations to prevent the loss of life, human injury, and economic injury and deliver technical assistance to disseminate best practices in accordance with this title.

(g) CHIEF FINANCIAL OFFICER.—The Chairperson shall designate an officer or employee of the Board to serve as the Chief Financial Officer, who shall—

(1) report directly to the Chairperson on financial management and budget execution;

(2) direct, manage, and provide policy guidance and oversight on financial management and property and inventory control; and

(3) review the fees, rents, and other charges imposed by the Board for services and things of value it provides and suggest appropriate revisions to those charges to reflect costs incurred by the Board in providing those services and things of value.

(h) BOARD MEMBER STAFF.—

(1) IN GENERAL.—Each member of the Board shall appoint and supervise regular and full-time employees in the immediate office of the member as long as any such employee has been approved for employment by the designated agency ethics official under the same guidelines that apply to all employees of the Board.

(2) DESIGNATION.—With respect to an individual appointed under paragraph (1)—

(A) the member of the Board making the appointment shall determine which grade of the General Schedule most closely corresponds with respect to the duties and functions of the position to which the individual is appointed; and

(B) during the period of the appointment—

(i) the individual shall be compensated at the appropriate rate of pay for the grade of the General Schedule with respect to which the determination is made under subparagraph (A); and

(ii) for the purposes of title 5, United States Code, and the rules issued under that title, the individual shall be considered to be an employee, as that term is defined in section 5331(a) of title 5, United States Code.

(3) LIMITATION.—Except for the Chairperson, the appointment authority in paragraph (1) shall be limited to the number of full-time equivalent positions, in addition to 1 senior professional staff position at a level not to exceed the GS-15 level of the General Schedule and 1 administrative staff position, allocated to each member of the Board through the annual budget and allocation process of the Board.

(i) DETAILED STAFF.—

(1) FEDERAL EMPLOYEES.—

(A) IN GENERAL.—Upon request of the Board, the head of an agency described in subparagraph (B), or any other Federal department or agency that the Board may request, may detail, on a reimbursable basis, any of the personnel of that department or agency to the Board to assist the Board in carrying out the duties of the Board under this title.

(B) RELEVANT AGENCIES.—For purposes of subparagraph (A), the following are agencies described in this subparagraph:

(i) The Federal Emergency Management Agency.

(ii) The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(iii) The National Oceanic and Atmospheric Administration, including the National Weather Service.

(iv) The Department of Defense, including the Army Corps of Engineers.

(v) The Department of Health and Human Services.

(vi) The National Institutes of Health.

(vii) The Centers for Disease Control and Prevention.

(viii) The Coast Guard.

(ix) The National Transportation Safety Board.

(x) The National Institute of Standards and Technology.

(xi) The Government Accountability Office.

(xii) The Department of the Interior, including the United States Geological Survey.

(xiii) Any Office of the Inspector General.

(xiv) The Small Business Administration.

(xv) The Chemical Safety and Hazard Investigation Board.

(xvi) The Department of Housing and Urban Development.

(xvii) The Department of Agriculture.

(2) STATE, LOCAL, TRIBAL, AND RESEARCH STAFF.—

(A) IN GENERAL.—The Board may enter into agreements with State, local, and Tribal governments and relevant nonprofit institutions of higher education and research institutions to request staff, with specialized experience that the Board determines relevant, to be detailed to the Board, on a reimbursable basis, and shall consult with relevant associations and organizations of those entities in developing an efficient process for requesting and receiving detailed staff.

(B) COMPENSATION.—The Board shall ensure that any staff members detailed to the Board under this paragraph are compensated equitably and shall pay differences in salaries based on the experience of said staff and in consultation with the Office of Personnel Management.

(3) TERM OF DETAIL.—Any staff member detailed to the Board under this section shall be detailed for a term of 1 year and such detail may be extended for not more than two 1-year terms.

(4) LIMITATIONS.—Under this subsection—

(A) not more than 25 percent of the total number of staff members working for the Board at any time may be detailees or otherwise non-permanent staff;

(B) a detailee shall serve as an adviser or supplemental professional staff in any office established by the Board under subsection (g); and

(C) a detailee may not—

(i) determine any final findings or recommendations; and

(ii) be the sole decisionmaker in review or evaluation methodologies.

(j) SEAL.—The Board shall have a seal that shall be judicially recognized.

(k) OPEN MEETINGS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Board shall be considered an agency for purposes of section 552b of title 5, United States Code.

(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

(A) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business, if—

(i) no formal or informal vote or other official agency action is taken at the meeting;

(ii) each individual present at the meeting is a member or an employee of the Board;

(iii) at least 1 member of the Board from each political party is present at the meeting, if applicable;

(iv) the General Counsel of the Board is present at the meeting; and

(v) the records of the meeting, including the names of the individuals in attendance, time, place, and summary to be as thorough as the Board determines to be prudent, are posted publicly and online.

(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraphs (C) and (D), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

(i) a list of the individuals present at the meeting; and

(ii) a summary of the matters, including key issues, discussed at the meeting, except for any matter the Board properly determines may be withheld from the public under section 552b(c) of title 5, United States Code.

(C) SUMMARY.—If the Board properly determines a matter may be withheld from the public under section 552b(c) of title 5, United States Code, the Board shall provide a summary with as much general information as possible on each matter withheld from the public.

(D) ACTIVE REVIEWS.—If a discussion under subparagraph (A) directly relates to an active review, the Board shall make the disclosure under subparagraph (B) on the date the Board adopts the final report.

(E) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this paragraph may be construed to limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of the members other than that described in this paragraph.

(F) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed—

(i) to limit the applicability of section 552b of title 5, United States Code, with respect to any information which is proposed to be withheld from the public under subparagraph (B)(ii); or

(ii) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5, United States Code.

#### SEC. 206. METHODOLOGY.

(a) IN GENERAL.—The Board shall conduct each review, issue each recommendation, develop each report, and deliver all technical assistance authorized under this title using the methods that are in accordance with relevant professional best practices, including those by analogous review organizations, academia, and government and private organizations.

(b) REQUIRED REVIEW.—The Board shall—

(1) review, on a regular basis, the methodologies of the Board; and

(2) update the methodologies of the Board in accordance with the findings of each review conducted under paragraph (1).

(c) REQUIREMENT.—In establishing the methodologies of the Board under this section, the Board shall incorporate all relevant information from relevant Federal, State, and local entities, including past experience with similar incidents, exercises, risk assessments, and all other past research and analysis.

(d) TRANSPARENCY.—The Chairperson shall include with each review report in which a recommendation is issued by the Board a methodology section detailing the process and information underlying the selection of each recommendation.

(e) ELEMENTS.—Except as provided in subsection (f), the methodology section under subsection (a) shall include, for each recommendation—

(1) a brief summary of the Board's collection and analysis of the specific information most relevant to the recommendation;

(2) a description of the Board's use of external information, including studies, reports, and experts, other than the findings of a specific review, if any were used to inform or support the recommendation, including a brief summary of

the specific resilience benefits and other effects identified by each study, report, or expert; and

(3) a brief summary of actions, including important examples, taken by regulated entities before the publication of the recommendation, to the extent such actions are known to the Board, that were consistent with the recommendation.

(f) SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this section may be construed—

(A) to delay publication of the findings, cause, or probable cause of a Board review;

(B) to delay the issuance of an urgent recommendation that the Board has determined must be issued to avoid immediate death, or human or economic injury; or

(C) to limit the number of examples the Board may consider before issuing a recommendation.

(2) LIMITATION.—Notwithstanding paragraph (1), the Board shall publish the methodology required under this section not later than 30 days after the date on which the review is initially published.

#### SEC. 207. ADMINISTRATIVE.

(a) AUTHORITY.—

(1) IN GENERAL.—The Board, and when authorized by the Board, a member of the Board, an administrative law judge employed by or assigned to the Board, or an officer or employee designated by the Chairperson, may conduct hearings to carry out this title, administer oaths, and require, by subpoena or otherwise, necessary witnesses and evidence.

(2) SUBPOENA AUTHORITY.—A witness or evidence in a hearing under paragraph (1) of this subsection may be summoned or required to be produced from any place in the United States to the designated place of the hearing. A witness summoned under this subsection is entitled to the same fee and mileage the witness would have been paid in a court of the United States.

(3) REQUIREMENT.—A subpoena shall be issued under the signature of the Chairperson or the Chairperson's designee, but may be served by any person designated by the Chairperson.

(4) ENFORCEMENT.—If a person disobeys a subpoena, order, or inspection notice of the Board, the Board may bring a civil action in a district court of the United States to enforce the subpoena, order, or notice. An action under this paragraph may be brought in the judicial district in which the person against whom the action is brought resides, is found, or does business. The court may punish a failure to obey an order of the court to comply with the subpoena, order, or notice as a contempt of court.

(b) ADDITIONAL POWERS.—The Board may—

(1) procure the temporary or intermittent services of experts or consultants under section 3109 of title 5, United States Code;

(2) make agreements and other transactions necessary to carry out this title without regard to subsections (b), (c), and (d) of section 6101 of title 41, United States Code;

(3) use, when appropriate, available services, equipment, personnel, and facilities of a department, agency, or instrumentality of the United States Government on a reimbursable or other basis;

(4) confer with employees and use services, records, and facilities of State and local governmental authorities;

(5) appoint advisory committees composed of qualified private citizens and officials of the Government and State and local governments as appropriate;

(6) accept voluntary and uncompensated services notwithstanding another law;

(7) make contracts with private entities to carry out studies related to duties and powers of the Board; and

(8) negotiate and enter into agreements with individuals and private entities and departments, agencies, and instrumentalities of the Federal Government, State, Tribal, and local governments, and governments of foreign countries for the provision of facilities, technical

services, or training in research theory and techniques, and require that such entities provide appropriate consideration for the reasonable costs of any facilities, goods, services, or training provided by the Board.

(c) COLLECTION OF FUNDS.—The Board shall deposit in the Treasury of the United States amounts received under subsection (b)(8) of this subsection to be credited as discretionary offsetting collections to the appropriation of the Board, and shall be available only to the extent and in the amounts provided in advance in appropriations Acts. The Board shall maintain an annual record of collections received under subsection (b)(8).

(d) SUBMISSION OF CERTAIN COPIES TO CONGRESS.—

(1) IN GENERAL.—When the Board submits to the President or the Director of the Office of Management and Budget a budget estimate, budget request, supplemental budget estimate, other budget information, a legislative recommendation, prepared testimony for congressional hearings, or comments on legislation, the Board must submit a copy to Congress at the same time.

(2) LIMITATION.—An officer, department, agency, or instrumentality of the Government may not require the Board to submit the estimate, request, information, recommendation, testimony, or comments to another officer, department, agency, or instrumentality of the Government for approval, comment, or review before being submitted to Congress.

(3) BUDGET PROCESS.—The Board shall develop and approve a process for the Board's review and comment or approval of documents submitted to the President, Director of the Office of Management and Budget, or Congress under this subsection.

(e) LIAISON COMMITTEES.—The Chairperson may determine the number of committees that are appropriate to maintain effective liaison with other departments, agencies, and instrumentalities of the Federal Government, State and local governmental authorities, and independent standard-setting authorities that carry out programs and activities related to its work. The Board may designate representatives to serve on or assist those committees.

(f) INQUIRIES.—The Board, or an officer or employee of the Board designated by the Chairperson, may conduct an inquiry to obtain information related to natural hazard safety after publishing notice of the inquiry in the Federal Register. The Board or designated officer or employee may require by order a department, agency, or instrumentality of the Federal Government, a State, Tribal, or local governmental authority, or a person transporting individuals or property in commerce to submit to the Board a written report and answers to requests and questions related to a duty or power of the Board. The Board may prescribe the time within which the report and answers must be given to the Board or to the designated officer or employee. Copies of the report and answers shall be made available for public inspection.

(g) REGULATIONS.—The Board may prescribe regulations to carry out this title.

(h) OVERTIME PAY.—

(1) IN GENERAL.—Subject to the requirements of this section and notwithstanding paragraphs (1) and (2) of section 5542(a) of title 5, United States Code, for an employee of the Board whose basic pay is at a rate which equals or exceeds the minimum rate of basic pay for GS-10 of the General Schedule, the Board may establish an overtime hourly rate of pay for the employee with respect to work performed in the field (including travel to or from) and other work that is critical to a review in an amount equal to one and one-half times the hourly rate of basic pay of the employee. All of such amount shall be considered to be premium pay.

(2) LIMITATION ON OVERTIME PAY TO AN EMPLOYEE.—An employee of the Board may not receive overtime pay under paragraph (1), for

work performed in a calendar year, in an amount that exceeds 25 percent of the annual rate of basic pay of the employee for such calendar year.

(3) BASIC PAY DEFINED.—In this subsection, the term "basic pay" includes any applicable locality-based comparability payment under section 5304 of title 5, United States Code (or similar provision of law) and any special rate of pay under section 5305 of such title 5 (or similar provision of law).

(4) ANNUAL REPORT.—Not later than January 31, 2022, and annually thereafter, the Board shall transmit to Congress a report identifying the total amount of overtime payments made under this subsection in the preceding fiscal year, and the number of employees whose overtime pay under this subsection was limited in that fiscal year as a result of the 25 percent limit established by paragraph (2).

(i) ENTRY AND INSPECTION.—

(1) IN GENERAL.—An officer or employee of the Board—

(A) on display of appropriate credentials and written notice of authority, may—

(i) enter an area where an incident has occurred;

(ii) take such actions as are necessary to conduct a review under this section, so long as the actions do not interfere with ongoing lifesaving and life-sustaining operations; and

(iii) during reasonable hours, inspect any record, including an electronic record, process, control, or facility related to an incident under this title.

(2) REQUIREMENT.—The Board shall use utmost discretion to prevent interference with ongoing response efforts, including by developing review procedures with input from relevant authorities nationwide.

#### SEC. 208. DISCLOSURE, AVAILABILITY, AND USE OF INFORMATION.

(a) DISCLOSURE OF INFORMATION.—

(1) IN GENERAL.—Except as provided in subsections (b), (c), (d), and (f) of this section, a copy of a record, information, or review submitted or received by the National Disaster Safety Board, or a member or employee of the Board, shall be posted publicly.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require the release of information described in section 552(b) of title 5, United States Code, or protected from disclosure by another law of the United States.

(b) TRADE SECRETS.—

(1) IN GENERAL.—The Board may disclose information related to a trade secret referred to in section 1905 of title 18, United States Code, only—

(A) to another department, agency, or instrumentality of the United States Government when requested for official use;

(B) to a committee of Congress having jurisdiction over the subject matter to which the information is related, when requested by that committee;

(C) in a judicial proceeding under a court order that preserves the confidentiality of the information without impairing the proceeding; and

(D) to the public to protect health and safety after giving notice to any interested person to whom the information is related and an opportunity for that person to comment in writing, or orally in closed session, on the proposed disclosure, if the delay resulting from notice and opportunity for comment would not be detrimental to health and safety.

(2) REQUIREMENT.—Information disclosed under paragraph (1) of this subsection may be disclosed only in a way designed to preserve its confidentiality.

(3) PROTECTION OF VOLUNTARY SUBMISSION OF INFORMATION.—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose voluntarily provided safety-related information if that information is not related to

the exercise of the Board's review authority under this title and if the Board finds that the disclosure of the information would inhibit the voluntary provision of that type of information.

**(c) RECORDINGS AND TRANSCRIPTS.—**

(1) **CONFIDENTIALITY OF RECORDINGS.**—Except as provided in paragraph (2), the Board may not disclose publicly any part of an original recording or transcript of oral communications or original and contemporary written communications between Federal, State, Tribal, or local officials responding to an incident under review by the Board.

(2) **EXCEPTION.**—Subject to subsections (b) and (g), the Board shall make public any part of a transcript, any written depiction of visual information obtained from an audio or video recording, or any still image obtained from a recording the Board decides is relevant to the incident—

(A) if the Board holds a public hearing on the incident at the time of the hearing; or

(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the incident are placed in the public docket.

(3) **REFERENCES TO INFORMATION IN MAKING SAFETY RECOMMENDATIONS.**—This subsection does not prevent the Board from referring at any time to recorded or written information in making safety recommendations.

**(d) FOREIGN REVIEWS.—**

(1) **IN GENERAL.**—Notwithstanding any other provision of law, neither the Board, nor any agency receiving information from the Board, shall disclose records or information relating to its participation in foreign incident review, except that—

(A) the Board shall release records pertaining to such a review when the country conducting the review issues its final report or 2 years following the date of the incident, whichever occurs first; and

(B) the Board may disclose records and information when authorized to do so by the country conducting the review.

(2) **SAFETY RECOMMENDATIONS.**—Nothing in this subsection shall restrict the Board at any time from referring to foreign review information in making safety recommendations.

(e) **PRIVACY PROTECTIONS.**—Before making public any still image obtained from a video recorder under subsection (c)(2) or subsection (d)(2), the Board shall take such action as appropriate to protect from public disclosure any information that readily identifies an individual, including a decedent.

**SEC. 209. TRAINING.**

(a) **USE OF TRAINING FACILITIES.**—The Board may use, on a reimbursable basis, the services of any training facility in the Federal Government, including those operated by the Department of Homeland Security, Department of Health and Human Services, and Department of Commerce. The responsible department or agency shall make such training facility and any relevant training course available to—

(1) the Board for safety training of employees of the Board in carrying out their duties and powers; and

(2) other relevant personnel of the United States Government, State and local governments, governments of foreign countries, interstate authorities, and private organizations the Board designates in consultation with the relevant departments and agencies.

(b) **FEES.**—Training shall be provided at a reasonable fee established periodically by the Board in consultation with the relevant departments and agencies. The fee shall be paid directly to the relevant departments and agencies, and shall be deposited in the Treasury.

(c) **TRAINING OF BOARD EMPLOYEES AND OTHERS.**—The Board may conduct training of its employees in those subjects necessary for proper performance. The Board may also authorize attendance at courses given under this subsection by other government personnel, personnel of for-

eign governments, and personnel from industry or otherwise who have a requirement for training. The Board may require non-Board personnel to reimburse some or all of the training costs, and amounts so reimbursed shall be credited to the appropriation of the Board as discretionary offsetting collections, and shall be available only to the extent and in the amounts provided in advance in appropriations Acts.

**SEC. 210. FUNDING.**

(a) **IN GENERAL.**—The following amounts are authorized to be appropriated to the Board to carry out this title:

(1) \$25,000,000 for fiscal year 2022.

(2) \$40,000,000 for fiscal year 2023.

(3) \$50,000,000 for fiscal year 2024.

(4) \$60,000,000 for fiscal year 2025.

**(c) EMERGENCY FUND.—**

(1) **IN GENERAL.**—There shall be established in the Treasury of the United States an Emergency Fund for the Board, which shall be available to the Board for necessary expenses of the Board, not otherwise provided for, for reviews.

(2) **APPROPRIATIONS.**—There are authorized to be appropriated, to the Emergency Fund—

(A) \$2,000,000 for fiscal year 2022;

(B) such sums as are necessary to maintain the Emergency Fund at a level not to exceed \$4,000,000 for each fiscal year thereafter; and

(C) such other sums as Congress determines necessary.

**SEC. 211. AUTHORITY OF THE INSPECTOR GENERAL.**

(a) **IN GENERAL.**—The Inspector General of the Department of Homeland Security, in accordance with the mission of the Inspector General to prevent and detect fraud and abuse, shall have authority to review only the financial management, property management, and business operations of the Board, including internal accounting and administrative control systems, to determine compliance with applicable Federal laws, rules, and regulations.

(b) **DUTIES.**—In carrying out this section, the Inspector General shall—

(1) keep the Chairperson of the Board and Congress fully and currently informed about problems relating to administration of the internal accounting and administrative control systems of the Board;

(2) issue findings and recommendations for actions to address such problems; and

(3) report periodically to Congress on any progress made in implementing actions to address such problems.

(c) **ACCESS TO INFORMATION.**—In carrying out this section, the Inspector General may exercise authorities granted to the Inspector General under subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Office of the Inspector General of the Department of Homeland Security such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised under this section.

**SEC. 212. EVALUATION AND AUDIT OF NATIONAL DISASTER SAFETY BOARD.**

(a) **IN GENERAL.**—As determined necessary by the Comptroller General of the United States or the appropriate congressional committees, but not less frequently than once every 2 years, the Comptroller General of the United States shall evaluate and audit the programs and expenditures of the Board in order to promote economy, efficiency, and effectiveness in the administration of the programs, operations, and activities of the Board.

(b) **RESPONSIBILITY OF COMPTROLLER GENERAL.**—In carrying out subsection (a), the Comptroller General of the United States shall evaluate and audit the programs, operations, and activities of the Board, including—

(1) information management and security, including privacy protection of personally identifiable information;

(2) the resource levels of the Board and management of such resources relative to the mission of the Board;

(3) workforce development;

(4) procurement and contracting planning, practices, and policies;

(5) the process and procedures to select an incident to review;

(6) the extent to which the Board follows leading practices in selected management areas;

(7) the extent to which the Board addresses management challenges in completing reviews;

(8) the extent to which the evaluation, review, and recommendation-issuing methodologies of the Board are consistent with established best practice, as determined by the Comptroller General; and

(9) an impact evaluation of the work of the Board, using the purposes and intent described in this title and by the Board, against the realized results of the Board, according to a methodology determined by the Comptroller General, conducted in a manner that is not overly disruptive to the work of the Board.

**SEC. 213. DEFINITIONS.**

In this title:

(1) **ACT OF VIOLENCE.**—The term “act of violence” means an offense described in section 16(a) of title 18, United States Code.

(2) **BOARD.**—The term “Board” means the National Disaster Safety Board established under section 202.

(3) **CHAIRPERSON.**—The term “Chairperson” means the Chairperson of the Board designated under section 205.

(4) **ECONOMIC INJURY.**—The term “economic injury” has the meaning given the term “substantial economic injury” in section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(5) **INCIDENT.**—The term “incident” means a natural hazard or other circumstance that the Board decides to review.

(6) **INSTITUTION OF HIGHER EDUCATION AND RESEARCH INSTITUTION.**—The term “institution of higher education and research institution” means—

(A) an institution of higher education (as defined in section 101 of the Higher Education Act (20 U.S.C. 1001));

(B) a National Laboratory (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

(C) a laboratory described in section 308(c)(2) of the Homeland Security Act of 2002 (6 U.S.C. 188(c)(2));

(D) the National Domestic Preparedness Consortium established under section 1204 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102) and the members of such Consortium; and

(E) a research institution associated with an institution of higher education.

(7) **NATURAL HAZARD.**—The term “natural hazard”—

(A) means a major disaster, as defined in paragraph (2) of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that is naturally occurring, regardless of—

(i) whether the President makes a determination with respect to severity and magnitude of the disaster under such paragraph; or

(ii) the result of such a determination;

(B) includes any naturally occurring heat wave, wind storm, wildfire, wildland urban interface fire, urban conflagration fire, or dust storm;

(C) includes any combination of events covered by subparagraphs (A) and (B) that causes or threatens to cause loss of human life, or human or economic injury, as determined by the Board; and

(D) does not include a technological disaster.

(8) **STATE.**—The term “State” has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).



(9) **TECHNOLOGICAL DISASTER.**—The term “technological disaster” means an incident that—

(A) is caused by human error or malfunction in technology, including a dam or structural failure, a fire (other than a naturally occurring wildfire, wildland urban interface fire, urban conflagration fire, or arson), a hazardous material incident, a nuclear accident, and a power and telecommunications failure; and

(B) causes loss of human life, or human or economic injury, as determined by the Board.

(10) **TERRORISM.**—The term “terrorism” has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(11) **TRIBAL GOVERNMENT.**—The term “Tribal government” means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130 et seq.).

### TITLE III—NATIONAL WILDLAND FIRE RISK REDUCTION PROGRAM

#### SEC. 301. ESTABLISHMENT OF NATIONAL WILDLAND FIRE RISK REDUCTION PROGRAM.

The President shall establish a National Wildland Fire Risk Reduction Program with the purpose of achieving major measurable reductions in the losses of life and property from wildland fires through a coordinated Federal effort to—

(1) improve the assessment of fire environments and the understanding and prediction of wildland fires, associated smoke, and their impacts, including—

(A) at the wildland-urban interface;

(B) on communities, buildings and other infrastructure;

(C) on ecosystem services; and

(D) social and economic impacts;

(2) develop and encourage the adoption of science-based and cost-effective measures to enhance resilience to wildland fires and prevent and mitigate negative impacts of wildland fires and associated smoke; and

(3) improve the understanding and mitigation of the impacts of climate change and variability on wildland fire risk, frequency, and severity, and to inform paragraphs (1) and (2).

#### SEC. 302. PROGRAM ACTIVITIES.

The Program shall consist of the activities described in section 306, which shall be designed—

(1) to support research and development, including interdisciplinary research, related to fire environments, wildland fires, associated smoke, and their impacts, in furtherance of a coordinated interagency effort to address wildland fire risk reduction;

(2) to support data management and stewardship, the development and coordination of data systems and computational tools, and the creation of a centralized, integrated data collaboration environment for Program agency data, to accelerate the understanding of fire environments, wildland fires, associated smoke, and their impacts, and the benefits of wildland fire risk mitigation measures;

(3) to support the development of tools and technologies, including decision support tools and risk and hazard maps, to improve understanding, monitoring, prediction, and mitigation of wildland fires, associated smoke, and their impacts;

(4) to support research and development activities to improve data, tools, and technologies that directly inform, support, and complement active land management, forest and habitat restoration, and healthy ecosystem practices executed by the Forest Service, State, local, and Tribal entities;

(5) to support education and training to expand the number of students and researchers in areas of study and research related to wildland fires;

(6) to accelerate the translation of research related to wildland fires and associated smoke into operations to reduce risk to communities, buildings, other infrastructure, and ecosystem services;

(7) to conduct communication and outreach regarding wildland fire science and wildland fire risk mitigation, to communities, energy utilities and operators of other critical infrastructure, and other relevant stakeholders;

(8) to support research and development projects funded under joint solicitations or through memoranda of understanding between no fewer than two agencies participating in the Program; and

(9) to disseminate, to the extent practicable, scientific data and related products and services in formats meeting shared standards to enhance the interoperability, usability, and accessibility of Program Agency data, including data as part of paragraph (2) in order to better meet the needs of Program agencies, other Federal agencies, and relevant stakeholders.

#### SEC. 303. INTERAGENCY COORDINATING COMMITTEE ON WILDLAND FIRE RISK REDUCTION.

(a) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall establish an Interagency Coordinating Committee on Wildland Fire Risk Reduction (in this Act referred to as the “Committee”), to be co-chaired by the Director and the Director of the National Institute of Standards and Technology.

(b) **MEMBERSHIP.**—In addition to the co-chairs, the Committee shall be composed of—

(1) the Director of the National Science Foundation;

(2) the Administrator of the National Oceanic and Atmospheric Administration;

(3) the Administrator of the Federal Emergency Management Agency;

(4) the United States Fire Administrator;

(5) the Chief of the Forest Service;

(6) the Administrator of the National Aeronautics and Space Administration;

(7) the Administrator of the Environmental Protection Agency;

(8) the Secretary of Energy;

(9) the Director of the Office of Management and Budget;

(10) the Secretary of the Interior;

(11) the Director of United States Geological Survey;

(12) the Secretary of Health and Human Services;

(13) the Secretary of Defense;

(14) the Secretary of Housing and Urban Development; and

(15) the head of any other Federal agency that the Director considers appropriate.

(c) **MEETINGS.**—The Committee shall meet not less than twice a year for the first 2 years and then not less than once a year at the call of the Director.

(d) **GENERAL PURPOSE AND DUTIES.**—The Committee shall oversee the planning, management, and coordination of the Program, and solicit stakeholder input on Program goals.

(e) **STRATEGIC PLAN.**—The Committee shall develop and submit to Congress, not later than one year after the date of the enactment of this Act, and update every 4 years thereafter, a Strategic Plan for the Program that includes—

(1) prioritized goals for the Program, consistent with the purposes of the Program as described in section 301;

(2) short-term, mid-term, and long-term research and development objectives to achieve those goals;

(3) a description of the role of each Program agency in achieving the prioritized goals;

(4) a description of how the Committee will foster collaboration between and among the Program agencies and other Federal agencies to help meet the goals of the Program;

(5) the methods by which progress toward the goals will be assessed;

(6) an explanation of how the Program will foster the translation of research into measurable reductions in the losses of life, property, and ecosystem services from wildland fires, including recommended outcomes and metrics for each program goal and how operational Program agencies will transition demonstrated technologies and research findings into decision support tools and operations;

(7) a description of the research infrastructure, including databases and computational tools, needed to accomplish the research and development objectives outlined in paragraph (2), a description of how research infrastructure in existence at the time of the development of the plan will be used to meet the objectives, an explanation of how new research infrastructure will be developed to meet the objectives, and a description of how the program will implement the integrated data collaboration environment per section 302(2);

(8) a description of how Program agencies will collaborate with stakeholders and take into account stakeholder needs and recommendations in developing research and development objectives;

(9) recommendations on the most effective means to integrate the research results into wildland fire preparedness and response actions across Federal, State, local, Tribal, and territorial levels;

(10) guidance on how the Committee’s recommendations are best used in climate adaptation planning for Federal, State, local, Tribal, and territorial entities;

(11) a nationally recognized, consensus-based definition of wildland-urban interface and other key terms and definitions relating to wildland fire, developed in consideration of the meaning given such term in section 4(11) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203(11)); and

(12) a description of opportunities to support new areas of research and development and new types of collaborations that seek to optimize building and landscape design across multiple resilience goals, including resilience to wildland fires and other natural hazards, energy efficiency, and environmental sustainability.

(f) **COORDINATION WITH OTHER FEDERAL EFFORTS.**—The Director shall ensure that the activities of the Program are coordinated with other relevant Federal initiatives as appropriate.

(g) **NATIONAL ACADEMIES STUDY.**—The Committee shall assess the need for a study, or a series of studies, to be conducted by the National Academies of Sciences, Engineering, and Medicine, and how such a study, or series of studies, could help identify research areas for further study and inform research objectives, including further research into the interactions between climate change and wildland fires. The Committee shall brief the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on its assessment under this subsection not later than 1 year after the date of enactment of this Act.

(h) **PROGRESS REPORT.**—Not later than 18 months after the date of the transmission of the first Strategic Plan under subsection (e) to Congress and not less frequently than once every 2 years thereafter, the Committee shall submit to the Congress a report on the progress of the Program that includes—

(1) a description of the activities funded under the Program, a description of how those activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities; and

(2) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan.

#### SEC. 304. NATIONAL ADVISORY COMMITTEE ON WILDLAND FIRE RISK REDUCTION.

(a) **IN GENERAL.**—The Director shall establish a National Advisory Committee on Wildland

Fire Risk Reduction, consisting of not fewer than 7 and not more than 15 members who are qualified to provide advice on wildland fire risk reduction and represent related scientific, architectural, and engineering disciplines, none of whom may be employees of the Federal Government, including—

(1) representatives of research and academic institutions;

(2) standards development organizations;

(3) emergency management agencies;

(4) State, local, and Tribal governments;

(5) business communities, including the insurance industry; and

(6) other representatives as designated by the Director.

(b) ASSESSMENT.—The Advisory Committee shall offer assessments and recommendations on—

(1) trends and developments in the natural, engineering, and social sciences and practices of wildland fire risk mitigation;

(2) the priorities of the Program's Strategic Plan;

(3) the management, coordination, implementation, and activities of the Program;

(4) the effectiveness of the Program in meeting its purposes; and

(5) the need to revise the Program.

(c) COMPENSATION.—The members of the Advisory Committee established under this section shall serve without compensation.

(d) REPORTS.—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

(e) CHARTER.—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

(f) TERMINATION.—The Advisory Committee shall terminate on September 30, 2026.

(g) CONFLICT OF INTEREST.—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.

#### SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that—

(1) evaluates the progress and performance of the Program in establishing and making progress toward the goals of the Program as set forth in this Act; and

(2) includes such recommendations as the Comptroller General determines are appropriate to improve the Program.

#### SEC. 306. RESPONSIBILITIES OF PROGRAM AGENCIES.

(a) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—The responsibilities of the Director of the National Institute of Standards and Technology with respect to the Program are as follows:

(1) RESEARCH AND DEVELOPMENT ACTIVITIES.—The Director of the National Institute of Standards and Technology shall—

(A) carry out research on the impact of wildland fires on communities, buildings, and other infrastructure, including structure-to-structure transmission of fire and spread within communities;

(B) carry out research on the generation of firebrands from wildland fires and on methods and materials to prevent or reduce firebrand ignition of communities, buildings, and other infrastructure;

(C) carry out research on novel materials, systems, structures, and construction designs to harden structures, parcels, and communities to the impact of wildland fires;

(D) carry out research on the impact of environmental factors on wildland fire behavior, including wind, terrain, and moisture;

(E) support the development of performance-based tools to mitigate the impact of wildland fires, and work with appropriate groups to promote and assist in the use of such tools, including through model building codes and fire codes, standard test methods, voluntary consensus standards, and construction and retrofit best practices;

(F) in collaboration with the United States Fire Administration, carry out research and development of decontamination methods and technologies for firefighting gear on and off the field.

(G) develop and execute a research plan on public safety communication coordination standards among Federal, State, local, and Tribal wildland firefighters, fire management response officials and the National Interagency Fire Center;

(H) carry out research to improve and integrate existing communications systems to transmit secure real-time data, alters, and accurate advisories to wildland firefighters;

(I) carry out both live and virtual field testing and measurement of equipment, software, and other technologies to determine current effectiveness and times of information dissemination and develop standards and best practices for the delivery of useful and secure real-time data to wildland firefighters; and

(J) develop and publish recommendations to improve public safety communication coordination standards among wildland firefighters and member agencies of the National Interagency Fire Center, including providing such recommendations to the Office of Management and Budget and the Office of Science and Technology Policy.

(2) WILDLAND-URBAN INTERFACE FIRE POST-INVESTIGATIONS.—The Director of the National Institute of Standards and Technology shall—

(A) coordinate Federal post-wildland fire investigations of fires at the wildland-urban interface; and

(B) develop methodologies, in collaboration with the Administrator of FEMA and in consultation with relevant stakeholders, to characterize the impact of wildland fires on communities and the impact of changes in building and fire codes, including methodologies—

(i) for collecting, inventorying, and analyzing information on the performance of communities, buildings, and other infrastructure in wildland fires; and

(ii) for improved collection of pertinent information from different sources, including first responders, the design and construction industry, insurance companies, and building officials.

(b) NATIONAL SCIENCE FOUNDATION.—As a part of the Program, the Director of the National Science Foundation shall support—

(1) research, including large-scale convergent research, to improve the understanding and prediction of wildland fire risks, including the conditions that increase the likelihood of a wildland fire, the behavior of wildland fires, and their impacts on buildings, communities, infrastructure, ecosystems and living systems;

(2) development and improvement of tools and technologies, including databases and computational models, to enable and accelerate the understanding and prediction of wildland fires and their impacts;

(3) development of research infrastructure, as appropriate, to enable and accelerate the understanding and prediction of wildland fires and their impacts, including upgrades or additions to the National Hazards Engineering Research Infrastructure;

(4) research to improve the understanding of—

(A) the response to wildland fire risk and response messages by individuals, communities, and policymakers;

(B) social and economic factors influencing the implementation and adoption of wildland

fire risk reduction and response measures by individuals, communities, and policymakers; and

(C) decision-making and emergency response to wildland fires;

(5) undergraduate and graduate research opportunities and graduate and postdoctoral fellowships and traineeships in fields of study relevant to wildland fires and their impacts; and

(6) research to improve the understanding of the impacts of climate change and climate variability on wildland fires, including wildland fire risk, frequency, and severity, and wildland fire prediction, mitigation, and resilience strategies.

(c) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—

(1) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration (in this subsection referred to as the "Administrator") shall conduct research, observations, modeling, forecasting, prediction, and historical analysis of wildland fires to improve understanding of wildland fires, and associated fire weather and smoke, for the protection of life and property and for the enhancement of the national economy.

(2) WEATHER FORECASTING AND DECISION SUPPORT FOR WILDLAND FIRES.—The Administrator shall—

(A) develop and provide in consultation with the relevant Federal Agencies, as the Administrator determines appropriate, accurate, timely, and effective warnings and forecasts of wildland fires and fire weather events that endanger life and property, which may include red flag warnings, operational fire weather alerts, and any other warnings or alerts the Administrator deems appropriate;

(B) provide stakeholders and the public with impact-based decision support services, seasonal climate predictions, air quality products, and smoke forecasts; and

(C) provide on-site weather forecasts, seasonal climate predictions, and other decision support to wildland fire incident command posts, including by deploying incident meteorologists for the duration of an extreme event.

(3) WILDLAND FIRE DATA.—The Administrator shall contribute to and support the centralized, integrated data collaboration environment in accordance with section 302(2) and any other relevant Federal data systems by ensuring—

(A) interoperability, usability, and accessibility of National Oceanic and Atmospheric Administration data and tools related to wildland fires, associated smoke, and their impacts;

(B) inclusion of historical wildland fire incident and fire weather data, and identifying potential gaps in such data; and

(C) the acquisition or collection of additional data that is needed to advance wildland fire science.

(4) WILDLAND FIRE AND FIRE WEATHER SURVEILLANCE AND OBSERVATIONS.—The Administrator, in coordination with Administrator of the National Aeronautics and Space Administration and in consultation with relevant stakeholders—

(A) shall leverage existing observations, technologies and assets and develop or acquire new technologies and data to sustain and enhance environmental observations used for wildland fire prediction and detection, fire weather and smoke forecasting and monitoring, and post-wildland fire recovery, with a focus on—

(i) collecting data for pre-ignition analysis, such as drought, fuel and vegetation conditions, and soil moisture, that will help predict severe wildland fire conditions on subseasonal to decadal timescales;

(ii) supporting identification and classification of fire environments at the smallest practical scale to determine vulnerability to wildland fires and rapid wildland fire growth;

(iii) detecting, observing, and monitoring wildland fires and smoke;

(iv) supporting research on the interaction of weather and wildland fire behavior; and

(v) supporting post-fire assessments conducted by Program agencies and relevant stakeholders;

(B) shall prioritize the ability to detect, observe, and monitor wildland fire and smoke in its requirements for its current and future observing systems and commercial data purchases; and

(C) not later than 12 months after the date of the enactment of this Act—

(i) may offer to enter into contracts, in consultation with the Secretary of Agriculture and the Secretary of the Interior, with one or more entities to obtain additional airborne and space-based data and observations that may enhance or supplement the understanding, monitoring, prediction, and mitigation of wildland fire risks, and the relevant Program activities under section 302; and

(ii) in carrying out clause (i), shall consult with private sector entities through the advisory committee established pursuant to section 304 to identify needed tools and data that can be best provided by the National Oceanic and Atmospheric Administration satellites and are most beneficial to wildfire and smoke detection and monitoring.

(5) **FIRE WEATHER TESTBED.**—In collaboration with Program agencies and other relevant stakeholders, the Administrator shall establish a Fire Weather Testbed to evaluate physical and social science, technology, and other research to develop fire weather products and services for implementation by relevant stakeholders.

(6) **WILDLAND FIRE AND FIRE WEATHER RESEARCH AND DEVELOPMENT.**—The Administrator shall support a wildland fire and smoke research and development program that includes both physical and social science with the goals of—

(A) improving the understanding, prediction, detection, forecasting, monitoring, and assessments of wildland fires and associated fire weather and smoke;

(B) developing products and services to meet stakeholder needs;

(C) transitioning physical and social science research into operations;

(D) improving modeling and technology, including coupled fire-atmosphere fire behavior modeling, in consultation with relevant Federal agencies;

(E) better understanding of links between fire weather events and subseasonal-to-climate impacts;

(F) improving the forecasting and understanding of the impacts of prescribed fires and how those impacts differ from impacts of wildland fires; and

(G) pursuing high-priority fire science research needs applicable to the National Oceanic and Atmospheric Administration as identified by any other relevant Federal program.

(7) **EXTRAMURAL RESEARCH.**—The Administrator shall collaborate with and support the non-Federal wildland fire research community, which includes institutions of higher education, private entities, nongovernmental organizations, and other relevant stakeholders, by making funds available through competitive grants, contracts, and cooperative agreements. In carrying out the program under this paragraph, the Administrator, in collaboration with other relevant Federal agencies, may establish one or more national centers for prescribed fire and wildfire sciences that leverage Federal research and development with university and nongovernmental partnerships.

(8) **HIGH PERFORMANCE COMPUTING.**—The Administrator, in consultation with the Secretary of Energy, shall acquire high performance computing technologies and supercomputing technologies, leveraging existing resources, as practicable, to conduct research and development activities, support research to operations under this section, and host operational fire and smoke forecast models.

(9) **INCIDENT METEOROLOGIST WORKFORCE ASSESSMENT.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Science, Space,

and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of an assessment of National Weather Service workforce and training challenges for Incident Meteorologists and a roadmap for overcoming the challenges identified. Such assessment shall take into consideration information technology support, logistical and administrative operations, anticipated weather and climate conditions, and feedback from relevant stakeholders, and shall include, to the maximum extent practicable, an identification by the National Weather Service of—

(A) the expected number of Incident Meteorologists needed over the next 5 years;

(B) potential hiring authorities necessary to overcome the identified workforce and training challenges; and

(C) alternative services or assistance options the National Weather Service could provide to meet operational needs.

(d) **FEDERAL EMERGENCY MANAGEMENT AGENCY.**—The Administrator of the Federal Emergency Management Agency, acting through the United States Fire Administration, shall—

(1) support—

(A) the development of community risk assessment tools and effective mitigation techniques for preventing and responding to wildland fires, including at the wildland-urban interface;

(B) wildland and wildland-urban interface fire and operational response-related data collection and analysis;

(C) public outreach, education, and information dissemination related to wildland fires and wildland fire risk; and

(D) promotion of wildland and wildland-urban interface fire preparedness and community risk reduction, to include hardening the wildland-urban interface through proper construction materials, land use practices, sprinklers, assessment of State and local emergency response capacity and capabilities, and other tools and approaches as appropriate;

(2) in collaboration with the National Institute of Standards and Technology, and other program agencies, as appropriate, promote and assist in the implementation of research results and promote fire-resistant buildings, retrofit, and land use practices within the design and construction industry, including architects, engineers, contractors, builders, planners, code officials, and inspectors;

(3) establish and operate a wildland fire preparedness and mitigation technical assistance program to assist State, local, Tribal and territorial governments in using wildland fire mitigation strategies, including through the adoption and implementation of wildland and wildland-urban interface fire resistant codes, standards, and land use;

(4) incorporate wildland and wildland-urban interface fire risk mitigation and loss avoidance data into the Agency's existing risk, mitigation, and loss avoidance analyses;

(5) incorporate data on the adoption and implementation of wildland and wildland-urban interface fire resistant codes and standards into the Agency's hazard resistant code tracking resources;

(6) translate new information and research findings into best practices to improve firefighter, fire service, and allied professions training and education in wildland fire response, crew deployment, prevention, mitigation, resilience, and firefighting;

(7) conduct outreach and information dissemination to fire departments regarding best practices for wildland and wildland-urban interface firefighting, training, and fireground deployment;

(8) in collaboration with other relevant Program agencies and stakeholders, develop a national level, interactive and publicly accessible wildland fire hazard severity map that includes community and parcel level data and that can readily integrate with risk gradations within

wildland and wildland-urban interface fire resistant codes and standards;

(9) in coordination with the National Institute of Standards and Technology and other Federal initiatives as appropriate, carry out a study to—

(A) examine PFAS and other potentially harmful contaminants in firefighting gear, fire retardants, and wetting agents;

(B) determine the lifecycle of firefighting garments; and

(C) evaluate exposure risks based on different phases of the fire; and

(10) develop resources regarding best practices for establishing or enhancing peer-support programs within wildland fire firefighting units.

(e) **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**—The responsibilities of the Administrator of the National Aeronautics and Space Administration (in this subsection referred to as the "Administrator") with respect to the Program are as follows:

(1) **IN GENERAL.**—The Administrator shall, with respect to the Program—

(A) support relevant basic and applied scientific research and modeling;

(B) ensure the use in the Program of all relevant National Aeronautics and Space Administration Earth observations data for maximum utility;

(C) explore and apply novel tools and technologies in the activities of the Program;

(D) support the translation of research to operations, including to Program agencies and relevant stakeholders;

(E) facilitate the communication of wildland fire research, knowledge, and tools to relevant stakeholders; and

(F) use commercial data where such data is available and accessible through existing Federal government commercial contracts, agreements, or other means, and purchase data that is deemed necessary based on consultation with other Program agencies.

(2) **WILDLAND FIRE RESEARCH AND APPLICATIONS.**—The Administrator shall support basic and applied wildland fire research and modeling activities, including competitively-selected research, to—

(A) improve the understanding and prediction of fire environments, wildland fires, associated smoke, and their impacts;

(B) improve the understanding of the impacts of climate change and variability on wildland fire risk, frequency, and severity;

(C) characterize the pre-fire phase and fire-inducing conditions, such as soil moisture and vegetative fuel availability;

(D) characterize the active fire phase, such as fire and smoke plume mapping, fire behavior and spread modeling, and domestic and global fire activity;

(E) characterize the post-fire phase, such as landscape changes, air quality, erosion, landslides, and impacts on carbon distributions in forest biomass;

(F) contribute to advancing predictive wildland fire models;

(G) address other relevant investigations and measurements prioritized by the National Academies of Sciences, Engineering, and Medicine Decadal Survey on Earth Science and Applications from Space;

(H) improve the translation of research knowledge into actionable information;

(I) develop research and data products, including maps, decision-support information, and tools, and support related training as appropriate and practicable;

(J) collaborate with other Program agencies and relevant stakeholders, as appropriate, on joint research and development projects, including research grant solicitations and field campaigns; and

(K) transition research advances to operations, including to Program agencies and relevant stakeholders, as practicable.

(3) **WILDLAND FIRE DATA SYSTEMS AND COMPUTATIONAL TOOLS.**—The Administrator shall—

(A) identify, from the National Aeronautics and Space Administration's Earth science data systems, data, including combined data products and relevant commercial data sets, that can contribute to improving the understanding, monitoring, prediction, and mitigation of wildland fires and their impacts, including data related to fire weather, plume dynamics, smoke and fire behavior, impacts of climate change and variability, land and property burned, wildlife and ecosystem destruction, among other areas;

(B) prioritize the dissemination of data identified or obtained under this subparagraph to the widest extent practicable to support relevant research and operational stakeholders;

(C) consider opportunities to support the Program under section 301 and the Program activities under section 302 when planning and developing Earth observation satellites, instruments, and airborne measurement platforms;

(D) identify opportunities, in collaboration with Program agencies and relevant stakeholders, to obtain additional airborne and space-based data and observations that may enhance or supplement the understanding, monitoring, prediction, and mitigation of wildland fire risks, and the relevant Program activities under section 302, and consider such options as commercial solutions, including commercial data purchases, prize authority, academic partnerships, and ground-based or space-based instruments, as practicable and appropriate; and

(E) contribute to and support, to the maximum extent practicable, the centralized, integrated data collaboration environment in accordance with section 302(2) and any other relevant inter-agency data systems, by collecting, organizing, and integrating the National Aeronautics and Space Administration's scientific data, data systems, and computational tools related to wildland fires, associated smoke, and their impacts, and by enhancing the interoperability, useability, and accessibility of National Aeronautics and Space Administration's scientific data, data systems, and computational tools, including—

(i) observations and available real-time and near-real-time measurements;

(ii) derived science and data products, such as fuel conditions, risk and spread maps, and data products to represent the wildland-urban interface;

(iii) relevant historical and archival observations, measurements, and derived science and data products; and

(iv) other relevant decision support and information tools.

(4) **NOVEL TOOLS FOR ACTIVE WILDLAND FIRE MONITORING AND RISK MITIGATION.**—The Administrator, in collaboration with other Program agencies and relevant stakeholders shall apply novel tools and technologies to support active wildland fire research, monitoring, mitigation, and risk reduction, as practicable and appropriate. In particular, the Administrator shall:

(A) Establish a program to develop and demonstrate a unified concept of operations for the safe and effective deployment of diverse air capabilities in active wildland fire monitoring, mitigation, and risk reduction. The objectives of the Program shall be to—

(i) develop and demonstrate a wildland fire airspace operations system accounting for piloted aircraft, uncrewed aerial systems, and other new and emerging capabilities such as autonomous and high-altitude assets;

(ii) develop an interoperable communications strategy;

(iii) develop a roadmap for the on-ramping of new technologies, capabilities, or entities;

(iv) identify additional development, testing, and demonstration that would be required to expand the scale of operations;

(v) identify actions that would be required to transition the unified concept of operations in subparagraph (A) into ongoing, operational use; and

(vi) other objectives, as deemed appropriate by the Administrator.

(B) Develop and demonstrate affordable and deployable sensing technologies, in consultation with other Program agencies and relevant stakeholders, to improve the monitoring of fire fuel and active wildland fires, wildland fire behavior models and forecast, mapping efforts, and the prediction and mitigation of wildland fires and their impacts. The Administrator shall—

(i) test and demonstrate technologies such as infrared, microwave, and active sensors suitable for deployment on spacecraft, aircraft, uncrewed aerial systems, and ground-based and in situ platforms, as appropriate and practicable;

(ii) develop and demonstrate affordable and deployable sensing technologies that can be transitioned to operations for collection of near-real-time localized measurements;

(iii) develop and demonstrate near-real-time data processing, availability, interoperability, and visualization, as practicable;

(iv) identify opportunities and actions required, in collaboration with Program agencies and relevant stakeholders, to transition relevant technologies, techniques, and data to science operations, upon successful demonstration of the feasibility and scientific utility of the sensors and data;

(v) transition demonstrated technologies, techniques, and data into ongoing, operational use, including to Program agencies and relevant stakeholders;

(vi) prioritize and facilitate, to the greatest extent practicable, the dissemination of these science data to operations, including to Program agencies and relevant stakeholders; and

(vii) consider opportunities for potential partnerships, including commercial data purchases, among industry, government, academic institutions, and non-profit organizations and other relevant stakeholders in carrying out clauses (i) through (vi), as appropriate and practicable.

(f) **ENVIRONMENTAL PROTECTION AGENCY.**—The Administrator of the Environmental Protection Agency shall support environmental research and development activities to—

(1) improve the understanding of—

(A) wildland fire and smoke impacts on communities and public health, including impacts on drinking water and outdoor and indoor air quality, and on freshwater ecosystems;

(B) wildland fire smoke plume characteristics, chemical transformation, chemical composition, and transport;

(C) wildland fire and smoke impacts to contaminant containment and remediation;

(D) the contribution of wildland fire emissions to climate forcing emissions;

(E) differences between the impacts of prescribed fires compared to other wildland fires on communities and air and water quality; and

(F) climate change and variability on wildland fires and smoke plumes, including on smoke exposure;

(2) develop and improve tools, sensors, and technologies including databases and computational models, to accelerate the understanding, monitoring, and prediction of wildland fires and smoke exposure;

(3) better integrate observational data into wildland fire and smoke characterization models to improve modeling at finer temporal and spatial resolution;

(4) develop and improve communication of wildland fire and smoke risk reduction strategies to the public in coordination with relevant stakeholders and other Federal agencies; and

(5) develop and disseminate personal and community-based interventions to reduce exposure to and adverse health effects of wildland fire and smoke.

(g) **DEPARTMENT OF ENERGY.**—The Secretary of Energy shall carry out research and development activities to—

(1) create tools, techniques, and technologies for—

(A) withstanding and addressing the current and projected impact of wildland fires on energy sector infrastructure;

(B) providing real-time or near-time awareness of the risks posed by wildland fires to the operation of energy infrastructure in affected and potentially affected areas, including by leveraging the Department's high-performance computing capabilities and climate and ecosystem models;

(C) enabling early detection of, and assessment of competing technologies and strategies for addressing, malfunctioning electrical equipment on the transmission and distribution grid, including spark ignition causing wildland fires;

(D) assisting with the planning, safe execution of, and safe and timely restoration of power after emergency power shut offs following wildland fires started by grid infrastructure;

(E) improving electric grid and energy sector safety and resilience in the event of multiple simultaneous or co-located weather or climate events leading to extreme conditions, such as extreme wind, wildland fires, extreme cold, and extreme heat;

(F) improving coordination between utilities and relevant Federal agencies to enable communication, information-sharing, and situational awareness in the event of wildland fires that impact the electric grid;

(G) utilizing biomass produced by wildland fire risk mitigation and post-fire recovery activities for bioenergy, including biofuels, in collaboration with relevant stakeholders; and

(H) predicting wildland fire occurrence, spread, and ecosystem impact;

(2) coordinate data and computational resources across relevant entities to improve our understanding of wildland fires and to promote resilience and wildland fire prevention in the planning, design, construction, operation, and maintenance of transmission infrastructure;

(3) consider optimal building energy efficiency and weatherization practices, as practicable, in wildland fire research;

(4) utilize the Department of Energy's National Laboratory capabilities, including user facilities, earth and environmental systems modeling resources, and high-performance computing and data analytics capabilities, to improve the accuracy of efforts to understand and predict wildland fire behavior and occurrence and mitigate wildland fire impacts; and

(5) foster engagement between the National Laboratories and practitioners, researchers, policy organizations, utilities, and other entities the Secretary determines to be appropriate to understand the economic and social implications of power disruptions caused by wildland fires, particularly within disadvantaged communities and regions vulnerable to wildland fires, including rural areas.

#### **SEC. 307. BUDGET ACTIVITIES.**

The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the Federal Emergency Management Agency, the Administrator of the National Aeronautics and Space Administration, the Administrator of the Environmental Protection Agency, and the Secretary of Energy shall each include in the annual budget request to Congress of each respective agency a description of the projected activities of such agency under the Program for the fiscal year covered by the budget request and an estimate of the amount such agency plans to spend on such activities for the relevant fiscal year.

#### **SEC. 308. DEFINITIONS.**

In this title:

(1) **DIRECTOR.**—The term "Director" means the Director of the Office of Science and Technology Policy.

(2) **PROGRAM.**—The term "Program" means the Program established under section 301.

(3) **PROGRAM AGENCIES.**—The term "Program agencies" means any Federal agency with responsibilities under the Program.

(4) **STAKEHOLDERS.**—The term “stakeholders” means any public or private organization engaged in addressing wildland fires, associated smoke, and their impacts, and shall include relevant Federal agencies, States, territories, Tribes, State and local governments, businesses, not-for-profit organizations, including national standards and building code organizations, fire-fighting departments and organizations, academia, and other users of wildland fire data products.

(5) **WILDLAND FIRE.**—The term “wildland fire” means any non-structure fire that occurs in vegetation or natural fuels and includes wildfires and prescribed fires.

(6) **FIRE ENVIRONMENT.**—The term “fire environment” means surrounding conditions, influences, and modifying forces of topography, fuel, and weather that determine fire behavior.

**SEC. 309. AUTHORIZATION OF APPROPRIATIONS.**

(a) **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.**—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

- (1) \$35,800,000 for fiscal year 2024;
- (2) \$36,100,000 for fiscal year 2025;
- (3) \$36,400,000 for fiscal year 2026;
- (4) \$36,700,000 for fiscal year 2027; and
- (5) \$37,100,000 for fiscal year 2028.

(b) **NATIONAL SCIENCE FOUNDATION.**—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

- (1) \$50,000,000 for fiscal year 2024;
- (2) \$53,000,000 for fiscal year 2025;
- (3) \$56,200,000 for fiscal year 2026;
- (4) \$59,600,000 for fiscal year 2027; and
- (5) \$63,100,000 for fiscal year 2028.

(c) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

- (1) \$200,000,000 for fiscal year 2024;
- (2) \$215,000,000 for fiscal year 2025;
- (3) \$220,000,000 for fiscal year 2026;
- (4) \$230,000,000 for fiscal year 2027; and
- (5) \$250,000,000 for fiscal year 2028.

(d) **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**—There are authorized to be appropriated to the National Aeronautics and Space Administration for carrying out this title—

- (1) \$95,000,000 for fiscal year 2024;
- (2) \$100,000,000 for fiscal year 2025;
- (3) \$110,000,000 for fiscal year 2026;
- (4) \$110,000,000 for fiscal year 2027; and
- (5) \$110,000,000 for fiscal year 2028.

(e) **ENVIRONMENTAL PROTECTION AGENCY.**—There are authorized to be appropriated to the Environmental Protection Agency for carrying out this title—

- (1) \$11,000,000 for fiscal year 2024;
- (2) \$11,700,000 for fiscal year 2025;
- (3) \$12,400,000 for fiscal year 2026;
- (4) \$13,100,000 for fiscal year 2027; and
- (5) \$13,900,000 for fiscal year 2028.

(f) **FEDERAL EMERGENCY MANAGEMENT AGENCY.**—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

- (1) \$6,000,000 for fiscal year 2024;
- (2) \$6,400,000 for fiscal year 2025;
- (3) \$6,700,000 for fiscal year 2026;
- (4) \$7,100,000 for fiscal year 2027; and
- (5) \$7,600,000 for fiscal year 2028.

**SEC. 310. INCREASE IN ALLOWABLE AMOUNT OF PHYSICAL DISASTER LOAN FOR MITIGATION.**

Section 7(b)(1)(A) of the Small Business Act (15 U.S.C. 636(b)(1)(A)) is amended, in the second proviso, by striking “20 per centum” and inserting “30 percent”.

**SEC. 311. STUDY ON DISASTER SPENDING; STATE DISASTER PLAN UPDATES.**

(a) **GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON DISASTER SPENDING.**—

(1) **STUDY.**—The Comptroller General of the United States shall conduct a study to identify the following:

(A) For the 5-year period ending on the date of enactment of this Act—

(i) the total amount of Federal funds spent in response to major disasters and emergencies declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(ii) the total amount of State and Indian tribal government funds spent in response to such major disasters and emergencies.

(B) 10 proposed Federal actions, to include re-insurance, that, if implemented, would most effectively reduce the need for spending related to such major disasters or emergencies. Such actions shall be listed in order of priority under criteria established by the Comptroller General, including the following:

(i) Cost effectiveness.

(ii) Return on investment.

(iii) Simplicity or speed of implementation using existing resources.

(C) The effect that using blockchain may have on delivering disaster assistance to State and Indian tribal governments.

(D) Whether insurance protection against wildfires will remain available and affordable to homeowners.

(2) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the covered entities a report containing the results of the study.

(3) **DEFINITIONS.**—In this subsection:

(A) The term “covered entities” means—

(i) Congress;

(ii) the Administrator of the Federal Emergency Management Agency; and

(iii) for each State and Indian tribal government, the head of the agency for such State or Indian tribal government with jurisdiction over disaster response activities.

(B) The terms “Indian tribal government” and “State” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(b) **STATE DISASTER PLAN UPDATES.**—Section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131) is amended by adding at the end the following:

“(e) With respect to State plans developed under this section, the President shall coordinate with each State to update such plans to incorporate strategies that decrease the time required to prepare for all hazard incidents, including the time to evacuate individuals.”

**TITLE IV—WILDFIRE GRID RESILIENCE ACT**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Wildfire Grid Resiliency Act”.

**SEC. 402. RESILIENCE ACCELERATOR DEMONSTRATION PROGRAM.**

(a) **IN GENERAL.**—The Secretary of Energy shall carry out a demonstration program, to be known as the “Resilience Accelerator Demonstration Program” (in this section referred to as the “Program”), to make awards to eligible entities for projects that demonstrate innovative technologies to improve electric grid resilience with respect to wildfires.

(b) **ELIGIBLE PROJECTS.**—The Secretary may make an award under the Program to facilitate a project that demonstrates an innovative technology to improve electric grid resilience with respect to wildfires, including—

(1) a project that demonstrates an innovative technology for monitoring vegetation management; and

(2) a project that demonstrates an innovative technology to enhance the safety of first responders who respond to electric grid emergencies.

(c) **ELIGIBLE ENTITIES.**—An eligible entity referred to in subsection (a) is—

(1) a National Laboratory;

(2) an institution of higher education, including a historically Black college or university, a Tribal College or University, and a minority-serving institution;

(3) a private commercial entity;

(4) a unit of State, local, or Tribal government;

(5) a nonprofit organization;

(6) an electric utility or electric cooperative;

(7) a retail service provider of electricity;

(8) a partnership or consortium of 2 or more entities described in paragraphs (1) through (8); and

(9) any other entity that the Secretary determines appropriate.

(d) **DEFINITIONS.**—In this section:

(1) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “historically Black college or university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(2) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means—

(A) a Hispanic-serving institution (as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)));;

(B) an Alaska Native-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)));;

(C) a Native Hawaiian-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)));;

(D) a Predominantly Black Institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)));;

(E) an Asian American and Native American Pacific Islander-serving institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)));; and

(F) a Native American-serving nontribal institution (as defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c))).

(4) **NATIONAL LABORATORY.**—The term “National Laboratory” has the meaning given such term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(5) **RESILIENCE.**—The term “resilience” has the meaning given such term in section 1304A of the Energy Independence and Security Act of 2007 (42 U.S.C. 17384a).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(7) **TRIBAL COLLEGE OR UNIVERSITY.**—The term “Tribal College or University” has the meaning given the term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the Program \$10,000,000 for each of fiscal years 2024 through 2028.

**TITLE V—WILDFIRE INSURANCE COVERAGE STUDY**

**SEC. 501. SHORT TITLE.**

This title may be cited as the “Wildfire Insurance Coverage Study Act of 2022”.

**SEC. 502. NATIONAL WILDFIRE RISK ASSESSMENT.**

(a) **STUDY.**—The Administrator of the Federal Emergency Management Agency shall, pursuant to the authority under section 1371 of the National Flood Insurance Act of 1968 (42 U.S.C. 4122), conduct a study regarding wildfire risk in the United States to—

(1) identify trends in declarations for wildfires under the Fire Management Assistance grant program under section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), with respect to geography, costs, probability, and frequency of wildfire disasters;

(2) identify mitigation practices that would assist in reducing premiums for insurance policies covering damages from wildfires;

(3) identify existing programs of the Federal Government and State governments that measure wildfire risk and assess their effectiveness in forecasting wildfire events and informing wildfire response; and

(4) analyze and assess the need for a national map for measuring and quantifying wildfire risk.

(b) **REPORT.**—Not later than 1 year after date of the enactment of this Act, the Administrator shall submit to the Congress a report regarding the findings and conclusions of the study conducted pursuant to subsection (a), which shall include a recommendation with regard to the need for a national map referred to in subsection (a)(4).

**SEC. 503. GAO STUDY REGARDING INSURANCE FOR WILDFIRE DAMAGE.**

(a) **STUDY.**—The Comptroller General of the United States, in consultation with the Director of the Federal Insurance Office and State insurance regulators, shall conduct a study to analyze and determine the following:

(1) **EXISTING STATE OF COVERAGE.**—With respect to the existing state of homeowners insurance coverage and commercial property insurance coverage for damage from wildfires in the United States—

(A) the extent to which private insurers have, during the 10-year period ending on the date of the enactment of this Act, increased rates, cost-sharing provisions, or both for such coverage (after adjusting for inflation) and the geographic areas in which such increased rates, cost-sharing, or both applied;

(B) the extent to which private insurers have, during the 10-year period ending on the date of the enactment of this Act, refused to renew policies for such coverages and the geographic areas to which such refusals applied;

(C) the events that have triggered such increased rates and refusals to renew policies;

(D) in cases in which private insurers curtail coverage, the extent to which homeowners coverage and commercial property coverage are terminated altogether and the extent to which such coverages are offered but with coverage for damage from wildfires excluded; and

(E) the extent to which, and circumstances under which, private insurers are continuing to provide coverage for damage from wildfires—

(i) in general;

(ii) subject to a condition that mitigation activities are taken, such as hardening of properties and landscaping against wildfires, by property owners, State or local governments, park or forest authorities, or other land management authorities; and

(iii) subject to any other conditions.

(2) **REGULATORY RESPONSES.**—With respect to actions taken by State insurance regulatory agencies in response to increased premium rates, cost-sharing, or both for coverage for damage from wildfires and exclusion of such coverage from homeowners policies—

(A) the extent of rate regulation;

(B) the extent of moratoria on such rate and cost-sharing increases and exclusions and on renewals;

(C) the extent to which States require homeowners coverage to include coverage for damage from wildfires or make sales of homeowners coverage contingent on the sale, underwriting, or financing of separate wildfire coverage in the State;

(D) the extent to which States have established State residual market insurance entities, reinsurance programs, or similar mechanisms for coverage of damages from wildfires;

(E) any other actions States or localities have taken in response to increased premium rates, cost-sharing, or both for coverage for damage from wildfires and exclusion of such coverage from homeowners policies, including forestry and wildfire management policies and subsidies for premiums and cost-sharing for wildfire coverage;

(F) the effects on the homeownership coverage market of such actions taken by States; and

(G) the effectiveness and sustainability of such actions taken by States.

(3) **IMPEDIMENTS IN UNDERWRITING WILDFIRE RISK.**—With respect to impediments faced by private insurers underwriting wildfire risk, what is or are—

(A) the correlated risks and the extent of such risks;

(B) the extent of private insurers' inability to estimate magnitude of future likelihood of wildfires and of expected damages from wildfires;

(C) the extent to which need for affordable housing contributes to people relocating to more remote, heavily wooded areas with higher wildfire risk;

(D) the potential for wildfire losses sufficiently large to jeopardize insurers' solvency;

(E) the extent to which, and areas in which, risk-adjusted market premiums for wildfire risk are so high as to be unaffordable;

(F) the manners in which the Federal Government and State governments can alleviate any of these impediments, including through—

(i) improved forest management policies to reduce wildfire risk;

(ii) improved data to estimate risk;

(iii) relocating homeowners from wildfire zones;

(iv) allowing insurers to charge risk-adjusted premiums for wildfire risk, combined with subsidized premiums for lower-income homeowners; and

(v) taking a last-loss position in reinsuring wildfire risk;

(G) the available policy responses if private insurers exit the wildfire coverage market and the advantages and disadvantages of each such response;

(H) the effects of lack of wildfire coverage or more expensive wildfire coverage rates, cost-sharing, or both—

(i) on local communities, including on low- or moderate-income property owners and small businesses;

(ii) by race and ethnicity;

(iii) on rebuilding in communities previously damaged by wildfires; and

(iv) on the demand for wildfire coverage by property owners;

(I) the effects of potential State prohibitions on termination of policies due to wildfire claims on insurer solvency; and

(J) the manner in which private insurers are modeling or estimating future wildfire risk.

(b) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Congress a report identifying the findings and conclusions of the study conducted pursuant to subsection (a).

**TITLE VI—OTHER MATTERS**

**SEC. 601. EXTREME WEATHER EVENTS.**

(a) **DEFINITIONS.**—

(1) **IN GENERAL.**—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(A) by amending subsection (a) to read as follows:

“(a) **DEFINITION OF UNDERSERVED COMMUNITY.**—In this section, the term ‘underserved community’ means a community, or a neighborhood within a community, that—

“(1) is classified as high risk according to census tract risk ratings derived from a product that—

“(A) is maintained under a natural hazard assessment program;

“(B) is available to the public;

“(C) defines natural hazard risk across the United States;

“(D) reflects high levels of individual hazard risk ratings;

“(E) reflects high social vulnerability ratings and low community resilience ratings;

“(F) reflects the principal natural hazard risks identified for the respective census tracts; and

“(G) any other elements determined by the President.

“(2) is comprised of 50,000 or fewer individuals and is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President; or

“(3) is otherwise determined by the President based on factors including, high housing cost burden and substandard housing, percentage of homeless population, limited water and sanitation access, demographic information such as race, age, and disability, language composition, transportation access or type, disproportionate environmental stressor burden, and disproportionate impacts from climate change.”;

(B) in subsection (g)(9) by striking ‘‘small impoverished communities’’ and inserting ‘‘underserved communities’’; and

(C) in subsection (h)(2)—

(i) in the heading by striking ‘‘SMALL IMPROVERISHED COMMUNITIES’’ and inserting ‘‘UNDERSERVED COMMUNITIES’’; and

(ii) by striking ‘‘small impoverished community’’ and inserting ‘‘underserved community’’.

(2) **APPLICABILITY.**—The amendments made by subsection (a) shall apply with respect to any amounts appropriated on or after the date of enactment of this Act.

(b) **GUIDANCE ON EXTREME TEMPERATURE EVENTS.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Administration shall issue guidance related to extreme temperature events, including heat waves and freezes, and publish such guidance in the Federal Emergency Management Administration Public Assistance Program and Policy Guide.

(c) **HAZARD MITIGATION PLANS.**—Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) is amended—

(1) in subsection (a) by striking the period at the end and inserting ‘‘, including—

“(1) identifying the extent to which resilience is or will be incorporated into other planning processes, including community land use, economic development, capital improvement budgets and transportation planning processes;

“(2) goals and objectives related to increasing resilience over a 5-year period, including benchmarks for future work and an assessment of past progress;

“(3) the building codes in existence at the time the plan is submitted and standards that are in use by the State for all manner of planning or development purposes and how the State has or will comply with the standards set forth in section 406(e)(1)(A);

“(4) the use of nature-based solutions or other mitigation activities that conserve or restore natural features that can serve to abate or lessen the impacts of future disasters;

“(5) integration of each local mitigation plan with the State, Indian Tribe, or territory plan; and

“(6) the disparate impacts on underserved communities (as such term is defined in section 203(a)) and plans to address any disparities.”; and

(2) by adding at the end the following:

“(f) **GUIDANCE.**—The Administrator of the Federal Emergency Management Agency shall issue specific guidance on resilience goals and provide technical assistance for States, Indian Tribes, territories, and local governments to meet such goals.

“(g) **ADEQUATE STAFFING.**—The Administrator of the Federal Emergency Management Agency shall ensure that ample staff are available to develop the guidance and technical assistance under section 322, including hazard mitigation planning staff and personnel with expertise in community planning, land use development, and consensus based codes and hazard resistant designs at each regional office that specifically focus on providing financial and non-financial direct technical assistance to States, Indian Tribes, and territories.

“(h) REPORTING.—Not less frequently than every 5 years, the Administrator shall submit to Congress a report on the progress of meeting the goals under this section.”

(d) ADDITIONAL USES OF FUNDS.—Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) is amended by adding at the end the following:

“(k) ADDITIONAL USES OF FUNDS.—For State and local governments that have exceeded, adopted, or are implementing the latest two published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities, a recipient of assistance provided under this paragraph may use such assistance in a manner consistent with the standards set forth in clauses (ii) and (iii) of section 406(e)(1)(A).”

(e) COLLABORATION WITH OTHER AGENCIES.—In awarding grants under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Administrator of the Federal Emergency Management Agency may coordinate with other relevant agencies, including the Environmental Protection Agency, the Department of Energy, the Department of Transportation, the Corps of Engineers, the Department of Agriculture, and the Department of Housing and Urban Development, as necessary, to improve collaboration for eligible activities under the Act.

(f) GAO REPORTS.—

(1) EXTREME TEMPERATURE EVENTS.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General of the United States shall evaluate and issue to Congress and the Federal Emergency Management Agency a report regarding the impacts of extreme temperature events on communities, the challenges posed to the Federal Emergency Management Agency in addressing extreme temperature events, and recommendations for the Federal Emergency Management Agency to better provide assistance to communities experiencing extreme temperature events. The report may also include examples of specific mitigation and resilience projects that communities may undertake, and the Federal Emergency Management Agency may consider, to reduce the impacts of extreme temperatures on and within building structures, participatory processes that allow for public engagement in determining and addressing local risks and vulnerabilities related to extreme temperatures events, and community infrastructure, including heating or cooling shelters.

(2) SMOKE AND INDOOR AIR QUALITY.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General shall evaluate and issue to Congress and the Federal Emergency Management Agency a report regarding the impacts of wildfire smoke and poor indoor air quality, the challenges posed to Federal Emergency Management Agency in addressing wildfire smoke and indoor air quality, and recommendations for the Federal Emergency Management Agency to better provide assistance to communities and individuals in dealing with wildfire smoke and indoor air quality.

(g) REPORT CONGRESS AND UPDATE OF COST EFFECTIVENESS DETERMINATIONS AND DECLARATIONS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in coordination with the Director of the Office of Management and Budget, shall submit to Congress a report regarding the challenges posed by the Agency’s requirements for declaring an incident or determining the cost effectiveness of mitigation activities and specifically how such requirements may disproportionately burden small impoverished communities, or specific vulnerable populations within communities.

(2) UPDATE OF COST EFFECTIVENESS DETERMINATION.—Not later than 5 years after the date of enactment of this Act, the Administrator, to the extent practicable, shall update the requirements for determining cost effectiveness and declaring incidents, including selection of appropriate interest rates, based on the findings made under subsection (a).

#### SEC. 602. FIRE MANAGEMENT ASSISTANCE PROGRAM POLICY.

The Administrator of the Federal Emergency Management Agency shall issue such regulations as are necessary to update the categories of eligibility and timelines for the fire management assistance program under section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) to be, to the maximum extent practicable, the same as such categories and timelines under the public assistance program under section 406 of such Act (42 U.S.C. 5172).

#### SEC. 603. CHANGES TO PUBLIC ASSISTANCE POLICY GUIDE.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue such regulations as are necessary to update the Public Assistance Program and Policy Guide of the Federal Emergency Management Agency to include guidance on the wildfire-specific challenges, including debris removal, emergency protective measures, and the resulting toxicity of drinking water resources.

#### SEC. 604. MITIGATION BENEFIT-COST ANALYSIS.

(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency shall conduct a review of the benefit cost analysis criteria for mitigation projects under sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. ) to consider a broader range of factors, including—

- (1) the establishment of a benefit cost analysis pre-calculated benefits criterion for common defensible space mitigation projects;
- (2) projects that use nature-based infrastructure;
- (3) considerations for ecological and societal health;
- (4) carbon sequestration;
- (5) improved water quality; and
- (6) lessening disaster impact on traditionally underserved communities.

(b) UPDATED CRITERIA.—Not later than 1 year after the date of enactment of this Act, the Administrator shall issue such regulations as are necessary to—

- (1) update the benefit cost analysis criteria for mitigation projects under sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. ) based on the results of the review conducted under subsection (a); and
- (2) prioritize projects under such sections based on the benefit cost analysis criteria updated under paragraph (1).

(c) DIVISION D—ENVIRONMENTAL JUSTICE

#### SEC. 101. DEFINITIONS.

In this division:

- (1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.
- (2) ADVISORY COUNCIL.—The term “Advisory Council” means the National Environmental Justice Advisory Council described in section 109.
- (3) AGGRIEVED PERSON.—The term “aggrieved person” means a person aggrieved by discrimination on the basis of race, color, or national origin.
- (4) CLEARINGHOUSE.—The term “Clearinghouse” means the Environmental Justice Clearinghouse established by the Administrator under section 107.
- (5) COMMUNITY OF COLOR.—The term “community of color” means any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located.

(6) COMMUNITY-BASED SCIENCE.—The term “community-based science” means voluntary public participation in the scientific process and the incorporation of data and information generated outside of traditional institutional boundaries to address real-world problems in ways that may include formulating research questions, conducting scientific experiments, collecting and analyzing data, interpreting results, making new discoveries, developing technologies and applications, and solving complex problems, with an emphasis on the democratization of science and the engagement of diverse people and communities.

(7) DEMONSTRATES.—The term “demonstrates” means meets the burdens of going forward with the evidence and of persuasion.

(8) DIRECTOR.—The term “Director” means the Director of the National Institute of Environmental Health Sciences.

(9) DISPARATE IMPACT.—The term “disparate impact” means an action or practice that, even if appearing neutral, actually has the effect of subjecting persons to discrimination on the basis of race, color, or national origin.

(10) DISPROPORTIONATE BURDEN OF ADVERSE HUMAN HEALTH OR ENVIRONMENTAL EFFECTS.—The term “disproportionate burden of adverse human health or environmental effects” means a situation where there exists higher or more adverse human health or environmental effects on communities of color, low-income communities, and Tribal and Indigenous communities.

(11) ENVIRONMENTAL JUSTICE.—The term “environmental justice” means the fair treatment and meaningful involvement of all individuals, regardless of race, color, culture, national origin, educational level, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies to ensure that—

(A) populations of color, communities of color, Tribal and Indigenous communities, and low-income communities have access to public information and opportunities for meaningful public participation relating to human health and environmental planning, regulations, and enforcement;

(B) Each population of color or community of color, Tribal and Indigenous community, or low-income community enjoy the same degree of protection from pollution or other environmental and health hazards; and

(C) the 17 Principles of Environmental Justice written and adopted at the First National People of Color Environmental Leadership Summit held on October through 27, 1991, in Washington, DC, are upheld.

(12) ENVIRONMENTAL JUSTICE COMMUNITY.—The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and Indigenous communities, that experiences, or is at risk of experiencing higher or more adverse human health or environmental effects.

(13) FAIR TREATMENT.—The term “fair treatment” means the conduct of a program, policy, practice or activity by a Federal agency in a manner that ensures that no group of individuals (including racial, ethnic, or socioeconomic groups) experience a disproportionate burden of adverse human health or environmental effects resulting from such program, policy, practice, or activity, as determined through consultation with, and with the meaningful participation of, individuals from the communities affected by a program, policy, practice or activity of a Federal agency.

(14) FEDERAL AGENCY.—The term “Federal agency” means—

(A) each Federal agency represented on the Working Group; and

(B) any other Federal agency that carries out a Federal program or activity that substantially affects human health or the environment, as determined by the President.

(15) TRIBAL AND INDIGENOUS COMMUNITY.—The term “Tribal and Indigenous community”

refers to a population of people who are members of—

- (A) a federally recognized Indian Tribe;
- (B) a State-recognized Indian Tribe;
- (C) an Alaska Native or Native Hawaiian community or organization; and
- (D) any other community of Indigenous people located in a State.

(16) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (U.S.C. 5304).

(17) **INFRASTRUCTURE.**—The term “infrastructure” means any system for safe drinking water, sewer collection, solid waste disposal, electricity generation, communication, or transportation access (including highways, airports, marine terminals, rail systems, and residential roads) that is used to effectively and safely support—

- (A) housing;
- (B) an educational facility;
- (C) a medical provider;
- (D) a park or recreational facility; or
- (E) a local business.

(18) **LOCAL GOVERNMENT.**—The term “local government” means—

(A) a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate governmental entity, or agency or instrumentality of a local government; or

(B) an Indian Tribe or authorized Tribal organization, or Alaska Native village or organization, that is not a Tribal Government.

(19) **LOW INCOME.**—The term “low income” means an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(20) **LOW-INCOME COMMUNITY.**—The term “low income community” means any census block group in which 30 percent or more of the population are individuals with low income.

(21) **MEANINGFUL.**—The term “meaningful”, with respect to involvement by the public in a determination by a Federal agency, means that—

(A) potentially affected residents of a community have an appropriate opportunity to participate in decisions regarding a proposed activity that will affect the environment or public health of the community;

(B) the public contribution can influence the determination by the Federal agency;

(C) the concerns of all participants involved are taken into consideration in the decision-making process; and

(D) the Federal agency—

(i) provides to potentially affected members of the public relevant and accurate information regarding the activity potentially affecting the environment or public health of affected members of the public; and

(ii) facilitates the involvement of potentially affected members of the public.

(22) **POPULATION.**—The term “population” means a census block group or series of geographically contiguous blocks representing certain common characteristics, such as race, ethnicity, national origin, income-level, health disparities, or other public health and socioeconomic attributes.

(23) **POPULATION OF COLOR.**—The term “population of color” means a population of individuals who identify as—

- (A) Black;
- (B) African American;
- (C) Asian;
- (D) Pacific Islander;
- (E) another non-White race;
- (F) Hispanic;
- (G) Latino; or

(H) linguistically isolated.

(24) **PUBLISH.**—The term “publish” means to make publicly available in a form that is—

(A) generally accessible, including on the internet and in public libraries; and

(B) accessible for—

(i) individuals who are limited in English proficiency, in accordance with Executive Order No. 13166 (65 Fed. Reg. 50121 (August 16, 2000)); and

(ii) individuals with disabilities.

(25) **STATE.**—The term “State” means any State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(26) **TRIBAL GOVERNMENT.**—The term “Tribal Government” means the governing body of an Indian Tribe.

(27) **WHITE HOUSE INTERAGENCY COUNCIL.**—The term “White House Interagency Council” means the White House Environmental Justice Interagency Council.

(28) **CLIMATE JUSTICE.**—The term “climate justice” means the fair treatment and meaningful involvement of all individuals, regardless of race, color, culture, national origin, educational level, or income, with respect to the development, implementation, and enforcement of policies and projects that address climate change, a recognition of the historical responsibilities for climate change, and a commitment that the people and communities least responsible for climate change, and most vulnerable to the impacts of climate change, do not suffer disproportionately as a result of historical injustice and disinvestment.

(29) **NATURAL INFRASTRUCTURE.**—The term “natural infrastructure” means infrastructure that uses, restores, or emulates natural ecological processes and—

(A) is created through the action of natural physical, geological, biological, and chemical processes over time;

(B) is created by human design, engineering, and construction to emulate or act in concert with natural processes; or

(C) involves the use of plants, soils, and other natural features, including through the creation, restoration, or preservation of vegetated areas using materials appropriate to the region to manage stormwater and runoff, to attenuate flooding and storm surges, to prevent and mitigate and address wildfires and drought, and for other related purposes.

#### **SEC. 102. ENVIRONMENTAL JUSTICE COMMUNITY TECHNICAL ASSISTANCE GRANTS.**

(a) **IN GENERAL.**—The Administrator may award grants to eligible entities to enable such entities to participate in decisions impacting the health and safety of their communities in connection with an actual or potential release of a covered hazardous air pollutant or in connection with wildfires or drought.

(b) **TIMING.**—

(1) **GUIDANCE.**—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the process for eligible entities to apply for a grant under this section, including the required content and form of applications, the manner in which applications must be submitted, and any applicable deadlines.

(2) **FIRST GRANT.**—Not later than 180 days after the issuance of guidance under paragraph (1), the Administrator shall award the first grant under this section.

(c) **ELIGIBLE ENTITY.**—To be eligible for a grant under this section, an applicant shall be a group of individuals who reside in a community that—

(1) is a population of color, a community of color, a Tribal and Indigenous community, or a low-income community; and

(2) is in close proximity to the site of an actual or potential release of a covered hazardous air pollutant.

(d) **USE OF FUNDS.**—An eligible entity receiving a grant under this section shall use the

grant to participate in decisions impacting the health and safety of the community involved in connection with an actual or potential release of a covered hazardous air pollutant, including—

(1) interpreting information with regard to the nature of the hazard, cumulative impacts studies, health impacts studies, remedial investigation and feasibility studies, agency decisions, remedial design, and operation and maintenance of necessary monitors; and

(2) performing additional air pollution monitoring.

(e) **LIMITATIONS ON AMOUNT; RENEWAL.**—

(1) **AMOUNT.**—

(A) **IN GENERAL.**—The amount of a grant under this section (excluding any renewals of the grant) may not exceed \$50,000 for any grant recipient.

(B) **EXCEPTION.**—The Administrator may waive the limitation in subparagraph (A) with respect to an applicant in any case where the Administrator determines that such waiver is necessary for the community involved to obtain the necessary technical assistance.

(2) **RENEWAL.**—Grants may be renewed for each step in the regulatory, removal, or remediation process in connection with a facility with the potential to release a covered hazardous air pollutant.

(f) **DEFINITION OF COVERED HAZARDOUS AIR POLLUTANT.**—In this section, the term “covered hazardous air pollutant” means a hazardous air pollutant (as defined in section 112 of the Clean Air Act) that—

(1) is listed on the toxics release inventory under section (c) of the Emergency Planning and Community Right-To-Know Act of 1986; or

(2) is identified as carcinogenic by an assessment under the Integrated Risk Information System (IRIS) of the Environmental Protection Agency.

#### **SEC. 103. WHITE HOUSE ENVIRONMENTAL JUSTICE INTERAGENCY COUNCIL.**

(a) **IN GENERAL.**—The President shall maintain within the Executive Office of the President a White House Environmental Justice Interagency Council.

(b) **REQUIREMENTS.**—

(1) **COMPOSITION.**—The White House Interagency Council shall be comprised of the following (or a designee):

(A) The Secretary of Agriculture.

(B) The Secretary of Commerce.

(C) The Secretary of Defense.

(D) The Secretary of Energy.

(E) The Secretary of Health and Human Services.

(F) The Secretary of Homeland Security.

(G) The Secretary of Housing and Urban Development.

(H) The Secretary of the Interior.

(I) The Secretary of Labor.

(J) The Secretary of Transportation.

(K) The Attorney General.

(L) The Administrator.

(M) The Director of the Office of Environmental Justice.

(N) The Chairman of the Consumer Product Safety Commission.

(O) The Chairperson of the Chemical Safety Board.

(P) The Director of the Office of Management and Budget.

(Q) The Director of the Office of Science and Technology Policy.

(R) The Chair of the Council on Environmental Quality.

(S) The Assistant to the President for Domestic Policy.

(T) The Director of the National Economic Council.

(U) The Chairman of the Council of Economic Advisers.

(V) The Secretary of Education.

(W) The Deputy Assistant to the President for Environmental Policy.

(X) The Director of the National Institutes of Health.



(Y) The Director of the National Park Service.  
(Z) The Assistant Secretary of the Bureau of Indian Affairs.

(AA) The Chairperson of the National Environmental Justice Advisory Council.

(BB) Such other Federal officials as the President may designate.

(2) FUNCTIONS.—The White House Interagency Council shall—

(A) report to the President through the Chair of the Council on Environmental Quality;

(B) provide guidance to Federal agencies regarding criteria for identifying disproportionately high and adverse human health or environmental effects—

(i) on populations of color, communities of color, Tribal and Indigenous communities, and low-income communities; and

(ii) on the basis of race, color, national origin, or income;

(C) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency with respect to the implementation and updating of an environmental justice strategy required under this division, in order to ensure that the administration, interpretation, and enforcement of programs, activities, and policies are carried out in a consistent manner; (D) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other Federal agencies conducting research or other activities in accordance with this division;

(E) identify, based in part on public recommendations contained in Federal agency progress reports, important areas for Federal agencies to take into consideration and address, as appropriate, in environmental justice strategies and other efforts;

(F) assist in coordinating data collection and maintaining and updating appropriate databases, as required by this division;

(G) examine existing data and studies relating to environmental justice;

(H) hold public meetings and otherwise solicit public participation under paragraph (3); and

(I) develop interagency model projects relating to environmental justice that demonstrate cooperation among Federal agencies.

(3) PUBLIC PARTICIPATION.—The White House Interagency Council shall—

(A) hold public meetings or otherwise solicit public participation and community-based science for the purpose of fact-finding with respect to the implementation of this division; and

(B) prepare for public review and publish a summary of any comments and recommendations provided.

(c) JUDICIAL REVIEW AND RIGHTS OF ACTION.—Any person may commence a civil action—

(1) to seek relief from, or to compel, an agency action under this section (including regulations promulgated pursuant to this section); or

(2) otherwise to ensure compliance with this section (including regulations promulgated pursuant to this section).

#### SEC. 104. FEDERAL AGENCY ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE.

(a) FEDERAL AGENCY RESPONSIBILITIES.—

(1) ENVIRONMENTAL JUSTICE MISSION.—To the maximum extent practicable and permitted by applicable law, each Federal agency shall make achieving environmental justice part of the mission of the Federal agency by identifying, addressing, and mitigating disproportionately high and adverse human health or environmental effects of the programs, policies, and activities of the Federal agency on populations of color, communities of color, Tribal and Indigenous communities, and low-income communities in the United States (including the territories and possessions of the United States and the District of Columbia).

(2) NONDISCRIMINATION.—Each Federal agency shall conduct any program, policy, or activity that substantially affects human health or

the environment in a manner that ensures that the program, policy, or activity does not have the effect of excluding any individual or group from participation in, denying any individual or group the benefits of, or subjecting any individual or group to discrimination under, the program, policy, or activity on the basis of race, color, or national origin.

(3) STRATEGIES.—

(A) AGENCYWIDE STRATEGIES.—Each Federal agency shall implement and update, not less frequently than annually, an agencywide environmental justice strategy that identifies and includes strategies to address disproportionately high and adverse human health or environmental effects of the programs, policies, spending, and other activities of the Federal agency with respect to populations of color, communities of color, Tribal and Indigenous communities, and low-income communities, including, as appropriate for the mission of the Federal agency, with respect to the following areas:

(i) Implementation of the National Environmental Policy Act of 1969 (42 U.S.C. et seq.).

(ii) Implementation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (including regulations promulgated pursuant to that title).

(iii) Implementation of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(iv) Impacts from the lack of infrastructure, or from deteriorated infrastructure.

(v) Impacts from land use.

(vi) Impacts from climate change, including wildfires and drought.

(vii) Impacts from commercial transportation.

(viii) Strategies for the implementation of agency programs, policies, and activities to provide for—

(I) equal protection from environmental and health hazards for populations of color, communities of color, Tribal and Indigenous communities, and low-income communities;

(II) equal opportunity for public involvement and due process to populations of color, communities of color, Tribal and Indigenous communities, and low-income communities in the development, implementation, and enforcement of agency programs, policies, and activities;

(III) improved technical assistance and access to information to populations of color, communities of color, Tribal and Indigenous communities, and low-income communities regarding the impacts of agency programs, policies, and activities on environmental justice communities;

(IV) improved agency cooperation with State governments, Tribal Governments, and local governments to address pollution and public health burdens for populations of color, communities of color, Tribal and Indigenous communities, and low-income communities.

(B) REVISIONS.—

(i) IN GENERAL.—Each strategy developed and updated pursuant to subparagraph (A) shall identify programs, policies, planning and public participation processes, rulemaking, agency spending, and enforcement activities relating to human health or the environment that may be revised, at a minimum—

(I) to promote enforcement of all health, environmental, and civil rights laws and regulations in areas containing populations of color, communities of color, Tribal and Indigenous communities, and low-income communities;

(II) to ensure greater public participation;

(III) to provide increased access to infrastructure;

(IV) to improve research and data collection relating to the health and environment of populations of color, communities of color, Tribal and Indigenous communities, and low-income communities, including through the increased use of community-based science; and

(V) to identify differential patterns of use of natural resources among populations of color, communities of color, Tribal and Indigenous communities, and low-income communities.

(ii) TIMETABLES.—Each strategy implemented and updated pursuant to subparagraph (A) shall include a timetable for undertaking revisions identified pursuant to clause (i).

(C) PROGRESS REPORTS.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 5 years thereafter, each Federal agency shall submit to Congress and the Working Group, and shall publish, a progress report that includes, with respect to the period covered by the report—

(i) a description of the current environmental justice strategy of the Federal agency;

(ii) an evaluation of the progress made by the Federal agency at national and regional levels regarding implementation of the environmental justice strategy, including—

(I) metrics used by the Federal agency to measure performance; and

(II) the progress made by the Federal agency toward—

(aa) the achievement of the metrics described in subclause (I); and

(bb) mitigating identified instances of environmental injustice;

(iii) a description of the participation by the Federal agency in interagency collaboration;

(iv) responses to recommendations submitted by members of the public to the Federal agency relating to the environmental justice strategy of the Federal agency and the implementation by the Federal agency of this division; and

(v) any updates or revisions to the environmental justice strategy of the Federal agency, including those resulting from public comments.

(4) PUBLIC PARTICIPATION.—Each Federal agency shall—

(A) ensure that meaningful opportunities exist for the public to submit comments and recommendations relating to the environmental justice strategy, progress reports, and ongoing efforts of the Federal agency to incorporate environmental justice principles into the programs, policies, and activities of the Federal agency;

(B) hold public meetings or otherwise solicit public participation and community-based science from populations of color, communities of color, Tribal and Indigenous communities, and low-income communities for fact-finding, receiving public comments, and conducting inquiries concerning environmental justice; and

(C) prepare for public review and publish a summary of the comments and recommendations provided.

(5) ACCESS TO INFORMATION.—Each Federal agency shall—

(A) publish public documents, notices, and hearings relating to the programs, policies, and activities of the Federal agency that affect human health or the environment; and

(B) translate and publish any public documents, notices, and hearings relating to an action of the Federal agency as appropriate for the affected population, specifically in any case in which a limited English-speaking population may be disproportionately affected by that action.

(6) CODIFICATION OF GUIDANCE.—

(A) COUNCIL ON ENVIRONMENTAL QUALITY.—Notwithstanding any other provision of law, sections II and III of the guidance issued by the Council on Environmental Quality entitled “Environmental Justice Guidance Under the National Environmental Policy Act” and dated December 10, 1997, are enacted into law.

(B) ENVIRONMENTAL PROTECTION AGENCY.—Notwithstanding any other provision of law, the guidance issued by the Environmental Protection Agency entitled “EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights” and dated February 2016 is enacted into law.

(b) HUMAN HEALTH AND ENVIRONMENTAL RESEARCH, DATA COLLECTION, AND ANALYSIS.—

(1) RESEARCH.—Each Federal agency, to the maximum extent practicable and permitted by applicable law, shall—

(A) in conducting environmental or human health research, include diverse segments of the

population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as—

- (i) populations of color, communities of color, Tribal and Indigenous communities, populations with low income, and low-income communities;
- (ii) fenceline communities; and
- (iii) workers who may be exposed to substantial environmental hazards;

(B) in conducting environmental or human health analyses, identify multiple and cumulative exposures; and

(C) actively encourage and solicit community-based science, and provide to populations of color, communities of color, Tribal and Indigenous communities, populations with low income, and low income communities the opportunity to comment regarding the development and design of research strategies carried out pursuant to this division.

(2) **DISPROPORTIONATE IMPACT.**—To the maximum extent practicable and permitted by applicable law (including section 552a of title 5, United States Code (commonly known as the Privacy Act)), each Federal agency shall—

(A) collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income; and

(B) use that information to determine whether the programs, policies, and activities of the Federal agency have disproportionately high and adverse human health or environmental effects on populations of color, communities of color, Tribal and Indigenous communities, and low-income communities.

(3) **INFORMATION RELATING TO NON-FEDERAL FACILITIES.**—In connection with the implementation of Federal agency strategies under subsection (a)(3), each Federal agency, to the maximum extent practicable and permitted by applicable law, shall collect, maintain, and analyze information relating to the race, national origin, and income level, and other readily accessible and appropriate information, for fenceline communities in proximity to any facility or site expected to have a substantial environmental, human health, or economic effect on the surrounding populations, if the facility or site becomes the subject of a substantial Federal environmental administrative or judicial action.

(4) **IMPACT FROM FEDERAL FACILITIES.**—Each Federal agency, to the maximum extent practicable and permitted by applicable law, shall collect, maintain, and analyze information relating to the race, national origin, and income level, and other readily accessible and appropriate information, for fenceline communities in proximity to any facility of the Federal agency that is—

(A) subject to the reporting requirements under the Emergency Planning and Community Right-To-Know Act of (42 U.S.C. 11001 et seq.), as required by Executive Order No. 12898 (42 U.S.C. 4321 note; relating to Federal actions to address environmental justice in minority populations and low-income populations); and

(B) expected to have a substantial environmental, human health, or economic effect on surrounding populations.

(c) **CONSUMPTION OF FISH AND WILDLIFE.**—

(1) **IN GENERAL.**—Each Federal agency shall develop, publish (unless prohibited by law), and revise, as practicable and appropriate, guidance on actions of the Federal agency that will impact fish and wildlife consumed by populations that principally rely on fish or wildlife for subsistence.

(2) **REQUIREMENT.**—The guidance described in paragraph (1) shall—

(A) reflect the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife; and

(B) publish the risks of such consumption patterns.

(d) **MAPPING AND SCREENING TOOL.**—The Administrator shall continue to make available to the public an environmental justice mapping and screening tool (such as EJScreen or an equivalent tool) that includes, at a minimum, the following features:

- (1) Nationally consistent data.
- (2) Environmental data.
- (3) Demographic data, including data relating to race, ethnicity, and income.
- (4) Capacity to produce maps and reports by geographical area.
- (5) Data on national parks and other federally protected natural, historic, and cultural sites.

(e) **JUDICIAL REVIEW AND RIGHTS OF ACTION.**—Any person may commence a civil action—

(1) to seek relief from, or to compel, an agency action under this section (including regulations promulgated pursuant to this section); or

(2) otherwise to ensure compliance with this section (including regulations promulgated pursuant to this section).

(f) **INFORMATION SHARING.**—In carrying out this section, each Federal agency, to the maximum extent practicable and permitted by applicable law, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and Tribal Governments.

(g) **CLIMATE AND ECONOMIC JUSTICE SCREENING TOOL.**—The Chair of the Council on Environmental Quality shall—

(1) maintain a geospatial Climate and Economic Justice Screening Tool; and

(2) annually publish interactive maps highlighting disadvantaged communities.

**SEC. 105. TRAINING OF EMPLOYEES OF FEDERAL AGENCIES.**

(a) **INITIAL TRAINING.**—Not later than 1 year after the date of enactment of this Act, each employee of the Department of Energy, the Environmental Protection Agency, the Department of the Interior, and the National Oceanic and Atmospheric Administration shall complete an environmental justice training program to ensure that each such employee—

(1) has received training in environmental justice; and

(2) is capable of—

(A) appropriately incorporating environmental justice concepts into the daily activities of the employee; and

(B) increasing the meaningful participation of individuals from environmental justice communities in the activities of the applicable agency.

(b) **MANDATORY PARTICIPATION.**—Effective on the date that is 1 year after the date of enactment of this Act, each individual hired by the Department of Energy, the Environmental Protection Agency, the Department of the Interior, and the National Oceanic and Atmospheric Administration after that date shall be required to participate in environmental justice training.

(c) **REQUIREMENT RELATING TO CERTAIN EMPLOYEES.**—

(1) **IN GENERAL.**—With respect to each Federal agency that participates in the White House Interagency Council, not later than 30 days after the date on which an individual is appointed to the position of environmental justice coordinator, or any other position the responsibility of which involves the conduct of environmental justice activities, the individual shall be required to possess documentation of the completion by the individual of environmental justice training.

(2) **EVALUATION.**—Not later than 3 years after the date of enactment of this Act, the Inspector General of each Federal agency that participates in the White House Interagency Council shall evaluate the training programs of such Federal agency to determine if such Federal agency has improved the rate of training of the employees of such Federal agency to ensure that each employee has received environmental justice training.

**SEC. 106. ENVIRONMENTAL JUSTICE BASIC TRAINING PROGRAM.**

(a) **ESTABLISHMENT.**—The Administrator shall establish a basic training program, in coordination and consultation with nongovernmental environmental justice organizations, to increase the capacity of residents of environmental justice communities to identify and address disproportionately adverse human health or environmental effects by providing culturally and linguistically appropriate—

(1) training and education relating to—

(A) basic and advanced techniques for the detection, assessment, and evaluation of the effects of hazardous substances, wildfire, and drought on human health;

(B) methods to assess the risks to human health presented by hazardous substances, wildfire, and drought;

(C) methods and technologies to detect hazardous substances in the environment;

(D) basic biological, chemical, and physical methods to reduce the quantity and toxicity of hazardous substances and to reduce the frequency and extent of wildfires and drought;

(E) the rights and safeguards currently afforded to individuals through policies and laws intended to help environmental justice communities address disparate impacts and discrimination, including—

(i) laws adopted to protect human health and the environment; and

(ii) section 602 of the Civil Rights Act of (42 U.S.C. 2000d-1);

(F) public engagement opportunities through the policies and laws described in subparagraph (E);

(G) materials available on the Clearinghouse described in this division;

(H) methods to expand access to parks and other natural and recreational amenities; and

(I) finding and applying for Federal grants related to environmental justice; and

(2) short courses and continuation education programs for residents of communities who are located in close proximity to hazardous substances or in locations at risk of wildfires or drought to provide, as applicable—

(A) education relating to—

(i) the proper manner to handle hazardous substances;

(ii) the management of facilities at which hazardous substances are located (including facility compliance protocols);

(iii) the evaluation of the hazards that facilities described in clause (ii) pose to human health; and

(iv) preventing, mitigating, and managing wildfires and drought and the hazards that wildfires and drought pose to human health; and

(B) training on environmental and occupational health and safety with respect to the public health and engineering aspects of hazardous waste control.

(b) **GRANT PROGRAM.**—

(1) **ESTABLISHMENT.**—In carrying out the basic training program established under subsection (a), the Administrator may provide grants to, or enter into any contract or cooperative agreement with, an eligible entity to carry out any training or educational activity described in subsection (a).

(2) **ELIGIBLE ENTITY.**—To be eligible to receive assistance under paragraph (1), an eligible entity shall be an accredited institution of education in partnership with—

(A) a community-based organization that carries out activities relating to environmental justice;

(B) a generator of hazardous waste;

(C) any individual who is involved in the detection, assessment, evaluation, or treatment of hazardous waste;

(D) any owner or operator of a facility at which hazardous substances are located; or

(E) any State government, Tribal Government, or local government.

(c) PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator, in consultation with the Director, shall develop and publish in the Federal Register a plan to carry out the basic training program established under subsection (a).

(2) CONTENTS.—The plan described in paragraph (1) shall contain—

(A) a list that describes the relative priority of each activity described in subsection (a); and

(B) a description of research and training relevant to environmental justice issues of communities adversely affected by pollution.

(3) COORDINATION WITH FEDERAL AGENCIES.—The Administrator shall, to the maximum extent practicable, take appropriate steps to coordinate the activities of the basic training program described in the plan with the activities of other Federal agencies to avoid any duplication of effort.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(A) the implementation of the basic training program established under subsection (a); and

(B) the impact of the basic training program on improving training opportunities for residents of environmental justice communities.

(2) PUBLIC AVAILABILITY.—The Administrator shall make the report required under paragraph (1) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2023 through 2027.

#### SEC. 107. ENVIRONMENTAL JUSTICE CLEARINGHOUSE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a public internet-based clearinghouse, to be known as the Environmental Justice Clearinghouse.

(b) CONTENTS.—The Clearinghouse shall be composed of culturally and linguistically appropriate materials related to environmental justice, including—

(1) information describing the activities conducted by the Environmental Protection Agency to address issues relating to environmental justice;

(2) copies of training materials provided by the Administrator to help individuals and employees understand and carry out environmental justice activities;

(3) links to web pages that describe environmental justice activities of other Federal agencies;

(4) a directory of individuals who possess technical expertise in issues relating to environmental justice;

(5) a directory of nonprofit and community-based organizations, including grassroots organizations led by people of color, that address issues relating to environmental justice at the local, State, and Federal levels (with particular emphasis given to nonprofit and community-based organizations that possess the capability to provide advice or technical assistance to environmental justice communities); and

(6) any other appropriate information as determined by the Administrator, including information on any resources available to help address the disproportionate burden of adverse human health or environmental effects on environmental justice communities.

(c) CONSULTATION.—In developing the Clearinghouse, the Administrator shall consult with individuals representing academic and community-based organizations who have expertise in issues relating to environmental justice.

(d) ANNUAL REVIEW.—The Advisory Council shall—

(1) conduct a review of the Clearinghouse on an annual basis; and

(2) recommend to the Administrator any updates for the Clearinghouse that the Advisory Council determines to be necessary for the effective operation of the Clearinghouse.

#### SEC. 108. PUBLIC MEETINGS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Administrator shall hold public meetings on environmental justice issues in each region of the Environmental Protection Agency to gather public input with respect to the implementation and updating of environmental justice strategies and efforts of the Environmental Protection Agency.

(b) OUTREACH TO ENVIRONMENTAL JUSTICE COMMUNITIES.—The Administrator, in advance of the meetings described in subsection (a), shall to the extent practicable hold multiple meetings in environmental justice communities in each region to provide meaningful community involvement opportunities.

(c) NOTICE.—Notice for the meetings described in subsections (a) and (b) shall be provided—

(1) to applicable representative entities or organizations present in the environmental justice community, including—

(A) local religious organizations;

(B) civic associations and organizations;

(C) business associations of people of color;

(D) environmental and environmental justice organizations;

(E) homeowners, tenants, and neighborhood watch groups;

(F) local and Tribal Governments;

(G) rural cooperatives;

(H) business and trade organizations;

(I) community and social service organizations;

(J) universities, colleges, and vocational schools;

(K) labor organizations;

(L) civil rights organizations;

(M) senior citizens' groups; and

(N) public health agencies and clinics;

(2) through communication methods that are accessible in the applicable environmental justice community, which may include electronic media, newspapers, radio, and other media particularly targeted at communities of color, low-income communities, and Tribal and Indigenous communities; and

(3) at least 30 days before any such meeting.

(d) COMMUNICATION METHODS AND REQUIREMENTS.—The Administrator shall—

(1) provide translations of any documents made available to the public pursuant to this section in any language spoken by more than 5 percent of the population residing within the applicable environmental justice community, and make available translation services for meetings upon request; and

(2) not require members of the public to produce a form of identification or register their names, provide other information, complete a questionnaire, or otherwise fulfill any condition precedent to attending a meeting, but if an attendance list, register, questionnaire, or other similar document is utilized during meetings, it shall state clearly that the signing, registering, or completion of the document is voluntary.

(e) REQUIRED ATTENDANCE OF CERTAIN EMPLOYEES.—In holding a public meeting under subsection (a), the Administrator shall ensure that at least 1 employee of the Environmental Protection Agency at the level of Assistant Administrator is present at the meeting to serve as a representative of the Environmental Protection Agency.

#### SEC. 109. NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The President shall establish an advisory council, to be known as the National Environmental Justice Advisory Council.

(b) MEMBERSHIP.—The Advisory Council shall be composed of 26 members who have knowledge of, or experience relating to, the effect of environmental conditions on communities of color, low-income communities, and Tribal and Indigenous communities, including—

(1) representatives of—

(A) community-based organizations that carry out initiatives relating to environmental justice, including grassroots organizations led by people of color;

(B) State governments, Tribal Governments, and local governments;

(C) Indian Tribes and other Indigenous groups;

(D) nongovernmental and environmental organizations; and

(E) private sector organizations (including representatives of industries and businesses); and

(2) experts in the field of—

(A) socioeconomic analysis;

(B) health and environmental effects;

(C) exposure evaluation;

(D) environmental law and civil rights law; or

(E) environmental health science research.

(c) SUBCOMMITTEES; WORKGROUPS.—

(1) ESTABLISHMENT.—The Advisory Council may establish any subcommittee or workgroup to assist the Advisory Council in carrying out any duty of the Advisory Council described in subsection (d).

(2) REPORT.—Upon the request of the Advisory Council, each subcommittee or workgroup established by the Advisory Council under paragraph (1) shall submit to the Advisory Council a report that contains—

(A) a description of each recommendation of the subcommittee or workgroup; and

(B) any advice requested by the Advisory Council with respect to any duty of the Advisory Council.

(d) DUTIES.—The Advisory Council shall provide independent advice and recommendations to the Environmental Protection Agency with respect to issues relating to environmental justice, including advice—

(1) to help develop, facilitate, and conduct reviews of the direction, criteria, scope, and adequacy of the scientific research and demonstration projects of the Environmental Protection Agency relating to environmental justice;

(2) to improve participation, cooperation, and communication with respect to such issues—

(A) within the Environmental Protection Agency;

(B) between, and among, the Environmental Protection Agency and Federal agencies, State and local governments, Indian Tribes, environmental justice leaders, interest groups, and the public;

(3) requested by the Administrator to help improve the response of the Environmental Protection Agency in securing environmental justice for communities of color, low-income communities, and Tribal and Indigenous communities; and

(4) on issues relating to—

(A) the developmental framework of the Environmental Protection Agency with respect to the integration by the Environmental Protection Agency of socioeconomic programs into the strategic planning, annual planning, and management accountability of the Environmental Protection Agency to achieve environmental justice results throughout the Environmental Protection Agency;

(B) the measurement and evaluation of the progress, quality, and adequacy of the Environmental Protection Agency in planning, developing, and implementing environmental justice strategies, project, and programs;

(C) any existing and future information management systems, technologies, and data collection activities of the Environmental Protection Agency (including recommendations to conduct analyses that support and strengthen environmental justice programs in administrative and scientific areas);

(D) the administration of grant programs relating to environmental justice assistance; and

(E) education, training, and other outreach activities conducted by the Environmental Protection Agency relating to environmental justice.

(e) DESIGNATED FEDERAL OFFICER.—The Director of the Office of Environmental Justice of the Environmental Protection Agency is designated as the Federal officer required under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.) for the Advisory Council.

(f) MEETINGS.—

(1) IN GENERAL.—The Advisory Council shall meet not less frequently than 3 times each calendar year.

(2) OPEN TO PUBLIC.—Each meeting of the Advisory Council shall be held open to the public.

(3) DUTIES OF DESIGNATED FEDERAL OFFICER.—The designated Federal officer described in subsection (e) (or a designee) shall—

(A) be present at each meeting of the Advisory Council;

(B) ensure that each meeting is conducted in accordance with an agenda approved in advance by the designated Federal officer;

(C) provide an opportunity for interested persons—

(i) to file comments before or after each meeting of the Advisory Council; or

(ii) to make statements at such a meeting, to the extent that time permits;

(D) ensure that a representative of the Working Group and a high-level representative from each regional office of the Environmental Protection Agency are invited to, and encouraged to attend, each meeting of the Advisory Council; and

(E) provide technical assistance to States seeking to establish State-level environmental justice advisory councils or implement other environmental justice policies or programs.

(g) RESPONSES FROM ADMINISTRATOR.—

(1) PUBLIC COMMENT INQUIRIES.—The Administrator shall provide a written response to each inquiry submitted to the Administrator by a member of the public before or after each meeting of the Advisory Council by not later than 120 days after the date of submission.

(2) RECOMMENDATIONS FROM ADVISORY COUNCIL.—The Administrator shall provide a written response to each recommendation submitted to the Administrator by the Advisory Council by not later than 120 days after the date of submission.

(h) TRAVEL EXPENSES.—A member of the Advisory Council may be allowed travel expenses, including per diem in lieu of subsistence, at such rate as the Administrator determines to be appropriate while away from the home or regular place of business of the member in the performance of the duties of the Advisory Council.

(i) DURATION.—The Advisory Council shall remain in existence unless otherwise provided by law.

#### SEC. 110. ENVIRONMENTAL JUSTICE GRANT PROGRAMS.

(a) IN GENERAL.—The Administrator shall continue to carry out the Environmental Justice Small Grants Program and the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, as those programs are in existence on the date of enactment of this Act.

(b) CARE GRANTS.—The Administrator shall continue to carry out the Community Action for a Renewed Environment grant programs I and II, as in existence on January 1, 2012.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the programs described in subsections (a) and (b) \$50,000,000 for each of fiscal years 2023 through 2032.

#### SEC. 111. ENVIRONMENTAL JUSTICE COMMUNITY SOLID WASTE DISPOSAL TECHNICAL ASSISTANCE GRANTS.

(a) IN GENERAL.—The Administrator may award grants to eligible entities to enable such

entities to participate in decisions impacting the health and safety of their communities relating to the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility.

(b) TIMING.—

(1) GUIDANCE.—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the process for eligible entities to apply for a grant under this section, including the required content and form of applications, the manner in which applications must be submitted, and any applicable deadlines.

(2) FIRST GRANT.—Not later than 180 days after the issuance of guidance under paragraph (1), the Administrator shall award the first grant under this section.

(c) ELIGIBLE ENTITY.—To be eligible for a grant under this section, an applicant shall be a group of individuals who reside in a community that—

(1) is a population of color, a community of color, a Tribal and Indigenous community, or a low-income community; and

(2) is in close proximity to a facility described in subsection (a) for which a decision relating to a permit or permit renewal for such facility is required.

(d) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant to participate in decisions impacting the health and safety of the community involved that are related to the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility, including—

(1) interpreting information with regard to—

(A) cumulative impacts studies;

(B) health impacts studies;

(C) relevant agency decisions; and

(D) operation and maintenance of necessary monitors; and

(2) performing environmental monitoring.

(e) LIMITATIONS ON AMOUNT; RENEWAL.—

(1) AMOUNT.—

(A) IN GENERAL.—The amount of a grant under this section (excluding any renewals of the grant) may not exceed \$50,000 for any grant recipient.

(B) EXCEPTION.—The Administrator may waive the limitation in subparagraph (A) with respect to an applicant in any case where the Administrator determines that such waiver is necessary for the community involved to obtain the necessary technical assistance.

(2) RENEWAL.—Grants may be renewed for each step in the process for the permitting or permit renewal of a solid waste disposal facility or hazardous waste facility.

#### SEC. 112. ENVIRONMENTAL JUSTICE COMMUNITY, STATE, AND TRIBAL GRANT PROGRAMS.

(a) ENVIRONMENTAL JUSTICE COMMUNITY GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to eligible entities to assist the eligible entities in—

(A) building capacity to address issues relating to environmental justice; and

(B) carrying out any activity described in paragraph (A).

(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), an eligible entity shall be a nonprofit, community-based organization that conducts activities, including providing medical and preventive health services, to reduce the disproportionate health impacts of environmental pollution in the environmental justice community at which the eligible entity proposes to conduct an activity that is the subject of the application described in paragraph (3).

(3) APPLICATION.—To be eligible to receive a grant under paragraph (1), an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(A) an outline describing the means by which the project proposed by the eligible entity will—

(i) with respect to environmental and public health issues at the local level, increase the understanding of the environmental justice community at which the eligible entity will conduct the project;

(ii) improve the ability of the environmental justice community to address each issue described in clause (i);

(iii) facilitate collaboration and cooperation among various stakeholders (including members of the environmental justice community); and

(iv) support the ability of the environmental justice community to proactively plan and implement just sustainable community development and revitalization initiatives, including countering displacement and gentrification;

(B) a proposed budget for each activity of the project that is the subject of the application;

(C) a list of proposed outcomes with respect to the proposed project;

(D) a description of the ways by which the eligible entity may leverage the funds of the eligible entity, or the funds made available through a grant under this subsection, to develop a project that is capable of being sustained beyond the period of the grant; and

(E) a description of the ways by which the eligible entity is linked to, and representative of, the environmental justice community at which the eligible entity will conduct the project.

(4) USE OF FUNDS.—An eligible entity may only use a grant under this subsection to carry out culturally and linguistically appropriate projects and activities that are driven by the needs, opportunities, and priorities of the environmental justice community at which the eligible entity proposes to conduct the project or activity to address environmental justice concerns and improve the health or environment of the environmental justice community, including activities—

(A) to create or develop collaborative partnerships;

(B) to educate and provide outreach services to the environmental justice community;

(C) to identify and implement projects to address environmental or public health concerns; or

(D) to develop a comprehensive understanding of environmental or public health issues.

(5) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing the ways by which the grant program under this subsection has helped community-based nonprofit organizations address issues relating to environmental justice.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2023 through 2027.

(b) STATE GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to States to enable the States—

(A) to establish culturally and linguistically appropriate protocols, activities, and mechanisms for addressing issues relating to environmental justice; and

(B) to carry out culturally and linguistically appropriate activities to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in the State, including reducing economic vulnerabilities that result in the environmental justice communities being disproportionately affected.

(2) ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under paragraph (1), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(i) a plan that contains a description of the means by which the funds provided through a grant under paragraph (1) will be used to address issues relating to environmental justice at the State level; and

(ii) assurances that the funds provided through a grant under paragraph (1) will be used only to supplement the amount of funds that the State allocates for initiatives relating to environmental justice.

(B) ABILITY TO CONTINUE PROGRAM.—To be eligible to receive a grant under paragraph (1), a State shall demonstrate to the Administrator that the State has the ability to continue each program that is the subject of funds provided through a grant under paragraph (1) after receipt of the funds.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(i) the implementation of the grant program established under paragraph (1);

(ii) the impact of the grant program on improving the ability of each participating State to address environmental justice issues; and

(iii) the activities carried out by each State to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in the State.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$15,000,000 for each of fiscal years 2023 through 2027.

(c) TRIBAL GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator shall establish a program under which the Administrator shall provide grants to Tribal Governments to enable the Indian Tribes—

(A) to establish culturally and linguistically appropriate protocols, activities, and mechanisms for addressing issues relating to environmental justice; and

(B) to carry out culturally and linguistically appropriate activities to reduce or eliminate disproportionately adverse human health or environmental effects on environmental justice communities in Tribal and Indigenous communities, including reducing economic vulnerabilities that result in the Tribal and Indigenous communities being disproportionately affected.

(2) ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under paragraph (1), a Tribal Government shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(i) a plan that contains a description of the means by which the funds provided through a grant under paragraph (1) will be used to address issues relating to environmental justice in Tribal and Indigenous communities; and

(ii) assurances that the funds provided through a grant under paragraph (1) will be used only to supplement the amount of funds that the Tribal Government allocates for initiatives relating to environmental justice.

(B) ABILITY TO CONTINUE PROGRAM.—To be eligible to receive a grant under paragraph (1), a Tribal Government shall demonstrate to the Administrator that the Tribal Government has the ability to continue each program that is the subject of funds provided through a grant under paragraph (1) after receipt of the funds.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing—

(i) the implementation of the grant program established under paragraph (1);

(ii) the impact of the grant program on improving the ability of each participating Indian Tribe to address environmental justice issues; and

(iii) the activities carried out by each Tribal Government to reduce or eliminate disproportionately adverse human health or environmental effects on applicable environmental justice communities in Tribal and Indigenous communities.

(B) PUBLIC AVAILABILITY.—The Administrator shall make each report required under subparagraph (A) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2023 through 2027.

(d) COMMUNITY-BASED PARTICIPATORY RESEARCH GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator, in consultation with the Director, shall establish a program under which the Administrator shall provide not more than 25 multiyear grants to eligible entities to carry out community-based participatory research—

(A) to address issues relating to environmental justice;

(B) to improve the environment of residents and workers in environmental justice communities; and

(C) to improve the health outcomes of residents and workers in environmental justice communities.

(2) ELIGIBILITY.—To be eligible to receive a multiyear grant under paragraph (1), an eligible entity shall be a partnership composed of—

(A) an accredited institution of higher education; and

(B) a community-based organization.

(3) APPLICATION.—To be eligible to receive a multiyear grant under paragraph (1), an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(A) a detailed description of the partnership of the eligible entity that, as determined by the Administrator, demonstrates the participation of members of the community at which the eligible entity proposes to conduct the research; and

(B) a description of—

(i) the project proposed by the eligible entity; and

(ii) the ways by which the project will—

(I) address issues relating to environmental justice;

(II) assist in the improvement of health outcomes of residents and workers in environmental justice communities; and

(III) assist in the improvement of the environment of residents and workers in environmental justice communities.

(4) PUBLIC AVAILABILITY.—The Administrator shall make the results of the grants provided

under this subsection available to the public, including by posting on the website of the Environmental Protection Agency a copy of the grant awards and an annual report at the beginning of each fiscal year describing the research findings associated with each grant provided under this subsection.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2023 through 2027.

**SEC. 113. PROTECTIONS FOR ENVIRONMENTAL JUSTICE COMMUNITIES AGAINST HARMFUL FEDERAL ACTIONS.**

(a) PURPOSE.—The purpose of this section is to establish additional protections relating to Federal actions affecting environmental justice communities in recognition of the disproportionate burden of adverse human health or environmental effects faced by such communities.

(b) DEFINITIONS.—In this section:

(1) ENVIRONMENTAL IMPACT STATEMENT.—The term “environmental impact statement” means the detailed statement of environmental impacts of a proposed action required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) FEDERAL ACTION.—The term “Federal action” means a proposed action that requires the preparation of an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) PREPARATION OF A COMMUNITY IMPACT REPORT.—A Federal agency proposing to take a Federal action that has the potential to cause negative environmental or public health impacts on an environmental justice community shall prepare a community impact report assessing the potential impacts of the proposed action.

(d) CONTENTS.—A community impact report described in subsection (c) shall—

(1) assess the degree to which a proposed Federal action affecting an environmental justice community will cause multiple or cumulative exposure to human health and environmental hazards that influence, exacerbate, or contribute to adverse health outcomes;

(2) assess relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards in the area of the environmental justice community and historical patterns of exposure to environmental hazards and Federal agencies shall assess these multiple, or cumulative effects, even if certain effects are not within the control or subject to the discretion of the Federal agency proposing the Federal action;

(3) assess the impact of such proposed Federal action on such environmental justice community’s ability to access public parks, outdoor spaces, and public recreation opportunities;

(4) evaluate alternatives to or mitigation measures for the proposed Federal action that will—

(A) eliminate or reduce any identified exposure to human health and environmental hazards described in paragraph (1) to a level that is reasonably expected to avoid human health impacts in environmental justice communities; and

(B) not negatively impact an environmental justice community’s ability to access public parks, outdoor spaces, and public recreation opportunities; and

(5) analyze any alternative developed by members of an affected environmental justice community that meets the purpose and need of the proposed action.

(e) DELEGATION.—Federal agencies shall not delegate responsibility for the preparation of a community impact report described in subsection (c) to any other entity.

(f) NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENTS FOR ENVIRONMENTAL JUSTICE COMMUNITIES.—When carrying out the requirements of the National Environmental Policy Act of

1969 (42 U.S.C. 4321 et seq.) for a proposed Federal action that may affect an environmental justice community, a Federal agency shall—

(1) consider all potential direct, indirect, and cumulative impacts caused by the action, alternatives to such action, and mitigation measures on the environmental justice community required by that Act;

(2) require any public comment period carried out during the scoping phase of the environmental review process to be not less than 90 days;

(3) provide early and meaningful community involvement opportunities by—

(A) holding multiple hearings in such community regarding the proposed Federal action in each prominent language within the environmental justice community; and

(B) providing notice of any step or action in the process that Act involves public participation to any representative entities or organizations present in the environmental justice community including—

(i) local religious organizations;

(ii) civic associations and organizations;

(iii) business associations of people of color;

(iv) environmental and environmental justice organizations, including community-based grassroots organizations led by people of color;

(v) homeowners', tenants', and neighborhood watch groups;

(vi) local governments and Tribal Governments;

(vii) rural cooperatives;

(viii) business and trade organizations;

(ix) community and social service organizations;

(x) universities, colleges, and vocational schools;

(xi) labor and other worker organizations;

(xii) civil rights organizations;

(xiii) senior citizens' groups; and

(xiv) public health agencies and clinics; and

(4) provide translations of publicly available documents made available pursuant to that Act in any language spoken by more than 5 percent of the population residing within the environmental justice community.

(g) COMMUNICATION METHODS AND REQUIREMENTS.—Any notice provided under subsection (f)(3)(B) shall be provided—

(1) through communication methods that are accessible in the environmental justice community, which may include electronic media, newspapers, radio, direct mailings, canvassing, and other outreach methods particularly targeted at communities of color, low-income communities, and Tribal and Indigenous communities; and

(2) at least 30 days before any hearing in such community or the start of any public comment period.

(h) REQUIREMENTS FOR ACTIONS REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT.—For any proposed Federal action affecting an environmental justice community requiring the preparation of an environmental impact statement, the Federal agency shall provide the following information when giving notice of the proposed action:

(1) A description of the proposed action.

(2) An outline of the anticipated schedule for completing the process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), with a description of key milestones.

(3) An initial list of alternatives and potential impacts.

(4) An initial list of other existing or proposed sources of multiple or cumulative exposure to environmental hazards that contribute to higher rates of serious illnesses within the environmental justice community.

(5) An agency point of contact.

(6) Timely notice of locations where comments will be received or public meetings held.

(7) Any telephone number or locations where further information can be obtained.

(i) NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENTS FOR INDIAN TRIBES.—When car-

rying out the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed Federal action that may affect an Indian Tribe, a Federal agency shall—

(1) seek Tribal representation in the process in a manner that is consistent with the government-to-government relationship between the United States and Tribal Governments, the Federal Government's trust responsibility to federally Recognized Indian Tribes, and any treaty rights;

(2) ensure that an Indian Tribe is invited to hold the status of a cooperating agency throughout the process under that Act for any proposed action that could impact an Indian Tribe, including actions that could impact off reservation lands and sacred sites; and

(3) invite an Indian Tribe to hold the status of a cooperating agency in accordance with paragraph (2) not later than the date on which the scoping process for a proposed action requiring the preparation of an environmental impact statement commences.

(j) AGENCY DETERMINATIONS.—Federal agency determinations about the analysis of a community impact report described in subsection (c) shall be subject to judicial review to the same extent as any other analysis performed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(k) EFFECTIVE DATE.—This section shall take effect 1 year after the date of enactment of this Act.

(l) SAVINGS CLAUSE.—Nothing in this section diminishes—

(1) any right granted through the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the public; or

(2) the requirements under that Act to consider direct, indirect, and cumulative impacts.

#### SEC. 114. PROHIBITED DISCRIMINATION.

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) is amended—

(1) by striking “No” and inserting “(a) No”;

and

(2) by adding at the end the following:

“(b)(1)(A) Discrimination (including exclusion from participation and denial of benefits) based on disparate impact is established under this title if—

“(i) an entity subject to this title (referred to in this title as a ‘covered entity’) has a program, policy, practice, or activity that causes a disparate impact on the basis of race, color, or national origin and the covered entity fails to demonstrate that the challenged program, policy, practice, or activity is related to and necessary to achieve the nondiscriminatory goal of the program, policy, practice, or activity alleged to have been operated in a discriminatory manner; or

“(ii) a less discriminatory alternative program, policy, practice, or activity exists, and the covered entity refuses to adopt such alternative program, policy, practice, or activity.

“(B) With respect to demonstrating that a particular program, policy, practice, or activity does not cause a disparate impact, the covered entity shall demonstrate that each particular challenged program, policy, practice, or activity does not cause a disparate impact, except that if the covered entity demonstrates to the courts that the elements of the covered entity's decision-making process are not capable of separation for analysis, the decision-making process may be analyzed as 1 program, policy, practice, or activity.

“(2) A demonstration that a program, policy, practice, or activity is necessary to achieve the goals of a program, policy, practice, or activity may not be used as a defense against a claim of intentional discrimination under this title.

“(3) In this subsection—

“(A) the term ‘demonstrates’ means to meet the burdens of going forward with the evidence and of persuasion; and

“(B) the term ‘disparate impact’ means an action or practice that, even if appearing neutral,

actually has the effect of subjecting persons to discrimination on the basis of their race, color, or national origin.

“(C) No person in the United States shall be subjected to discrimination, including retaliation or intimidation, because such person opposed any program, policy, practice, or activity prohibited by this title, or because such person made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.”

#### SEC. 115. RIGHT OF ACTION.

(a) IN GENERAL.—Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1) is amended—

(1) by inserting “(a)” before “Each Federal department and agency which is empowered”;

and

(2) by adding at the end the following:

“(b) Any person aggrieved by the failure to comply with this title, including any regulation promulgated pursuant to this title, may file suit in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy and without regard to the citizenship of the parties.”

#### (b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section, including the amendments made by this section, takes effect on the date of enactment of this Act.

(2) APPLICATION.—This section, including the amendments made by this section, applies to all actions or proceedings pending on or after the date of enactment of this Act.

#### SEC. 116. RIGHTS OF RECOVERY.

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) is amended by inserting after section 602 the following:

#### “SEC. 602A. ACTIONS BROUGHT BY AGGRIEVED PERSONS.

“(a) CLAIMS BASED ON PROOF OF INTENTIONAL DISCRIMINATION.—In an action brought by an aggrieved person under this title against an entity subject to this title (referred to in this section as a ‘covered entity’) who has engaged in unlawful intentional discrimination (not a practice that is unlawful because of its disparate impact) prohibited under this title (including its implementing regulations), the aggrieved person may recover equitable and legal relief (including compensatory and punitive damages), attorney's fees (including expert fees), and costs of the action, except that punitive damages are not available against a government, government agency, or political subdivision.

“(b) CLAIMS BASED ON THE DISPARATE IMPACT STANDARD OF PROOF.—In an action brought by an aggrieved person under this title against a covered entity who has engaged in unlawful discrimination based on disparate impact prohibited under this title (including implementing regulations), the aggrieved person may recover attorney's fees (including expert fees), and costs of the action.

“(c) DEFINITIONS.—In this section:

“(1) AGGRIEVED PERSON.—The term ‘aggrieved person’ means a person aggrieved by discrimination on the basis of race, color, or national origin.

“(2) the term ‘disparate impact’ means an action or practice that, even if appearing neutral, actually has the effect of subjecting persons to discrimination on the basis of their race, color, or national origin.”

#### SEC. 117. PUBLIC HEALTH RISKS ASSOCIATED WITH CUMULATIVE ENVIRONMENTAL STRESSORS.

(a) PROPOSED PROTOCOL.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with the Advisory Council, shall publish a proposal for a protocol for assessing and addressing the cumulative public health risks associated with multiple environmental stressors. The Administrator shall allow 90 days for public comment on such proposal. The environmental stressors addressed under such proposal shall include—

(1) impacts associated with global climate change, including extreme heat, extremes in temperature change, drought, wildfires, sea level rise, flooding, storms, water shortage, food shortage, ecosystem disruption, and the spread of infectious disease;

(2) exposure to pollutants, emissions, discharges, waste, chemicals, or other materials subject to regulation under the Clean Air Act, the Federal Water Pollution Control Act, the Safe Drinking Water Act, the Toxic Substances Control Act, the Solid Waste Disposal Act, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Emergency Planning and Community Right-to-Know Act of 1986, and other laws administered by the Administrator; and

(3) other environmental stressors determined by the Administrator to impact public health.

(b) **FINAL PROTOCOL.**—Not later than 1 year after the enactment of this section, the Administrator shall publish the final protocol for assessing and addressing the cumulative public health risks associated with multiple environmental stressors.

(c) **IMPLEMENTATION.**—Not later than 3 years after the enactment of this section, the Administrator shall implement the protocol described under subsection (b).

#### **SEC. 118. CLIMATE JUSTICE GRANT PROGRAM.**

(a) **ESTABLISHMENT.**—The Administrator shall establish a program under which the Administrator shall provide grants to eligible entities to assist the eligible entities in—

(1) building capacity to address issues relating to climate justice; and

(2) carrying out any activity described in subsection (d).

(b) **ELIGIBILITY.**—To be eligible to receive a grant under subsection (a), an eligible entity shall be a tribal government, local government, or nonprofit, community-based organization.

(c) **APPLICATION.**—To be eligible to receive a grant under subsection (a), an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(1) an outline describing the means by which the project proposed by the eligible entity will—

(A) with respect to climate justice issues at the local level, increase the understanding of the environmental justice community at which the eligible entity will conduct the project;

(B) improve the ability of the environmental justice community to address each issue described in subparagraph (A);

(C) facilitate collaboration and cooperation among various stakeholders (including members of the environmental justice community); and

(D) support the ability of the environmental justice community to proactively plan and implement climate justice initiatives;

(2) a proposed budget for each activity of the project that is the subject of the application;

(3) a list of proposed outcomes with respect to the proposed project;

(4) a description of the ways by which the eligible entity may leverage the funds of the eligible entity, or the funds made available through a grant under this subsection, to develop a project that is capable of being sustained beyond the period of the grant; and

(5) a description of the ways by which the eligible entity is linked to, and representative of, the environmental justice community at which the eligible entity will conduct the project.

(d) **USE OF FUNDS.**—An eligible entity may only use a grant under this subsection to carry out culturally and linguistically appropriate projects and activities that are driven by the needs, opportunities, and priorities of the environmental justice community at which the eligible entity proposes to conduct the project or activity to address climate justice concerns of the environmental justice community, including activities—

(1) to create or develop collaborative partnerships;

(2) to educate and provide outreach services to the environmental justice community on climate justice;

(3) to identify and implement projects to address climate justice concerns, including community solar and wind energy projects, energy efficiency, home and building electrification, home and building weatherization, energy storage, solar and wind energy supported microgrids, battery electric vehicles, electric vehicle charging infrastructure, natural infrastructure, addressing the risks and hazards of wildfires and droughts, and climate resilient infrastructure.

(e) **LIMITATIONS ON AMOUNT.**—The amount of a grant under this section may not exceed \$2,000,000 for any grant recipient.

(f) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate a report describing the ways by which the grant program under this subsection has helped eligible entities address issues relating to energy and climate justice.

(2) **PUBLIC AVAILABILITY.**—The Administrator shall make each report required under paragraph (1) available to the public (including by posting a copy of the report on the website of the Environmental Protection Agency).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$1,000,000,000 for each of fiscal years 2023 through 2027, of which, not more than 4 percent for each fiscal year is authorized to be appropriated for administrative expenses, including outreach and technical assistance to eligible entities.

#### **SEC. 119. ENVIRONMENTAL JUSTICE FOR COMMUNITIES OVERBURDENED BY ENVIRONMENTAL VIOLATIONS.**

(a) **IDENTIFICATION OF COMMUNITIES.**—Not later than 180 days after the date of enactment of this section, the Administrator shall, in consultation with the Advisory Council and co-regulators in State and local agencies, identify at least 100 communities—

(1) that are environmental justice communities; and

(2) in which there have been over the previous 5 years a number of violations of environmental law that the Administrator determines to be greater than the national average of such violations.

(b) **ANALYSIS AND RECOMMENDATIONS.**—Not later than 1 year after the enactment of this section, with respect to each community identified under subsection (a), and in consultation with the Advisory Council, the Administrator shall—

(1) undertake an analysis of the conditions which have led to the number of violations identified under subsection (a)(1), including through community-based science implemented through engagement with the residents of each such community;

(2) identify the root cause of the number of violations described under subsection (a)(1); and

(3) recommend measures that the Administrator shall take, in coordination with co-regulators in State and local agencies, to reduce the number of violations of environmental law to a number that the Administrator determines to be significantly below the national average.

(c) **IMPLEMENTATION.**—Not later than 2 years after the date of enactment of this section, the Administrator shall complete the implementation of the measures identified under subsection (b)(3).

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of House Report 117-432. Each

such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 117-432.

Mr. WESTERMAN. Madam Chair, as the designee of the gentleman from California (Mr. MCCARTHY), I offer amendment No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, line 9, strike “\$400,000,000” and insert “\$150,000,000”.

Page 364, after line 5, insert the following:

#### **SEC. 115. RURAL COMMUNITIES DRINKING WATER RESILIENCY.**

(a) **NEW WELL CONSTRUCTION GRANTS.**—Subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922-1936c) is amended by inserting after section 306E the following:

##### **“SEC. 306F. NEW WELL CONSTRUCTION GRANTS.**

“(a) **IN GENERAL.**—The Secretary shall provide grants in accordance with this section to local governments and public or private nonprofit entities for projects designed to supply drinking water to rural communities in which a significant number of dwellings with private drinking water wells have wells that are not producing water.

“(b) **USE OF FUNDS.**—Grants made under this section may be used—

“(1) for waterline extensions from existing systems, laying of new waterlines, repairs or maintenance to an existing system, digging of new wells or development of other sources of water designed to replace sources of drinking water with high levels of nitrates, equipment replacement, and hook-up fees; and

“(2) in the case of a project designed to benefit a rural community outside the jurisdiction of the grantee, to maintain existing water supplies of the grantee that will be reduced as a result of the project.

“(c) **RURAL COMMUNITY.**—In this section, the term ‘rural community’ does not include—

“(1) any area in any city or town with a population in excess of 10,000 inhabitants according to the most recent decennial census of the United States; and

“(2) any area with a median household income in excess of the State nonmetropolitan median household income.

“(d) **FULL FUNDING.**—Grants under this section shall be made in an amount equal to 100 percent of the costs of the projects conducted under this section.

“(e) **APPLICATION.**—Subsection (h) of section 306A shall apply with respect to the administration of applications for grants under this section.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2023 through 2027.”

(b) **REPEAL.**—Effective 5 years after the date of the enactment of this section, section 306F of the Consolidated Farm and Rural Development Act, as added by the amendment made by subsection (a), is repealed.

The Acting CHAIR. Pursuant to House Resolution 1254, the gentleman

from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Madam Chair, I rise in support of the amendment.

Madam Chair, Leader MCCARTHY's amendment presents a commonsense solution. As he knows all too well from his efforts resolving water issues, communities in California and elsewhere in the West are running out of water for families, farms, communities, and many other needs thanks to natural and manmade drought.

This has a dramatic impact not only to those areas, but it negatively impacts food production which affects every one of us. In the case of some California communities, wells that are used to provide drinking water have or will run dry.

This amendment seeks to provide some relief to rural communities through the creation of a new grant program aimed at constructing new wells and waterlines designed to deliver drinking water to these communities. I thank Leader MCCARTHY for introducing this amendment and for his longstanding leadership on bringing balance back to western water policies.

Madam Chair, I ask my colleagues to join me in supporting the amendment, and I reserve the balance of my time.

Mr. NEGUSE. Madam Chair, I ask unanimous consent to claim the time in opposition, even though I am not necessarily opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. NEGUSE. I would simply say, Madam Chair, in the spirit of bipartisanship—which I think has been reflective of so many of the bills that are included within this important and critical package that has been brought to the floor today—that I appreciate the arguments that were made with respect to this particular amendment. I imagine that Members are going to consider it thoughtfully and make a judgment that is in the best interests of their constituents and their respective States on this particular amendment.

Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, I appreciate the gentleman's kind words about the amendment.

Madam Chair, I yield to the gentlewoman from California (Ms. CONWAY).

Ms. CONWAY. Madam Chair, I rise today in support of this amendment that I coauthored.

In my home, California's Central Valley, communities are running out of clean water, we would consider drinking water. They are unable to shower, unable to cook for their families, and unable to stay cool during intense heat.

Madam Chair, the thought of having to bathe your children, cook food, and

to stay alive with small bottles of water, that is the gist of this amendment.

Extreme drought and outdated water infrastructure have forced small, rural communities to truck in water every day. This amendment authorizes \$250 million in grants to improve water access for small rural communities suffering from drinking water shortages.

My amendment is supported by small communities, local nonprofits, and those dedicated to helping underserved communities like Self-Help Enterprises and the Tulare County Board of Supervisors.

Madam Chair, I include in the RECORD a letter from Self-Help Enterprises.

SELF-HELP ENTERPRISES,

July 26, 2022.

Re Conway/McCarthy Amendment to H.R. 5118, Wildfire Response and Drought Resiliency Act.

HON. KEVIN MCCARTHY,  
*Minority Leader of the US House of Representatives, Washington, DC.*

HON. CONNIE CONWAY,  
*Washington, DC.*

DEAR MINORITY LEADER MCCARTHY AND REPRESENTATIVE CONWAY: I am writing on behalf of Self-Help Enterprises to extend our support for your amendment to the Wildfire Response and Drought Resiliency Act (H.R. 5118). The McCarthy/Conway amendment will provide much-needed funding to facilitate drought resiliency and water system consolidations.

This amendment ensures access to funding to augment water supplies by larger water systems who extend water service to smaller disadvantaged communities. It will also allow them to cover the costs of service extension. One example of this need is found in Tulare County, California, where Self-Help Enterprises has been working with the community of Tooleville (population 500) to connect to the City of Exeter's water system (population 10,400). Exeter, while an incorporated city with a mid-sized population, is still small and lacks the resources or legal authority to spend City funds on the water system consolidation project. Meanwhile, Tooleville's small water system is struggling with the effects of drought and overpumping of groundwater by surrounding uses, and its two wells (drilled in the 1970s) fail on a regular basis. For that reason, Self-Help Enterprises has installed temporary storage tanks and is hauling water to fill these tanks on an as-needed basis.

It's important that cities and larger communities can access this type of funding regardless of their own population size, so that they can work in good conscience to help their neighbors without jeopardizing the well-being of their own residents.

Therefore, we urge the adoption of the Conway/McCarthy amendment to H.R. 5118 by the House of Representatives. We thank you for your attention to the needs of the rural communities of the San Joaquin Valley. For questions or more information, please don't hesitate to contact Jessi Snyder of our staff.

Sincerely,

THOMAS J. COLLISHAW,  
*President/CEO.*

Ms. CONWAY. While there are many more issues to be addressed in the larger bill, this will directly help rural Americans in critical need of assistance and underserved members of our communities.

Madam Chair, I urge Members to support this amendment.

The Acting CHAIR. The requests will be covered by a subsequent request for general leave.

The gentleman from Colorado is recognized for 5 minutes.

Mr. NEGUSE. Madam Chair, I certainly appreciate the gentlewoman's support, her attention, and her description about the need for funding to help rural communities recover from natural disasters and emergencies. I certainly share the desire to ensure that rural communities have access to clean and reliable drinking water.

I am looking forward to the House considering Mr. MCCARTHY's amendment as well as the many Republican bills and bipartisan bills that are included within this Wildfire Response and Drought Resiliency Act.

Madam Chair, I yield back the balance of my time.

Mr. WESTERMAN. Madam Chair, this is a commonsense, good amendment that the leader has offered. I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. WESTERMAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. SCHRIER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 117-432.

Ms. SCHRIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 446, line 11, after "understanding of" insert "the connections between fire weather and modes of climate variability, impacts on hydrology, and".

Page 446, line 13, after "smoke," insert "air quality,".

Page 446, line 24, after "fire weather alerts," insert "real-time notification of ignitions,".

Page 448, line 17, after "collecting data for" insert "high-risk".

Page 448, line 21, strike "subseasonal to decadal", insert "all".

Page 449, line 7, strike "and".

Page 449, after line 10, insert the following: (vi) conditions that influence fire behavior and spread including those conditions that suppress active fire events; and

(vii) fire risk values;

Page 450, line 25, by striking "weather and smoke" inserting "weather, smoke, and air quality".

Page 452, line 10, after "in consultation with" insert "with relevant Federal agencies, such as".

Page 452, line 13, after "existing resources" insert "and facilities".

Page 453, after line 15, insert the following: (10) FIRE WEATHER SURVEYS AND ASSESSMENTS.—

(A) ANNUAL POST-FIRE WEATHER SEASON SURVEY AND ASSESSMENT.—Not later than 24 months after the date of the enactment of this Act, and each year thereafter, the Administrator shall conduct a post-fire-weather season survey and assessment. After conducting a post-fire-weather season survey and assessment, the Administrator shall—



(i) investigate any data collection gaps during the assessment;

(ii) identify and implement systems, processes, strategies, and procedures needed to enhance the efficiency and reliability of data obtained and to improve program services and information dissemination;

(iii) evaluate the accuracy and efficiency of physical fire weather forecasting information for each incident; and

(iv) assess and refine performance measures, as needed.

(B) COORDINATION.—In conducting any survey or assessment under this section, the Administrator shall coordinate with stakeholders and such entities as the Administrator considers relevant in order to—

(i) improve operations and collaboration; and

(ii) optimize data collection, sharing, integration, assimilation, and dissemination.

(C) ANNUAL BRIEFING.—Not less frequently than once each year, the Administrator shall provide a briefing to the Committee on Science, Space, and Technology in the House and Committee on Commerce, Science, and Transportation in the Senate that provides—

(i) an overview of the previous fire season; and

(ii) an outlook for the fire season for the coming year.

(D) SERVICE IMPROVEMENTS.—The Administrator shall make best efforts to incorporate the results and recommendations of each assessment conducted into the research and development plan and operations of the Administration.

Page 469, after line 8, insert the following:

(h) UNITED STATES GEOLOGICAL SURVEY.—As part of the Program, the Director of the United States Geological Survey shall support—

(1) research and development activities to improve the understanding of—

(A) wildland fire risk, behavior, and fuels;

(B) impact of pre-fire conditions, such as fuel treatments, invasive species and other vegetation, on land management and economic landscapes;

(C) post-fire risks including debris flows, erosion, and flooding, and effects on water quality, and revegetation;

(D) impacts of changing fire regimes due to climate change and other ecosystem stressors; and

(E) fire ecology and behavior;

(2) development and improvement of tools and technologies to address wildland fire science and management challenges by—

(A) Maintaining and expanding geospatial data and support for wildfire incidents, mitigation, and planning;

(B) improving understanding and response to post-fire hazards and risks, including debris-flow, stream flow and quality, and revegetation; and

(C) Maintaining, relevant wildland fire computational modeling and mapping, capabilities to identify critical information for land management, decision support, and policy, and enhancing such capabilities, as appropriate and in consultation and collaboration with other relevant Program agencies; and

(3) improvement of external communication of USGS wildland fire science products with Program Agencies and relevant stakeholders.

Page 471, lines 21 and 22, strike “ADMINISTRATION.—There are authorized” and insert the following: “ADMINISTRATION.—

(1) IN GENERAL.—There are authorized

Page 471, line 25 through page 472, line 4, redesignate paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and move the margins 2 ems to the right.

Page 472, after line 4, insert the following:

(2) USE OF FUNDS.—Of the amounts authorized for each of the fiscal years in paragraph (1), up to \$10,000,000 may be used to support the National Oceanic and Atmospheric Administration’s contributions to the activities of the Joint Fire Science Program in section 202(c)(1)(D) of subtitle A of title II of division A.

Page 472, lines 5 and 6, strike “ADMINISTRATION.—There are authorized” and insert the following: “ADMINISTRATION.—

(1) IN GENERAL.—There are authorized

Page 472, lines 9 through 13, redesignate paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and move the margins 2 ems to the right.

Page 472 after line 13, insert the following:

(2) USE OF FUNDS.—Of the amounts authorized for each of the fiscal years in paragraph (1), up to \$10,000,000 may be used to support National Aeronautics and Space Administration research and development contributions to the activities of the Joint Fire Science Program in section 202(c)(1)(D) of subtitle A of title II of division A.

Page 472, line 22, strike “AGENCY.—There are authorized” and insert the following: “AGENCY.—

(1) IN GENERAL.—There are authorized

Page 473, lines 1 through 5, redesignate paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and move the margins 2 ems to the right.

Page 473, after line 5, insert the following:

(2) USE OF FUNDS.—Of the amounts authorized in paragraph (1), up to \$10,000,000 for fiscal years 2024 through 2028 may be used to support the Federal Emergency Management Agency’s contributions to the activities of the Joint Fire Science Program in section 202(c)(1)(D) of subtitle A of title II of division A.

Page 473, after line 5, insert the following:

(g) DEPARTMENT OF ENERGY.—There are authorized to be appropriated to the Secretary of Energy up to \$10,000,000 for each of fiscal years 2024 through 2028 to support the Department’s contributions to the activities of the Joint Fire Science Program in section 202(c)(1)(D) of subtitle A of title II of division A.

The Acting CHAIR. Pursuant to House Resolution 1254, the gentlewoman from Washington (Ms. SCHRIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. SCHRIER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we are seeing increasingly catastrophic wildfires in the West, including in my home State of Washington. Last year, more than 50,000 acres burned in just one of the counties in the Eighth District that I represent. This was a record-breaking wildfire season with abnormally dry conditions. But this type of wildfire season is expected to become more and more the norm.

We need to ensure that we have more resources at our disposal to confront them. The earlier we detect wildfire, the more quickly our firefighters can respond, and my amendment does just that.

A lot of our effort in fighting wildfires has correctly been focused on suppression and prevention. But as our climate continues to change and catastrophic wildfires burn hotter and seasons last longer, we need a whole-of-

government approach to address wildfires.

My amendment would further enhance the contributions of Federal science agencies as part of the National Wildland Fire Risk Reduction Program. The amendment would also require an annual post fire-season weather survey and assessment. These activities will help to identify data gaps, enhance efficiency and reliability of data, and evaluate the accuracy and efficiency of our fire weather forecasting.

My amendment will also formalize NOAA’s role in wildfire detection and response. In Chelan County, in my district, there is a radar gap which makes it much more difficult to predict and track extreme weather. This gap also impacts our ability to track fires—something that is particularly critical to wildfire prone central Washington.

The language in my amendment builds off legislation I recently introduced with my colleague, Congressman BERA, H.R. 8449, the Fire Ready Nation Act, which is the House companion to Senator CANTWELL’s bipartisan bill. This bill would codify and support NOAA’s ability to help detect and respond to wildfires.

My amendment will strengthen contributions of our weather science agencies like NOAA to improve coordination and response efforts when it comes to fighting fires. This will be particularly impactful in areas like my district which lack robust radar coverage.

As part of the needed whole-of-government response to wildfires, I am glad that the underlying bill includes language from two of my other bills. One, from my National Prescribed Fire Act, would direct the Secretaries of Agriculture and the Interior to establish at least one prescribed fire training center in a Western State.

Prescribed burns during the offseason for fire allow for fuel reduction and prevent catastrophic forest fires. More training means more widespread use of prescribed fire. A recent report from the Washington Department of Natural Resources identified 3 million acres of forest land in need of restoration in my home State. Much of that area is rural central Washington where hot, dry weather and wind make wildfire especially probable and dangerous.

The second bill would allow the Forest Service to collect and keep the interest earned on settlement funds, much like other Federal agencies can, in order to supplement restoration efforts. This makes common sense and is a wise and fair use of the interest earned.

Wildfires are becoming more extreme and catastrophic every year in western States. They are even beginning to affect areas in my State that for a long time were thought to be too green and too wet for wildfires to happen, even the Olympic National Forest. Sadly, as our climate changes, this will become an increasing threat.

I am thrilled to have an amendment to this legislation to allow for more

science and evidence-based decision-making. We need every tool in our toolbox to prevent these fires.

Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in opposition to Schrier amendment No. 2 which would fund additional research for post-fire weather assessments.

This amendment suffers from the same shortcomings as the underlying package because it is overly focused on wildfire response rather than even making an attempt at wildfire prevention.

We know what is causing catastrophic wildfires, and it is not a lack of government agencies studying wildfires, tracking weather, and producing additional reports. Our forests are burning now, and we need to focus on real solutions; namely, accelerating, thinning, and prescribed burning. Adding more duplicative bureaucracy and unnecessary research will do nothing to stop our forests from going up in flames year after year.

Madam Chair, the forests really don't care what we say in this body. They are out there doing what Teddy Roosevelt said they do. They are the lungs of the Earth. They breathe in the carbon dioxide and they breathe out oxygen. We produce a lot of carbon dioxide in this Chamber, but it is not doing anything to help our forests.

□ 1315

Frankly, it is unserious that, out of the dozens of substantive wildfire amendments that were offered to the Rules Committee, this is the only one that was made in order. The Rules Committee even rejected bipartisan amendments such as the bipartisan Save Our Sequoias Act. We have lost 20 percent of the world's giant sequoias in the last 2 years, and perhaps the most famous giant sequoia grove, the Mariposa Grove in Yosemite National Park, was on fire earlier this month.

What saved that grove? It wasn't weather assessments. It was proactive treatments from land managers that we need to use as a model across all 76 giant sequoia groves.

Unfortunately, the underlying bill and amendment before us would do nothing to help protect our giant sequoias or move the needle on the wildfire crisis at all.

Therefore, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. SCHRIER. Madam Chair, may I inquire how much time remains.

The Acting CHAIR. The gentleman has 1¼ minute remaining.

Ms. SCHRIER. Madam Chair, I would like to clarify that we already have

provisions in place to prevent wildfires, to remove underbrush, and to thin our forests and make them more resilient. The thing is that the earlier we can detect wildfires with appropriate weather systems, the earlier our firefighters can jump on it and suppress those fires.

You need both. You need the prevention, and you need the ability to respond quickly. So make no mistake. This is a critical amendment.

I urge my colleagues to vote for the amendment and for the underlying bill.

Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, more and more of our forests are going up in flames. More forests are being categorized as subject to catastrophic wildfire.

We are losing this fight. We need a new game plan. We need work on this in a bipartisan manner. There are a lot of areas that need to be addressed, but this bill, and this amendment doesn't address those.

I urge opposition to the amendment, and I yield back the balance of my time.

Ms. SCHRIER. Madam Chair, I am thrilled to have worked with so many of my Republican colleagues on these bills to prevent wildfires. I encourage my colleagues to vote "yes," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. SCHRIER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CLYDE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 117-432.

Ms. VELÁZQUEZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of division C the following new section:

**TITLE IV—COLLATERAL REQUIREMENTS FOR DISASTER LOANS UNDER THE SMALL BUSINESS ACT**

**SEC. \_\_\_\_ . COLLATERAL REQUIREMENTS FOR DISASTER LOANS UNDER THE SMALL BUSINESS ACT.**

(a) AMENDMENT TO THE RISE AFTER DISASTER ACT OF 2015.—Section 2102 of the RISE After Disaster Act of 2015 (Public Law 114-88) is amended—

(1) by striking subsections (b) and (c); and

(2) by striking "(a) IN GENERAL.—"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply as though enacted as part of the RISE After Disaster Act of 2015 (Public Law 114-88).

The Acting CHAIR. Pursuant to House Resolution 1254, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Madam Chair, I yield myself such time as I may consume.

There are at least 40 States and two territories with ongoing disaster declarations for drought. The Small Business Administration is currently serving the millions of small businesses and residents in those States to provide relief against economic loss.

The SBA has also provided almost \$1 billion in wildfire disaster relief since 2016.

The amendment I am offering, along with my colleague, Congressman GARRET GRAVES of Louisiana, would permanently set the unsecured credit threshold for SBA's disaster loans at \$25,000. Doing so gives the millions of borrowers affected by any natural disaster, including wildfires and droughts, the peace of mind during a stressful and traumatic time.

In 2015, Congress enacted the RISE Act, legislation I championed that temporarily raised the collateral threshold on SBA disaster loans to make it easier for victims to obtain capital to rebuild their homes and businesses. Unfortunately, that provision is scheduled to expire in November unless it is extended or made permanent.

My amendment will make the provision permanent, allowing disaster victims to continue to receive a \$25,000 loan, rather than just \$14,000, without requiring them to provide collateral within 5 days of closing.

A recent report issued by the Government Accountability Office found that disaster loans with collateral performed comparably to those without collateral. Given this finding, it makes sense to help victims of disaster to rebuild quickly, particularly when they have lost everything to hurricane, flood, or fire.

As we continue to experience stronger and more frequent disasters, it is imperative that Congress enact policies to help communities get back on their feet and maximize support when they need it most.

Finally, this amendment is supported by the Small Business Administration. I thank the gentleman from Louisiana, for his support of this effort and his overall support of SBA's disaster loan program.

I thank Chairmen GRIJALVA and MCGOVERN for working with me on this amendment.

I am proud to leave the Small Business Committee's bipartisan work to make disaster loans more affordable and accessible for disaster victims, while also addressing fraud in the SBA's pandemic relief programs.

I urge my colleagues to support this amendment, and I reserve the balance of my time

Mr. WESTERMAN. Madam Chair, I claim time in opposition to this amendment, even though I might not necessarily oppose it.

The Acting CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. WESTERMAN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I support this amendment and appreciate the solution it presents for a pressing problem. Currently, the Small Business Administration only requires collateral for disaster loans if the loan amount is above \$25,000. This authority is set to sunset in November, and the minimum amount will revert to \$14,000. This amendment would permanently lock in the amount at \$25,000.

I thank the ranking member of the Select Committee on the Climate Crisis, GARRET GRAVES, for his leadership on disaster issues. His home State of Louisiana has suffered through many disasters, and he has been an unwavering champion for his constituents.

And it is a good thing he is leading on this issue. Affordable disaster loans could be in high demand because the underlying bill does nothing to protect the landscape, people, or property from devastating wildfires. I would like to emphasize, the underlying bill would only respond to wildfires, not work to prevent them.

Throughout this debate, my colleagues have tried to claim that this is not the case and that their bill will actually support increased forest management practices like thinning and prescribed burning.

But look no further than their own one-pager, which says derisively: "We can't simply cut our way out of wildfire risk." This should tell you everything you need to know about how they feel about scientific forest management.

The truth is that thinning is not only an essential tool to reduce wildfire risk, but there is a scientific consensus that we must increase thinning in our forests to turn the tide of this crisis.

The fact that this bill mentions thinning zero times is no mistake. It is because Democrats refuse to agree with the scientific consensus that both thinning and prescribed burning are essential tools to reduce wildfire risk.

Affordable disaster loans provided by this amendment will also be necessary because of the wildfires that will occur as a result of throwing out the Forest Service's current 10-year strategy.

My colleagues have claimed that their bill would simply codify this current 10-year strategy. They have also said that the infrastructure bill made historic investments in that strategy and have funded its initial projects.

This simply makes no sense. My colleagues think the infrastructure bill is so nice that they want to pass it twice, but that is not how any of this works. If we funded a project in the infrastruc-

ture bill, we don't need to authorize funding for it here because that money has already gone out the door.

And if the administration released a strategy 6 months ago and started implementing it, they don't need this bill to codify it.

Truth be told, the plain reading of the text shows that the current wildfire strategy is getting thrown out the window, and nothing in this text codifies it or even mentions the projects currently happening.

Unfortunately, if this bill passes, a lot of small business owners will be able to make good use of affordable disaster loans provided by this amendment as they recover their businesses from the impacts of catastrophic wildfire. The least we can do is help them with disaster loans after these fires inevitably occur.

Madam Chair, I support this amendment, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Chair, I reserve the balance of my time.

Mr. WESTERMAN. Madam Chair, again, I support the amendment. It is going to be needed as these fires continue to rage, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Chair, I urge my colleagues to vote "yes," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CLYDE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

Ms. VELÁZQUEZ. Madam Chair, as the designee of Chair GRIJALVA, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. LEE of California) having assumed the chair, Mrs. WATSON COLEMAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5118) to direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes, had come to no resolution thereon.

#### GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5118.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1356

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ESCOBAR) at 1 o'clock and 56 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1808, ASSAULT WEAPONS BAN OF 2022

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 117-448) on the resolution (H. Res. 1302) providing for consideration of the bill (H.R. 1808) to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PROVIDING FOR CONSIDERATION OF H.R. 1808, ASSAULT WEAPONS BAN OF 2022

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1302 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 1302

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1808) to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-60, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Pennsylvania (Mr. RESCHENTHALER), pending which I

yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

## GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

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

Madam Speaker, today the Rules Committee met and reported a rule, House Resolution 1302, providing for consideration of H.R. 1808, the Assault Weapons Ban of 2022, under a closed rule.

The rule self-executes a manager's amendment from Chairman NADLER. It provides 1 hour of debate equally divided by the chair and ranking member of the Committee on the Judiciary and provides one motion to recommit.

□ 1400

Madam Speaker, we have a gun violence crisis in this country, 23 years after Columbine High School, 10 years after Sandy Hook Elementary School, 4 years after Marjory Stoneman Douglas High School, and 2 months after Uvalde and Buffalo. The American people are tired of living in fear. They are tired of thoughts and prayers. They are tired of press releases offering sympathy but no solutions.

Last month, the decades-long logjam on passing commonsense gun safety bills was broken. President Biden signed into law the bipartisan Safer Communities Act to help keep guns out of the hands of criminals.

Why?

Because the American people want to see us act. For decades, that hasn't happened. The gun lobby has had an iron grip on this place. But now, finally, that is changing. It is changing because the American people are demanding change, and it is time for all of us to listen.

We can and must do more, which is why, today, we are considering H.R. 1808, the Assault Weapons Ban of 2022.

Now, I want to be crystal clear for everyone who is watching.

This bill is not taking away anybody's guns.

This bill is not about taking away anybody's constitutional rights. The Second Amendment gives Americans the right to own guns, but no right is unconditional or unlimited.

You have the right to free speech, but you don't have the right to shout "fire" in a crowded movie theater. You have the right to keep and bear arms, but you don't have the right to own weapons being used to mow people down indiscriminately.

Rights come with responsibilities, and we have a responsibility to try and stop mass shootings.

As Members of Congress, we have a duty to weigh the rights of gun owners with the very first right mentioned in the Declaration of Independence: the right to live; the right to not get shot at school or at a place of worship or at a concert.

It takes zero courage to hide behind the Second Amendment and not debate the merits here.

You know what takes courage?

Standing up to the gun lobby, putting people over politics. That takes courage, and that is what we are doing here today.

Rounds that come out of assault weapons are traveling up to four times faster than out of a handgun. They are traveling at incredible speed and inflict immense damage on people's bodies. When combined with high-capacity magazines, they are designed to kill as many people as possible, as quickly as possible.

Assault weapons do not belong on our streets, plain and simple.

An assault weapon was used in Las Vegas to kill 60 people.

An assault weapon was used at the Pulse Nightclub to kill 49 people.

An assault weapon was used at Sandy Hook to kill 26 people, including 20 children.

Assault weapons slaughter people. They decimate bodies. Physicians say that an AR-15 can actually "liquefy your organs" because the projectile is traveling so fast. This does not happen with a typical handgun. This is something unique to assault weapons.

Sixty-seven percent of Americans, including half of all Republicans, support a ban on assault weapons.

This is not a radical idea. We are not in uncharted territory. The Government already bans automatic weapons. Why?

Because they have no place in our communities.

You don't need an automatic weapon to defend yourself. What we are proposing today is simply addressing another class of weapons that have no place in our communities: assault weapons.

The 1994 assault weapons ban was associated with a 25 percent drop in gun massacres and a 40 percent drop in fatalities. This should not be a difficult vote. Let's come together and advance this commonsense legislation that could save thousands of lives.

Madam Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Madam Speaker, I thank the distinguished chairman for yielding me the customary 30 minutes. I yield myself such time as I may consume.

Madam Speaker, the rule before us today makes in order H.R. 1808, an unconstitutional bill to ban hundreds of the most popular firearms in the United States, including the sporting rifle, the AR-15.

Law-abiding Americans in places like southwestern Pennsylvania and across the country use firearms every single

day for things like sport shooting, hunting, and self-defense. So despite what the House Democrats claim, this bill would do little to prevent the mass shootings or the crime they are saying that it would, and this bill would not prevent criminals from obtaining firearms.

I know the chairman just referenced a 1994 study. That was a congressionally mandated study to look at the 1994 assault weapons ban. That study found that ban was ineffective in reducing violent crime. "The banned guns were never used in more than a modest fraction of all gun murders."

A follow-up study to that 1994 ban came out in 2004, and that study found that "the ban's effects on gun violence are likely to be small at best and perhaps too small for reliable measurement."

Even UCLA law professor Adam Winkler, the resident anti-gun, so-called subject matter expert, a left-leaning professor, stated: "There's no way to make assault rifle bans effective."

To that point, we saw that during the tragic shootings in San Bernardino, Newtown, and Buffalo, those all occurred in States that already had assault weapons bans on the books.

So the question is this: Why are my far-left Democratic colleagues bringing this bill to the floor today?

Well, in the words of Committee on the Judiciary Chairman JERRY NADLER, ". . . banning these 'common use' firearms is the 'point of the bill.'"

In other words, let's call this what it is. It is a gun grab, pure and simple.

This bill is not about public safety. Rather, this is the most severe restriction on the Second Amendment since the passage of the assault weapons ban of 1994. It would turn an American lending a firearm to a friend to go hunting into a criminal.

Madam Speaker, I urge my colleagues to oppose this rule, and I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, the gentleman talks about statistics. Let's talk about statistics.

Thirty percent of shootings in recent history have involved guns that were banned under the now-expired 1994 assault weapons ban.

Thirteen killed and 23 injured at Columbine High School in Littleton, Colorado. The attackers used an assault weapon.

Twenty-seven killed and one injured at an elementary school in Newtown, Connecticut. That was in December of 2012. The attacker used an assault weapon.

Forty-nine killed and 53 injured at the Pulse Nightclub in Orlando, Florida, June 2016. The attacker used an assault weapon.

Fifty-eight killed and 887 injured at a country music festival in Las Vegas in October of 2017. The attacker used an assault weapon.

Seventeen killed and 17 injured at a high school in Parkland, Florida, in

February 2018. The alleged attacker used an assault weapon.

I could go on and on.

Twenty-three killed and 26 injured at a Walmart in El Paso in August 2019. The attacker used an assault weapon.

Ten killed and one injured at a grocery store in Boulder, Colorado, in March of 2021. The attacker used an assault weapon.

Madam Speaker, I include in the RECORD this list of incidents involving assault weapons.

30 PERCENT OF SHOOTINGS INVOLVED GUNS THAT WERE BANNED UNDER THE NOW-EXPIRED 1994 FEDERAL ASSAULT-WEAPONS LAW

13 killed and 23 injured at Columbine High School in Littleton, Colo. (April 1999) The attackers used an assault weapon.

7 killed at an office in Wakefield, Mass. (Dec. 2000) The attacker used an assault weapon.

4 killed and 4 injured at a factory in Melrose Park, Ill. (Feb. 2001) The attacker used an assault weapon.

5 killed and 2 injured in multiple locations in Sacramento (Sept. 2001) The attacker used an assault weapon.

6 killed and 2 injured in a rural hunting area in Birchwood, Wis. (Nov. 2004) The attacker used an assault weapon.

8 killed and 5 injured at a mall in Omaha (Dec. 2007) The attacker used an assault weapon.

4 killed and 5 injured at a youth center and a church in Arvada, Colo. (Dec. 2007) The attacker used an assault weapon.

4 killed in a parking lot in Mt. Airy, N.C. (Nov. 2009) The attacker used an assault weapon.

4 killed and 7 injured at an IHOP restaurant in Carson City, Nev. (Sept. 2011) The attacker used an assault weapon.

12 killed and 70 injured at a movie theater in Aurora, Colo. (July 2012) The attacker used an assault weapon.

27 killed and 1 injured at an elementary school in Newtown, Conn. (Dec. 2012) The attacker used an assault weapon.

5 killed and 3 injured in multiple locations in Santa Monica, Calif. (June 2013) The attacker used an assault weapon.

5 killed and 2 injured at two military centers in Chattanooga, Tenn. (July 2015) The attacker used an assault weapon.

14 killed and 22 injured at a social services center in San Bernardino, Calif. (Dec. 2015) The attackers used an assault weapon.

49 killed and 53 injured at the Pulse nightclub in Orlando, Fla. (June 2016) The attacker used an assault weapon.

5 killed and 7 injured during a protest in Dallas (July 2016) The attacker used an assault weapon.

58 killed and 887 injured at a country music festival in Las Vegas (Oct. 2017) The attacker used an assault weapon.

25 killed and 20 injured at a Baptist church in Sutherland Springs, Texas (Nov. 2017) The attacker used an assault weapon.

5 killed and 12 injured in multiple locations in Rancho Tehama Reserve, Calif. (Nov. 2017) The attacker used an assault weapon.

4 killed and 1 injured at a car wash in Saltlick Township, Pa. (Jan. 2018) The attacker used an assault weapon.

17 killed and 17 injured at a high school in Parkland, Fla. (Feb. 2018) The alleged attacker used an assault weapon.

4 killed and 4 injured at a Waffle House in Nashville (April 2018) The attacker used an assault weapon.

11 killed and 6 injured at a synagogue in Pittsburgh (Oct. 2018) The alleged attacker used an assault weapon.

23 killed and 26 injured at a Walmart in El Paso (Aug. 2019) The alleged attacker used an assault weapon.

9 killed and 37 injured outside a bar in Dayton, Ohio (Aug. 2019) The attacker used an assault weapon.

7 killed and 23 injured in multiple locations in Odessa, Texas (Aug. 2019) The attacker used an assault weapon.

4 killed and 3 injured at a kosher market in Jersey City, N.J. (Dec. 2019) The attackers used an assault weapon.

4 killed and 3 injured at a gas station in Springfield, Mo. (March 2020) The attacker used an assault weapon.

10 killed and 1 injured at a grocery store in Boulder, Colo. (March 2021) The alleged attacker used an assault weapon.

8 killed and 7 injured at a FedEx warehouse in Indianapolis (April 2021) The attacker used an assault weapon.

10 killed and 3 injured at a grocery store in Buffalo (May 2022) The alleged attacker used an assault weapon.

21 killed and 17 injured at an elementary school in Uvalde, Texas (May 2022) The attacker used an assault weapon.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. ROSS), a distinguished member of the Committee on Rules.

Ms. ROSS. Madam Speaker, I represent a southern State. Many of my constituents are responsible, law-abiding gun owners, and I support their ability to exercise their Second Amendment rights.

Contrary to what opponents of this legislation continue to claim, this bill will allow current, law-abiding gun owners to keep all of their guns. It simply prevents future sales of assault rifles.

Let's be clear: Assault weapons are designed to kill as many people as possible as quickly as possible. They are not designed for recreation. They are designed for combat.

It is incredibly irresponsible to allow people without specialized training to possess these weapons.

Madam Speaker, when assault weapons are used in mass shootings, on average, six times as many people are shot as in other mass shootings.

In 2022, there have already been 24 school shootings. The deadliest, in Uvalde, Texas, involved an assault weapon.

But if my friends across the aisle are not convinced of the need to protect our children, perhaps they will be convinced of the need to protect the police. According to Violence Policy Center, one quarter of law enforcement officers killed in the line of duty in 2016 were killed by an assault weapon.

After the assault weapons ban expired, the proportion of large-capacity-magazine-equipped guns used in murders of police increased by 30 percent. These weapons belong with our military, not on our streets or in our schools.

Madam Speaker, I urge my colleagues to support the rule and the bill.

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

This false equivalence between an AR-15 and a so-called weapon of war

just shows the ignorance of my friends on the other side of the aisle.

An AR-15 is not an M16. An M16 has numerous functions: safety, three-round bursts, semi-automatic, and fully automatic. An AR-15 has no such setting as a three-round burst and the fully automatic. So this false comparison between a so-called weapon of war and what we would describe as sporting rifle, again, shows the lack of understanding about these platforms.

Additionally, the AR-15 is by far the most popular sporting rifle in the United States. There are over 20 million that are in the possession of Americans right now.

But while we are talking about statistics, a 2020 FBI study shows that there are more murders committed with knives, clubs, and fists than with firearms.

Also, when you are looking at firearm deaths, just in the year 2020, both the CDC and the FBI reported that over half of these firearm-related deaths were suicides. So let's just be clear when we are talking about statistics.

If you are breaking down those studies, you can look at 2020, where 59 percent of murders were committed by handguns. Only 3 percent were committed with what is being described as assault rifles, what I would describe as sporting rifles.

Madam Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Mrs. FISCHBACH), my good friend from the Committee on Rules, who is here to talk more about this issue.

Mrs. FISCHBACH. Madam Speaker, I thank my colleague from the Committee on Rules for providing the time to speak.

Madam Speaker, my colleagues are proving, yet again, that they want to strip law-abiding citizens of their Second Amendment rights. The latest so-called assault weapons ban is unconstitutional and will impact other aspects of American life.

This bill would end the sale of some of the most popular rifles sold in America today, impacting the sporting industry and all of those who rely on it for their livelihoods.

This bill will have an impact in ways even the supporters of the bill do not understand. For example, under this law, stabilizing braces for pistols would be outlawed.

Despite what some of my colleagues have said, stabilizing braces are not bump stocks and will not turn a pistol into an assault rifle. Stabilizing braces are used by hunters with disabilities, including many of our disabled veterans, to help them safely hunt with pistols.

Not only is this bill an assault on our constitutional rights, but the loss of the revenue from the sales of these firearms will also have a devastating impact on the Federal Aid to Wildlife Restoration Fund, which helps States pay for environmental conservation efforts. The bill provides no alternative

for how to make up for the severe decrease in conservation funding.

Democrats are no longer disguising their radical agenda to ban guns and do away with the Constitution's Second Amendment. My colleagues from the other side have said that they will do everything they can to ban guns in this country, even to the point of packing the Supreme Court to make it happen. Anyone who thinks this bill is not a step in that direction is kidding themselves. This is yet another attempt from the left to strip law-abiding citizens of their Second Amendment rights, and I oppose this bill and the rule.

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

Let me just respond to the gentlewoman by saying that the manager's amendment adds language to make clear that devices used to make hunting accessible to everyone, especially our disabled veterans, are not affected by this legislation.

This provision also makes sure the gun industry cannot exploit legitimate accessibility devices to make firearms especially deadly for mass shooters as has occurred in the past when bump stocks were claimed to be an accessibility accessory but used to inflict horrible mass violence in the 2017 Las Vegas shooting that killed 60 and injured more than 400 people.

□ 1415

And I say to the gentleman from Pennsylvania, I didn't use the words "weapon of war" in my opening statement, and I certainly know the difference between an automatic and a semiautomatic weapon, but if that is the argument you want to have, bring that to the parents whose children were lost in Uvalde, you know, who were mowed down by an AR-15. As I pointed out in my opening statement, these weapons actually decimate bodies. Physicians say that an AR-15 can actually liquify your organs because the projectile is traveling so fast.

As the gentleman may recall, DNA samples had to be gathered from those children who were murdered because their bodies were unrecognizable. So, I mean, come on.

This is about saving lives.

I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, weapons of war are designed for war. They are designed to kill as many people as possible as quickly as possible. Our country is exceptional in making these weapons of war, these assault weapons, available in the civilian sector, and we have quickly—because those weapons are easier to qualify for than getting a driver's license; they are easier for a teenager to get than to buy a beer, because we have done that, we have turned our churches, our schools, our shopping centers, our entertainment venues, almost any place, into a battleground with one massacre after another.

There is no Second Amendment right to own a machine gun, which has been banned in this country since, I believe, the thirties. But if you talk about rights, how about the rights of those little children in Uvalde to live, the rights of those families to be whole? They have rights, also. And that is what we are protecting today.

I think that we just cannot continue to live like we have been living in the shadow of fear, a terrible kind of American exceptionalism where we are horribly exceptional to the amount of dead children gunned down in their best tennis shoes after end of the school year celebrations, of young parents having to bury their still younger little children; where we are the exception in how many congregants die where they are massacred in their churches or in their temples; where we are the exception, the outlier in how many gruesome bullet-ridden bodies our doctors see month after month.

And God help us because Texas has been among the worst. From El Paso to Uvalde to across the center of the State to the Houston area, murderers, massacres with assault weapons, where one family or another grieves.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. DOGGETT. Madam Speaker, Texas children right now have no reality as they will soon be returning to school than to duck and cover and learn new exercises. We can do something about that and banning assault weapons is the most critical issue in doing that, not the kind of weak, modest measure that will never change things in Texas that we passed earlier in the year since it is dependent on the Texas legislature, but a direct effort to limit the access to assault weapons that are weapons of war that kill and kill and kill that make us exceptional in quite the wrong way.

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

I just want it noted that the gentleman from Massachusetts said that no one on his side is describing these weapons as "weapons of war," and then the gentleman from Texas (Mr. DOGGETT), the first thing he said was that AR-15s are "weapons are war."

So, we need to understand that when the left and when radical Democrats are describing AR-15s as "weapons of war," and as the gentleman from Texas just said, "machine guns," they are doing two things simultaneously. Number one, they are showing their absolute ignorance for how these platforms operate; and two, they are deliberately trying to mislead the American people on what these platforms do.

No one on my side of the aisle is trying to say that machine guns should be legal. An AR-15 is a sporting rifle; it is a semiautomatic. It is not the kind of platform that is used by the military.

It is not an M16, it is not an M4; but, again, the other side tries to use this to muddy the waters and confuse the American people and to put all firearms in the same category.

Let's talk about some more statistics. In 2021, a Georgetown study found that 1.67 million instances were found where firearms were used in self-defense. In 2019 alone, there were 386 self-defense killings that were determined to be justified. So, these are just some of the ways in which someone can legally use a sporting rifle.

Let's talk about the chaos at the southern border. Since Joe Biden took office, over 3.1 million illegal immigrants have been apprehended at the southern border, and that includes 56 illegal immigrants who were on the terror watch list.

President Biden and House Democrats have this open-door policy that has created a humanitarian crisis and a security crisis, as well, and they want to make things worse by lifting title 42.

Republicans know border security is national security. That is why if we defeat the previous question, I will personally offer an amendment to the rule to immediately consider H.R. 471, the PAUSE Act of 2021, to enforce title 42.

Madam Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with any extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RESCHENTHALER. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY), my good friend, to explain the amendment.

Mr. ROY. Madam Speaker, I thank the gentleman for yielding and for his leadership on this matter. Yes, we shouldn't be talking about disarming the American people when it is my colleagues on the other side of the aisle that are leaving the American people exposed to dangerous cartels and dangerous narcotics flying through your communities and dangerous criminal gang members and criminals that are coming in and harming the American people, including people that are affiliated with terrorist countries and organizations. My colleagues on the other side of the aisle don't seem to care a whit about that.

Yesterday, Mayor Bowser was all upset because 4,000 people have been bused to D.C. from Texas since April. 4,000 people. Do you know how many people were apprehended in Texas yesterday? About 4,000 people.

Welcome to the party. Because that is the reality of what we are dealing with at our southern border. Virtually all of the people being apprehend are being released into the United States under notice to appear or parole. There is only one barrier to all being released, and that is the use of title 42 during a pandemic.

Now, I notice a number of the staff, a number of the folks on the other side of the aisle, people that are still masked. We still are under emergency declarations, and yet, we are going to allow people to flow into this country, and we are going to remove the one last vestige of security that this administration remotely will actually look at and use: title 42 at our border.

They are building facilities to process more people to release them into the United States.

Mayor Bowser wants to complain and then call out the National Guard because 4,000 people were shipped from Texas to D.C.; the 4,000 that Texas gets on a daily basis. Again, welcome to the dang party.

You know what? Do you know what you are not talking about, my colleagues on the other side of the aisle? The 73 human beings caught in a stash house in Washington, D.C., this week. Seventy-three human beings in a stash house in our Nation's Capital. But my colleagues on the other side of the aisle, my colleagues particularly on the Judiciary Committee, brushed that aside, patting themselves on the back in the false name of compassion for how much they love Brown people for having open borders. Well, the Brown people in south Texas are sick and tired of it. The Brown people of south Texas that I know, the candidates on my side of the aisle, are standing up for a secure border, and that begins with enforcing our laws under title 42 during a pandemic to ensure that we turn people away.

My friend, YVETTE HERRELL, introduced a bill that would solve the problem, and that is what we would proceed to. We have a discharge petition that would unleash that bill. I welcome any of my colleagues on the other side of the aisle to join that discharge petition, perhaps, particularly if you are in a tough race. You might want to go home and say that you actually care about a secure border.

But what I will tell you is, is that we should be moving to secure the border of the United States, rather than this fool's errand of the unconstitutional taking of Americans' Second Amendment rights.

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

Let me just say something to my friend from Pennsylvania. You know, maybe it is true that the military doesn't use AR-15s, but I will say to the gentleman that mass shooters do. We saw what an AR-15 can do in Uvalde. We saw what it can do in Buffalo.

I just remind people when you have these kind of debates that people are watching. You know, the parents who lost their children in Uvalde, they are watching. People who have lost ones to mass shootings all around this country are watching. You know, to try to parse words over, well, you know, it is not a military-style weapon or this or

that or whatever when we know what these weapons can do, that little children had to be identified with DNA samples because their bodies were blown apart.

You know, you want to talk about extreme positions? We just had a Rules Committee meeting, and Mr. MASSIE testified before the Rules Committee. You may recall the back and forth between him and Mr. RASKIN when Mr. RASKIN essentially asked him whether or not machine guns should be legal, and Mr. MASSIE responded by saying, well, I think States should make that determination.

So that means that if a State wanted to make machine guns legal, it is somehow okay? So you want to talk about extremism? We have seen what extremism is all about from many of my friends on the other side of the aisle, and we have seen the power of the gun lobby, the blood money that has poured into campaigns that has resulted in people coming to the floor and making these ridiculous arguments for us to do nothing. So this is a moment when people have to stand up and be counted.

Madam Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman for yielding. We can see the lengths the Democrats have gone to to simply try to save lives. With John Lewis we sat on the floor of the House, not regarding what would happen to us personally after Parkland and literally said you have got to do something. As John Lewis said: "Never give up, never give in, never give out," the moral authority of this Congress.

We failed because my friends on the other side of the aisle just could not see the carnage and bloodshed that happened to Parkland or Sandy Hook and elsewhere. Now we have in the backdrop El Paso. We have Uvalde. And I repeat myself, going there days after that tragedy and literally hugging crying 9-year-olds who should be on the playground who are crying because of their loss and deceased friends. The story that is so powerful, two of them, one that bled to death, and one that smeared themselves with blood to live.

Do we now stand in the way of stopping carnage and bloodshed? And my good friend that I have done a lot of things with, M4s, M16s are weapons are war; if I have the correct numbers, and I believe I do.

You can pontificate about that, but, frankly, the language is "assault-style weapons." That is what it is. And assault-style weapons still do not belong in civilians' hands because the munitions that are used in war, when soldiers can't even bring their weapons of war home when they are off duty or coming home to see family members or traveling as a civilian, it is because they are killers. And that is what killed those children in Parkland, Highland. That is what killed them in Uvalde, in Buffalo. That is what killed

these people in El Paso, and in the hands in some instances of white supremacists.

Let me be perfectly clear, as I thank Mr. CICILLINE for this legislation, he prohibits that possession. Many of them are grandfathered in. I wish somebody would read the bill. These are weapons already grandfathered in. Don't frighten the American people. What is most frightening are the parents who are outside these doors.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Madam Speaker, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. Madam Speaker, what is really frightening is that parents who are outside these doors are asking the question: What are we doing?

□ 1430

I would say the families in Buffalo, where the theme was replacement theory, or these little babies, where is your heart in a reasonable bill that prohibits the sale, manufacture, transfer, or possession of semiautomatic assault weapons and large-capacity ammunition feeding devices subject to grandfathering provisions but, in actuality, allows the possession of any semiautomatic assault weapon lawfully possessed on the date of enactment?

How much fairer can we get? I only ask my colleagues to stop pontificating to us like we know less than you when it comes, as a civilian, that there are weapons of war that our military has, that there are assault-style weapons that are in the hands of citizens on the streets of this country, and that they adapt the same munitions. The individual in Uvalde had 350 pounds.

Madam Speaker, let us vote for the rule and the underlying bill.

The SPEAKER pro tempore. Members are reminded to please direct their remarks to the Chair.

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

Madam Speaker, I have a lot of respect for my colleague from Texas, but when the question is asked why servicemembers can't bring their M16s and their M4s home, it is because those are fully automatic weapons. They are not AR-15s.

The gentlewoman actually answers her own question. The M16 and the M4 platform are automatic. The AR-15 is not automatic. They are two different platforms.

The gentlewoman and the gentleman from Texas said words to the effect of, "What are we doing? Why are Republicans not doing enough?" or words to that effect.

Well, let me remind my colleagues across the aisle that it was Republicans, not Democrats, it was Republicans in 2017 that had the Fix NICS Act. It is Republicans that are trying to get legislation passed to keep guns

out of the hands of criminals, not out of the hands of law-abiding citizens. It was the last administration under President Trump that banned bump stocks when the Obama administration let that ban expire.

Those are just a few things that Republicans are doing in this arena.

Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), my good friend.

Mr. DIAZ-BALART. Madam Speaker, title 42 is a critical tool to manage the crisis at the southern border. It is hard to believe that the Biden administration claims that the termination of title 42 would actually decrease the number of encounters at the border. This is not only grotesquely disingenuous; it is actually laughable.

Does the administration not remember the caravans headed to the southern border when the administration just announced the end of title 42?

Do you know the cartels actually used the end of title 42 to promote, to advertise, their human smuggling business?

Has the administration even spoken to our brave heroes, the Border Patrol agents, who consistently say that without title 42 authority, they would lose any semblance of operational control on the border?

Let's be clear. The expected influx of border crossings if title 42 ended is not just a humanitarian crisis, which it is. It is a national security crisis, as well. The cartels will once again use the increased flow as a distraction to continue to bring in record amounts of narcotics such as fentanyl.

Madam Speaker, I urge my colleagues to vote "no" on the previous question so that we can bring up H.R. 471, the PAUSE Act, to help give our border agents the tools that they need in order to achieve operational control of the border.

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

Mr. RESCHENTHALER. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. HICE), my good friend.

Mr. HICE of Georgia. Madam Speaker, I am amazed at how my radical friends on the left now are so concerned with the lives of children when they literally stand and cheer and celebrate the killing of 3,000 through abortion every single day.

Madam Speaker, I rise in opposition to this rule that allows the consideration of the assault weapons ban.

What we have going on right now is a complete disregard for regular order that started yesterday and is continuing here today. The House floor is being run like a circus, quite frankly, and the American people deserve better than this.

They continue, the Democrats do, to ram legislation through without proper notice and without even markup in committees. The floor should be run with at least a basic sense of decorum, and that is totally out of control right

now. There is a complete lack of respect for the rules and the norms of this historic institution and how it should be run.

As for the legislation being considered, it is just another attempt by the radical left to once again take away the Second Amendment rights of the American people.

Madam Speaker, time and time again, the left here has tried to disregard and trample the constitutional rights of the American people.

This bill is full of, among other things, questionable definitions that show that the left doesn't even know what they are talking about when it comes to the issue of assault weapons.

Madam Speaker, I implore my colleagues to vote against this rule and the previous question, as well.

Mr. MCGOVERN. Madam Speaker, very briefly. Maybe the gentleman hasn't been paying attention to what has been going on around here, but this bill actually had a hearing and a markup, 14 hours in the Committee on the Judiciary.

Madam Speaker, the text has been available 72 hours in advance. The manager's amendment was made available on Tuesday night. I don't know what the heck he is talking about.

Madam Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Madam Speaker, I yield 2 minutes to the gentlewoman from Georgia (Mrs. GREENE), my good friend.

Mrs. GREENE of Georgia. Madam Speaker, we are here debating about an assault weapons ban so that the chairman of the Committee on the Judiciary can campaign when he goes back home, which is really odd because in that district, in that area of New York, they don't seem to be suffering from as much crime as the rest of New York where people really do need guns to defend themselves or maybe the rest of America or like Atlanta in my home State of Georgia.

I will tell you something right now. I thank God for AR-15s because there have been a lot of people that have saved their own lives and defended others. I will remind you of a few.

How about an 8-month pregnant woman who saved her husband's and daughter's lives from home invaders who were trying to kill them? Thank God she had an AR-15.

Let me remind you of a man that had an AR-15 that was able to defend a church from a mass shooter who killed 26 people in the First Baptist Church in Sutherland, Texas. Thank God for his AR-15.

Let me explain something to my Democrat colleagues. You can pass as many gun control laws as you like, but no one will stop a murderer. No one is going to hand over a gun who has murdered in their heart.

Do you think that your gun control laws are going to cause criminals to come running to hand over the AR-15s that they possess? No, I don't think so.

If you are concerned about protecting Americans and saving lives, stop voting to kill babies up until the day of birth. Care about those children and their body parts, and then do something about all the crime all over America that is affecting Americans every single day.

How about our border? How about our border being overrun with drugs and fentanyl and human trafficking? Do you care about those people, those migrants who are dying on the way because of your policies of open borders?

Oh, no, it is not the gun that is the problem. It is the policies. It is the policies that you are pushing right now that are hurting Americans and causing our children to not be safe.

The SPEAKER pro tempore. Members are again reminded to direct their remarks to the Chair.

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

Mr. RESCHENTHALER. Whether it is Pennsylvania or Massachusetts, they are still two great Commonwealths, right?

Madam Speaker, I have no further speakers at this time, and I yield myself the balance of my time for closing.

Madam Speaker, I am incredibly disappointed but, unfortunately, not at all surprised that, once again, we are considering legislation that will do nothing more than penalize law-abiding citizens while doing absolutely nothing about the root cause of gun violence.

We know from history, and we know from numerous studies that I have talked about today, that assault weapons bans do not work.

So, why is this bill coming before us today? It is just the latest in the House Democrats' never-ending attack on America's Second Amendment rights.

Madam Speaker, I, therefore, urge my colleagues to vote "no" on the previous question and vote "no" on the rule.

Madam Speaker, I yield back the balance of my time.

Mr. MCGOVERN. Madam Speaker, I have great respect for my friend from Pennsylvania and all of my colleagues on the Committee on Rules, and I know they feel strongly about this issue. I believe that many of the concerns that they have raised are unwarranted, and this bill deals with many of them.

As has been said repeatedly, this is not about taking away anybody's guns. It is dealing with the future. It is dealing with ways that we can better protect the people of this country.

So, it is frustrating when we hear arguments about, "Oh, you said military-style. This, technically, isn't a military weapon," or we have all these numbers that have been kind of manipulated and presented as reasons for us to do nothing. I find that really disconcerting. Maybe it is because so many people are dying. Maybe it is because so many people are being murdered by these weapons.

The sheer number is incomprehensible. Maybe some of my colleagues



have lost the human ability to feel what that really means. I mean, I have talked to parents, and I have talked to brothers and sisters, to grandparents, who have lost loved ones in these massacres, who have lost loved ones to assault weapons. I mean, it is painful.

We can do something to make it possible that fewer people are victims of mass shootings, that fewer children die, that fewer churchgoers die, fewer people shopping in the grocery store or going to a concert or just minding their own business.

I mean, the gun violence in this country has reached epidemic proportions. It is unbelievable.

The American people are sick and tired of being scared. I mean, when my own kids go to the movies, I worry about them. I am worried that there might be somebody with an AR-15 that will be in that movie theater, or if they go to a concert. I think my anxiety is similar to the anxiety of most parents when their kids go out. This doesn't have to be.

All I am pleading with my colleagues to do is to think long and hard on how they vote on this.

Madam Speaker, we should all be sick to our stomachs about what is happening. The idea that somehow we can't do anything about it I don't think anybody buys.

I get it. The gun lobby plays a big role with many of my friends on the other side of the aisle. Follow the money; you will see what I am talking about. I don't want you to do anything, but I am pleading with my colleagues, especially on the Republican side of the aisle. I mean, this is the right thing to do.

The previous assault weapons ban had an impact. Unfortunately, it was left to expire. I mean, we need to pass this. This is the right thing to do. Talk to the families. Talk to those who lost loved ones in one of these massacres.

As I said, to defend AR-15s that can destroy the bodies of people—I remind you that the children in Uvalde, many of them had to be identified by DNA.

I mean, at some point, we have to say enough is enough. At some point, we have to turn our words into action.

Madam Speaker, I am hoping and praying that this is the day. I urge all of my colleagues to vote for the rule and vote for the previous question.

The material previously referred to by Mr. RESCHENTHALER is as follows:

AMENDMENT TO HOUSE RESOLUTION 1302

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 471) to prohibit the Secretary of Health and Human Services from lessening the stringency of, and to prohibit the Secretary of Homeland Security from ceasing or lessening implementation of, the COVID-19 border health provisions through the end of the COVID-19 pandemic, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against pro-

visions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommend.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 471.

Mr. McGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 215, nays 205, not voting 10, as follows:

[Roll No. 407]

YEAS—215

Adams	DeLauro	Langevin
Agullar	DeBene	Larsen (WA)
Allred	Demings	Larson (CT)
Auchincloss	DeSaulnier	Lawrence
Axne	Deutch	Lawson (FL)
Barragan	Dingell	Lee (CA)
Bass	Doggett	Lee (NV)
Beatty	Doyle, Michael	Leger Fernandez
Bera	F.	Levin (CA)
Beyer	Escobar	Levin (MI)
Bishop (GA)	Eshoo	Lieu
Blumenauer	Espallat	Lofgren
Blunt Rochester	Evans	Lowenthal
Bonamici	Fletcher	Luria
Bourdeaux	Poster	Lynch
Bowman	Frankel, Lois	Malinowski
Boyle, Brendan	Gallego	Maloney,
F.	Garamendi	Carolyn B.
Brown (MD)	Garcia (IL)	Maloney, Sean
Brown (OH)	Garcia (TX)	Manning
Brownley	Golden	Matsui
Bush	Gomez	McBath
Bustos	Gonzalez,	McCollum
Butterfield	Vicente	McEachin
Carbajal	Gottheimer	McGovern
Cardenas	Green, Al (TX)	McNerney
Carson	Grijalva	Meeks
Carter (LA)	Harder (CA)	Meng
Cartwright	Hayes	Moore (WI)
Case	Higgins (NY)	Morelle
Casten	Himes	Moulton
Castor (FL)	Horsford	Mrvan
Castro (TX)	Houlahan	Murphy (FL)
Cherfilus-	Hoyer	Nadler
McCormick	Huffman	Napolitano
Chu	Jackson Lee	Neal
Ciulline	Jacobs (CA)	Neguse
Clark (MA)	Jayapal	Newman
Clarke (NY)	Jeffries	Norcross
Cleaver	Johnson (GA)	O'Halleran
Clyburn	Johnson (TX)	Ocasio-Cortez
Cohen	Jones	Omar
Connolly	Kahele	Pallone
Cooper	Kaptur	Panetta
Correa	Keating	Pappas
Courtney	Kelly (IL)	Pascarell
Craig	Khanna	Payne
Crist	Kildee	Perlmutter
Crow	Kilmer	Peters
Cuellar	Kim (NJ)	Phillips
Davids (KS)	Kind	Pingree
Davis, Danny K.	Kirkpatrick	Pocan
Dean	Krishnamoorthi	Porter
DeFazio	Kuster	Pressley
DeGette	Lamb	Price (NC)

Quigley	Sherman
Raskin	Sherrill
Rice (NY)	Sires
Ross	Slotkin
Roybal-Allard	Smith (WA)
Ruiz	Soto
Ruppersberger	Spanberger
Rush	Speier
Ryan	Stansbury
Sánchez	Stanton
Sarbanes	Stevens
Scanlon	Strickland
Schakowsky	Suzuki
Schiff	Swalwell
Schneider	Takano
Schrader	Thompson (CA)
Schrier	Thompson (MS)
Scott (VA)	Titus
Sewell	Tlaib

Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Velázquez
Wasserman
Schultz
Walters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—205

Aderholt	Garbarino	Miller (IL)
Allen	Garcia (CA)	Miller (WV)
Amodei	Gibbs	Miller-Meeks
Armstrong	Gimenez	Moolenaar
Arrington	Gohmert	Mooney
Babin	Gonzales, Tony	Moore (AL)
Bacon	Gonzalez (OH)	Moore (UT)
Baird	Good (VA)	Mullin
Balderson	Gooden (TX)	Nehls
Banks	Gosar	Newhouse
Barr	Granger	Norman
Bentz	Graves (LA)	Oberholte
Bergman	Graves (MO)	Owens
Bice (OK)	Green (TN)	Palazzo
Biggs	Greene (GA)	Palmer
Bilirakis	Grothman	Pence
Bishop (NC)	Guest	Perry
Boebert	Guthrie	Pfleger
Bost	Harris	Posey
Brady	Harshbarger	Reschenthaler
Brooks	Hartzler	Rice (SC)
Buchanan	Hern	Rodgers (WA)
Buck	Herrell	Rogers (AL)
Bucshon	Herrera Beutler	Rogers (KY)
Budd	Hice (GA)	Rose
Burchett	Higgins (LA)	Rosendale
Burgess	Hill	Rouzer
Calvert	Hinson	Roy
Cammack	Hollingsworth	Rutherford
Carey	Hudson	Salazar
Carl	Huizenga	Scalise
Carter (GA)	Issa	Schweikert
Carter (TX)	Jackson	Scott, Austin
Cawthorn	Jacobs (NY)	Sessions
Chabot	Johnson (LA)	Simpson
Cheney	Johnson (OH)	Smith (MO)
Cline	Johnson (SD)	Smith (NE)
Cloud	Jordan	Smith (NJ)
Clyde	Joyce (OH)	Smucker
Cole	Joyce (PA)	Spartz
Comer	Katko	Stauber
Conway	Keller	Steel
Crawford	Kelly (MS)	Stefanik
Crenshaw	Kelly (PA)	Steil
Curtis	Kim (CA)	Steube
Davidson	Kustoff	Stewart
Davis, Rodney	LaHood	Taylor
DesJarlais	LaMalfa	Tenney
Diaz-Balart	Lamborn	Thompson (PA)
Duncan	Latta	Tiffany
Dunn	LaTurner	Timmons
Ellzey	Lesko	Turner
Emmer	Letlow	Upton
Estes	Long	Valadao
Fallon	Loudermilk	Van Drew
Feenstra	Lucas	Van Duyn
Ferguson	Luetkemeyer	Wagner
Fischbach	Mace	Walberg
Fitzgerald	Malliotakis	Walorski
Fitzpatrick	Mann	Waltz
Fleischmann	Massie	Weber (TX)
Flood	Mast	Webster (FL)
Flores	McCaul	Wenstrup
Fox	McClain	Westerman
Franklin, C.	McClintock	Williams (TX)
Scott	McHenry	Wilson (SC)
Fulcher	McKinley	Wittman
Gaetz	Meijer	Womack
Gallagher	Meuser	

NOT VOTING—10

Costa	McCarthy	Veasey
Donalds	Mfume	Zeldin
Griffith	Murphy (NC)	
Kinzinger	Scott, David	

□ 1527

So the previous question was ordered.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger) Green (TN) Nehls (Weber (Fleischmann) (TX))  
 Barr (Wagner) Guthrie (Wagner) Newman (Trone)  
 Bass (Neguse) Hartzler (Moore) Omar (Dingell) (UT))  
 Blumenauer Hartzler (Moore) Owens (Moore) (UT))  
 Blunt Rochester Herrera Beutler (Moore (UT))  
 (Kelly (IL))  
 Boebert Jacobs (NY) Payne (Pallone) (Cawthorn) (Fleischmann) Porter (Wexton)  
 Bourdeaux Jayapal (Pallone) Rice (NY) (Wasserman) Davids (KS) Lee (CA) Lee (NV) Dean Leger Fernandez Levin (CA) Levin (MI) Lieu Lofgren Lowenthal Luria Lynch Malinowski Maloney, Carolyn B. Maloney, Sean Manning Eshoo Matsui McBeth Espallat Evans Fletcher Foster Frankel, Lois Gallego Garamendi Garcia (IL) Garcia (TX) Gomez Gottheimer Mrvan Murphy (FL) Nadler Napolitano Neal Neguse Newman Norcross O'Halleran Ocasio-Cortez Omar Pallone Pannetta Pappas Pascrell Payne Wexton Wild Williams (GA) Wilson (FL) Yarmuth

Cicilline Clark (MA) Clarke (NY) Cleaver Clyburn Cohen Connolly Cooper Correa Costa Courtney Craig Crist Crow Lawrence Cuellar Davids (KS) Lee (CA) Lee (NV) Dean Leger Fernandez Levin (CA) Levin (MI) Lieu Lofgren Lowenthal Luria Lynch Malinowski Maloney, Carolyn B. Maloney, Sean Manning Eshoo Matsui McBeth Espallat Evans Fletcher Foster Frankel, Lois Gallego Garamendi Garcia (IL) Garcia (TX) Gomez Gottheimer Mrvan Murphy (FL) Nadler Napolitano Neal Neguse Newman Norcross O'Halleran Ocasio-Cortez Omar Pallone Pannetta Pappas Pascrell Payne Wexton Wild Williams (GA) Wilson (FL) Yarmuth

Jacobs (NY) Meijer Meuser Miller (IL) Miller (WV) Miller-Meeks Moolenaar Mooney Moore (AL) Moore (UT) Mullin Murphy (NC) Nehls Newhouse Norman Obernolte Owens Palazzio Palmer LaTurner Lesko Letlow Long Loudermilk Lucas Luetkemeyer Mace Malliotakis Mann Massie Mast Roy McCaul McCain McClintock McHenry McKinley

NOT VOTING—3  
 Griffith Harshbarger Zeldin  
 □ 1544

So the resolution was agreed to.  
 The result of the vote was announced as above recorded.  
 A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger) Garbarino (Moore (UT))  
 Barr (Wagner) Gibbs (Buchshon) (Armstrong)  
 Bass (Neguse) Gimenez (Salazar) Maloney, Carolyn B. (Wasserman) (Schultz)  
 Blumenauer (Kuster) Miller-Meeks (Keller)  
 Blunt Rochester (Kelly (IL))  
 Boebert (Cawthorn) Moore (UT))  
 Bourdeaux (Neguse) Jayapal (Neguse) (Pallone) Moulton (Perlmutter) (Wagner) Green (TN) McNerney (Pallone)  
 Boyle, Brendan (F. (Trone))  
 Bush (Ocasio-Cortez) Guthrie (Wagner) Miller (WV) (Mooney)  
 Bustos (Kuster) Hartzler (Moore) (Mooney-Meeks) (Keller)  
 Cárdenas (Soto) (UT))  
 Carter (TX) Herrera Beutler (Moore (UT))  
 Casten (Neguse) Jayapal (Neguse) (Pallone) Moulton (Perlmutter) (Wagner) Green (TN) McNerney (Pallone)  
 Comer (Keller) Johnson (LA) Nehls (Weber) (TX))  
 Craig (Kuster) Johnson (SD) Newman (Trone) (Fleischmann) Owens (Moore) (UT))  
 Crawford (Long) Johnson (TX) Payne (Pallone) Porter (Wexton) Rice (NY)  
 Crist (Wasserman) Johnson (TX) Owens (Moore) (Pallone) (UT))  
 DeGette (Perlmutter) Kahele (Correa) (Wasserman) (Schultz) Katko (Meijer) Schultz  
 DeSaulnier (Perlmutter) Kinzinger (Meijer)  
 DesJarlais (Fleischmann) Kirkpatrick Ruppertsberger (Trone)  
 Deutch (Wasserman) LaHood (Latta) Ryan (Kuster) (Pallone)  
 Good (Greene) Moore (WI) Scott, David (Wasserman) (Neguse) Letlow (Moore) (UT))  
 Gosar (Gaetz) Gosar (Gaetz) (Trone) McHenry (Wagner) Green (TN) McNerney (Pallone)  
 Granger (Weber) Granger (Weber) (Wagner) Green (TN) McNerney (Pallone)  
 Neal (Kildee) Nehls (Weber) (TX))  
 Guthrie (Wagner) Miller (WV) (Mooney)  
 Hartzler (Moore) (Mooney-Meeks) (Keller)  
 Herrera Beutler (Moore (UT))  
 Jayapal (Neguse) (Pallone) Moulton (Perlmutter) (Wagner) Green (TN) McNerney (Pallone)  
 Johnson (LA) Nehls (Weber) (TX))  
 Johnson (SD) Newman (Trone) (Fleischmann) Owens (Moore) (UT))  
 Jones (Trone) Payne (Pallone) Porter (Wexton) Rice (NY)  
 Joyce (PA) (Keller)  
 Kahele (Correa) (Wasserman) (Schultz) Katko (Meijer) Schultz  
 Kinzinger (Meijer)  
 Kirkpatrick Ruppertsberger (Trone)  
 LaHood (Latta) Ryan (Kuster) (Pallone)  
 Lawson (FL) Scott, David (Wasserman) (Perlmutter) (Wagner) Green (TN) McNerney (Pallone)  
 Leger Fernandez (Wasserman) (Schultz) Sires (Pallone) Smith (WA) (Wasserman) (Schultz)  
 Letlow (Moore) (UT))

NAYS—211

Cheney Garbarino Garcia (CA) Gibbs Gimenez Gohmert Golden Gonzales, Tony Gonzalez (OH) Gonzalez, Vicente Good (VA) Gooden (TX) Gosar Granger Graves (LA) Graves (MO) Green (TN) Greene (GA) Grothman Guest Guthrie Harris Hartzler Hern Herrell Herrera Beutler Hice (GA) Higgins (LA) Hill Hinson Hollingsworth Hudson Huizenga Issa Jackson

The SPEAKER pro tempore (Ms. JACKSON LEE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 217, nays 211, not voting 3, as follows:

[Roll No. 408]

YEAS—217

Adams Blunt Rochester Carbajal  
 Aguilar Bonamici Cárdenas  
 Allred Bourdeaux Carson  
 Auchincloss Bowman Carter (LA)  
 Axne Boyle, Brendan Cartwright  
 Barragán F. Case  
 Bass Brown (MD) Casten  
 Beatty Brown (OH) Castor (FL)  
 Bera Brownley Castro (TX)  
 Beyer Bush Cherfilus-  
 Bishop (GA) Bustos McCormick  
 Blumenauer Butterfield Chu

Aderholt Cheney Garbarino Garcia (CA) Gibbs Gimenez Gohmert Golden Gonzales, Tony Gonzalez (OH) Gonzalez, Vicente Good (VA) Gooden (TX) Gosar Granger Graves (LA) Graves (MO) Green (TN) Greene (GA) Grothman Guest Guthrie Harris Hartzler Hern Herrell Herrera Beutler Hice (GA) Higgins (LA) Hill Hinson Hollingsworth Hudson Huizenga Issa Jackson

Spartz (Banks)	Suozzi	Trahan (Trone)
Speier (Garcia)	(Perlmutter)	Van Drew
(TX)	Swalwell	(Fleischmann)
Stefanik (Keller)	(Correa)	Vargas (Correa)
Steube	Taylor	Veasey (Kelly
(Franklin, C.	(Armstrong)	(IL))
Scott)	Thompson (CA)	Walorski (Banks)
Stevens (Kuster)	(Correa)	Welch (Pallone)
Stewart (Moore	Tiffany	Wenstrup (Latta)
(UT)	(Fitzgerald)	Williams (GA)
Strickland	Tlaib (Dingell)	(Neguse)
(Neguse)	Torres (NY)	Wilson (SC)
	(Correa)	(Dunn)

**ASSAULT WEAPONS BAN OF 2022**

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 1302, I call up the bill (H.R. 1808) to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PERLMUTTER). Pursuant to House Resolution 1302, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee print 117-60, modified by the amendment printed in House Report 117-448, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

**H.R. 1808**

*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 “Assault Weapons Ban of 2022”.*

**SEC. 2. DEFINITIONS.**

(a) IN GENERAL.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(38) The term ‘semiautomatic pistol’ means any repeating pistol that—

“(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

“(B) requires a separate pull of the trigger to fire each cartridge.

“(39) The term ‘semiautomatic shotgun’ means any repeating shotgun that—

“(A) utilizes a portion of the energy of a firing shell to extract the fired shell casing and chamber the next round; and

“(B) requires a separate pull of the trigger to fire each shell.

“(40) The term ‘semiautomatic assault weapon’ means any of the following, regardless of country of manufacture or caliber of ammunition accepted:

“(A) A semiautomatic rifle that—

“(i) has the capacity to accept a detachable ammunition feeding device; and

“(ii) has any 1 of the following:

“(I) A pistol grip.

“(II) A forward grip.

“(III) A folding, telescoping, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability, of the weapon.

“(IV) A grenade launcher.

“(V) A barrel shroud.

“(VI) A threaded barrel.

“(B) A semiautomatic rifle that has a fixed ammunition feeding device with the capacity to accept more than 15 rounds, except for an at-

tached tubular device designed to accept, and capable of operating only with, .22 caliber rim-fire ammunition.

“(C) Any part, combination of parts, component, device, attachment, or accessory that is designed or functions to accelerate the rate of fire of a semiautomatic firearm but not convert the semiautomatic firearm into a machinegun.

“(D) A semiautomatic pistol that—

“(i) has an ammunition feeding device that is not a fixed ammunition feeding device; and

“(ii) has any 1 of the following:

“(I) A threaded barrel.

“(II) A second pistol grip.

“(III) A barrel shroud.

“(IV) The capacity to accept a detachable ammunition feeding device at some location outside of the pistol grip.

“(V) A semiautomatic version of an automatic firearm.

“(VI) A manufactured weight of 50 ounces or more when unloaded.

“(VII) A buffer tube, stabilizing brace or similar component that protrudes horizontally behind the pistol grip, and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder.

“(E) A semiautomatic pistol with a fixed ammunition feeding device that has the capacity to accept more than 15 rounds.

“(F) A semiautomatic shotgun that—

“(i) has the capacity to accept a detachable ammunition feeding device or a fixed ammunition feeding device that has the capacity to accept more than 5 rounds; and

“(ii) has any 1 of the following:

“(I) A folding, telescoping, or detachable stock.

“(II) A pistol grip or bird’s head grip.

“(III) A forward grip.

“(IV) A grenade launcher.

“(G) Any shotgun with a revolving cylinder.

“(H) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:

“(i) All AK types, including the following:

“(I) AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM.

“(II) IZHMASH Saiga AK.

“(III) MAADI AK47 and ARM.

“(IV) Norinco 56S, 56S2, 84S, and 86S.

“(V) Poly Technologies AK47 and AKS.

“(VI) SKS with a detachable ammunition feeding device.

“(ii) All AR types, including the following:

“(I) AR-10.

“(II) AR-15.

“(III) Alexander Arms Overmatch Plus 16.

“(IV) Armalite M15 22LR Carbine.

“(V) Armalite M15-T.

“(VI) Barrett REC7.

“(VII) Beretta AR-70.

“(VIII) Black Rain Ordnance Recon Scout.

“(IX) Bushmaster ACR.

“(X) Bushmaster Carbon 15.

“(XI) Bushmaster MOE series.

“(XII) Bushmaster XM15.

“(XIII) Chiappa Firearms MFour rifles.

“(XIV) Colt Match Target rifles.

“(XV) CORE Rifle Systems CORE15 rifles.

“(XVI) Daniel Defense M4A1 rifles.

“(XVII) Devil Dog Arms 15 Series rifles.

“(XVIII) Diamondback DB15 rifles.

“(XIX) DoubleStar AR rifles.

“(XX) DPMS Tactical rifles.

“(XXI) DSA Inc. ZM-4 Carbine.

“(XXII) Heckler & Koch MR556.

“(XXIII) High Standard HSA-15 rifles.

“(XXIV) Jesse James Nomad AR-15 rifle.

“(XXV) Knight’s Armament SR-15.

“(XXVI) Lancer L15 rifles.

“(XXVII) MGI Hydra Series rifles.

“(XXVIII) Mossberg MMR Tactical rifles.

“(XXIX) Noreen Firearms BN 36 rifle.

“(XXX) Olympic Arms.

“(XXXI) POF USA P415.

“(XXXII) Precision Firearms AR rifles.

“(XXXIII) Remington R-15 rifles.

“(XXXIV) Rhino Arms AR rifles.

“(XXXV) Rock River Arms LAR-15.

“(XXXVI) Sig Sauer SIG516 rifles and MCX rifles.

“(XXXVII) Smith & Wesson M&P15 rifles.

“(XXXVIII) Stag Arms AR rifles.

“(XXXIX) Sturm, Ruger & Co. SR556 and AR-556 rifles.

“(XL) Useton Arms Air-Lite M-4 rifles.

“(XLI) Windham Weaponry AR rifles.

“(XLII) WMD Guns Big Beast.

“(XLIII) Yankee Hill Machine Company, Inc. YHM-15 rifles.

“(iii) Barrett M107A1.

“(iv) Barrett M82A1.

“(v) Beretta CX4 Storm.

“(vi) Calico Liberty Series.

“(vii) CETME Sporter.

“(viii) Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.

“(ix) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, LIA1 Sporter, PS90, SCAR, and FS2000.

“(x) Feather Industries AT-9.

“(xi) Galil Model AR and Model ARM.

“(xii) Hi-Point Carbine.

“(xiii) HK-91, HK-93, HK-94, HK-PSG-1, and HK USC.

“(xiv) IWI TAVOR, Galil ACE rifle.

“(xv) Kel-Tec Sub-2000, SU-16, and RFB.

“(xvi) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig Sauer SG 551, and SIG MCX.

“(xvii) Springfield Armory SAR-48.

“(xviii) Steyr AUG.

“(xix) Sturm, Ruger & Co. Mini-14 Tactical Rifle M-14/20CF.

“(xx) All Thompson rifles, including the following:

“(I) Thompson M1SB.

“(II) Thompson T1100D.

“(III) Thompson T150D.

“(IV) Thompson T1B.

“(V) Thompson T1B100D.

“(VI) Thompson T1B50D.

“(VII) Thompson T1BSB.

“(VIII) Thompson T1-C.

“(IX) Thompson T1D.

“(X) Thompson T1SB.

“(XI) Thompson T5.

“(XII) Thompson T5100D.

“(XIII) Thompson TMI.

“(XIV) Thompson TMIC.

“(xv) UMAREX UZI rifle.

“(xvii) UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine.

“(xviii) Valmet M62S, M71S, and M78.

“(xix) Vector Arms UZI Type.

“(xx) Weaver Arms Nighthawk.

“(xxvi) Wilkinson Arms Linda Carbine.

“(I) All of the following pistols, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:

“(i) All AK types, including the following:

“(I) Centurion 39 AK pistol.

“(II) CZ Scorpion pistol.

“(III) Draco AK-47 pistol.

“(IV) HCR AK-47 pistol.

“(V) IO Inc. Hellpup AK-47 pistol.

“(VI) Krinkov pistol.

“(VII) Mini Draco AK-47 pistol.

“(VIII) PAP M92 pistol.

“(IX) Yugo Krebs Krink pistol.

“(ii) All AR types, including the following:

“(I) American Spirit AR-15 pistol.

“(II) Bushmaster Carbon 15 pistol.

“(III) Chiappa Firearms M4 Pistol GEN II.

“(IV) CORE Rifle Systems CORE15 Roscoe pistol.

“(V) Daniel Defense MK18 pistol.

“(VI) DoubleStar Corporation AR pistol.

“(VII) DPMS AR-15 pistol.

“(VIII) Jesse James Nomad AR-15 pistol.

“(IX) Olympic Arms AR-15 pistol.

“(X) Osprey Armament MK-18 pistol.

“(XI) POF USA AR pistols.

“(XII) Rock River Arms LAR 15 pistol.

“(XIII) Usetlon Arms Air-Lite M-4 pistol.  
 “(iii) Calico pistols.  
 “(iv) DSA SA58 PKP FAL pistol.  
 “(v) Encom MP-9 and MP-45.  
 “(vi) Heckler & Koch model SP-89 pistol.  
 “(vii) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9.  
 “(viii) IWI Galil Ace pistol, UZI PRO pistol.  
 “(ix) Kel-Tec PLR 16 pistol.  
 “(x) All MAC types, including the following:  
 “(I) MAC-10.  
 “(II) MAC-11.  
 “(III) Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol.  
 “(IV) Military Armament Corp. Ingram M-11.  
 “(V) Velocity Arms VMAC.  
 “(xi) Sig Sauer P556 pistol.  
 “(xii) Sites Spectre.  
 “(xiii) All Thompson types, including the following:  
 “(I) Thompson TA510D.  
 “(II) Thompson TA5.  
 “(xiv) All UZI types, including Micro-UZI.  
 “(J) All of the following shotguns, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon thereof:  
 “(i) DERYA Anakon MC-1980, Anakon SD12.  
 “(ii) Doruk Lethal shotguns.  
 “(iii) Franchi LAW-12 and SPAS 12.  
 “(iv) All IZHMASH Saiga 12 types, including the following:  
 “(I) IZHMASH Saiga 12.  
 “(II) IZHMASH Saiga 12S.  
 “(III) IZHMASH Saiga 12S EXP-01.  
 “(IV) IZHMASH Saiga 12K.  
 “(V) IZHMASH Saiga 12K-030.  
 “(VI) IZHMASH Saiga 12K-040 Taktika.  
 “(v) Streetsweeper.  
 “(vi) Striker 12.  
 “(K) All belt-fed semiautomatic firearms, including TNW M2HB and FN M2495.  
 “(L) Any combination of parts from which a firearm described in subparagraphs (A) through (K) can be assembled.  
 “(M) The frame or receiver of a rifle or shotgun described in subparagraph (G), (H), (J), or (K).  
 “(41) The term ‘large capacity ammunition feeding device’—  
 “(A) means a magazine, belt, drum, feed strip, or similar device, including any such device joined or coupled with another in any manner, that has an overall capacity of, or that can be readily restored, changed, or converted to accept, more than 15 rounds of ammunition; and  
 “(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.”  
 (b) RELATED DEFINITIONS.—Section 921(a) of title 18, United States Code, as amended by this Act, is amended by adding at the end the following:  
 “(42) The term ‘barrel shroud’—  
 “(A) means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel; and  
 “(B) does not include—  
 “(i) a slide that partially or completely encloses the barrel; or  
 “(ii) an extension of the stock along the bottom of the barrel which does not encircle or substantially encircle the barrel.  
 “(43) The term ‘detachable ammunition feeding device’ means an ammunition feeding device that can be removed from a firearm without disassembly of the firearm action.  
 “(44) The term ‘fixed ammunition feeding device’ means an ammunition feeding device that is contained in and not removable from or is permanently fixed to the firearm, but does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.  
 “(45) The term ‘folding, telescoping, or detachable stock’ means a stock that folds, tele-

scopes, detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability, of a firearm.  
 “(46) The term ‘forward grip’ means a grip located forward of the trigger that functions as a pistol grip.  
 “(47) The term ‘grenade launcher’ means an attachment for use on a firearm that is designed to propel a grenade or other similar destructive device.  
 “(48) The term ‘permanently inoperable’ means a firearm which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition.  
 “(49) The term ‘pistol grip’ means a grip, a thumbhole stock or Thordsen-type grip or stock, or any other characteristic that can function as a grip.  
 “(50) The term ‘threaded barrel’ means a feature or characteristic that is designed in such a manner to allow for the attachment of a device such as a firearm silencer or a flash suppressor.  
 “(51) The term ‘qualified law enforcement officer’ has the meaning given the term in section 926B.  
 “(52) The term ‘grandfathered semiautomatic assault weapon’ means any semiautomatic assault weapon the importation, possession, sale, or transfer of which would be unlawful under section 922(v) but for the exception under paragraph (2) of such section.  
 “(53) The term ‘belt-fed semiautomatic firearm’ means any repeating firearm that—  
 “(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round;  
 “(B) requires a separate pull of the trigger to fire each cartridge; and  
 “(C) has the capacity to accept a belt ammunition feeding device.”  
**SEC. 3. RESTRICTIONS ON ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES.**  
 (a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—  
 (1) by inserting after subsection (u) the following:  
 “(v)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a semiautomatic assault weapon.  
 “(2) Paragraph (1) shall not apply to the possession, sale, or transfer of any semiautomatic assault weapon otherwise lawfully possessed under Federal law on the date of enactment of the Assault Weapons Ban of 2022.  
 “(3) Paragraph (1) shall not apply to any firearm that—  
 “(A) is manually operated by bolt, pump, lever, or slide action, except for a shotgun described in section 921(a)(40)(G);  
 “(B) has been rendered permanently inoperable;  
 “(C) is an antique firearm, as defined in section 921 of this title; or  
 “(D) is only capable of firing rimfire ammunition.  
 “(4) Paragraph (1) shall not apply to—  
 “(A) the importation for, manufacture for, sale to, transfer to, or possession by—  
 “(i) the United States, or a department or agency of the United States; or  
 “(ii) a State, or a department, agency, or political subdivision of a State;  
 “(B) the sale to, transfer to, or possession by a qualified law enforcement officer employed by—  
 “(i) the United States, or a department or agency of the United States; or  
 “(ii) a State, or a department, agency, or political subdivision of a State,  
 for purposes of law enforcement (whether on or off duty);  
 “(C) the sale to, transfer to, or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);  
 “(D) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act

of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;  
 “(E) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving a firearm, of a semiautomatic assault weapon—  
 “(i) sold or transferred to the individual by the agency upon such retirement; or  
 “(ii) that the individual purchased, or otherwise obtained, for official use before such retirement;  
 “(F) the importation, sale, manufacture, transfer, or possession of a semiautomatic assault weapon by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General; or  
 “(G) the importation, sale, manufacture, transfer, or possession of a firearm specified in Appendix A to this section, as such firearm was manufactured on the date of introduction of the Assault Weapons Ban of 2022.  
 “(5) For purposes of paragraph (4)(C), the term ‘campus law enforcement officer’ means an individual who is—  
 “(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);  
 “(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;  
 “(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and  
 “(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.  
 “(6) The Attorney General shall establish and maintain, in a timely manner, a record of the make, model, and, if available, date of manufacture of any semiautomatic assault weapon which the Attorney General is made aware has been used in relation to a crime under Federal or State law, and the nature and circumstances of the crime involved, including the outcome of relevant criminal investigations and proceedings. The Attorney General shall annually submit a copy of the record established under this paragraph to the Congress and make the record available to the general public.  
 “(w)(1) It shall be unlawful for a person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a large capacity ammunition feeding device.  
 “(2) Paragraph (1) shall not apply to the possession of any large capacity ammunition feeding device otherwise lawfully possessed on or before the date of enactment of the Assault Weapons Ban of 2022.  
 “(3) Paragraph (1) shall not apply to—  
 “(A) the importation for, manufacture for, sale to, transfer to, or possession by—  
 “(i) the United States, or a department or agency of the United States; or  
 “(ii) a State, or a department, agency, or political subdivision of a State;  
 “(B) the sale to, transfer to, or possession by a qualified law enforcement officer employed by—  
 “(i) the United States, or a department or agency of the United States; or  
 “(ii) a State, or a department, agency, or political subdivision of a State,  
 for purposes of law enforcement (whether on or off duty);  
 “(C) the sale to, transfer to, or possession by a campus law enforcement officer for purposes of law enforcement (whether on or off duty);  
 “(D) the importation for, or sale or transfer to a licensee under title I of the Atomic Energy Act

of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(E) the possession, by an individual who is retired in good standing from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device—

“(i) sold or transferred to the individual by the agency upon such retirement; or

“(ii) that the individual purchased, or otherwise obtained, for official use before such retirement; or

“(F) the importation, sale, manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.

“(4) For purposes of paragraph (4)(C), the term ‘campus law enforcement officer’ means an individual who is—

“(A) employed by a private institution of higher education that is eligible for funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) responsible for the prevention or investigation of crime involving injury to persons or property, including apprehension or detention of persons for such crimes;

“(C) authorized by Federal, State, or local law to carry a firearm, execute search warrants, and make arrests; and

“(D) recognized, commissioned, or certified by a government entity as a law enforcement officer.”; and

(2) by adding at the end the following:

“(aa) SECURE STORAGE OR SAFETY DEVICE REQUIREMENT FOR GRANDFATHERED SEMIAUTOMATIC ASSAULT WEAPONS.—It shall be unlawful for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to store or keep under the dominion or control of that person any grandfathered semiautomatic assault weapon that the person knows, or has reasonable cause to believe, will be accessible to an individual prohibited from receiving or possessing a firearm under subsection (g), (n), or (x), or any provision of State law, unless the grandfathered semiautomatic assault weapon is—

“(1) carried on the person, or within such close proximity that the person can readily retrieve and use the grandfathered semiautomatic assault weapon as if the grandfathered semiautomatic assault weapon were carried on the person; or

“(2) locked by a secure gun storage or safety device that the prohibited individual has no ability to access.”.

(b) IDENTIFICATION MARKINGS FOR SEMIAUTOMATIC ASSAULT WEAPONS.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: “The serial number of any semiautomatic assault weapon manufactured after the date of enactment of the Assault Weapons Ban of 2022 shall clearly show the date on which the weapon was manufactured or made, legibly and conspicuously engraved or cast on the weapon, and such other identification as the Attorney General shall by regulations prescribe.”.

(c) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, as amended by this Act, is amended by adding at the end the following: “A large capacity ammunition feeding device manufactured after the date of enactment of the Assault Weapons Ban of 2022 shall be identified by a serial number and the date on which the device was manufactured or made, legibly and conspicuously engraved or cast on the device, and such other identification as the Attorney General shall by regulations prescribe.”.

(d) SEIZURE AND FORFEITURE OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Subsection (d) of section 924 of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “or large capacity ammunition feeding device” after “firearm or ammunition” each time it appears;

(B) by inserting “or large capacity ammunition feeding device” after “firearms or ammunition” each time it appears; and

(C) by striking “or (k)” and inserting “(k), (r), (v), or (w)”;

(2) in paragraph (2)(C), by inserting “or large capacity ammunition feeding devices” after “firearms or quantities of ammunition”; and

(3) in paragraph (3)(E), by inserting “922(r), 922(v), 922(w),” after “922(n).”.

(e) APPENDIX A.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

“APPENDIX A—FIREARMS EXEMPTED BY THE ASSAULT WEAPONS BAN OF 2022

“CENTERFIRE RIFLES—AUTOLOADERS

“Benelli R1 Rifle

“Browning BAR Mark II Safari Magnum Rifle

“Browning BAR Mark II Safari Semi-Auto Rifle

“Browning BAR Stalker Rifles

“Browning High-Power Rifle

“Browning Longtrac Rifle

“Browning Shorttrac Rifle

“Heckler & Koch HK630

“Heckler & Koch HK770

“Heckler & Koch HK940

“Heckler & Koch Model 300 Rifle

“Heckler & Koch SL7 Rifle

“Iver Johnson 50th Anniversary M-1 Carbine (w/o folding stock)

“Iver Johnson M-1 Carbine (w/o folding stock)

“M-1 Carbines with standard fixed stock

“M-1 Garand with fixed 8 round capacity and standard stock

“Marlin Model 9 Camp Carbine

“Marlin Model 45 Carbine

“Remington Model 74

“Remington Model 81

“Remington Model 740

“Remington Model 742

“Remington Model 750 Synthetic

“Remington Model 750 Woodmaster

“Remington Model 7400 Rifle

“Remington Model 7400 Special Purpose Auto Rifle

“Remington Nylon 66 Auto-Loading Rifle

“Ruger Mini 30

“Ruger Mini-14 (w/o folding or telescoping stock or pistol grip)

“Ruger PC4

“Ruger PC9

“SKS type rifles with fixed 10 round magazine and standard fixed stock

“Winchester Model SXR

“CENTERFIRE RIFLES—LEVER & SLIDE

“Action Arms Timber Wolf Pump Action

“Beretta 1873 Renegade Lever Action

“Beretta Gold Rush Slide Action

“Big Horn Armory Model 89

“Browning BLR Model 181 Lever Action, All Models

“Browning BPR Pump Rifle

“Browning Model 53 Lever Action

“Browning Model 65 Grade 1 Lever Action Rifle

“Browning Model 71 Rifle and Carbine

“Browning Model 81 BLR

“Browning Model 81 BLR Lever-Action Rifle

“Browning Model 81 Long Action BLR

“Browning Model 1886 High Grade Carbine

“Browning Model 1886 Lever-Action Carbine

“Browning Model B-92 Carbine

“Charles Daly Model 1892 Lever Action, All Models

“Chiappa 1886 Lever Action Rifles

“Cimarron 1860 Henry Replica

“Cimarron 1866 Winchester Replicas

“Cimarron 1873 30” Express Rifle

“Cimarron 1873 Short Rifle

“Cimarron 1873 Sporting Rifle

“Cimarron 1873 Winchester Replicas

“Dixie Engraved 1873 Rifle

“Dixie Lightning Rifle and Carbines

“E.M.F. 1860 Henry Rifle

“E.M.F. 1866 Yellowboy Lever Actions

“E.M.F. Model 73 Lever-Action Rifle

“E.M.F. Model 1873 Lever Actions

“Henry .30/30 Lever Action Carbine

“Henry Big Boy .357 Magnum

“Henry Big Boy .44 Magnum

“Henry Big Boy .45 Colt

“Henry Big Boy Deluxe Engraved .44 Magnum

“Henry Big Boy Deluxe Engraved .45 Colt

“Marlin Model 30AS Lever-Action Carbine

“Marlin Model 62 Lever Action

“Marlin Model 93 Lever Action

“Marlin Model 308MX

“Marlin Model 308MXLR

“Marlin Model 336 Deluxe

“Marlin Model 336C

“Marlin Model 336CS Lever-Action Carbine

“Marlin Model 336DL Lever Action

“Marlin Model 336SS

“Marlin Model 336W

“Marlin Model 336XLR

“Marlin Model 338MX

“Marlin Model 338MXLR

“Marlin Model 444

“Marlin Model 444 Lever-Action

“Marlin Model 444XLR

“Marlin Model 1894 Marlin Model 1894 Cowboy

“Marlin Model 1894 Lever Action, All Models

“Marlin Model 1894C

“Marlin Model 1894CL Classic

“Marlin Model 1894CS Carbine

“Marlin Model 1894S Lever-Action Carbine

“Marlin Model 1894SS

“Marlin Model 1895

“Marlin Model 1895 Cowboy

“Marlin Model 1895 Lever Action, All Models

“Marlin Model 1895G

“Marlin Model 1895GS

“Marlin Model 1895M

“Marlin Model 1895MXLR

“Marlin Model 1895SBL

“Marlin Model 1895SS Lever-Action Rifle

“Marlin Model 1895XLR

“Marlin XLR Lever Action Rifles

“Mitchell 1858 Henry Replica

“Mitchell 1866 Winchester Replica

“Mitchell 1873 Winchester Replica

“Mossberg 464 Lever Action Rifle

“Mossberg Model 472 Lever Action

“Mossberg Model 479 Lever Action

“Navy Arms 1866 Yellowboy Rifle

“Navy Arms 1873 Sporting Rifle

“Navy Arms 1873 Winchester-Style Rifle

“Navy Arms 1892 Short Rifle

“Navy Arms Henry Carbine

“Navy Arms Henry Trapper

“Navy Arms Iron Frame Henry

“Navy Arms Military Henry Rifle

“Puma Bounty Hunter Rifle

“Puma Model 92 Rifles & Carbines

“Remington 7600 Slide Action

“Remington Model 6 Pump Action

“Remington Model 14, 14½ Pump Actions

“Remington Model 141 Pump Action

“Remington Model 760 Slide Actions

“Remington Model 7600 Special Purpose Slide Action

“Remington Model 7600 Synthetic

“Remington Model 7615 Camo Hunter

“Remington Model 7615 Ranch Carbine

“Remington Model 7615 SPS

“Rossi M92 SRC Saddle-Ring Carbine

“Rossi M92 SRS Short Carbine

“Rossi R92 Lever Action Carbines

“Ruger Model 96/44 Lever Action

“Savage 99C Lever-Action Rifle

“Savage Model 170 Pump Action

“Taurus Thunderbolt Pump Action

- “Taylor’s & CO., Inc. 1865 Spencer Carbine/Rifle  
 “Taylor’s & CO., Inc. 1892 Carbine/Rifle  
 “U.S. Fire Arms Standard Lightning Magazine Rifle  
 “Uberti 1866 Sporting Rifle Uberti 1873 Sporting Rifle  
 “Uberti 1876 Rifle  
 “Uberti 1883 Burgess Lever Action Rifle/Carbine  
 “Uberti Henry Rifle  
 “Uberti Lightning Rifle/Carbine  
 “Winchester Lever Actions, All Other Center Fire Models  
 “Winchester Model 94 Big Bore Side Eject  
 “Winchester Model 94 Ranger Side Eject Lever-Action Rifle  
 “Winchester Model 94 Side Eject Lever-Action Rifle  
 “Winchester Model 94 Trapper Side Eject  
 “Winchester Model 94 Wrangler Side Eject  
 “Winchester Model 1895 Safari Centennial  
 “CENTERFIRE RIFLES—BOLT ACTION  
 “Accurate Arms Raptor & Backpack Bolt Action Rifles  
 “Alpine Bolt-Action Rifle  
 “Anschutz 1700D Bavarian Bolt-Action Rifle  
 “Anschutz 1700D Classic Rifles  
 “Anschutz 1700D Custom Rifles  
 “Anschutz 1733D Mannlicher Rifle  
 “Arnold Arms African Safari & Alaskan Trophy Rifles  
 “A-Square Caesar Bolt-Action Rifle  
 “A-Square Genghis Khan Bolt Action Rifle  
 “A-Square Hamilcar Bolt Action Rifle  
 “A-Square Hannibal Bolt-Action Rifle  
 “Auguste Francotte Bolt-Action Rifles  
 “Bansners Ultimate Bolt Action Rifles  
 “Beeman/HW 60J Bolt-Action Rifle  
 “Benton & Brown Firearms, Inc. Model 93 Bolt Action Rifle  
 “Blackheart International BBG Hunter Bolt Action  
 “Blackheart International LLC BBG Light Sniper Bolt Action  
 “Blaser R8 Professional  
 “Blaser R84 Bolt-Action Rifle  
 “Blaser R93 Bolt Action Rifle  
 “BRNO 537 Sporter Bolt-Action Rifle  
 “BRNO ZKB 527 Fox Bolt-Action Rifle  
 “BRNO ZKK 600, 601, 602 Bolt-Action Rifles  
 “Brown Precision Company Bolt Action Sporter  
 “Browning A-Bolt Gold Medallion  
 “Browning A-Bolt Left Hand  
 “Browning A-Bolt Micro Medallion  
 “Browning A-Bolt Rifle  
 “Browning A-Bolt Short Action  
 “Browning A-Bolt Stainless Stalker  
 “Browning Euro-Bolt Rifle  
 “Browning High-Power Bolt Action Rifle  
 “Browning X-Bolt Bolt Action Rifle  
 “Carbon One Bolt Action Rifle  
 “Carl Gustaf 2000 Bolt-Action Rifle Century  
 “Centurion 14 Sporter  
 “Century Enfield Sporter #4  
 “Century M70 Sporter  
 “Century Mauser 98 Sporter  
 “Century Swedish Sporter #38  
 “Cheytac M-200  
 “Cheytac M70 Sporter  
 “Cooper Model 21 Bolt Action Rifle  
 “Cooper Model 22 Bolt Action Rifle  
 “Cooper Model 38 Centerfire Sporter  
 “Cooper Model 56 Bolt Action Rifle  
 “CZ 527 Bolt Action Rifles  
 “CZ 550 Bolt Action Rifles  
 “CZ 750 Sniper Rifle  
 “Dakota 22 Sporter Bolt-Action Rifle  
 “Dakota 76 Classic Bolt-Action Rifle  
 “Dakota 76 Safari Bolt-Action Rifle  
 “Dakota 76 Short Action Rifles  
 “Dakota 97 Bolt Action Rifle  
 “Dakota 416 Rigby African  
 “Dakota Predator Rifle  
 “DSA DS-MP1 Bolt Action Rifle  
 “E.A.A./Sabatti Rover 870 Bolt-Action Rifle  
 “EAA/Zastava M-93 Black Arrow Rifle  
 “Ed Brown Hunting and Model 704 Bolt Action Rifles  
 “Heym Bolt Action Rifles  
 “Heym Magnum Express Series Rifle  
 “Howa Bolt Action Rifles  
 “Howa Lightning Bolt-Action Rifle  
 “Howa Realtree Camo Rifle  
 “H-S Precision Bolt Action Rifles  
 “Interarms Mark X Bolt Action Rifles  
 “Interarms Mark X Viscount Bolt-Action Rifle  
 “Interarms Mark X Whitworth Bolt-Action Rifle  
 “Interarms Mini-Mark X Rifle  
 “Interarms Whitworth Express Rifle  
 “Iver Johnson Model 5100A1 Long-Range Rifle  
 “KDF K15 American Bolt-Action Rifle  
 “Kenny Jarrett Bolt Action Rifle  
 “Kimber Bolt Action Rifles  
 “Krico Model 600 Bolt-Action Rifle  
 “Krico Model 700 Bolt-Action Rifles  
 “Magnum Research Mount Eagle Rifles  
 “Marlin Model XL7  
 “Marlin Model XL7C  
 “Marlin Model XL7L  
 “Marlin Model XL7W  
 “Marlin Model XS7  
 “Marlin Model XS7C  
 “Marlin Model XS7Y  
 “Marlin XL-7/XS7 Bolt Action Rifles  
 “Mauser Model 66 Bolt-Action Rifle  
 “Mauser Model 99 Bolt-Action Rifle  
 “McMillan Classic Stainless Sporter  
 “McMillan Signature Alaskan  
 “McMillan Signature Classic Sporter  
 “McMillan Signature Super Varminter  
 “McMillan Signature Titanium Mountain Rifle  
 “McMillan Talon Safari Rifle  
 “McMillan Talon Sporter Rifle  
 “Merkel KR1 Bolt Action Rifle  
 “Midland 1500S Survivor Rifle  
 “Mossberg Model 100 ATR (All-Terrain Rifle)  
 “Navy Arms TU-33/40 Carbine  
 “Nosler Model 48 Varmint Rifle  
 “Parker Hale Bolt Action Rifles  
 “Parker-Hale Model 81 Classic African Rifle  
 “Parker-Hale Model 81 Classic Rifle  
 “Parker-Hale Model 1000 Rifle  
 “Parker-Hale Model 1100 Lightweight Rifle  
 “Parker-Hale Model 1100M African Magnum  
 “Parker-Hale Model 1200 Super Clip Rifle  
 “Parker-Hale Model 1200 Super Rifle  
 “Parker-Hale Model 1300C Scout Rifle  
 “Parker-Hale Model 2100 Midland Rifle  
 “Parker-Hale Model 2700 Lightweight Rifle  
 “Parker-Hale Model 2800 Midland Rifle  
 “Remington 700 ADL Bolt-Action Rifle  
 “Remington 700 BDL Bolt-Action Rifle  
 “Remington 700 BDL European Bolt-Action Rifle  
 “Remington 700 BDL Left Hand  
 “Remington 700 BDL SS Rifle  
 “Remington 700 BDL Varmint Special  
 “Remington 700 Camo Synthetic Rifle  
 “Remington 700 Classic Rifle  
 “Remington 700 Custom KS Mountain Rifle  
 “Remington 700 Mountain Rifle  
 “Remington 700 MTRSS Rifle  
 “Remington 700 Safari  
 “Remington 700 Stainless Synthetic Rifle  
 “Remington 700 Varmint Synthetic Rifle  
 “Remington Model 40-X Bolt Action Rifles  
 “Remington Model 700 Alaskan Ti  
 “Remington Model 700 Bolt Action Rifles  
 “Remington Model 700 CDL  
 “Remington Model 700 CDL ‘Boone and Crockett’  
 “Remington Model 700 CDL Left-Hand  
 “Remington Model 700 CDL SF Limited Edition  
 “Remington Model 700 LSS  
 “Remington Model 700 Mountain LSS  
 “Remington Model 700 Sendero SF II  
 “Remington Model 700 SPS  
 “Remington Model 700 SPS Buckmasters Edition  
 “Remington Model 700 SPS Buckmasters Edition ‘Young Bucks’ Youth  
 “Remington Model 700 SPS Stainless  
 “Remington Model 700 SPS Tactical Rifle  
 “Remington Model 700 SPS Varmint  
 “Remington Model 700 SPS Varmint (Left-Hand)  
 “Remington Model 700 SPS Youth Synthetic Left-Hand  
 “Remington Model 700 VL SS Thumbhole  
 “Remington Model 700 VLS  
 “Remington Model 700 VS SF II  
 “Remington Model 700 VTR  
 “Remington Model 700 XCR  
 “Remington Model 700 XCR Camo  
 “Remington Model 700 XCR Compact Tactical Rifle  
 “Remington Model 700 XCR Left-Hand  
 “Remington Model 700 XCR Tactical Long Range Rifle  
 “Remington Model 715  
 “Remington Model 770  
 “Remington Model 770 Bolt Action Rifles  
 “Remington Model 770 Stainless Camo  
 “Remington Model 770 Youth  
 “Remington Model 798  
 “Remington Model 798 Safari  
 “Remington Model 798 SPS  
 “Remington Model 799  
 “Remington Model Seven 25th Anniversary  
 “Remington Model Seven Bolt Action Rifles  
 “Remington Model Seven CDL  
 “Remington Model Seven Custom KS  
 “Remington Model Seven Custom MS Rifle  
 “Remington Model Seven Predator  
 “Remington Model Seven Youth Rifle  
 “Ruger M77 Hawkeye African  
 “Ruger M77 Hawkeye Alaskan  
 “Ruger M77 Hawkeye All-Weather  
 “Ruger M77 Hawkeye All-Weather Ultra Light  
 “Ruger M77 Hawkeye Compact  
 “Ruger M77 Hawkeye International  
 “Ruger M77 Hawkeye Laminate Compact  
 “Ruger M77 Hawkeye Laminate Left-Handed  
 “Ruger M77 Hawkeye Predator  
 “Ruger M77 Hawkeye Sporter  
 “Ruger M77 Hawkeye Standard  
 “Ruger M77 Hawkeye Standard Left-Handed  
 “Ruger M77 Hawkeye Tactical  
 “Ruger M77 Hawkeye Ultra Light  
 “Ruger M77 Mark II All-Weather Stainless Rifle  
 “Ruger M77 Mark II Express Rifle  
 “Ruger M77 Mark II Magnum Rifle  
 “Ruger M77 Mark II Rifle  
 “Ruger M77 Mark II Target Rifle  
 “Ruger M77 RSI International Carbine  
 “Ruger M77  
 “Ruger Compact Magnum  
 “Ruger M77RL Ultra Light  
 “Ruger M77VT Target Rifle  
 “Ruger Model 77 Bolt Action Rifles  
 “Sako Bolt Action Rifles  
 “Sako Classic Bolt Action  
 “Sako Deluxe Lightweight  
 “Sako FiberClass Sporter  
 “Sako Hunter Left-Hand Rifle  
 “Sako Hunter LS Rifle Sako Hunter Rifle  
 “Sako Mannlicher-Style Carbine  
 “Sako Safari Grade Bolt Action  
 “Sako Super Deluxe Sporter  
 “Sako TRG-S Bolt-Action Rifle  
 “Sako Varmint Heavy Barrel  
 “Sauer 90 Bolt-Action Rifle  
 “Savage 16/16 Rifles  
 “Savage 110 Bolt Action Rifles  
 “Savage 110CY Youth/Ladies Rifle  
 “Savage 110F Bolt-Action Rifle  
 “Savage 110FP Police Rifle  
 “Savage 110FXP3 Bolt-Action Rifle  
 “Savage 110G Bolt-Action Rifle  
 “Savage 110GV Varmint Rifle  
 “Savage 110GXP3 Bolt-Action Rifle  
 “Savage 110WLE One of One Thousand Limited Edition Rifle  
 “Savage 112 Bolt Action Rifles  
 “Savage 112FV Varmint Rifle

- "Savage 116 Bolt Action Rifles  
 "Savage 116FSS Bolt-Action Rifle  
 "Savage Axis Series Bolt Action Rifles  
 "Savage Model 10 Bolt Action Rifles  
 "Savage Model 10GXP Package Guns  
 "Savage Model 11/111 Series Bolt Action Rifles  
 "Savage Model 12 Series Rifles  
 "Savage Model 14/114 Rifles  
 "Savage Model 25 Bolt Action Rifles  
 "Savage Model 110GXP3 Package Guns  
 "Savage Model 112BV Heavy Barrel Varmint Rifle  
 "Savage Model 112FVS Varmint Rifle  
 "Savage Model 116FSK Kodiak Rifle  
 "Shilen Rifles Inc. DGA Bolt Action Rifles  
 "Smith & Wesson i-Bolt Rifle  
 "Steyr Scout Bolt Action Rifle  
 "Steyr SSG 69 PII Bolt Action Rifle  
 "Steyr SSG08 Bolt Action Rifle  
 "Steyr-Mannlicher Luxus Model L, M, S  
 "Steyr-Mannlicher Model M Professional Rifle  
 "Steyr-Mannlicher Sporter Models SL, L, M, S, S/T  
 "Thompson/Center ICON Bolt Action Rifles  
 "Thompson/Center Icon Classic Long Action Rifle  
 "Thompson/Center Icon Medium Action Rifle  
 "Thompson/Center Icon Precision Hunter  
 "Thompson/Center Icon Weather Shield Long Action Rifle  
 "Thompson/Center Icon Weather Shield Medium Action Rifle  
 "Thompson/Center Venture  
 "Tikka Bolt-Action Rifle  
 "Tikka Premium Grade Rifles  
 "Tikka T3 Bolt Action Rifles  
 "Tikka Varmint/Continental Rifle  
 "Tikka Whitetail/Battue Rifle  
 "Ultra Light Arms Model 20 Rifle  
 "Ultra Light Arms Model 24  
 "Ultra Light Arms Model 28, Model 40 Rifles  
 "Voere Model 2155, 2150 Bolt-Action Rifles  
 "Voere Model 2165 Bolt-Action Rifle  
 "Voere VEC 91 Lightning Bolt-Action Rifle  
 "Weatherby Classicmark No. 1 Rifle  
 "Weatherby Lasermark V Rifle  
 "Weatherby Mark V Crown Custom Rifles  
 "Weatherby Mark V Deluxe Bolt-Action Rifle  
 "Weatherby Mark V Rifles  
 "Weatherby Mark V Safari Grade Custom Rifles  
 "Weatherby Mark V Sporter Rifle  
 "Weatherby Vanguard Bolt Action Rifles  
 "Weatherby Vanguard Classic No. 1 Rifle  
 "Weatherby Vanguard Classic Rifle  
 "Weatherby Vanguard VGX Deluxe Rifle  
 "Weatherby Vanguard Weatherguard Rifle  
 "Weatherby Weatherguard Alaskan Rifle  
 "Weatherby Weathermark Alaskan Rifle  
 "Weatherby Weathermark Rifle  
 "Weatherby Weathermark Rifles  
 "Wichita Classic Rifle  
 "Wichita Varmint Rifle  
 "Winchester Model 70 Bolt Action Rifles  
 "Winchester Model 70 Custom Sharpshooter  
 "Winchester Model 70 Custom Sporting Sharpshooter Rifle  
 "Winchester Model 70 DBM Rifle  
 "Winchester Model 70 DBM-S Rifle  
 "Winchester Model 70 Featherweight  
 "Winchester Model 70 Featherweight Classic  
 "Winchester Model 70 Featherweight WinTuff  
 "Winchester Model 70 Lightweight Rifle  
 "Winchester Model 70 SM Sporter  
 "Winchester Model 70 Sporter  
 "Winchester Model 70 Sporter WinTuff  
 "Winchester Model 70 Stainless Rifle  
 "Winchester Model 70 Super Express Magnum  
 "Winchester Model 70 Super Grade  
 "Winchester Model 70 Synthetic Heavy Varmint Rifle  
 "Winchester Model 70 Varmint  
 "Winchester Ranger Rifle  
 "CENTERFIRE RIFLES—SINGLE SHOT  
 "Armsport 1866 Sharps Rifle, Carbine  
 "Ballard Arms Inc. 1875 #3 Gallery Single Shot Rifle  
 "Ballard Arms Inc. 1875 #4 Perfection Rifle  
 "Ballard Arms Inc. 1875 #7 Long Range Rifle  
 "Ballard Arms Inc. 1875 #8 Union Hill rifle  
 "Ballard Arms Inc. 1875 1½ Hunter Rifle  
 "Ballard Arms Inc. 1885 High Wall Sporting Rifle  
 "Ballard Arms Inc. 1885 Low Wall Single Shot  
 "Brown Model 97D Single Shot Rifle  
 "Brown Model One Single Shot Rifle  
 "Browning Model 1885 Single Shot Rifle  
 "C. Sharps Arms 1875 Target & Sporting Rifle  
 "C. Sharps Arms Custom New Model 1877  
 "C. Sharps Arms New Model 1885 High Wall Rifle  
 "C. Sharps Arms 1874 Bridgeport Sporting Rifle  
 "C. Sharps Arms 1875 Classic Sharps  
 "C. Sharps Arms New Model 1874 Old Reliable  
 "C. Sharps Arms New Model 1875 Rifle  
 "C. Sharps Arms New Model 1875 Target & Long Range  
 "Cabela's 1874 Sharps Sporting  
 "Cimarron Billy Dixon 1874 Sharps  
 "Cimarron Model 1885 High Wall  
 "Cimarron Quigley Model 1874 Sharps  
 "Cimarron Silhouette Model 1874 Sharps  
 "Dakota Model 10 Single Shot Rifle  
 "Dakota Single Shot Rifle  
 "Desert Industries G-90 Single Shot Rifle  
 "Dixie Gun Works 1873 Trapdoor Rifle/Carbine  
 "Dixie Gun Works 1874 Sharps Rifles  
 "Dixie Gun Works Remington Rolling Block Rifles  
 "EMF Premier 1874 Sharps  
 "Harrington & Richardson Buffalo Classic Rifle (CR-1871)  
 "Harrington & Richardson CR 45-LC  
 "Harrington & Richardson Handi-Mag Rifle  
 "Harrington & Richardson Handi-Rifle  
 "Harrington & Richardson Handi-Rifle Compact  
 "Harrington & Richardson New England Hand-Rifle/Slug Gun Combos  
 "Harrington & Richardson Stainless Handi-Rifle  
 "Harrington & Richardson Stainless Ultra Hunter Thumbhole Stock  
 "Harrington & Richardson Superlight Handi-Rifle Compact  
 "Harrington & Richardson Survivor Rifle  
 "Harrington & Richardson Synthetic Handi-Rifle  
 "Harrington & Richardson Ultra Hunter Rifle  
 "Harrington & Richardson Ultra Varmint Fluted  
 "Harrington & Richardson Ultra Varmint Rifle  
 "Harrington & Richardson Ultra Varmint Thumbhole Stock  
 "Krieghoff Hubertus Single Shot  
 "Meacham High Wall  
 "Merkel K1 Lightweight Stalking Rifle  
 "Merkel K2 Custom Stalking Rifle  
 "Model 1885 High Wall Rifle  
 "Navy Arms #2 Creedmoor Rifle  
 "Navy Arms 1873 John Bodine Rolling Black Rifle  
 "Navy Arms 1873 Springfield Cavalry Carbine  
 "Navy Arms 1874 Sharps Rifles  
 "Navy Arms 1874 1885 High Wall Rifles  
 "Navy Arms Rolling Block Buffalo Rifle  
 "Navy Arms Sharps "Quigley" Rifle  
 "Navy Arms Sharps Cavalry Carbine  
 "Navy Arms Sharps Plains Rifle  
 "New England Firearms Handi-Rifle  
 "New England Firearms Sportster/Versa Pack Rifle  
 "New England Firearms Survivor Rifle  
 "Red Willow Armory Ballard No. 1.5 Hunting Rifle  
 "Red Willow Armory Ballard No. 4.5 Target Rifle  
 "Red Willow Armory Ballard No. 5 Pacific  
 "Red Willow Armory Ballard No. 8 Union Hill Rifle  
 "Red Willow Armory Ballard Rifles  
 "Remington Model Rolling Block Rifles  
 "Remington Model SPR18 Blued  
 "Remington Model SPR18 Nickel  
 "Remington Model SPR18 Single Shot Rifle  
 "Remington-Style Rolling Block Carbine  
 "Rossi Match Pairs Rifles  
 "Rossi Single Shot Rifles  
 "Rossi Wizard  
 "Ruger No. 1 RSI International  
 "Ruger No. 1 Stainless Sporter  
 "Ruger No. 1 Stainless Standard  
 "Ruger No. 1A Light Sporter  
 "Ruger No. 1B Single Shot  
 "Ruger No. 1H Tropical Rifle  
 "Ruger No. 1S Medium Sporter  
 "Ruger No. 1V Special Varminter  
 "Sharps 1874 Old Reliable  
 "Shiloh 1875 Rifles  
 "Shiloh Sharps 1874 Business Rifle  
 "Shiloh Sharps 1874 Long Range Express  
 "Shiloh Sharps 1874 Military Carbine  
 "Shiloh Sharps 1874 Military Rifle  
 "Shiloh Sharps 1874 Montana Roughrider  
 "Shiloh Sharps Creedmoor Target  
 "Thompson/Center Contender Carbine  
 "Thompson/Center Contender Carbine Survival System  
 "Thompson/Center Contender Carbine Youth Model  
 "Thompson/Center Encore  
 "Thompson/Center Stainless Contender Carbine  
 "Thompson/Center TCR '87 Single Shot Rifle  
 "Thompson/Encore Rifles  
 "Traditions 1874 Sharps Deluxe Rifle  
 "Traditions 1874 Sharps Standard Rifle  
 "Traditions Rolling Block Sporting Rifle  
 "Uberti (Stoeger Industries) Sharps Rifles  
 "Uberti 1871 Rolling Block Rifle/Carbine  
 "Uberti 1874 Sharps Sporting Rifle  
 "Uberti 1885 High Wall Rifles  
 "Uberti Rolling Block Baby Carbine  
 "Uberti Springfield Trapdoor Carbine/Rifle  
 "DRILLINGS, COMBINATION GUNS, DOUBLE RIFLES  
 "A. Zoli Rifle-Shotgun O/U Combo  
 "Auguste Francotte Boxlock Double Rifle  
 "Auguste Francotte Sidelock Double Rifles  
 "Baikal IZH-94 Express  
 "Baikal MP94- (IZH-94) O/U  
 "Beretta Express SSO O/U Double Rifles  
 "Beretta Model 455 SxS Express Rifle  
 "Chapuis RGEExpress Double Rifle  
 "CZ 584 SOLO Combination Gun  
 "CZ 589 Stopper O/U Gun  
 "Dakota Double Rifle  
 "Garbi Express Double Rifle  
 "Harrington & Richardson Survivor  
 "Harrington & Richardson Synthetic Handi-Rifle/Slug Gun Combo  
 "Heym Model 55B O/U Double Rifle  
 "Heym Model 55FW O/U Combo Gun  
 "Heym Model 88b Side-by-Side Double Rifle  
 "Hoenig Rotary Round Action Combination Rifle  
 "Hoenig Rotary Round Action Double Rifle  
 "Kodiak Mk. IV Double Rifle  
 "Krieghoff Teck O/U Combination Gun  
 "Krieghoff Trumpf Drilling  
 "Krieghoff Drillings  
 "Lebeau-Courally Express Rifle 5X5  
 "Merkel Boxlock Double Rifles  
 "Merkel Drillings  
 "Merkel Model 160 Side-by-Side Double Rifles  
 "Merkel Over/Under Combination Guns  
 "Merkel Over/Under Double Rifles  
 "Remington Model SPR94 .410/Rimfire  
 "Remington Model SPR94 12 Gauge/Centerfire  
 "Rizzini Express 90L Double Rifle  
 "Savage 24F O/U Combination Gun  
 "Savage 24F-12T Turkey Gun  
 "Springfield Inc. M6 Scout Rifle/Shotgun  
 "Tikka Model 412s Combination Gun  
 "Tikka Model 412S Double Fire  
 "RIMFIRE RIFLES—AUTOLOADERS  
 "AMT Lightning 25/22 Rifle  
 "AMT Lightning Small-Game Hunting Rifle II  
 "AMT Magnum Hunter Auto Rifle

- "Anschutz 525 Deluxe Auto  
 "Armscor Model 20P Auto Rifle  
 "Browning Auto .22 Rifles  
 "Browning Auto-22 Rifle  
 "Browning Auto-22 Grade VI  
 "Browning BAR .22 Auto Rifle  
 "Browning SA-22 Semi-Auto 22 Rifle  
 "Henry U.S. Survival .22  
 "Henry U.S. Survival Rifle AR-7  
 "Krico Model 260 Auto Rifle  
 "Lakefield Arms Model 64B Auto Rifle  
 "Marlin Model 60 Self Loading Rifles  
 "Marlin Model 60C  
 "Marlin Model 60SB  
 "Marlin Model 60S-CF  
 "Marlin Model 60SN  
 "Marlin Model 60SS Self-Loading Rifle  
 "Marlin Model 70 Auto-loading Rifles  
 "Marlin Model 70 HC Auto  
 "Marlin Model 70P Papoose  
 "Marlin Model 70PSS  
 "Marlin Model 795  
 "Marlin Model 795SS  
 "Marlin Model 922 Magnum Self-Loading Rifle  
 "Marlin Model 9901 Self-Loading Rifle  
 "Marlin Model 995 Self-Loading Rifle  
 "Mossberg 702 Plinkster  
 "Norinco Model 22 ATD Rifle  
 "Remington 552BDL Speedmaster Rifle  
 "Remington Model 522 Viper Autoloading Rifle  
 "Remington Model 597 Blaze Camo  
 "Remington Model 597 Pink Camo  
 "Remington Model 597 Synthetic Scope Combo  
 "Ruger 10/22 Autoloading Carbine (w/o folding stock)  
 "Ruger 10/22 Compact  
 "Ruger 10/22 Sporter  
 "Ruger 10/22 Target  
 "Survival Arms AR-7 Explorer Rifle  
 "Texas Remington Revolving Carbine  
 "Thompson/Center R-55 All-Weather  
 "Thompson/Center R-55 Benchmark  
 "Thompson/Center R-55 Classic  
 "Thompson/Center R-55 Rifles  
 "Thompson/Center R-55 Sporter  
 "Voere Model 2115 Auto Rifle  
 "RIMFIRE RIFLES—LEVER & SLIDE ACTION  
 "Browning BL-22 Lever-Action Rifle  
 "Henry .22 Lever Action Rifles, All Models  
 "Henry Golden Boy .17 HMR  
 "Henry Golden Boy .22  
 "Henry Golden Boy .22 Magnum  
 "Henry Golden Boy Deluxe  
 "Henry Lever .22 Magnum  
 "Henry Lever Action .22  
 "Henry Lever Carbine .22  
 "Henry Lever Octagon .22  
 "Henry Lever Octagon .22 Magnum  
 "Henry Lever Youth Model .22  
 "Henry Pump Action Octagon .22  
 "Henry Pump Action Octagon .22 Magnum  
 "Henry Varmint Express .17 HMR  
 "Marlin 39TDS Carbine  
 "Marlin Model 39A Golden Lever Action Rifle  
 "Marlin Model 39AS Golden Lever-Action Rifle  
 "Mossberg Model 464 Rimfire Lever Action Rifle  
 "Norinco EM-321 Pump Rifle  
 "Remington 572BDL Fieldmaster Pump Rifle  
 "Rossi Model 62 SA Pump Rifle  
 "Rossi Model 62 SAC Carbine  
 "Rossi Model G2 Gallery Rifle  
 "Ruger Model 96 Lever-Action Rifle  
 "Taurus Model 62-Pump  
 "Taurus Model 72 Pump Rifle  
 "Winchester Model 9422 Lever-Action Rifle  
 "Winchester Model 9422 Magnum Lever-Action Rifle  
 "RIMFIRE RIFLES—BOLT ACTIONS & SINGLE SHOTS  
 "Anschutz 1416D/1516D Classic Rifles  
 "Anschutz 1418D/1518D Mannlicher Rifles  
 "Anschutz 1700 FWT Bolt-Action Rifle  
 "Anschutz 1700D Bavarian Bolt-Action Rifle  
 "Anschutz 1700D Classic Rifles  
 "Anschutz 1700D Custom Rifles  
 "Anschutz 1700D Graphite Custom Rifle  
 "Anschutz 1702 D H B Classic  
 "Anschutz 1713 Silhouette  
 "Anschutz Achiever  
 "Anschutz Achiever Bolt-Action Rifle  
 "Anschutz All other Bolt Action Rimfire Models  
 "Anschutz Kadett  
 "Anschutz Model 1502 D Classic  
 "Anschutz Model 1517 D Classic  
 "Anschutz Model 1517 MPR Multi Purpose  
 "Anschutz Model 1517 S-BR  
 "Anschutz Model 1710 D KL  
 "Anschutz Model 1717 Classic  
 "Anschutz Model 1717 Silhouette Sporter  
 "Anschutz Model G4 MPB  
 "Anschutz Model Woodchucker  
 "Armscor Model 14P Bolt-Action Rifle  
 "Armscor Model 1500 Rifle  
 "Beeman/HW 60-J-ST Bolt-Action Rifle  
 "BRNO ZKM 452 Deluxe  
 "BRNO ZKM-456 Lux Sporter  
 "BRNO ZKM-452 Deluxe Bolt-Action Rifle  
 "Browning A-Bolt 22 Bolt-Action Rifle  
 "Browning A-Bolt Gold Medallion  
 "Browning T-Bolt Rimfire Rifles  
 "Cabanus Espronceda IV Bolt-Action Rifle  
 "Cabanus Leyre Bolt-Action Rifle  
 "Cabanus Master Bolt-Action Rifle  
 "Cabanus Phaser Rifle  
 "Chipmunk Single Shot Rifle  
 "Cooper Arms Model 36S Sporter Rifle  
 "Cooper Model 57-M Bolt Action Rifle  
 "CZ 452 Bolt Action Rifles  
 "Dakota 22 Sporter Bolt-Action Rifle  
 "Davey Crickett Single Shot Rifle  
 "Harrington & Richardson Sportster  
 "Harrington & Richardson Sportster 17 Hornady Magnum Rimfire  
 "Harrington & Richardson Sportster Compact  
 "Henry 'Mini' Bolt Action Rifle  
 "Henry Acu-Bolt .22  
 "Henry Mini Bolt Youth .22  
 "Kimber Bolt Action .22 Rifles  
 "Krico Model 300 Bolt-Action Rifles  
 "Lakefield Arms Mark I Bolt-Action Rifle  
 "Lakefield Arms Mark II Bolt-Action Rifle  
 "Magtech Model MT Bolt Action Rifle  
 "Magtech Model MT-22C Bolt-Action Rifle  
 "Marlin Model 15YN 'Little Buckaroo'  
 "Marlin Model 25MN Bolt-Action Rifle  
 "Marlin Model 25N Bolt-Action Repeater  
 "Marlin Model 880 Bolt-Action Rifle  
 "Marlin Model 881 Bolt-Action Rifle  
 "Marlin Model 882 Bolt-Action Rifle  
 "Marlin Model 883 Bolt-Action Rifle  
 "Marlin Model 883SS Bolt-Action Rifle  
 "Marlin Model 915 YN 'Little Buckaroo'  
 "Marlin Model 915Y (Compact)  
 "Marlin Model 915YS (Compact)  
 "Marlin Model 917  
 "Marlin Model 917S  
 "Marlin Model 917V  
 "Marlin Model 917VR  
 "Marlin Model 917VS  
 "Marlin Model 917VS-CF  
 "Marlin Model 917VSF  
 "Marlin Model 917VST  
 "Marlin Model 917VT  
 "Marlin Model 925  
 "Marlin Model 925C  
 "Marlin Model 925M  
 "Marlin Model 925R  
 "Marlin Model 925RM  
 "Marlin Model 980S  
 "Marlin Model 980S-CF  
 "Marlin Model 981T  
 "Marlin Model 982 Bolt Action Rifle  
 "Marlin Model 982VS  
 "Marlin Model 982VS-CF  
 "Marlin Model 983  
 "Marlin Model 983S  
 "Marlin Model 983T  
 "Marlin Model XT-17 Series Bolt Action Rifles  
 "Marlin Model XT-22 Series Bolt Action Rifles  
 "Mauser Model 107 Bolt-Action Rifle  
 "Mauser Model 201 Bolt-Action Rifle  
 "Meacham Low-Wall Rifle  
 "Mossberg Model 801/802 Bolt Rifles  
 "Mossberg Model 817 Varmint Bolt Action Rifle  
 "Navy Arms TU-33/40 Carbine  
 "Navy Arms TU-KKW Sniper Trainer  
 "Navy Arms TU-KKW Training Rifle  
 "New England Firearms Sportster Single Shot Rifles  
 "Norinco JW-15 Bolt-Action Rifle  
 "Norinco JW-27 Bolt-Action Rifle  
 "Remington 40-XR Rimfire Custom Sporter  
 "Remington 541-T  
 "Remington 541-T HB Bolt-Action  
 "Rifle Remington 581-S Sportsman Rifle  
 "Remington Model Five  
 "Remington Model Five Youth  
 "Rossi Matched Pair Single Shot Rifle  
 "Ruger 77/17  
 "Ruger 77/22  
 "Ruger 77/22 Rimfire Bolt-Action Rifle  
 "Ruger K77/22 Varmint Rifle  
 "Savage CUB T Mini Youth  
 "Savage Mark I-G Bolt Action  
 "Savage Mark II Bolt Action Rifles  
 "Savage Model 30 G Stevens Favorite  
 "Savage Model 93 Rifles  
 "Thompson/Center Hotshot Youth Rifle  
 "Ultra Light Arms Model 20 RF Bolt-Action Rifle  
 "Winchester Model 52B Sporting Rifle  
 "Winchester Wildcat Bolt Action Rifle 22  
 "COMPETITION RIFLES—CENTERFIRE & RIMFIRE  
 "Anschutz 1803D Intermediate Match  
 "Anschutz 1808D RT Super Match 54 Target  
 "Anschutz 1827B Biathlon Rifle  
 "Anschutz 1827BT Fortner Biathlon Rifle  
 "Anschutz 1903 Rifles  
 "Anschutz 1903D Match Rifle  
 "Anschutz 1907 Match Rifle  
 "Anschutz 1910 Super Match II  
 "Anschutz 1911 Match Rifle  
 "Anschutz 1912 Rifles  
 "Anschutz 1913 Super Match Rifle  
 "Anschutz 54.18MS REP Deluxe Silhouette Rifle  
 "Anschutz 54.18MS Silhouette Rifle  
 "Anschutz 64 MP R Silhouette Rifle  
 "Anschutz 64-MS Left Silhouette  
 "Anschutz Super Match 54 Target Model 2007  
 "Anschutz Super Match 54 Target Model 2013  
 "Beeman/Feinwerkbau 2600 Target Rifle  
 "Cooper Arms Model TRP-1 ISU Standard Rifle  
 "E.A.A./HW 60 Target Rifle  
 "E.A.A./HW 660 Match Rifle  
 "E.A.A./Weihrauch HW 60 Target Rifle  
 "Ed Brown Model 704, M40A2 Marine Sniper  
 "Finnish Lion Standard Target Rifle  
 "Krico Model 360 S2 Biathlon Rifle  
 "Krico Model 360S Biathlon Rifle  
 "Krico Model 400 Match Rifle  
 "Krico Model 500 Kricotronic Match Rifle  
 "Krico Model 600 Match Rifle  
 "Krico Model 600 Sniper Rifle  
 "Lakefield Arms Model 90B Target Rifle  
 "Lakefield Arms Model 91T Target Rifle  
 "Lakefield Arms Model 92S Silhouette Rifle  
 "Marlin Model 2000 Target Rifle  
 "Mauser Model 86-SR Specialty Rifle  
 "McMillan 300 Phoenix Long Range Rifle  
 "McMillan Long Range Rifle  
 "McMillan M-86 Sniper Rifle  
 "McMillan M-89 Sniper Rifle  
 "McMillan National Match Rifle  
 "Parker-Hale M-85 Sniper Rifle  
 "Parker-Hale M-87 Target Rifle  
 "Remington 40-X Bolt Action Rifles  
 "Remington 40-XB Rangemaster Target Centerfire  
 "Remington 40-XBBR KS  
 "Remington 40-XC KS National Match Course Rifle  
 "Remington 40-XR KS Rimfire Position Rifle  
 "Sako TRG-21 Bolt-Action Rifle



- “Sako TRG–22 Bolt Action Rifle  
 “Springfield Armory M–1 Garand  
 “Steyr-Mannlicher SSG Rifles  
 “Steyr-Mannlicher Match SPG–UIT Rifle  
 “Steyr-Mannlicher SSG P–I Rifle  
 “Steyr-Mannlicher SSG P–II Rifle  
 “Steyr-Mannlicher SSG P–III Rifle  
 “Steyr-Mannlicher SSG P–IV Rifle  
 “Tanner 300 Meter Free Rifle  
 “Tanner 50 Meter Free Rifle  
 “Tanner Standard UIT Rifle  
 “Time Precision 22RF Bench Rifle  
 “Wichita Silhouette Rifle  
 “SHOTGUNS—AUTOLOADERS  
 “American Arms  
 “American Arms/Franchi Black Magic 48/AL  
 “Benelli Billionaire  
 “Benelli Black Eagle Competition Auto Shotgun  
 “Benelli Cordoba  
 “Benelli Executive Series  
 “Benelli Legacy Model  
 “Benelli M1  
 “Benelli M1 Defense  
 “Benelli M1 Tactical  
 “Benelli M1014 Limited Edition  
 “Benelli M2  
 “Benelli M2 Field Steady Grip  
 “Benelli M2 Practical  
 “Benelli M2 Tactical  
 “Benelli M2 American Series  
 “Benelli M3 Convertible  
 “Benelli M4 Models Vinci Steady Grip  
 “Benelli Montefeltro Super 90 20-Gauge Shotgun  
 “Benelli Montefeltro Super 90 Shotgun  
 “Benelli Raffaello Series Shotguns  
 “Benelli Sport Model  
 “Benelli Super 90 M1 Field Model  
 “Benelli Super Black Eagle II Models  
 “Benelli Super Black Eagle II Steady Grip  
 “Benelli Super Black Eagle Models  
 “Benelli Super Black Eagle Shotgun  
 “Benelli Super Black Eagle Slug Gun  
 “Benelli Super Vinci  
 “Benelli Supersport  
 “Benelli Two-Gun Sets  
 “Benelli Ultralight  
 “Benelli Vinci  
 “Beretta 390 Field Auto Shotgun  
 “Beretta 390 Super Trap, Super Skeet Shotguns  
 “Beretta 390I Citizen  
 “Beretta 390I Rifled Slug Gun  
 “Beretta 390I Statesman  
 “Beretta A–303 Auto Shotgun  
 “Beretta A400 Series  
 “Beretta AL–2 Models  
 “Beretta AL–3 Deluxe Trap  
 “Beretta AL390 Series  
 “Beretta AL391 Teknys Gold  
 “Beretta AL391 Teknys Gold Sporting  
 “Beretta AL391 Teknys Gold Target  
 “Beretta AL391 Urika 2 Camo AP  
 “Beretta AL391 Urika 2 Camo Max-4  
 “Beretta AL391 Urika 2 Classic  
 “Beretta AL391 Urika 2 Gold  
 “Beretta AL391 Urika 2 Gold Sporting  
 “Beretta AL391 Urika 2 Parallel Target SL  
 “Beretta AL391 Urika 2 Sporting  
 “Beretta AL391 Urika 2 Synthetic  
 “Beretta  
 EHF60D322D2F2445DA08B96BA82AED9C500  
 Pintail Series  
 “Beretta Model 1200 Field  
 “Beretta Model 1201F Auto Shotgun  
 “Beretta Model 300  
 “Beretta Model 301 Series  
 “Beretta Model 302 Series  
 “Beretta Model 60  
 “Beretta Model 61  
 “Beretta Model A304 Lark  
 “Beretta Model AL391 Series  
 “Beretta Model TX4 Storm  
 “Beretta Silver Lark  
 “Beretta UGB25 Xcel  
 “Beretta Vittoria Auto Shotgun  
 “Beretta Xtrema2  
 “Breda Altair  
 “Breda Altair Special  
 “Breda Aries 2  
 “Breda Astro  
 “Breda Astrolux  
 “Breda Echo  
 “Breda Ernes Series  
 “Breda Gold Series  
 “Breda Grizzly  
 “Breda Mira  
 “Breda Standard Series  
 “Breda Xanthos  
 “Brolin BL–12  
 “Brolin SAS–12  
 “Browning A–500G Auto Shotgun  
 “Browning A–500G Sporting Clays  
 “Browning A–500R Auto Shotgun  
 “Browning Auto-5 Light 12 and 20  
 “Browning Auto-5 Magnum 12  
 “Browning Auto-5 Magnum 20  
 “Browning Auto-5 Stalker  
 “Browning B2000 Series  
 “Browning BSA 10 Auto Shotgun  
 “Browning BSA 10 Stalker Auto Shotgun  
 “Browning Gold Series  
 “Browning Marus Series  
 “Charles Daly Field Grade Series  
 “Charles Daly Novamatic Series  
 “Charles Daly Tactical  
 “Churchill Regent  
 “Churchill Standard Model  
 “Churchill Turkey Automatic Shotgun  
 “Churchill Windsor  
 “Cosmi Automatic Shotgun  
 “CZ 712  
 “CZ 720  
 “CZ 912  
 “Escort Escort Series  
 “European American Armory (EAA) Bundra Series  
 “Fabarms Ellegi Series  
 “Fabarms Lion Series  
 “Fabarms Tactical  
 “FNH USA Model SLP  
 “Franchi 610VS  
 “Franchi 612 Series  
 “Franchi 620  
 “Franchi 712  
 “Franchi 720  
 “Franchi 912  
 “Franchi AL 48  
 “Franchi AL 48 Series  
 “Franchi Elite  
 “Franchi I–12 Inertia Series  
 “Franchi Prestige  
 “H&K Model 512  
 “H&R Manufance  
 “H&R Model 403  
 “Hi-Standard 10A  
 “Hi-Standard 10B  
 “Hi-Standard Semi Automatic Model  
 “Hi-Standard Supermatic Series  
 “Ithaca Mag-10  
 “Ithaca Model 51 Series  
 “LaSalle Semi-automatic  
 “Ljutic Bi-matic Autoloader  
 “Luger Ultra-light Model  
 “Marlin SI 12 Series  
 “Maverick Model 60 Auto Shotgun  
 “Model AL–1  
 “Mossberg 1000  
 “Mossberg Model 600 Auto Shotgun  
 “Mossberg Model 930 All-Purpose Field  
 “Mossberg Model 930 Slugster  
 “Mossberg Model 930 Turkey  
 “Mossberg Model 930 Waterfowl  
 “Mossberg Model 935 Magnum Combos  
 “Mossberg Model 935 Magnum Flyway Series  
 Waterfowl  
 “Mossberg Model 935 Magnum Grand Slam Series Turkey  
 “Mossberg Model 935 Magnum Turkey  
 “Mossberg Model 935 Magnum Waterfowl  
 “New England Firearms Excell Auto Combo  
 “New England Firearms Excell Auto Synthetic  
 “New England Firearms Excell Auto Turkey  
 “New England Firearms Excell Auto Walnut  
 “New England Firearms Excell Auto Waterfowl  
 “Nighthawk Tactical Semi-auto  
 “Ottomanguns Sultan Series  
 “Remington 105Ti Series  
 “Remington 1100 20-Gauge Deer Gun  
 “Remington 1100 LT–20 Auto  
 “Remington 1100 LT–20 Tournament Skeet  
 “Remington 1100 Special Field  
 “Remington 11–48 Series  
 “Remington 11–96 Series  
 “Remington Model 105 Cti  
 “Remington Model 11 Series  
 “Remington Model 1100 Classic Trap  
 “Remington Model 1100 Competition  
 “Remington Model 1100 G3  
 “Remington Model 1100 G3  
 “Remington Model 1100 Series  
 “Remington Model 1100 Shotgun  
 “Remington Model 1100 Sporting Series  
 “Remington Model 11–87 Sportsman Camo  
 “Remington Model 11–87 Sportsman Super  
 Mag Synthetic  
 “Remington Model 11–87 Sportsman Super  
 Mag Waterfowl  
 “Remington Model 11–87 Sportsman Synthetic  
 “Remington Model 11–87 Sportsman Youth  
 “Remington Model 11–87 Sportsman Youth Synthetic  
 “Remington Model 48 Series  
 “Remington Model 58 Series  
 “Remington Model 870 Classic Trap  
 “Remington Model 878A Automaster  
 “Remington Model SP–10 Magnum Satin  
 “Remington Model SP–10 Waterfowl  
 “Remington Model SPR453  
 “Remington Versa-Max Series  
 “Savage Model 720  
 “Savage Model 726  
 “Savage Model 740C Skeet Gun  
 “Savage Model 745  
 “Savage Model 755 Series  
 “Savage Model 775 Series  
 “Scattergun Technologies K–9  
 “Scattergun Technologies SWAT  
 “Scattergun Technologies Urban Sniper Model  
 “SKB 1300 Upland  
 “SKB 1900  
 “SKB 300 Series  
 “SKB 900 Series  
 “SKS 3000  
 “Smith & Wesson Model 1000  
 “Smith & Wesson Model 1012 Series  
 “Spartan Gun Works SPR453  
 “TOZ Model H–170  
 “Tri-Star Diana Series  
 “Tri-Star Phantom Series  
 “Tri-Star Viper Series  
 “Tula Arms Plant TOZ 87  
 “Verona 401 Series  
 “Verona 405 Series  
 “Verona 406 Series  
 “Verona SX801 Series  
 “Weatherby Centurion Series  
 “Weatherby Field Grade  
 “Weatherby Model 82  
 “Weatherby SA–08 Series  
 “Weatherby SA–459 TR  
 “Weatherby SAS Series  
 “Winchester 1500  
 “Winchester Model 50  
 “Winchester Model 59  
 “Winchester Super X1 Series  
 “Winchester Super X2 Series  
 “Winchester Super X3 Series  
 “SHOTGUNS—SLIDE ACTIONS  
 “ADCO Diamond Grade  
 “ADCO Diamond Series Shotguns  
 “ADCO Mariner Model  
 “ADCO Sales Inc. Gold Elite Series  
 “Armscor M–30 Series  
 “Armscor M–5  
 “Baikal IZH–81  
 “Baikal MP133  
 “Benelli Nova Series

- “Benelli Supernova Series
- “Beretta Ariete Standard
- “Beretta Gold Pigeon Pump
- “Beretta Model SL-12
- “Beretta Ruby Pigeon Pump
- “Beretta Silver Pigeon Pump
- “Brolin Field Series
- “Brolin Lawman Model
- “Brolin Slug Special
- “Brolin Slugmaster
- “Brolin Turkey Master
- “Browning BPS Game Gun Deer Special
- “Browning BPS Game Gun Turkey Special
- “Browning BPS Pigeon Grade Pump Shotgun
- “Browning BPS Pump Shotgun
- “Browning BPS Pump Shotgun (Ladies and Youth Model)
- “Browning BPS Series Pump Shotgun
- “Browning BPS Stalker Pump Shotgun
- “Browning Model 12 Limited Edition Series
- “Browning Model 42 Pump Shotgun
- “Century I12 Slide Action
- “Century Ultra 87 Slide Action
- “Charles Daly Field Hunter
- “Ducks Unlimited Dinner Guns
- “EAA Model PM2
- “Escort Field Series
- “Fort Worth Firearms GLL18
- “H&R Pardner Pump
- “Hi-Standard Flite-King Series
- “Hi-Standard Model 200
- “Interstate Arms Model 981
- “Interstate Arms Model 982T
- “Ithaca Deerslayer II Rifled Shotgun
- “Ithaca Model 87 Deerslayer Shotgun
- “Ithaca Model 87 Deluxe Pump Shotgun
- “Ithaca Model 87 Series Shotguns
- “Ithaca Model 87 Supreme Pump Shotgun
- “Ithaca Model 87 Turkey Gun
- “Magtech Model 586—VR Pump Shotgun
- “Maverick Models 88, 91 Pump Shotguns
- “Mossberg 200 Series Shotgun
- “Mossberg 3000 Pump shotgun
- “Mossberg 535 ATS Series Pump Shotguns
- “Mossberg Field Grade Model 835 Pump Shotgun
- “Mossberg Model 500 All Purpose Field
- “Mossberg Model 500 Bantam
- “Mossberg Model 500 Bantam Combo
- “Mossberg Model 500 Bantam Pump
- “Mossberg Model 500 Camo Pump
- “Mossberg Model 500 Combos
- “Mossberg Model 500 Flyway Series Waterfowl
- “Mossberg Model 500 Grand Slam Series Turkey
- “Mossberg Model 500 Muzzleloader
- “Mossberg Model 500 Muzzleloader Combo
- “Mossberg Model 500 Series Pump Shotguns
- “Mossberg Model 500 Slugster
- “Mossberg Model 500 Sporting Pump
- “Mossberg Model 500 Super Bantam All Purpose Field
- “Mossberg Model 500 Super Bantam Combo
- “Mossberg Model 500 Super Bantam Slug
- “Mossberg Model 500 Super Bantam Turkey
- “Mossberg Model 500 Trophy Slugster
- “Mossberg Model 500 Turkey
- “Mossberg Model 500 Waterfowl
- “Mossberg Model 505 Series Pump Shotguns
- “Mossberg Model 505 Youth All Purpose Field
- “Mossberg Model 535 ATS All Purpose Field
- “Mossberg Model 535 ATS Combos
- “Mossberg Model 535 ATS Slugster
- “Mossberg Model 535 ATS Turkey
- “Mossberg Model 535 ATS Waterfowl
- “Mossberg Model 835 Regal Ulti-Mag Pump
- “Mossberg Model 835 Series Pump Shotguns
- “Mossberg Model 835 Ulti-Mag
- “Mossberg Turkey Model 500 Pump
- “National Wild Turkey Federation (NWTFF) Banquet/Guns of the Year
- “New England Firearms Pardner Pump Combo
- “New England Firearms Pardner Pump Field Gun
- “New England Firearms Pardner Pump Slug Gun
- “New England Firearms Pardner Pump Synthetic
- “New England Firearms Pardner Pump Turkey Gun
- “New England Firearms Pardner Pump Walnut
- “New England Firearms Pardner Pump-Compact Field
- “New England Firearms Pardner Pump-Compact Synthetic
- “New England Firearms Pardner Pump-Compact Walnut
- “Norinco Model 98 Field Series
- “Norinco Model 983
- “Norinco Model 984
- “Norinco Model 985
- “Norinco Model 987
- “Orvis Grand Vazir Series
- “Quail Unlimited Limited Edition Pump Shotguns
- “Remington 870 Express
- “Remington 870 Express Rifle Sighted Deer Gun
- “Remington 870 Express Series Pump Shotguns
- “Remington 870 Express Turkey
- “Remington 870 High Grade Series
- “Remington 870 High Grades
- “Remington 870 Marine Magnum
- “Remington 870 Special Field
- “Remington 870 Special Purpose Deer Gun
- “Remington 870 Special Purpose Synthetic Camo
- “Remington 870 SPS Special Purpose Magnum
- “Remington 870 SPS—BG—Camo Deer/Turkey Shotgun
- “Remington 870 SPS—Deer Shotgun
- “Remington 870 SPS—T Camo Pump Shotgun
- “Remington 870 TC Trap
- “Remington 870 Wingmaster
- “Remington 870 Wingmaster Series
- “Remington 870 Wingmaster Small Gauges
- “Remington Model 11—87 XCS Super Magnum Waterfowl
- “Remington Model 870 Ducks Unlimited Series Dinner Pump Shotguns
- “Remington Model 870 Express
- “Remington Model 870 Express JR.
- “Remington Model 870 Express Shurshot Synthetic Cantilever
- “Remington Model 870 Express Super Magnum
- “Remington Model 870 Express Synthetic
- “Remington Model 870 Express Youth Gun
- “Remington Model 870 Express Youth Synthetic
- “Remington Model 870 SPS Shurshot Synthetic Cantilever
- “Remington Model 870 SPS Shurshot Synthetic Turkey
- “Remington Model 870 SPS Special Purpose Magnum Series Pump Shotguns
- “Remington Model 870 SPS Super Mag Max Gobbler
- “Remington Model 870 XCS Marine Magnum
- “Remington Model 870 XCS Super Magnum
- “Winchester 12 Commercial Riot Gun
- “Winchester 97 Commercial Riot Gun
- “Winchester Model 12 Pump Shotgun
- “Winchester Model 120 Ranger
- “Winchester Model 1200 Series Shotgun
- “Winchester Model 1300 Ranger Pump Gun
- “Winchester Model 1300 Ranger Pump Gun Combo & Deer Gun
- “Winchester Model 1300 Series Shotgun
- “Winchester Model 1300 Slug Hunter Deer Gun
- “Winchester Model 1300 Turkey Gun
- “Winchester Model 1300 Walnut Pump
- “Winchester Model 42 High Grade Shotgun
- “Winchester Speed Pump Defender
- “Winchester SXP Series Pump Shotgun
- “Zoli Pump Action Shotgun
- “American Arms Silver Skeet O/U
- “American Arms Silver Sporting O/U
- “American Arms Silver Trap O/U
- “American Arms WS/OU 12, TS/OU 12 Shotguns
- “American Arms WT/OU 10 Shotgun
- “American Arms/Franchi Sporting 2000 O/U
- “Armsport 2700 O/U Goose Gun
- “Armsport 2700 Series O/U
- “Armsport 2900 Tri-Barrel Shotgun
- “AYA Augusta
- “AYA Coral A
- “AYA Coral B
- “AYA Excelsior
- “AYA Model 37 Super
- “AYA Model 77
- “AYA Model 79 Series
- “Baby Bretton Over/Under Shotgun
- “Baikal IZH27
- “Baikal MP310
- “Baikal MP333
- “Baikal MP94
- “Beretta 90 DE LUXE
- “Beretta 682 Gold E Skeet
- “Beretta 682 Gold E Trap
- “Beretta 682 Gold E Trap Bottom Single
- “Beretta 682 Series
- “Beretta 682 Super Sporting O/U
- “Beretta 685 Series
- “Beretta 686 Series
- “Beretta 686 White Onyx
- “Beretta 686 White Onyx Sporting
- “Beretta 687 EELL Classic
- “Beretta 687 EELL Diamond Pigeon
- “Beretta 687 EELL Diamond Pigeon Sporting
- “Beretta 687 series
- “Beretta 687EL Sporting O/U
- “Beretta Alpha Series
- “Beretta America Standard
- “Beretta AS
- “Beretta ASE 90 Competition O/U Shotgun
- “Beretta ASE 90 Gold Skeet
- “Beretta ASE Gold
- “Beretta ASE Series
- “Beretta ASEL
- “Beretta BL Sereis
- “Beretta DT10 Series
- “Beretta DT10 Trident EELL
- “Beretta DT10 Trident L Sporting
- “Beretta DT10 Trident Skeet
- “Beretta DT10 Trident Sporting
- “Beretta DT10 Trident Trap Combo
- “Beretta Europa
- “Beretta Field Shotguns
- “Beretta Gamma Series
- “Beretta Giubileo
- “Beretta Grade Four
- “Beretta Grade One
- “Beretta Grade Three
- “Beretta Grade Two
- “Beretta Milano
- “Beretta Model 686 Ultralight O/U
- “Beretta Model SO5, SO6, SO9 Shotguns
- “Beretta Onyx Hunter Sport O/U Shotgun
- “Beretta Over/Under Field Shotguns
- “Beretta Royal Pigeon
- “Beretta S56 Series
- “Beretta S58 Series
- “Beretta Series 682 Competition Over/Unders
- “Beretta Silver Pigeon II
- “Beretta Silver Pigeon II Sporting
- “Beretta Silver Pigeon III
- “Beretta Silver Pigeon III Sporting
- “Beretta Silver Pigeon IV
- “Beretta Silver Pigeon S
- “Beretta Silver Pigeon V
- “Beretta Silver Snipe
- “Beretta Skeet Set
- “Beretta SO-1
- “Beretta SO-2
- “Beretta SO-3
- “Beretta SO-4
- “Beretta SO5
- “Beretta SO6 EELL
- “Beretta SO-10
- “Beretta SO10 EELL
- “Beretta Sporting Clay Shotguns
- “Beretta SV10 Perennia

- "Beretta Ultralight
- "Beretta Ultralight Deluxe
- "Bertuzzi Zeus
- "Bertuzzi Zeus Series
- "Beschi Boxlock Model
- "Big Bear Arms IJ-39
- "Big Bear Arms Sterling Series
- "Big Bear IJ-27
- "Blaser F3 Series
- "Bosis Challenger Titanium
- "Bosis Laura
- "Bosis Michaelangelo
- "Bosis Wild Series
- "Boss Custom Over/Under Shotguns
- "Boss Merlin
- "Boss Pendragon
- "Breda Pegaso Series
- "Breda Sirio Standard
- "Breda Vega Series
- "Bretton Baby Standard
- "Bretton Sprint Deluxe
- "BRNO 500/501
- "BRNO 502
- "BRNO 801 Series
- "BRNO 802 Series
- "BRNO BS-571
- "BRNO BS-572
- "BRNO ZH-300
- "BRNO ZH-301
- "BRNO ZH-302
- "BRNO ZH-303
- "Browning 325 Sporting Clays
- "Browning 625 Series
- "Browning 725 Series
- "Browning B-25 Series
- "Browning B-26 Series
- "Browning B-27 Series
- "Browning B-125 Custom Shop Series
- "Browning Citori 525 Series
- "Browning Citori GT1 Sporting Clays
- "Browning Citori Lightning Series
- "Browning Citori O/U Shotgun
- "Browning Citori O/U Skeet Models
- "Browning Citori O/U Trap Models
- "Browning Citori Plus Trap Combo
- "Browning Citori Plus Trap Gun
- "Browning Cynergy Series
- "Browning Diana Grade
- "Browning Lightning Sporting Clays
- "Browning Micro Citori Lightning
- "Browning Midas Grade
- "Browning Special Sporting Clays
- "Browning Sporter Model
- "Browning ST-100
- "Browning Superlight Citori Over/Under
- "Browning Superlight Citori Series
- "Browning Superlight Feather
- "Browning Superposed Pigeon Grade
- "Browning Superposed Standard
- "BSA Falcon
- "BSA O/U
- "BSA Silver Eagle
- "Cabela's Volo
- "Caprinus Sweden Model
- "Centurion Over/Under Shotgun
- "Century Arms Arthemis
- "Chapuis Over/Under Shotgun
- "Charles Daly Country Squire Model
- "Charles Daly Deluxe Model
- "Charles Daly Diamond Series
- "Charles Daly Empire Series
- "Charles Daly Field Grade O/U
- "Charles Daly Lux Over/Under
- "Charles Daly Maxi-Mag
- "Charles Daly Model 105
- "Charles Daly Model 106
- "Charles Daly Model 206
- "Charles Daly Over/Under Shotguns, Japanese Manufactured
- "Charles Daly Over/Under Shotguns, Prussian Manufactured
- "Charles Daly Presentation Model
- "Charles Daly Sporting Clays Model
- "Charles Daly Superior Model
- "Charles Daly UL
- "Churchill Imperial Model
- "Churchill Monarch
- "Churchill Premiere Model
- "Churchill Regent Trap and Skeet
- "Churchill Regent V
- "Churchill Sporting Clays
- "Churchill Windsor III
- "Churchill Windsor IV
- "Classic Doubles Model 101 Series
- "Cogswell & Harrison Woodward Type
- "Connecticut Shotgun Company A. Galazan Model
- "Connecticut Shotgun Company A-10 American
- "Connecticut Valley Classics Classic Field Waterfowler
- "Connecticut Valley Classics Classic Sporter O/U
- "Continental Arms Centaure Series
- "Cortona Over/Under Shotguns
- "CZ 581 Solo
- "CZ Canvasback 103D
- "CZ Limited Edition
- "CZ Mallard 104A
- "CZ Redhead Deluxe 103FE
- "CZ Sporting
- "CZ Super Scroll Limited Edition
- "CZ Upland Ultralight
- "CZ Wingshooter
- "Dakin Arms Model 170
- "Darne SB1
- "Darne SB2
- "Darne SB3
- "Depar ATAK
- "Dumoulin Superposed Express
- "Ducks Unlimited Dinner Guns/Guns of the Year, Over/Under Models
- "Dumoulin Boss Royal Superposed
- "E.A.A. Falcon
- "E.A.A. Scirocco Series
- "E.A.A./Sabatti Falcon-Mon Over/Under
- "E.A.A./Sabatti Sporting Clays Pro-Gold O/U
- "ERA Over/Under
- "Famars di Abbiatico & Salvinelli Aries
- "Famars di Abbiatico & Salvinelli Castrone
- "Famars di Abbiatico & Salvinelli Dove Gun
- "Famars di Abbiatico & Salvinelli Excaliber Series
- "Famars di Abbiatico & Salvinelli Jorema
- "Famars di Abbiatico & Salvinelli Leonardo
- "Famars di Abbiatico & Salvinelli Pegasus
- "Famars di Abbiatico & Salvinelli Posiden
- "Famars di Abbiatico & Salvinelli Quail Gun
- "Famars di Abbiatico & Salvinelli Royal
- "Famars di Abbiatico & Salvinelli Royale
- "Fausti Boutique Series
- "Fausti Caledon Series
- "Fausti Class Series
- "Ferlib Boss Model
- "Finnclassic 512 Series
- "Franchi 2004 Trap
- "Franchi 2005 Combination Trap
- "Franchi Alcione Series
- "Franchi Aristocrat Series
- "Franchi Black Majic
- "Franchi Falconet Series
- "Franchi Instict Series
- "Franchi Model 2003 Trap
- "Franchi Renaissance Series
- "Franchi Sporting 2000
- "Franchi Undergun Model 3000
- "Franchi Veloce Series
- "Galef Golden Snipe
- "Galef Silver Snipe
- "Golden Eagle Model 5000 Series
- "Griffon & Howe Black Ram
- "Griffon & Howe Broadway
- "Griffon & Howe Claremont
- "Griffon & Howe Madison
- "Griffon & Howe Silver Ram
- "Griffon & Howe Superbrite
- "Guerini Apex Series
- "Guerini Challenger Sporting
- "Guerini Ellipse Evo
- "Guerini Ellipse Evolution Sporting
- "Guerini Ellipse Limited
- "Guerini Essex Field
- "Guerini Flyaway
- "Guerini Forum Series
- "Guerini Magnus Series
- "Guerini Maxum Series
- "Guerini Summit Series
- "Guerini Tempio
- "Guerini Woodlander
- "H&R Harrich #1
- "H&R Model 1212
- "H&R Model 1212WF
- "H&R Pinnacle
- "Hatfields Hatfield Model 1 of 100
- "Heym Model 55 F
- "Heym Model 55 SS
- "Heym Model 200
- "Holland & Holland Royal Series
- "Holland & Holland Sporting Model
- "IGA 2000 Series
- "IGA Hunter Series
- "IGA Trap Series
- "IGA Turkey Series
- "IGA Waterfowl Series
- "K.F.C. E-2 Trap/Skeet
- "K.F.C. Field Gun
- "Kassnar Grade I O/U Shotgun
- "KDF Condor Khan Arthemis Field/Deluxe
- "Kimber Augusta Series
- "Kimber Marias Series
- "Krieghoff K-80 Four-Barrel Skeet Set
- "Krieghoff K-80 International Skeet
- "Krieghoff K-80 O/U Trap Shotgun
- "Krieghoff K-80 Skeet Shotgun
- "Krieghoff K-80 Sporting Clays O/U
- "Krieghoff K-80/RT Shotguns
- "Krieghoff Model 20 Sporting/Field
- "Krieghoff Model 32 Series
- "Lames Field Model
- "Lames Skeet Model
- "Lames Standard Model
- "Lames California Model
- "Laurona Model 67
- "Laurona Model 82 Series
- "Laurona Model 83 Series
- "Laurona Model 84 Series
- "Laurona Model 85 Series
- "Laurona Model 300 Series
- "Laurona Silhouette 300 Sporting Clays
- "Laurona Silhouette 300 Trap
- "Laurona Super Model Over/Unders
- "Lebeau Baron Series
- "Lebeau Boss Verres
- "Lebeau Boxlock with sideplates
- "Lebeau Sidelock
- "Lebeau Versailles
- "Lippard Custom Over/Under Shotguns
- "Ljutic LM-6 Deluxe O/U Shotgun
- "Longthorne Hesketh Game Gun
- "Longthorne Sporter
- "Marlin Model 90
- "Marocchi Avanza O/U Shotgun
- "Marocchi Conquista Over/Under Shotgun
- "Marocchi Conquista Series
- "Marocchi Model 100
- "Marocchi Model 99
- "Maverick HS-12 Tactical
- "Maverick Hunter Field Model
- "McMillan Over/Under Sidelock
- "Merkel 201 Series
- "Merkel 2016 Series
- "Merkel 2116 EL Sidelock
- "Merkel 303EL Luxus
- "Merkel Model 100
- "Merkel Model 101
- "Merkel Model 101E
- "Merkel Model 200E O/U Shotgun
- "Merkel Model 200E Skeet, Trap Over/Unders
- "Merkel Model 200SC Sporting Clays
- "Merkel Model 203E, 303E Over/Under Shotguns
- "Merkel Model 204E
- "Merkel Model 210
- "Merkel Model 301
- "Merkel Model 302
- "Merkel Model 304E
- "Merkel Model 310E
- "Merkel Model 400
- "Merkel Model 400E
- "Merkel Model 2000 Series
- "Mossberg Onyx Reserve Field
- "Mossberg Onyx Reserve Sporting
- "Mossberg Silver Reserve Field
- "Mossberg Silver Reserve Series

- “Mossberg Silver Reserve Sporting  
 “Norinco Type HL12–203  
 “Omega Standard Over/Under Model  
 “Orvis Field  
 “Orvis Knockabout  
 “Orvis Premier Grade  
 “Orvis SKB Green Mountain Uplander  
 “Orvis Sporting Clays  
 “Orvis Super Field  
 “Orvis Uplander  
 “Orvis Waterfowler  
 “Pederson Model 1000 Series  
 “Pederson Model 1500 Series  
 “Perazzi Boxlock Action Hunting  
 “Perazzi Competition Series  
 “Perazzi Electrocibles  
 “Perazzi Granditalia  
 “Perazzi Mirage Special Four–Gauge Skeet  
 “Perazzi Mirage Special Skeet Over/Under  
 “Perazzi Mirage Special Sporting O/U  
 “Perazzi MS80  
 “Perazzi MT–6  
 “Perazzi MX1/MX2  
 “Perazzi MX3  
 “Perazzi MX4  
 “Perazzi MX5  
 “Perazzi MX6  
 “Perazzi MX7 Over/Under Shotguns  
 “Perazzi MX8/20 Over/Under Shotgun  
 “Perazzi MX8/MX8 Special Trap, Skeet  
 “Perazzi MX9 Single Over/Under Shotguns  
 “Perazzi MX10  
 “Perazzi MX11  
 “Perazzi MX12 Hunting Over/Under  
 “Perazzi MX14  
 “Perazzi MX16  
 “Perazzi MX20 Hunting Over/Under  
 “Perazzi MX28, MX410 Game O/U Shotguns  
 “Perazzi MX2000  
 “Perazzi MX2005  
 “Perazzi MX2008  
 “Perazzi Sidelock Action Hunting  
 “Perazzi Sporting Classic O/U  
 “Perugini Maestro Series  
 “Perugini Michelangelo  
 “Perugini Nova Boss  
 “Pietro Zanoletti Model 2000 Field O/U  
 “Piotti Boss Over/Under Shotgun  
 “Pointer Italian Model  
 “Pointer Turkish Model  
 “Remington 396 Series  
 “Remington 3200 Series  
 “Remington Model 32 Series  
 “Remington Model 300 Ideal  
 “Remington Model 332 Series  
 “Remington Model SPR310  
 “Remington Model SPR310N  
 “Remington Model SPR310S  
 “Remington Peerless Over/Under Shotgun  
 “Remington Premier Field  
 “Remington Premier Ruffed Grouse  
 “Remington Premier Series  
 “Remington Premier STS Competition  
 “Remington Premier Upland  
 “Richland Arms Model 41  
 “Richland Arms Model 747  
 “Richland Arms Model 757  
 “Richland Arms Model 787  
 “Richland Arms Model 808  
 “Richland Arms Model 810  
 “Richland Arms Model 828  
 “Rigby 401 Sidelock  
 “Rota Model 650  
 “Rota Model 72 Series  
 “Royal American Model 100  
 “Ruger Red Label O/U Shotgun  
 “Ruger Sporting Clays O/U Shotgun  
 “Ruger Woodside Shotgun  
 “Rutten Model RM 100  
 “Rutten Model RM285  
 “S.I.A.C.E. Evolution  
 “S.I.A.C.E. Model 66C  
 “S.I.A.C.E.600T Lusso EL  
 “San Marco 10–Ga. O/U Shotgun  
 “San Marco 12–Ga. Wildflower Shotgun  
 “San Marco Field Special O/U Shotgun  
 “Sauer Model 66 Series  
 “Savage Model 242  
 “Savage Model 420/430  
 “Sig Sauer Aurora Series  
 “Sig Sauer SA–3  
 “Sig Sauer SA–5  
 “Silma Model 70 Series  
 “SKB Model 85 Series  
 “SKB Model 500 Series  
 “SKB Model 505 Deluxe Over/Under Shotgun  
 “SKB Model 505 Series  
 “SKB Model 600 Series  
 “SKB Model 605 Series  
 “SKB Model 680 Series  
 “SKB Model 685 Over/Under Shotgun  
 “SKB Model 685 Series  
 “SKB Model 700 Series  
 “SKB Model 785 Series  
 “SKB Model 800 Series  
 “SKB Model 880 Series  
 “SKB Model 885 Over/Under Trap, Skeet,  
 Sporting Clays  
 “SKB Model 885 Series  
 “SKB Model 5600 Series  
 “SKB Model 5700 Series  
 “SKB Model 5800 Series  
 “SKB Model GC–7 Series  
 “Spartan SPR310/320  
 “Stevens Model 240  
 “Stevens Model 512  
 “Stoeger/IGA Condor I O/U Shotgun  
 “Stoeger/IGA ERA 2000 Over/Under Shotgun  
 “Techni–Mec Model 610 Over/Under  
 “Tikka Model 412S Field Grade Over/Under  
 “Traditions 350 Series Traditions Classic Field  
 Series  
 “Traditions Classic Upland Series  
 “Traditions Gold Wing Series  
 “Traditions Real 16 Series  
 “Tri Star Model 330 Series  
 “Tri–Star Hunter EX  
 “Tri–Star Model 300  
 “Tri–Star Model 333 Series  
 “Tri–Star Setter Model  
 “Tri–Star Silver Series  
 “Tri–Star Sporting Model  
 “TULA 120  
 “TULA 200  
 “TULA TOZ34  
 “Universal 7112  
 “Universal 7312  
 “Universal 7412  
 “Universal 7712  
 “Universal 7812  
 “Universal 7912  
 “Verona 501 Series  
 “Verona 680 Series  
 “Verona 702 Series  
 “Verona LX692 Series  
 “Verona LX980 Series  
 “Weatherby Athena Grade IV O/U Shotguns  
 “Weatherby Athena Grade V Classic Field O/  
 U  
 “Weatherby Athena Series  
 “Weatherby Classic Field Models  
 “Weatherby II, III Classic Field O/Us  
 “Weatherby Orion II Classic Sporting Clays  
 O/U  
 “Weatherby Orion II series  
 “Weatherby Orion II Sporting Clays O/U  
 “Weatherby Orion III Series  
 “Weatherby Orion O/U Shotguns  
 “Winchester Model 91  
 “Winchester Model 96  
 “Winchester Model 99  
 “Winchester Model 101 All Models and Grades  
 “Winchester Model 1001 O/U Shotgun  
 “Winchester Model 1001 Series  
 “Winchester Model 1001 Sporting Clays O/U  
 “Winchester Model G5500  
 “Winchester Model G6500  
 “Winchester Select Series  
 “Zoli Condor  
 “Zoli Deluxe Model  
 “Zoli Dove  
 “Zoli Field Special  
 “Zoli Pigeon Model  
 “Zoli Silver Snipe  
 “Zoli Snipe  
 “Zoli Special Model  
 “Zoli Target Series  
 “Zoli Texas  
 “Zoli Z Series  
 “Zoli Z–90 Series  
 “Zoli Z–Sport Series  
 “SHOTGUNS—SIDE BY SIDES  
 “Armas Azor Sidelock Model  
 “ADCO Sales Diamond Series Shotguns  
 “American Arms Brittany Shotgun  
 “American Arms Derby Side-by-Side  
 “American Arms Gentry Double Shotgun  
 “American Arms Grulla #2 Double Shotgun  
 “American Arms TS/SS 10 Double Shotgun  
 “American Arms TS/SS 12 Side-by-Side  
 “American Arms WS/SS 10  
 “Arizaga Model 31 Double Shotgun  
 “Armes de Chasse Sidelock and Boxlock Shot-  
 guns  
 “Armsport 1050 Series Double Shotguns  
 “Arrieta Sidelock Double Shotguns  
 “Auguste Francotte Boxlock Shotgun  
 “Auguste Francotte Sidelock Shotgun  
 “AYA Boxlock Shotguns  
 “AYA Sidelock Double Shotguns  
 “Baikal IZH–43 Series Shotguns  
 “Baikal MP210 Series Shotguns  
 “Baikal MP213 Series Shotguns  
 “Baikal MP220 Series Shotguns  
 “Baker Gun Sidelock Models  
 “Baltimore Arms Co. Style 1  
 “Baltimore Arms Co. Style 2  
 “Bayard Boxlock and Sidelock Model Shot-  
 guns  
 “Beretta 450 series Shotguns  
 “Beretta 451 Series Shotguns  
 “Beretta 452 Series Shotguns  
 “Beretta 470 Series Shotguns  
 “Beretta Custom Grade Shotguns  
 “Beretta Francia Standard  
 “Beretta Imperiale Montecarlo  
 “Beretta Model 452 Sidelock Shotgun  
 “Beretta Omega Standard  
 “Beretta Side-by-Side Field Shotguns  
 “Beretta Verona/Bergamo  
 “Bertuzzi Ariete Hammer Gun  
 “Bertuzzi Model Orione  
 “Bertuzzi Venere Series Shotguns  
 “Beschi Sidelock and Boxlock Models  
 “Bill Hanus Birdgun Doubles  
 “Bosis Country SxS  
 “Bosis Hammer Gun  
 “Bosis Queen Sidelock  
 “Boss Robertson SxS  
 “Boss SxS  
 “Boswell Boxlock Model  
 “Boswell Featherweight Monarch Grade  
 “Boswell Merlin Sidelock  
 “Boswell Sidelock Model  
 “Breda Andromeda Special  
 “BRNO ZP Series Shotguns  
 “Brown SxS Shotgun  
 “Browning B–SS  
 “Browning B–SS Belgian/Japanese Prototype  
 “Browning B–SS Sidelock  
 “Browning B–SS Sporter  
 “Bruchet Model A  
 “Bruchet Model B  
 “BSA Classic  
 “BSA Royal  
 “Cabela’s ATA Grade II Custom  
 “Cabela’s Hemingway Model  
 “Casartelli Sidelock Model  
 “Century Coach SxS  
 “Chapuis RGP Series Shotguns  
 “Chapuis RP Series Shotguns  
 “Chapuis Side-by-Side Shotgun  
 “Chapuis UGP Round Design SxS  
 “Charles Daly 1974 Wildlife Commemorative  
 “Charles Daly Classic Coach Gun  
 “Charles Daly Diamond SxS  
 “Charles Daly Empire SxS  
 “Charles Daly Model 306  
 “Charles Daly Model 500  
 “Charles Daly Model Dss Double  
 “Charles Daly Superior SxS  
 “Churchill Continental Series Shotguns  
 “Churchill Crown Model

- "Churchill Field Model  
 "Churchill Hercules Model  
 "Churchill Imperial Model  
 "Churchill Premiere Series Shotguns  
 "Churchill Regal Model  
 "Churchill Royal Model  
 "Churchill Windsor Series Shotguns  
 "Cimarron Coach Guns  
 "Classic Doubles Model 201  
 "Classic Clot 1878 Hammer Shotgun  
 "Cogswell & Harrison Sidelock and Boxlock Shotguns  
 "Colt 1883 Hammerless  
 "Colt SxS Shotgun  
 "Connecticut Shotgun Co. Model 21  
 "Connecticut Shotgun Co. RBL Series  
 "Continental Arms Centaure  
 "Crescent SxS Model  
 "Crucelegui Hermanos Model 150 Double  
 "CZ Amarillo  
 "CZ Bobwhite  
 "CZ Competition  
 "CZ Deluxe  
 "CZ Durango  
 "CZ Grouse  
 "CZ Hammer Models  
 "CZ Partridge  
 "CZ Ringneck  
 "CZ Ringneck Target  
 "Dakin Model 100  
 "Dakin Model 147  
 "Dakin Model 160  
 "Dakin Model 215  
 "Dakota American Legend  
 "Dakota Classic Grade  
 "Dakota Classic Grade II  
 "Dakota Classic Grade III  
 "Dakota Premier Grade  
 "Dan Arms Deluxe Field Model  
 "Dan Arms Field Model  
 "Darne Sliding Breech Series Shotguns  
 "Davidson Arms Model 63B  
 "Davidson Arms Model 69SL  
 "Davidson Arms Model 73 Stagecoach  
 "Dumoulin Continental Model  
 "Dumoulin Etendard Model  
 "Dumoulin Europa Model  
 "Dumoulin Liege Model  
 "E.A.A. SABA  
 "E.A.A./Sabatti Saba-Mon Double Shotgun  
 "E.M.F. Model 1878 SxS  
 "E.M.F. Stagecoach SxS Model  
 "ERA Quail SxS  
 "ERA Riot SxS  
 "ERA SxS  
 "Famars Boxlock Models  
 "Famars Castore  
 "Famars Sidelock Models  
 "Fausti Caledon  
 "Fausti Class  
 "Fausti Class Round Body  
 "Fausti DEA Series Shotguns  
 "Ferlib Mignon Hammer Model  
 "Ferlib Model F VII Double Shotgun  
 "FN Anson SxS Standard Grade  
 "FN New Anson SxS Standard Grade  
 "FN Sidelock Standard Grade  
 "Fox Higher Grade Models (A–F)  
 "Fox Sterlingworth Series  
 "Franchi Airone  
 "Franchi Astore Series  
 "Franchi Destino  
 "Franchi Highlander  
 "Franchi Sidelock Double Barrel  
 "Francotte Boxlock Shotgun  
 "Francotte Jubilee Model  
 "Francotte Sidelock Shotgun  
 "Galef Silver Hawk SxS  
 "Galef Zabala SxS  
 "Garbi Model 100  
 "Garbi Model 101 Side-by-Side  
 "Garbi Model 103A, B Side-by-Side  
 "Garbi Model 200 Side-by-Side  
 "Gastinne Model 105  
 "Gastinne Model 202  
 "Gastinne Model 353  
 "Gastinne Model 98  
 "Gib 10 Gauge Magnum  
 "Gil Alhambra  
 "Gil Diamond  
 "Gil Laga  
 "Gil Olimpia  
 "Greener Sidelock SxS Shotguns  
 "Griffin & Howe Britte  
 "Griffin & Howe Continental Sidelock  
 "Griffin & Howe Round Body Game Gun  
 "Griffin & Howe Traditional Game Gun  
 "Grulla 217 Series  
 "Grulla 219 Series  
 "Grulla Consort  
 "Grulla Model 209 Holland  
 "Grulla Model 215  
 "Grulla Model 216 Series  
 "Grulla Number 1  
 "Grulla Royal  
 "Grulla Super MH  
 "Grulla Supreme  
 "Grulla Windsor  
 "H&R Anson & Deeley SxS  
 "H&R Model 404  
 "H&R Small Bore SxS Hammer Gun  
 "Hatfield Uplander Shotgun  
 "Henry Atkin Boxlock Model  
 "Henry Atkin Sidelock Model  
 "Holland & Holland Cavalier Boxlock  
 "Holland & Holland Dominion Game Gun  
 "Holland & Holland Northwood Boxlock  
 "Holland & Holland Round Action Sidelock  
 "Holland & Holland Round Action Sidelock Paradox  
 "Holland & Holland Royal Hammerless Ejector Sidelock  
 "Holland & Holland Sidelock Shotguns  
 "Holloway premier Sidelock SxS Model  
 "Hopkins & Allen Boxlock and Sidelock Models  
 "Huglu SxS Shotguns  
 "Husqvarna SxS Shotguns  
 "IGA Deluxe Model  
 "IGA Turkey Series Model  
 "Interstate Arms Model 99 Coach Gun  
 "Ithaca Classic Doubles Series Shotguns  
 "Ithaca Hammerless Series  
 "Iver Johnson Hammerless Model Shotguns  
 "Jeffery Boxlock Shotguns  
 "Jeffery Sidelock Shotguns  
 "K.B.I. Grade II SxS  
 "Khan Coach Gun  
 "Kimber Valier Series  
 "Krieghoff Essencia Boxlock  
 "Krieghoff Essencia Sidelock  
 "Lanber Imperial Sidelock  
 "Laurona Boxlock Models  
 "Laurona Sidelock Models  
 "Lefever Grade A Field Model  
 "Lefever Grade A Skeet Model  
 "Lefever New  
 "Lefever Model  
 "Lefever Nitro Special  
 "Lefever Sideplate Models  
 "Leforgeron Boxlock Ejector  
 "Leforgeron Sidelock Ejector  
 "Liberty Coach Gun Series  
 "MacNaughton Sidelock Model  
 "Malin Boxlock Model  
 "Malin Sidelock Model  
 "Masquelier Boxlock Model  
 "Masquelier Sidelock Model  
 "Medwell SxS Sidelock  
 "Merkel Model 8, 47E Side-by-Side Shotguns  
 "Merkel Model 47LSC Sporting Clays Double  
 "Merkel Model 47S, 147S Side-by-Sides  
 "Merkel Model 76E  
 "Merkel Model 122E  
 "Merkel Model 126E  
 "Merkel Model 280 Series  
 "Merkel Model 360 Series  
 "Merkel Model 447SL  
 "Merkel Model 1620 Series  
 "Merkel Model 1622 Series  
 "Mossberg Onyx Reserve Sporting  
 "Mossberg Silver Reserve Field  
 "Navy Arms Model 100  
 "Navy Arms Model 150  
 "Orvis Custom Uplander  
 "Orvis Field Grade  
 "Orvis Fine Grade  
 "Orvis Rounded Action  
 "Orvis Waterfowler  
 "Parker Fluid Steel Barrel Models (All Grades)  
 "Parker Reproductions Side-by-Side  
 "Pederson Model 200  
 "Pederson Model 2500  
 "Perazzi DHO Models  
 "Perugini Ausonia  
 "Perugini Classic Model  
 "Perugini Liberty  
 "Perugini Regina Model  
 "Perugini Romagna Gun  
 "Piotti Hammer Gun  
 "Piotti King Extra Side-by-Side  
 "Piotti King No. 1 Side-by-Side Piotti Lunik Side-by-Side  
 "Piotti Monaco Series  
 "Piotti Monte Carlo  
 "Piotti Piuma Side-by-Side  
 "Piotti Westlake  
 "Precision Sports Model 600 Series Doubles  
 "Premier Italian made SxS Shotguns  
 "Premier Spanish made SxS Shotguns  
 "Purdy Best Quality Game Gun  
 "Remington Model 1900 Hammerless  
 "Remington Model SPR210  
 "Remington Model SPR220  
 "Remington Model SPR220 Cowboy  
 "Remington Premier SxS  
 "Richland Arms Co. Italian made SxS Models  
 "Richland Arms Co. Spanish made SxS Models  
 "Rigby Boxlock Shotgun  
 "Rigby Hammer Shotgun  
 "Rizzini Boxlock Side-by-Side  
 "Rizzini Sidelock Side-by-Side  
 "Rossi Overlund  
 "Rossi Squire  
 "Rota Model 105  
 "Rota Model 106  
 "Rota Model 411 Series  
 "Royal American Model 600 Boxlock  
 "Royal American Model 800 Sidelock  
 "Ruger Gold Label  
 "SAE Model 209E  
 "SAE Model 210S  
 "SAE Model 340X  
 "Sarasqueta Mammerless Sidelock  
 "Sarasqueta Model 3 Boxlock  
 "Sauer Boxlock Model Shotguns  
 "Sauer Sidelock Model Shotguns  
 "Savage Fox Model FA-1  
 "Savage Model 550  
 "Scott Blenheim  
 "Scott Bowood  
 "Scott Chatsworth  
 "Scott Kinmount  
 "SIACE Italian made SxS Shotguns  
 "SKB Model 100  
 "SKB Model 150  
 "SKB Model 200  
 "SKB Model 280  
 "SKB Model 300  
 "SKB Model 385  
 "SKB Model 400  
 "SKB Model 480  
 "SKB Model 485  
 "Smith & Wesson Elite Gold Series Grade I  
 "Smith & Wesson Elite Silver Grade I  
 "Smith, L.C. Boxlock Hammerless Shotguns  
 "Smith, L.C. Sidelock Hammerless Shotguns  
 "Spartan SPR Series Shotguns  
 "Stevens Model 311/315 Series  
 "Stoeger/IGA Uplander Side-by-Side Shotgun  
 "Taylor's SxS Model  
 "Tri-Star Model 311  
 "Tri-Star Model 411 Series  
 "Ugartechea 10-Ga. Magnum Shotgun  
 "Universal Double Wing SxS  
 "Vouzelaud Model 315 Series  
 "Walther Model WSF  
 "Walther Model WSFD  
 "Weatherby Atheana  
 "Weatherby D'Italia Series  
 "Weatherby Orion  
 "Westley Richards Best Quality Sidelock

“Westley Richards Boxlock Shotguns  
 “Westley Richards Connaught Model  
 “Westley Richards Hand Detachable Lock Shot Model  
 “William Douglas Boxlock  
 “Winchester Model 21  
 “Winchester Model 24  
 “Zoli Alley Cleaner  
 “Zoli Classic  
 “Zoli Falcon II  
 “Zoli Model Quail Special  
 “Zoli Pheasant  
 “Zoli Silver Hawk  
 “Zoli Silver Snipe  
 “SHOTGUNS—BOLT ACTIONS & SINGLE SHOTS  
 “ADCC Diamond Folding Model  
 “American Arms Single-Shot  
 “ARMSCOR 301A  
 “Armsport Single Barrel Shotgun  
 “Baikal MP18  
 “Beretta 471 EL Silver Hawk  
 “Beretta 471 Silver Hawk  
 “Beretta Beta Single Barrel  
 “Beretta MKII Trap  
 “Beretta Model 412  
 “Beretta Model FS  
 “Beretta TR-1  
 “Beretta TR-1 Trap  
 “Beretta Vandalia Special Trap  
 “Browning BT-99 Competition Trap Special  
 “Browning BT-99 Plus Micro  
 “Browning BT-99 Plus Trap Gun  
 “Browning Micro Recoilless Trap Shotgun  
 “Browning Recoilless Trap Shotgun  
 “Crescent Single Shot Models  
 “CZ Cottontail  
 “Desert Industries Big Twenty Shotgun  
 “Fevever Long Range Field  
 “Frigon FS-4  
 “Frigon FT-1  
 “Frigon FT-C  
 “Gibbs Midland Stalker  
 “Greener General Purpose GP MKI/MKII  
 “H&R Survivor  
 “H&R Tracker Slug Model  
 “Harrington & Richardson N.W.T.F. Turkey Mag  
 “Harrington & Richardson Pardner  
 “Harrington & Richardson Pardner Compact  
 “Harrington & Richardson Pardner Compact Turkey Gun  
 “Harrington & Richardson Pardner Screw-In Choke  
 “Harrington & Richardson Pardner Turkey Gun  
 “Harrington & Richardson Pardner Turkey Gun Camo  
 “Harrington & Richardson Pardner Waterfowl  
 “Harrington & Richardson Tamer  
 “Harrington & Richardson Tamer 20  
 “Harrington & Richardson Topper Classic Youth Shotgun  
 “Harrington & Richardson Topper Deluxe Classic  
 “Harrington & Richardson Topper Deluxe Model 098  
 “Harrington & Richardson Topper Junior  
 “Harrington & Richardson Topper Model 098  
 “Harrington & Richardson Topper Trap Gun  
 “Harrington & Richardson Tracker II Slug Gun  
 “Harrington & Richardson Ultra Slug Hunter  
 “Harrington & Richardson Ultra Slug Hunter Compact  
 “Harrington & Richardson Ultra Slug Hunter Deluxe  
 “Harrington & Richardson Ultra Slug Hunter Thumbhole Stock  
 “Harrington & Richardson Ultra-Lite Slug Hunter  
 “Hi-Standard 514 Model  
 “Holland & Holland Single Barrel Trap  
 “IGA Reuna Model  
 “IGA Single Barrel Classic  
 “Ithaca Model 66  
 “Ithaca Single Barrel Trap  
 “Iver Johnson Champion Series  
 “Iver Johnson Commemorative Series Single Shot Shotgun  
 “Iver Johnson Excel  
 “Krieghoff K-80 Single Barrel Trap Gun  
 “Krieghoff KS-5 Special  
 “Krieghoff KS-5 Trap Gun  
 “Lefever Trap Gun  
 “Ljutic LTX Super Deluxe Mono Gun  
 “Ljutic Mono Gun Single Barrel  
 “Ljutic Recoilless Space Gun Shotgun  
 “Marlin Model 55 Goose Gun Bolt Action  
 “Marlin Model 60 Single Shot  
 “Marocchi Model 2000  
 “Mossberg Models G-4, 70, 73, 73B  
 “Mossberg Models 75 Series  
 “Mossberg Models 80, 83, 83B, 83D  
 “Mossberg 173 Series  
 “Mossberg Model 183 Series  
 “Mossberg Model 185 Series  
 “Mossberg Model 190 Series  
 “Mossberg Model 195 Series  
 “Mossberg Model 385 Series  
 “Mossberg Model 390 Series  
 “Mossberg Model 395 Series  
 “Mossberg Model 595 Series  
 “Mossberg Model 695 Series  
 “New England Firearms N.W.T.F. Shotgun  
 “New England Firearms Standard Pardner  
 “New England Firearms Survival Gun  
 “New England Firearms Tracker Slug Gun  
 “New England Firearms Turkey and Goose Gun  
 “Parker Single Barrel Trap Models  
 “Perazzi TMI Special Single Trap  
 “Remington 90-T Super Single Shotgun  
 “Remington Model No. 9  
 “Remington Model 310 Skeet  
 “Remington Model No. 3  
 “Rossi Circuit Judge Lever Action Shotgun  
 “Rossi Circuit Judge Shotgun  
 “Ruger Single Barrel Trap  
 “S.W.D. Terminator  
 “Savage Kimel Kamper Single Shot  
 “Savage Model 210F Slug Warrior  
 “Savage Model 212 Slug Gun  
 “Savage Model 220 Series  
 “Savage Model 220 Slug Gun  
 “SEITZ Single Barrel Trap  
 “SKB Century II Trap  
 “SKB Century Trap  
 “SKB Model 505 Trap  
 “SKB Model 605 Trap  
 “Smith, L.C. Single Barrel Trap Models  
 “Snake Charmer II Shotgun  
 “Stoeger/IGA Reuna Single Barrel Shotgun  
 “Tangfolio Model RSG-16  
 “Tangfolio Blockcard Model  
 “Tangfolio Model DSG  
 “Tangfolio Model RSG-12 Series  
 “Tangfolio Model RSG-20  
 “Tangfolio RSG-Tactical  
 “Taurus Circuit Judge Shotgun  
 “Thompson/Center Encore Shotgun  
 “Thompson/Center Pro Hunter Turkey Shotgun  
 “Thompson/Center TCR '87 Hunter Shotgun  
 “Universal Firearms Model 7212 Single Barrel Trap  
 “Winchester Model 36 Single Shot  
 “Winchester Model 37 Single Shot  
 “Winchester Model 41 Bolt Action  
 “Winchester Model 9410 Series  
 “Zoli Apache Model  
 “Zoli Diano Series  
 “Zoli Loner Series”.

#### SEC. 4. PENALTIES.

Section 924(a)(1)(B) of title 18, United States Code, is amended by striking “or (q) of section 922” and inserting “(q), (r), (v), (w), or (aa) of section 922”.

#### SEC. 5. BACKGROUND CHECKS FOR TRANSFERS OF GRANDFATHERED SEMIAUTOMATIC ASSAULT WEAPONS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, as amended by this Act, is amended—

(1) by repealing subsection (s);  
 (2) by redesignating subsection (t) as subsection (s);  
 (3) in subsection (s), as redesignated—  
 (A) in paragraph (3)(C)(ii), by striking “(as defined in subsection (s)(8))”; and  
 (B) by adding at the end the following:

“(7) In this subsection, the term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.”; and

(4) by inserting after subsection (s), as redesignated, the following:

“(t)(1) Beginning on the date that is 90 days after the date of enactment of the Assault Weapons Ban of 2022, it shall be unlawful for any person who is not licensed under this chapter to transfer a grandfathered semiautomatic assault weapon to any other person who is not licensed under this chapter, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken custody of the grandfathered semiautomatic assault weapon for the purpose of complying with subsection (s). Upon taking custody of the grandfathered semiautomatic assault weapon, the licensee shall comply with all requirements of this chapter as if the licensee were transferring the grandfathered semiautomatic assault weapon from the licensee’s inventory to the unlicensed transferee.”

“(2) Paragraph (1) shall not apply to a temporary transfer of possession for the purpose of participating in target shooting in a licensed target facility or established range if—

“(A) the grandfathered semiautomatic assault weapon is, at all times, kept within the premises of the target facility or range; and

“(B) the transferee is not known to be prohibited from possessing or receiving a grandfathered semiautomatic assault weapon.”

“(3) For purposes of this subsection, the term ‘transfer’—

“(A) shall include a sale, gift, or loan; and

“(B) does not include temporary custody of the grandfathered semiautomatic assault weapon for purposes of examination or evaluation by a prospective transferee.”

“(4)(A) Notwithstanding any other provision of this chapter, the Attorney General may implement this subsection with regulations.

“(B) Regulations promulgated under this paragraph—

“(i) shall include a provision setting a maximum fee that may be charged by licensees for services provided in accordance with paragraph (1); and

“(ii) shall not include any provision imposing recordkeeping requirements on any unlicensed transferor or requiring licensees to facilitate transfers in accordance with paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking “, (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and (g)(5)(B)”.

(2) SECTION 925A.—Section 925A of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”.

(3) SECTION 925B.—Section 925B of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking “section 922(t)” and inserting “section 922(s)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

#### SEC. 6. USE OF BYRNE GRANTS FOR BUY-BACK PROGRAMS FOR SEMIAUTOMATIC ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is amended by adding at the end the following:

“(J) Compensation for surrendered semiautomatic assault weapons and large capacity ammunition feeding devices, as those terms are defined in section 921 of title 18, United States Code, under buy-back programs for semiautomatic assault weapons and large capacity ammunition feeding devices.”.

**SEC. 7. SEVERABILITY.**

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

**GENERAL LEAVE**

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1808.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

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

Mr. Speaker, today, we take another step to advance historic gun violence prevention legislation. H.R. 1808, the Assault Weapons Ban Act of 2022, restores and updates the prior assault weapons ban that kept weapons of war out of our communities for a decade before Republicans opposed its renewal.

As we have learned all too well in recent years, assault weapons, especially when combined with high-capacity magazines, are the weapon of choice for mass shootings. These military-style weapons are designed to kill the most people in the shortest amount of time. Quite simply, there is no place for them in our streets.

In 1994, we banned these killing machines, and countless lives were saved. But that ban was allowed to lapse 10 years later. Since then, we have seen the predictable results: Mass shootings have increased exponentially in our public spaces. Schools, movie theaters, supermarkets, houses of worship, parades, you name it, have all become vulnerable to attack.

Uvalde, Parkland, Tree of Life Synagogue. How many more mass shootings must we endure? When will we learn?

Well, I hope we are starting to learn today. I hope we are starting to learn today indeed.

The Assault Weapons Ban Act would prohibit the sale, manufacture, transfer, or possession of semiautomatic assault weapons and large-capacity ammunition feeding devices. At the same time, it grandfathers existing semi-

automatic assault weapons and contains numerous protections for law enforcement and responsible gun owners, including hunters, gun collectors, farmers, sports shooters, and those who use firearms for self-defense.

It is important to consider today's debate in the context of our other efforts to address the violence plaguing our communities.

Time and again, Democrats have advanced responsible gun safety legislation, only to face Republican opposition.

We have advanced legislation to conduct background checks for all gun sales, to close the Charleston loophole, to close the boyfriend loophole, and to keep guns away from those who are a danger to themselves or others.

We advanced my bill, the Protecting our Kids Act, and we sent the President the Bipartisan Safer Communities Act, which was signed into law and will save lives. These proposals were opposed by all but a few of our Republican colleagues.

Today, they have another chance to take the action needed to make our communities safer. Will they stand with us? Will they show that they have learned? Or will they stand with an industry that right now is promoting a weapon to civilians that is powerful enough to shoot through bulletproof vests?

Will our Republican colleagues choose to defend the weapons of choice for mass murderers and those who seek to target law enforcement? Or will they choose to defend Americans who simply want to go to school, to go shopping, to march in a parade, or to go to a movie theater without the fear of having a target on their back? It is an easy choice for me.

I thank Congressman CICILLINE for his leadership on this important legislation, I urge all of my colleagues to join me in supporting it, and I reserve the balance of my time.

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

Mr. Speaker, for years, the Democrats told us: We are not coming for your guns.

Oh, yes, they are.

Let's be clear. The Second Amendment is as clear as possible. That is their beef. The Second Amendment says: The right to keep and bear arms shall not be infringed. But they don't care.

In fact, the sponsor of this legislation said so in committee. He said: "Spare me the BS about constitutional rights." They don't care about that fundamental liberty law-abiding citizens in this country enjoy, and they are coming for your firearms.

Six weeks ago, it was the red flag law, where someone who doesn't like you can report you to law enforcement or to a judge. There is a hearing that you can't be at, your counsel can't be present, you haven't been charged with a crime, but they can take your firearm, they can take your property, they

can take away your Second Amendment liberties, and then you have to petition for a subsequent hearing to get that right back. And you have done nothing wrong and have not been charged with a crime.

Then House Democrats passed the unconstitutional legislation that said 18- to 20-year-olds can't purchase a firearm. They can fight for our country, but they can't purchase a firearm. And today they are coming for your guns, 24 million of them.

That is right, 24 million AR-style rifles are in the hands of law-abiding Americans today, as we speak, and those individuals will not be able to sell or transfer that property.

In the Heller case, the Supreme Court made clear that the Second Amendment protects firearms in common use at the time. During the markup, Representative BISHOP asked the chairman: "Is it the point of the bill to ban weapons that are in common use in the United States today?" And the chairman said: "The problem is that they are in common use."

So, yes, this is the goal. This is why it is unconstitutional. Couldn't be any clearer. Democrats don't care what the Constitution says.

Fortunately, courts are correctly applying the Constitution. Last week, a Federal District Court judge in Colorado, who was appointed by President Obama, issued a temporary restraining order against the Town of Superior, Colorado, to prevent it from implementing an assault weapon ban.

The judge wrote: Plaintiffs have stated that semiautomatic weapons, as well as magazines that hold more than 10 rounds, are commonly used by law-abiding citizens for lawful purposes and, therefore, cannot be banned.

And guess what this bill will do? It won't make communities safer. It won't make them safer at all. In fact, in the Heller case, the Supreme Court said: The Second Amendment protects firearms in common use at the time and also said "for lawful purposes like self-defense."

Three weeks ago, July 7, 2022, a Florida homeowner used his AR-style rifle when individuals forcibly entered his home. After the homeowner opened fire, the individuals immediately fled. When asked if the homeowner would face charges, the Escambia County Sheriff Chip Simmons said: Absolutely not. The homeowner is protecting himself. And in Florida, you can do that. You can protect yourself.

Democrats tried this ban before. It didn't work. It won't work now.

You know what it will do? It will make communities, I think, less safe. What will make communities safer, though, is if Democrats stop defunding the police, stop cashless bail, and start prosecuting criminals. They are taking away firearms used for self-defense by law-abiding Americans.

This bill is wrong. It will make communities, I think, less safe, and it is unconstitutional.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his great leadership.

Mr. Speaker, each year, more children die from gun violence than any other cause—cancer, auto accidents, or any other cause.

Our Nation has watched in unspeakable horror as assault weapons have been used in massacre after massacre in communities across the country.

Disturbingly, so many of these mass shootings have targeted our precious children in their schools, at the movies, at the malls, and throughout our communities.

That is why I rise today in strong support of reinstating the Assault Weapons Ban Act, a long overdue step to get deadly weapons off our streets.

□ 1600

Make no mistake, we know that an assault weapon ban can work because it has worked before. For 10 years—from 1994 to 2004—our families were protected by a strong assault weapons ban strongly championed in the Senate by then-Senator, now-President Joe Biden. CHUCK SCHUMER led the way over here; DIANNE FEINSTEIN in the Senate. I was a relatively new Member of Congress who was whipping for this legislation. It made us all very proud. More importantly, it saved many lives.

During that time, we witnessed gun crime with assault weapons drop by up to 40 percent. Let me repeat, gun violence with assault weapons reduced by 40 percent. Meanwhile, since the ban expired, the number of mass shooting deaths has grown by nearly 500 percent.

It is particularly sickening to now see these same deadly weapons—are you ready for this—being marketed to children. Here is an advertisement for a JR-15 designed to be a so-called “smaller, safer, lighter” version of the horrific AR-15, which has been used to murder so many of their playmates and friends. Look at this, these little skulls with ponytails on it.

The manufacturers stated that their “goal was to develop a shooting platform that was not only sized correctly . . . but also looks, feels, and operates just like mom and dad’s gun.” Mom and dad’s gun. They used that expression.

Indeed, gunmaker WEE1 Tactical launched the JR-15 and said: “we are so excited to start capturing the imagination of the next generation.”

Indeed, this callousness is disgusting. It is despicable, and it reminds us that the crisis of gun violence requires action.

To the families who are survivors and have suffered from gun violence, we have said over and over again, we will not stop until the job is done. We thank them for sharing their sorrow to

help prevent others from suffering in that way. They have turned their agony into action.

Now, whether we are saying we are going from Newtown to Uvalde and everything in between and since, there are so many deaths, so much sorrow, so much hope that we would get the job done. They are responsible for our bringing this legislation to the floor. Their outside mobilization, their advocacy with great intellectual integrity has made all the difference.

Today, House Democrats will vote to reinstate the assault weapons ban with strong protections for children and families. The bill prohibits the sale, manufacture, transfer, or possession of semiautomatic assault weapons, as well as high-capacity magazines. And contrary to what the gentleman on the other side of the aisle said, it requires safe storage for lawfully owned assault weapons already in our communities. It is not about taking guns away from people who should have them, it is about safe storage. Do you have a problem with that?

It strongly supports our law enforcement heroes who should not have to confront weapons designed for the battlefield instead in our communities.

To be clear, this is a very special day in the Congress of the United States that history will record as one designed to save lives.

For his passionate, persistent leadership on this legislation, let me salute Congressman DAVID CICILLINE, who has been fighting ferociously on this issue for years and years. To LUCY MCBATH, who has been, again, a member of the committee of jurisdiction, an intellectual resource, a strategic thinker, and an inspiration to all of us, who turned her personal grief into action and makes a difference, I thank her. I also thank Chairman JERRY NADLER, chair of the Judiciary Committee, for steering this legislation through the Judiciary Committee and to the floor. Also, I recognize, once again, President Joe Biden’s longtime leadership on this issue and the beautiful words he expressed about this when we were celebrating the bipartisan safety bill recently.

Mr. Speaker, all those who have had the privilege of serving in these hallowed Halls take a solemn oath to the American people. At the heart of our oath is our duty to protect and defend the Constitution, the American people.

With this legislation, we honor this foremost responsibility. When the House returns in August, we will bring to the floor a robust public safety package beyond this. Let me be clear: House Democrats are for people over politics and say to our friends in this body and down the hall and wherever they are: Your political survival is insignificant compared to the survival of children who are at the mercy of these guns.

We believe that every American deserves to live in a safe community where they and their families can

thrive. That is why Democrats are funding our police while making reforms for better law enforcement training and accountability as we give them the tools they need to prevent crime.

We are so proud of the work done by CBC chair JOYCE BEATTY working with Representatives JOSH GOTTHEIMER and ABIGAIL SPANBERGER to write historic legislation that prioritizes meeting the needs of our law enforcement officers while at the same time having accountability. That is historic. We haven’t done that before.

I am more confident than ever that we will pass a package rooted in two of the Democrats’ most cherished values: justice and safety.

I urge my colleagues to support the assault weapons ban, recognizing, again, that the survival of our children is more important than the political survival of any of us.

I urge a strong and, hopefully, bipartisan vote to put people over politics by reinstating the assault weapons ban.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, I rise today in opposition to H.R. 1808, the Assault Weapons Ban of 2022.

Here they go again.

Once again, my colleagues across the aisle have rushed to exploit your fear and the pain of victims to rush out a gun control measure that will do nothing to save lives or address the root causes of violence.

I say, “exploit your fear,” and I point to the Speaker of the House just stood in this well with a poster that had a toy gun on it and wants you to feel scared about that. Well, I have a 6-year-old son, and he has toy guns. He knows about muzzle discipline. He knows you don’t put your finger on the trigger. He knows you don’t point it at people. I am able to teach my son gun safety and make him safer.

You don’t live through fear. This and other gun control measures like red flag laws, they make the other side feel better, but today’s bill will do nothing but disarm law-abiding citizens.

Congress has tried this before. In 1994, a 10-year assault weapons ban was first enacted. This ban did not stop violent crime or prevent heart-wrenching tragedies like Columbine. Yes, Columbine happened while we had an assault weapons ban.

In fact, after the ban ended, the Department of Justice issued a report that concluded: “Should it be renewed, the ban’s effects on gun violence are likely to be small at best and perhaps too small for reliable measurement. Assault weapons were rarely used in gun crimes even before the ban.” That is the Department of Justice.

The results are in, folks. A so-called assault weapons ban does not work. But what it does is it takes away your rights and it leaves you vulnerable.

The simple truth is criminals don’t follow the law. Think about this: If



criminals followed the law, we wouldn't have any crime. But when you criminalize guns, only criminals are going to have guns.

So I urge you to vote "no" on this legislation.

Mr. Speaker, law-abiding Americans are sick and tired of these political games that exploit the pain of victims of shootings but do not work and seriously threaten your rights and your safety.

So today, I urge my colleagues to oppose this unconstitutional ban and ineffective gun control measure.

Instead, I ask you again to please work with me to actually address the root causes of violence.

We can pass bills like my STOP II, Secure Every School and Protect our Nation's Children Act today, which would protect schools, improve mental health, and save lives.

We have solutions that work . . . without taking away your rights.

So I urge my colleagues to vote no.

Mr. NADLER. Mr. Speaker, I yield 4 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the sponsor of this bill and a member of the Judiciary Committee.

Mr. CICILLINE. Mr. Speaker, I rise today in support of H.R. 1808, the Assault Weapons Ban, legislation that will help reduce the gun massacres being committed in our communities by weapons of war.

These military-style weapons were designed for the battlefield for maximum efficiency when a soldier is engaged in combat.

And the military features banned by this bill are added to make these guns more accurate, more controllable, more concealable, and more deadly, enabling killers to murder as many people as possible as quickly as possible.

These weapons have no place in our communities. They turn our streets, our schools, our grocery stores, our movie theaters, and hospitals into bloody battlefield scenes, and they kill our children, our friends, our neighbors, and the police officers trying to protect them.

In 2016 and 2017 alone, more than two dozen officers were slain in the line of duty by an assault weapon. One in five officers is killed in the line of duty by these weapons, which is why the Major City Police Chiefs Association endorses this legislation.

Yet for nearly 18 years, we failed to take action to stop them from flooding into our communities and being used time and time and time again in mass shootings.

It is unconscionable that anyone can walk into a store and legally purchase a weapon capable of inflicting the carnage we have seen in Highland Park, in Buffalo, in Uvalde, in Atlanta, in Sutherland Springs, in Las Vegas, in Orlando, in Parkland, and the list goes on and on.

Today, the House is finally taking a long overdue and necessary step to reinstitute a ban on these exceptionally dangerous weapons.

We didn't just come up with this proposal out of thin air and propose it, the

original assault weapons ban was in place from 1994 to 2004, and we have clear evidence that it was effective in reducing these killings.

Compared with the decade before its adoption, the 1994 assault weapons ban was associated with a 25 percent drop in gun massacres and a 40 percent drop in fatalities.

As soon as the ban expired, fatalities and shootings skyrocketed again.

When an assault weapon is used during a mass shooting, six times as many people are shot.

Today, I am imploring my colleagues to take action to get these weapons of war designed for maximum destruction of human life off our streets.

Let me be clear: I respect the Second Amendment, but it is not without limits. Imagine if we clung to the desire to protect our children and our communities as tightly as some of my colleagues cling to their rifles.

There are more guns than people in this country, more mass shootings than days in the year. This is a uniquely American problem.

This bill won't stop all gun violence, but it will effectively decrease it.

Because they were designed for military combat, these weapons don't just kill, they decimate. The shots fired can tear a softball-sized wound into a victim.

We know how we can reduce the suffering. Researchers estimate if we still had a Federal assault weapons ban, we would see a 70 percent decline in mass shooting deaths. Let that sink in. If the ban had remained in effect, 70 percent of the families torn apart by these massacres would still have their loved ones.

We can't bring back 70 percent of these victims to their families and friends, but we can work to prevent more carnage moving forward.

Let me end by saying this: In my faith tradition, we were taught that whoever destroys a soul it is considered as if they destroyed an entire world; and whoever saves a life, it is considered as if they saved an entire world.

Let's come together to save lives. Pass this bill.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, America doesn't have a gun violence problem, we have a human violence problem. But those across the aisle don't want to talk about that because then you have to talk about the culture of death that we have created in this country. Killing 63 million unborn children. Denying the sanctity of life. That is the conversation that they don't want to have.

Mr. Speaker, as a former police officer, I have encountered many dangerous people with guns, and we stopped them before they hurt themselves or others. We identified them. We identified the threats that they were making. Then we were able to intervene and stop those individuals before they became a shooter.

That is what we should be focused on in the wake of these recent tragedies. Give law enforcement the tools and resources to stop those who have shown a propensity to become violent. That is what we should be focusing on, not defunding the police, not demoralizing the police, not delegitimizing the police. We should be focused on assisting the police and identifying these individuals who want to commit crime.

□ 1615

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. LOFGREN), a distinguished member of the Committee on the Judiciary.

Ms. LOFGREN. Mr. Speaker, America doesn't have to be the only country where mass shootings occur, sometimes daily.

Sometimes I hear people say, "Well, it is a mental health problem." I will tell you what, people have mental health problems in countries all over the world, but only one country has mass shootings the way America does. We need to have an answer to this.

The killer that killed my constituents at the Gilroy Garlic Festival couldn't buy the assault weapon in California, so he just went over to Nevada and bought it there.

We need a national answer. We know it works. When the last ban expired, the number of mass shooting deaths increased by 483 percent.

Americans deserve to be safe and to be free, free of fear that when their kids go to school, they will be obliterated. We need to put the American people ahead of politics. We need to put American children ahead of politics. We need to vote "yes."

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we do have a culture of human violence. Recently, a 16-year-old young man with three felony arrests in the past 4 months violently attacked and attempted to choke a New York subway police officer. He was released without bail. That is what is happening where you have the left in charge of criminal justice systems.

Why do I bring that up? Because that individual punched that police officer more than 20 times in his attempts to basically kill that officer. Personal weapons such as hands, fists, or feet accounted for 600 homicides in 2019, according to official reports. Mr. Speaker, 1,476 murders were committed with knives or cutting instruments, and 364 homicides were committed with rifles.

Do you see the distinction here? But what the Democrats are going for is they want to take away someone's constitutional right instead of enforcing the law for people who are criminally violent. They are going to release those people back into your streets.

The Supreme Court has held the Second Amendment protects arms in common use. But at markup, Chairman

NADLER admitted that the purpose of the bill is to ban firearms that are in common use. Think about that. That does violence to the Constitution. They simply want to ban guns, and this is just another step along that path.

At markup, it became very clear that Democrats don't even understand the guns that they are trying to ban, but they don't care because when they say they want to put politics above people, or that we shouldn't, what they really mean is they are going to.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), a member of the Committee on the Judiciary.

Ms. JACKSON LEE. Mr. Speaker, I think that we will spend most of our time here today where facts will be told and then rhetorical conversations will be told, as well.

Fact: The Constitution, in the Second Amendment, does not prohibit the ban on assault weapons.

Fact: H.R. 1808, led by Mr. CICILLINE, allows gun owners to hold their guns. This deals with the transfer of guns.

Fact: As we can see, the lives of our children are lost through carnage, bloodshed, and murder—fact—by the hands of an AR-15, an assault-style weapon.

Fact: Our fellow citizens are killed by an AR-15, -14, an assault-style weapon.

Fact: Mass carnage is not done by a knife, a BB gun. It is not done by throwing a water bomb or words. It is not done by taking a bus and running over citizens. It is done by assault-style weapons.

So, I rise today to support H.R. 1808 because I am tired of a fact of doing nothing.

Mayor Bowser has a right to complain about Governor Abbott generating individuals unfairly, unjustly, and wrongly to another jurisdiction. But the fact is that these weapons have killed.

So, without any concern, we are now offering facts. Anyone that suggests that we are taking guns from good gun owners, we are not.

Mr. Speaker, I ask unanimous consent to include in the RECORD three articles from The Washington Post, CBS News, and KXAN.

UVALDE PARENTS, HIGHLAND PARK SURVIVORS DEMAND ASSAULT WEAPONS BAN

(By Ellie Silverman)

Kimberly Rubio keeps trying to picture the classroom through her 10-year-old daughter Lexi's eyes, haunted by the different ways that May day could have ended.

What side of the room did Lexi run toward with her classmates, huddling and fearing for their lives? What if Rubio had taken her daughter home earlier after an award ceremony that day? What if the outside door locked properly? What if police had immediately engaged the suspected gunman?

But the one question that lawmakers should ask themselves every morning and night, she posed, was: "What if the gunman never had access to an assault weapon?"

"We are no longer asking for change," Rubio, 33, said to a cheering crowd of about

200 people at the U.S. Capitol on Wednesday. "We are demanding it."

Rubio was one of several people who spoke at a rally about the ways gun violence had irreparably harmed their lives and demanded a federal ban on assault weapons.

Those gathered wore bright orange shirts and included community members from Highland Park, Ill., where a gunman killed seven adults and injured dozens more during a Fourth of July parade, and parents of children who were among the 21 people killed in May at Robb Elementary School in Uvalde, Tex.

Rubio's daughter Alexandria Aniyah Rubio, known as Lexi, was one of the children killed.

Many openly grieved at the rally, crying during Rubio's remarks. A mother at the Highland Park parade recounted how she fled, holding her 1-year-old daughter in her arms as she was grazed by a bullet. Parents shared the terrifying questions they're hearing from their young children who survived shootings. And speaker after speaker demanded more sweeping federal action to curb the scourge of gun violence.

Last month, President Biden signed a bipartisan gun-control bill into law, the most significant of its kind in three decades. It expands criminal background checks for some gun buyers, bars a larger group of domestic-violence offenders from purchasing firearms, and funds programs that would allow authorities to seize guns from troubled individuals. However, gun control advocates, and Biden himself, have noted that the legislation does not include everything they hoped for.

During an event on the White House's South Lawn on Monday billed as "commemorating the historic achievement of the passage of the Bipartisan Safer Communities Act," the father of a 17-year-old boy killed in the 2018 massacre at a high school in Parkland, Fla., heckled the president, demanding more action to curb gun violence. Biden renewed calls for a federal ban on assault weapons and high-capacity ammunition magazines.

On Wednesday, mothers continued to step up to the lectern near the grassy area by 1st and C streets NE and speak about their children, friends and relatives who died of gun violence and the ways survivors grapple with anxiety attacks, fear and guilt. Democratic lawmakers from Illinois, including Sen. Tammy Duckworth; Rep. Brad Schneider, whose district includes Highland Park; and Rep. Jan Schakowsky, also spoke at the rally before the crowd marched toward the Capitol.

Nubia Hogan, 45, stood among the crowd and held a poster with a photo of her father, Eduardo Uvalde.

Uvalde was at the July Fourth parade with Hogan and their relatives when gunfire rained on the crowd. The parade was a family tradition and Uvalde's favorite holiday, she said.

Hogan said she thought about how when gunfire erupted from a nearby rooftop, she froze. Her son, Brian Hogan, 13, yelled to run and the family tried to flee. A bullet hit Brian in the arm and fragments hit Nubia Hogan's mother, too. Uvalde was also struck and was rushed to the hospital, where he died two days later.

"I get anxiety really bad. I get nightmares, waking up to hearing 'boom boom' like the shots," said Nubia Hogan, of Waukegan, Ill. "These types of guns should not be out there for civilians. These are for the military and for police."

She plans to continue with activism around this issue, joining the many other people who have channeled their grief into advocacy for change. Thousands of people

gathered earlier this summer on the National Mall to join the rally staged by March for Our Lives, the organization founded by student survivors of the mass shooting in Parkland, where a gunman killed 17 people.

Still, more than 115,000 students have been exposed to gun violence on K-12 campuses during regular hours since the Parkland massacre, according to a Washington Post database.

Brett Cross, 39, stood toward the back of the crowd and said he thought about his nephew, 10-year-old Uziyah Garcia, and how the "system" didn't protect his family and so many others. The day of the shooting in Uvalde, his wife raced over to the school where Cross said police pushed and blocked parents from entering the building to save their children.

In the first classroom the gunman entered, Cross said, was his nephew, "Uzi," the young boy who was fast, always racing people, and who aspired to make music, be a YouTuber and one day become a police officer to help people.

"Those same cops that he looked up to failed him and his classmates," Cross said.

His 10-year-old son and Uzi shared a room together but now, his son doesn't want to be in there. Cross bought a cot and placed it next to his bed, where the two hold hands before falling asleep.

"He said he wanted to go to school that day so that he could have done something," Cross said. "He wants to know why an 18-year-old kid can go buy these weapons, why it took his brother from him."

[From the CBS News, July 27, 2022]

GUNMAKERS MADE OVER \$1 BILLION IN ASSAULT WEAPON SALES IN THE PAST DECADE, CONGRESSIONAL REPORT FINDS

(By Clare Hymes)

An investigation by the House Oversight and Reform Committee found that manufacturers of the firearms used in some of the nation's deadliest mass shootings have made over \$1 billion in revenue from military-style assault-rifles in the past decade.

The committee said the industry reaped those profits in part through marketing and sales tactics aimed at enticing civilians into purchasing military-style weapons—especially targeting younger men with opportunities to purchase expensive firearms on credit, and by subtly referencing extremist groups, for instance invoking imagery identified with these groups. The findings were published ahead of an Oversight Committee hearing on Capitol Hill Wednesday on the marketing practices and the profits of the country's top five gun manufacturers.

Committee Chairwoman Carolyn Maloney said the companies market the weapons "to children, preying on young men's insecurities, and even appealing to violent white supremacists."

During the hearing, the committee heard from the CEOs of two of those manufacturers, Christopher Killoy, president and chief executive of Sturm, Ruger & Co. and Marty Daniel, CEO of Daniel Defense. A rifle used in the recent mass shooting at Robb Elementary School in Uvalde, Texas, that was used to kill 21 students and teachers was made by Daniel Defense.

Smith & Wesson, President and CEO, Mark P. Smith was invited to testify but ultimately did not appear at the hearing. The committee announced it will be subpoenaing the company for documents.

"A firearm, any firearm, can be used for good or for evil. The difference is in the intent of the individual possessing it, which we respectfully submit should be the focus of any investigation into the root causes of criminal violence involving firearms," Killoy

told the committee in his opening statement. “

The committee, which was led by the Democratic lawmakers, produced an investigation into Smith & Wesson, Bushmaster, Ruger, Daniel Defense and Sig Sauer that alleged that the manufacturers engaged in “disturbing sales tactics” that targeted young men as a means to “prove their manliness,” according to the report.

The committee also noted that despite the rise in gun violence and the pervasiveness of mass shootings, that rifle sales have continued to increase.

Smith & Wesson, the manufacturer of the firearms used at the massacres in Highland Park, Parkland, and San Bernardino, has made at least \$695 million in revenue from AR-1-style rifle sales alone in the past decade. Between 2019 and 2021, its revenues more than doubled from all long guns, from \$108 million to \$253 million.

Daniel Defense tripled its revenues of its AR-15-style rifles from \$40 million in 2019 to over \$120 million in 2021. Since 2012 Daniel Defense has made \$528 Million from AR-15 style rifles.

Ruger’s earnings followed a similar trend, tripling from \$39 million in 2019 to over \$103 million in 2021. Over the past decade its AR-15-style firearm revenue totaled \$514 million. Ruger’s weapons were used in the massacres at Sutherland Springs that left 25 dead, and Boulder, Colorado, resulting in the deaths of 10 people.

Sig Sauer refused to provide the committee with figures that would detail the revenues from AR-15 style rifles. Its firearms were used in the mass shootings at the Pulse Nightclub in Orlando, which killed 49 people, and at a Las Vegas music festival where 60 died.

Bushmaster only provided the committee with revenue figures for 2021, citing its recent acquisition by another company, and disclosed that it had earned \$2.9 million from the sales of AR-15-style rifles. Bushmaster firearms were used in the racially motivated shooting in Buffalo, New York that killed 10 people, and in the 2012 mass shooting at Sandy Hook Elementary school in Newtown, Connecticut, where 27 died.

Maloney, said the committee found the manufacturers had engaged in “dangerous marketing tactics” as part of their efforts to sell assault weapons.

“None of these companies take even basic steps to monitor the deaths and injuries caused by their products,” Maloney said. “That is beyond irresponsible.”

She asked the CEOs of Ruger and Daniel Defense whether they would accept responsibility for their companies’ roles in mass murders that took place in places like Sutherland Springs, Highland Park and Uvalde, and whether they would apologize to victims and their families.

“Chairwoman Maloney, these acts are committed by murderers. The murderers are responsible,” Daniel replied.

“Congresswoman, with all due respect, while I grieve like all Americans at these tragic incidents,” Killoy said. “To blame the firearm is [to blame] an inanimate object.”

Earlier this month, advocates from Everytown for Gun Safety filed a complaint with the Federal Trade Commission, asking it to investigate the marketing practices of Daniel Defense, alleging the manufacturer violates the law by “marketing assault weapons to the civilian market with violent and militaristic imagery” and “appealing particularly to the thrill-seeking and impulsive tendencies of susceptible teens and young men who are attracted to violence and military fantasies.”

The FTC declined to comment regarding investigation requests but told CBS News it

has not taken any legal action against gun manufacturers. CBS News has reviewed similar complaints against gun manufacturers brought to the FTC since 1996 but has not found any evidence that the agency has ever taken any action against the industry for its marketing practices.

Daniel Defense’s marketing has drawn particular scrutiny since the Uvalde shooting for targeting “at-risk young men.” Its Instagram account features photos of members of the military holding its weapons, as well as celebrities such as actor Josh Brolin in “Sicario 2” and Post Malone wielding its products. Promotional videos from the manufacturer also feature dramatizations of law enforcement and military drills using their weapons.

The committee’s report cites Palmetto State Armory’s “Big Igloo Aloha” AK-47-style assault rifle which is designed with a floral pattern, a reference to the Boogaloo movement, a violent far right, anti-government group which is often associated with wearing floral-print shirts. The committee found that Daniel Defense posted an Instagram photo in June 2021 of its M4A1 assault rifle that had been accessorized with a similar floral pattern.

The committee began investigating the manufacturers in May after the mass shootings in Uvalde and Buffalo.

None of the five manufacturers immediately responded to CBS News’ request for comment.

The House is scheduled to vote on Friday on the first assault weapons ban proposed since 1994.

‘I WILL NOT LET MY STUDENTS DIE IN VAIN’:  
UVALDE TEACHER CALLS FOR ASSAULT  
WEAPONS BAN IN HIS TOWN

(By Jala Washington)

UVALDE, TEXAS (Nexstar).—There’s now a petition to stop the sale of all assault rifles in Uvalde. Who is the one helping lead this effort? A teacher who watched his students be murdered and wounded himself.

Arnulfo Reyes, posted on his Facebook page on Wednesday saying: “I meant what I said and said what I meant. I will not let my students die in vain. Now Uvalde back me up. #uvaldeatrong.”

This comes just over two months after he lost his students in the May 24 Robb Elementary School shooting.

The petition is addressed to Randy Klein, the principal owner of the Oasis Outback. It’s a bar and grill that also sells “archery supplies including ammunition, targets, tree stands, fishing rods, reels, and tackle,” according to its website.

The Oasis is where the accused Uvalde gunman bought the rifle—within days of his 18th birthday—according to investigators.

The petition authors are a group called, “Uvalde Strong for Gun Safety.” They wrote:

Mr. Klein,

As you know, on May 24, 2022, a massacre occurred in our community at Robb Elementary School that resulted in the untimely and tragic death of nineteen children and two teachers. It was an assault rifle purchased at your place of business that was used in the shooting. This tragedy will undeniably negatively impact the community at large for generations to come. Therefore, we write to you today with great urgency.

Soon after the murders befell our town, we formed an organization called Uvalde Strong for Gun Safety. Many citizens from Uvalde and the surrounding areas are members of this group, as well as individuals from all over the country. We recognize that Oasis Outback has positively served the community in several ways and performs a vital

role in contributing to our municipality’s vibrancy. The members of this group feel strongly about our second amendment rights and support your establishment’s commitment to selling guns and ammunition. However, we come to you today with a request.

Out of RESPECT for and in support of those affected by this catastrophe, we strongly urge you to cease the sale of assault rifles and the ammunition paired with them. In addition, we ask that you discontinue the handling of gun transfers of this style of firearm from gun retail stores and manufacturers. Doing so will ensure that children across Uvalde County will never have to worry about a new purchase of this type of weapon. We hope you will comply with our request over the next thirty days.

Stand with us! Your support will help us heal as a community. We thank you for your time.

Sincerely,

UVALDE STRONG FOR GUN SAFETY.

Ms. JACKSON LEE. Mr. Speaker, I urge a “yes” vote for H.R. 1808. That is a fact.

Mr. Speaker, I rise in support of H.R. 1808, the “Assault Weapons Ban of 2022,” that would prohibit the sale, manufacture, transfer, or possession of semiautomatic assault weapons and large capacity ammunition feeding devices.

Whether we call them assault weapons or AR-15 style weapons, we all know that we are talking about civilian versions of firearms created for the military.

Day after day, mass shooting after mass shooting, we are confronted with the carnage that is inflicted on the human body when these weapons of war are used against elementary-aged children, teachers, parade-goers, high school students, worshippers, shoppers, and on and on.

In America, gun violence is the leading cause of death among children while mass shootings occur ever increasingly each year.

It is no secret that I am adamantly opposed to assault weapons and large capacity magazines—implements designed for war. Neither belong in our communities.

Since the time I first joined my colleagues in the House in 2003 to extend the Assault Weapons Ban of 1994, we have seen innumerable acts of violence and carnage perpetrated using assault weapons and large capacity magazines.

I have hugged far too many grieving spouses and friends, wiped away the tears of too many loved ones left behind to pick up the pieces, and offered condolences to countless communities across the country—including my own.

There is no debating that when paired together, large capacity magazines and assault weapons perform as they were designed—killing more people quickly and efficiently.

We all know that the parents in Uvalde were asked to provide DNA swabs to identify their murdered children because they were unrecognizable. I am tired of seeing parents bury their children—tired of promising that we in Congress will remove these military-style weapons from our communities—then, returning and doing nothing.

H.R. 1808 will help gradually reduce the number of assault weapons and large capacity magazines available—keeping them out of the hands of criminals—while reducing the number of lives lost to gun violence, and making us all safer, the bill still recognizes that many Americans already own assault weapons and

large capacity magazines and provides ways in which they can keep their firearms, transfer them following a background check.

The evidence is clear. Bans work. During the 1994 federal assault weapons ban was in effect, mass shooting fatalities were 70 percent less likely to occur. And, when the large capacity ammunition feeding device ban was in place, there were 77 percent fewer injuries from guns.

In the past decade, gun makers have flooded the market with assault weapons, making over \$1 billion in sales, but at a tragic cost to the rest of us.

From 2000 to 2004, the average number of people killed from active shooter incidents per year was 22. But from 2005 to 2021, the average number of people killed from active shooter incidents was 68.7.

We know the common denominator here—assault weapons and large capacity magazines—and H.R. 1808 is the solution. It is time to act.

H.R. 1808 is a necessary measure that will protect Americans and promote public safety. We should all be tired of bracing ourselves for the next attack on another unsuspecting gathering of Americans going about their daily lives or identifying the nearest exits as we sit and try to enjoy time with our loved ones or hearing children tell us about the active shooter drills they participate in at school or camp.

I thank Representative DAVID CICILLINE for his leadership on this important measure.

EXAMPLES OF MASS SHOOTINGS INVOLVING ASSAULT WEAPONS AND/OR LARGE CAPACITY MAGAZINES

Uvalde, Texas—AR-15-style weapon killed 19 children; 2 teachers

Buffalo, New York—AR-15-style rifle killed 10 shoppers

Boulder, Colorado—Ruger AR-556 semi-automatic killed 10 people including a police officer

Dayton, Ohio—AR-15-style weapon equipped with a 100-round ammunition magazine to kill nine people and injure over 25 others in less than 30 seconds at a local bar

El Paso, Texas—AK-47-style weapon killed 22 at a Walmart.

Gilroy, Calif.—AK-47-style weapon wounded 17 and killed three including a 13-year-old girl and 6-year-old

Thousand Oaks, Calif.—Glock 21 .45-caliber pistol and several high-capacity ammunition magazines killed 12.

Pittsburgh, Pa.—AR-15-style weapon killed 11 worshipers. The deadliest anti-Semitic attack committed against the Jewish community in America.

Parkland, Fla.—M&P15 AR-15 military style rifle; killed 17 students and educators.

Sutherland Springs, Texas—Ruger AR-556 Rifle; killed 26 churchgoers.

Las Vegas, Nev.—Shooter with more than 20 assault style weapons and 12 bump-fire stocks killed 58 people and wounded over 500 others.

Orlando, Fla.—Sig Sauer MCX assault rifle killed 49 and wounded 58. The deadliest incident of violence against LGBT people in our nation's history.

Newtown, Conn.—Bushmaster semiautomatic assault killed 26 people including 20 children.

Aurora, Colo.—Smith & Wesson M&P15 semiautomatic assault-style rifle with a 100-round ammunition drum and other firearms killed 12 people and injured 58.

Mr. JORDAN. Mr. Speaker, here is the fact. This bill is unconstitutional. The Supreme Court made clear the Second Amendment protects firearms in common use. This bill has eight pages of weapons and firearms that it bans, including 24 million firearms that law-abiding American citizens possess today. That is the fact.

Mr. Speaker, I yield 2 minutes to my good friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank my friend from Ohio for yielding.

Mr. Speaker, the previous assault weapons ban that was referenced by our Speaker, I just want to make sure our record is actually correct. The FBI that kept the data had to admit that, as sympathetic as they were to an assault weapons ban, actually, it doesn't appear to have really made any difference.

If we want to talk about crime since then, we can talk about the big cities that have come under the control of Democratic authority, who have pushed for things like no bond.

John Adams had it exactly right. This Constitution is intended for a moral and religious people. It is wholly inadequate for the governing of any other. So, we are either going to have to get rid of all of our constitutional rights—we can't even allow freedom of an assembly or speech, much less the Second Amendment, if we are not going to teach moral right and wrong.

What are we finding? We are finding in our schools, of course, that they are not teaching the Ten Commandments. Instead, they are teaching to envy. Look around, covet, see who has something more than you, and you should envy and covet.

Just keep in mind, under the big city laws now, if you get violent, we will give you no bond. We will let you right back out.

Do you want to know what would do more right now than banning AR-15s? It would be to ban Democrat thinking in the big cities that is allowing the crime rates to just explode.

We have always had guns in America. That is why there is an America. But we never had a time like this when we were teaching our children everything but the moral imperatives.

That is why this bill needs to go down, and we need to go after the causes of our violence.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GARCIA), a member of the Committee on the Judiciary.

Ms. GARCIA of Texas. Mr. Speaker, I rise in support of reinstating the assault weapons ban.

This bill would put military-grade assault weapons out of circulation for civilians. For me, the choice between banning assault weapons and protecting young, innocent children is a no-brainer. I put children above guns.

It pains me deeply that the children in our communities live in fear of suddenly losing their lives or the lives of loved ones on a daily basis.

I am a gun owner myself, Mr. Speaker. I was raised on a farm in south Texas, and I know how to use a gun, especially for hunting. But assault weapons are not for hunting. They are used to kill people quickly, efficiently, and as fast as they can. That type of weapon is used solely for that, for killing people, and it has no place in our communities.

One child's life is worth more than all the assault weapons in the world.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, I thank the gentleman for yielding.

My fellow Americans, the Democrats are coming for your guns. This assault weapons ban is unconstitutional because it would ban firearms that are currently in common use, making the scope of the bill, a semiautomatic assault weapons ban, overly broad by capturing millions of sporting rifles, shotguns, and pistols that simply have certain accessories and cosmetic features. In fact, the bill focuses mostly on appearance, which would arbitrarily ban some firearm models while exempting others with the same functionality.

This bill would not reduce violent crime, as Democrats claim. Studies have shown that the effect of the last assault weapons ban in 1994 on violent crime was perhaps too small for a reliable measurement. Instead, what this bill and all other legislation from Democrats aimed at gun control would do is directly infringe on the rights of law-abiding Americans.

They are not going to stop here. There will always be a scary-looking gun that they think needs to be banned. There will always be another loophole that they have created out of thin air that they need to close with more bans.

Mr. Speaker, this document says "shall not be infringed." I urge a "no" vote.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. NEGUSE), a member of the Committee on the Judiciary.

Mr. NEGUSE. Mr. Speaker, I thank the chairman for his leadership.

Mr. Speaker, I rise today in support of H.R. 1808.

As the Chair, my fellow Coloradan, knows, just last year, we mourned the loss of 10 individuals who were shot, murdered, at a grocery store in Boulder, Colorado, in my district. Last week, we honored the 10-year anniversary of the Aurora, Colorado, movie theater shooting.

The people in our communities fear whether they are even safe to walk into their local grocery store and buy food for their families without the threat of gun violence.

Since the Federal assault weapons ban expired in 2004, the scourge of gun violence has only grown more pervasive across our country.

We have come together in the past to protect our communities. In 1994, lawmakers from both sides of the aisle

joined together to pass a similar piece of legislation to that that we are voting on today.

I humbly ask my colleagues that we do the same this evening. Let's pass this bill for our children and for safer communities.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, today, I am voting against the erosion of constitutional rights of law-abiding Americans.

In the long history of mankind, freedom and liberty are not lost overnight. It comes by way of a slow and gradual burn.

We have seen an unprecedented assault on our First Amendment through the legacy media and social media giants censoring the thoughts and opinions of individuals of the right while propping up their favorite candidates and covering up stories that could be detrimental to their public personas.

Policies are then implemented that are antireligious freedom, anti-due process, anti-free assembly, and, today, anti-Second Amendment, the right to bear arms. These rights shall not be infringed.

Instead of making families and communities safer, this backward, gun-grabbing attempt does nothing to harden school security, address our mental health crisis, or reverse the depreciation of our morals and values.

No, it does nothing for that, but it tears at the fabric of our Constitution.

Mr. Speaker, I urge my colleagues to protect the Constitution and vote "no."

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. DEAN), a member of the Committee on the Judiciary.

Ms. DEAN. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I have four grandchildren. The youngest, Scottie, was born just last year, in 2021. In Scottie's world, guns kill more kids than cars do.

□ 1630

In Scottie's world there are 692 mass shootings every year, and when she goes off to school, Scottie will learn her active shooter drills as she learns to tie her shoes. We don't have to live like this if we all only had the courage to pass the assault weapons ban to regulate semiautomatic guns. Our gun violence crisis demands this and other solutions. This will save lives.

Experts reveal that the casualties of mass shootings would have dropped by 70 percent if the last assault weapons ban had stayed in place.

How will I explain to Scottie that the other side boasts of 24 million assault-style weapons in the hands of Americans and says not one word about the 24,000 people dead in just 7 months of this year from guns?

We must act. Join me. Have the courage to join me. Pass the assault weap-

ons ban for Scottie's future and for all of our children.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Fact: This assault weapons ban bill is unconstitutional. Chairman NADLER even recognized, when he stated that "the problem is that these weapons are in common use." And in Heller, the Supreme Court ruled that the Bill of Rights clearly protects firearms in common use. This is an unconstitutional piece of legislation.

Fact: The assault weapons bill will ban weapons in common use, and my colleague will most assuredly target citizens to take their guns.

In the words of Democratic perpetual candidate Beto O'Rourke: Hell, yes, we are going to take your AR-15 and your AK-47.

That is the truth, and everyone knows it. Don't hide behind it. Everybody knows precisely what my colleagues on the other side of the aisle are doing.

Fact: Less than 2 percent of all prisoners had a firearm obtained from a retail source at the time they committed their crimes. Only 13 percent of the offenders in State prison populations obtained their firearms from retail stores. Criminals usually don't get their guns at gun stores through legal channels. That is a fact.

Another fact: Upwards of 80 percent crimes are committed by people with prior arrest records, often by people with prior convictions for violent crimes or prior weapons offenses, and almost none of our gun control proposals—and particularly this one—are targeting this group. That is the truth.

Those are the facts. The fact is, as Thomas Jefferson said: "The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

This is the precise kind of tyranny that my colleagues are exercising today, precisely when they are opening our borders up to lawless cartels and gangs, and precisely when they are defunding the police. Precisely when they are making our communities unsafe, they want to limit the ability of the American people to defend themselves and to exercise their Second Amendment rights to protect their families.

That is what is happening on the floor so my colleagues can appeal to their liberal White voters while they ignore the Black men and women and Brown men and women who are buying weapons to defend themselves in criminal hellholes in our country.

Mr. NADLER. Fact: Contrary to Mr. ROY, this bill takes away nobody's weapons because existing weapons are grandfathered in if he would only read the bill.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Texas

(Ms. ESCOBAR), who is a member of the Judiciary Committee.

Ms. ESCOBAR. Mr. Speaker, I rise today in strong support of the assault weapons ban which will save lives.

Mr. Speaker, El Paso is coming up on a terrible anniversary. On August 3, 2019, my district was the site of the deadliest targeted attack on Latinos in modern history. Three years later, my constituents are still recovering from their injuries.

Because Republicans have decided that unfettered access to assault weapons is worth the routine slaughter of Americans, the domestic terrorist who attacked my community was able to do so with a legally purchased assault weapon.

What was once an unthinkable tragedy—the mass carnage we saw in El Paso—is now commonplace across America. Americans are fed up, and so am I.

Republicans have done nothing meaningful and hide behind thoughts and prayers—a phrase so empty and devoid of action that Congress is routinely and deservedly mocked for it.

So, Mr. Speaker, today I am proud to act. I am proud to vote on the assault weapon ban for El Paso, for Uvalde, and for countless other communities, and I urge my colleagues to do the same.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, today the Democrats give new meaning to the term progressive. This is the first time in American history, I believe, that a Chamber of the Congress will pass a bill openly defying the Supreme Court's explicit declaration of the constitutional rights of the American people.

It represents the farthest-ever reach of the Democrats' long-pursued massive resistance doctrine.

In markup I asked if any Democrat disputed that this bill bans guns and magazines in common use. Chairman NADLER candidly responded: "That's the point of the bill."

In other words, the essence of the bill is to stop commerce in weapons as alternately described by the Court in Heller in 2008 as those "typically possessed by law-abiding citizens for lawful purposes."

Heller explained the origins of the right to keep and bear arms in militia service. Ordinarily, when called for militia service, able-bodied men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time.

The Supreme Court further explained we also recognize another important limitation on the right to keep and bear and carry arms. In Miller it said, as we have explained, that the sort of weapons protected were those "in common use at the time."

This was explained and recapitulated in Bruen just a month ago on June 23, and we see repeatedly that this is being

defied. In fact, 1 week after Bruen, the Supreme Court granted petitions for certiorari, vacated, and remanded one State ban on MSRs and a State ban on magazines in common use to be reconsidered.

This is in defiance of the Supreme Court.

Mr. NADLER. Mr. Speaker, contrary to Mr. ROY, I include in the RECORD a report from Third Way titled “The Red State Murder Problem”.

[From Third Way, Mar. 15, 2022]

THE RED STATE MURDER PROBLEM

(By Kylie Murdock and Jim Kessler)

Every news outlet from FOX to CNN to The New York Times to local newspapers has a story with attention-grabbing headlines like “US cities hit all-time murder records.” Fox News and Republicans have jumped on this and framed it as a “Democrat” problem. They blame it on Democrat’s “soft-on-crime” approach and have even referred to a New York District Attorney’s approach as “hug-a-thug.” Many news stories outside of Fox have also purported that police reform is responsible for this rise in murder and have pointed to cities like New York and Los Angeles.

There is a measure of truth to these stories. The US saw an alarming 30% increase in murder in 2020. While 2021 data is not yet complete, murder was on the rise again this past year. Some “blue” cities, like Chicago, Baltimore, and Philadelphia, have seen real and persistent increases in homicides. These cities—along with others like Los Angeles, New York, and Minneapolis—are also in places with wall-to-wall media coverage and national media interest.

But there is a large piece of the homicide story that is missing and calls into question the veracity of the right-wing obsession over homicides in Democratic cities: murder rates are far higher in Trump-voting red states than Biden-voting blue states. And sometimes, murder rates are highest in cities with Republican mayors.

For example, Jacksonville, a city with a Republican mayor, had 128 more murders in 2020 than San Francisco, a city with a Democrat mayor, despite their comparable populations. In fact, the homicide rate in Speaker Nancy Pelosi’s San Francisco was half that of House Republican Leader Kevin McCarthy’s Bakersfield, a city with a Republican mayor that overwhelmingly voted for Trump. Yet there is barely a whisper, let alone an outcry, over the stunning levels of murders in these and other places.

We collected 2019 and 2020 murder data from all 50 states. (Comprehensive 2021 data is not yet available.) We pulled the data from yearly crime reports released by state governments, specifically the Departments of Justice and Safety. For states that didn’t issue state crime reports, we pulled data from reputable local news sources. To allow for comparison, we calculated the state’s per capita murder rate, the number of murders per 100,000 residents, and categorized states by their presidential vote in the 2020 election, resulting in an even 25–25 split.

We found that murder rates are, on average, 40% higher in the 25 states Donald Trump won in the last presidential election compared to those that voted for Joe Biden. In addition, murder rates in many of these red states dwarf those in blue states like New York, California, and Massachusetts. And finally, many of the states with the worst murder rates—like Mississippi, Kentucky, Alabama, South Carolina, and Arkansas—are ones that few would describe as urban. Only 2 of America’s top 100 cities in

population are located in these high murder rate states. And not a single one of the top 10 murder states registers in the top 15 for population density.

Whether one does or does not blame Republican leaders for high murder rates, it seems that Republican officeholders do a better job of blaming Democrats for lethal crime than actually reducing lethal crime.

If you’re tuned in to the media, you’d think murder is rocketing skyward in New York, California, Illinois. But those states don’t even crack the top ten.

In fact, the top per capita murder rate states in 2020 were mostly those far from massive urban centers and Democratic mayors and governors. Eight of the top ten worst murder rate states voted for Trump in 2020. None of those eight has supported a Democrat for president since 1996.

The chart below shows the top 10 murder rate states in 2020. Mississippi had the highest homicide rate at 20.50 murders per 100,000 residents, followed by Louisiana at 15.79, Kentucky at 14.32, Alabama at 14.2, and Missouri at 14. The national average was 6.5 per 100,000 residents, but the top five states had rates more than twice that high.

These red states are not generating “murder is out of control” national headlines. They seem to generate no headlines at all. The rest of the top ten were filled out by South Carolina, New Mexico, Georgia, Arkansas, and Tennessee—all states rarely talked about in breathless media reports about rampant crime in Democratic strongholds. Notably, New Mexico and Georgia were the only Biden-voting states in the top ten, and they ranked seventh and eighth, respectively.

Five of the largest Biden-voting states by population, and those often in the news when it comes to crime, had much lower murder rates. New York at 4.11 per 100,000 residents, California at 5.59, and New Jersey at 3.70 were each well below the national average. Pennsylvania (7.22) and Illinois (9.20) were higher than the national average. But Mississippi’s murder rate was nearly 400% higher than New York’s, more than 250% higher than California’s, and about 120% higher than Illinois’s. In fact, the five states with the highest murder rates, all Trump-voting states, had rates at least 240% higher than New York’s murder rate and at least 150% higher than California’s, the homes to some of the largest cities featured prominently in the “crime is out of control” narrative.

Beyond the top 10, we looked at the 2020 murder rates in the 25 states that voted for Donald Trump and compared it with the murder rates in the 25 states that voted for Joe Biden. The 8.20 murders per 100,000 residents rate in Trump states was 40% higher than the 5.78 murders per 100,000 residents in Biden states. These Biden-voting states include the “crime-is-out-of-control” cities of Los Angeles, New York City, Chicago, Detroit, Philadelphia, Portland, Baltimore, and Minneapolis, among other large cities.

Among the 50 states, murder rates were often well above the national average in many Republican-controlled states and cities. Jacksonville with 176 homicides and a murder rate (19.776) more than three times that of New York City (5.94) has a Republican mayor. Tulsa (19.64) and Oklahoma City (11.16) have Republican mayors in a Republican state and have murder rates that dwarf that of Los Angeles (6.74). Lexington’s Republican mayor saw record homicides in 2020 and 2021, with a murder rate (10.61) nearly twice that of New York City. Bakersfield (11.91) and Fresno (14.09) each have Republican mayors and murder rates far higher than either San Francisco or Los Angeles.

Of course, some cities controlled by Democrats have alarming murder rates, like Chi-

cago (28.49) and Houston (17.32). But we hear about these and other Democrat-run cities all the time. We aren’t getting the whole picture.

In 2020, murder rates increased nearly everywhere. But they increased more in Trump-voting states than Biden-voting states, albeit slightly. The average increase in murder rate across all Trump-voting states was 32.2% compared to 30.8% in Biden-voting states.

Three out of the five states with the highest murder rates in 2020—Mississippi, Missouri, and Alabama—didn’t have reliable 2019 data available, so they weren’t included in this analysis.

Three of the five states with the largest increase in murder rate were Trump-voting Wyoming at 91.7%, South Dakota at 69%, and Nebraska at 59.1%. These states are decidedly rural and do not conform to the chaos-in-the-city meme that has overtaken the crime debate. Biden-voting Wisconsin came in at the number three spot at 63.2% and Minnesota came in fifth at 58.1%. Out of the top ten states, six were Trump-voting states—with the additional three being Kentucky, West Virginia, and Kansas. The remaining states in the top ten were Delaware and Washington. Only one of the top ten states in murder rate increases, Delaware, was among the top twenty in population density.

Again, California, New York, and Illinois aren’t in the top ten. California’s murder rate increase was 31.1%, or about the national average. Both New York (45.8%) and Illinois (38.2%) were above the national average.

The current narrative around crime and murder is convenient and wrong. Whether you’re watching CNN or Fox News, or getting news online or from a traditional newspaper, you would think that the increase in murder is a phenomenon found mostly in liberal cities. Many have tried attributing this increase to Democratic policies, specifically police reform. Republican lawmakers and ad makers have contributed to this narrative through clever messaging and strategies.

But the data clearly paint a different story. The increase in murders is not a liberal cities problem but a national problem. Murder rates are actually higher in Republican, Trump-voting states that haven’t even flirted with ideas like defund the police. Eight of the ten most lawless, high-murder states are not only Trump-voting states, but GOP bastions for the last quarter of a century. A more accurate conclusion from the data is that Republicans do a far better job blaming others for high murder rates than actually reducing high murder rates.

We sought 2019 and 2020 murder data from all 50 states. Our primary source was the annual crime reports released by state governments, more specifically from their Departments of Justice or Public Safety. We chose state data because we found it’s more comprehensive than FBI data which is often compiled later. For example, “the FBI estimated crime statistics for Mississippi are based on data received from 113 of 251 law enforcement agencies in the state that year.” 37 states had crime reports for the years 2019 and 2020: Alaska, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Iowa, Idaho, Illinois, Kansas, Kentucky, Massachusetts, Maine, Michigan, Minnesota, Montana, North Carolina, North Dakota, Nebraska, New Hampshire, New Jersey, Nevada, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming. For the remaining states we pulled data from published public sources: Alabama—US News, Georgia—US News, Hawaii—The Center Square, Indiana—Hartford City News

Times, Louisiana—US News, Maryland—Ocean City Today, Mississippi—US News, Missouri—US News, New Mexico—US News, Ohio—Axios, Oregon—KOIN, Vermont—WCAX, West Virginia—The Center Square. In seven states, the public sources only provided murder per capita rates, so using the rates and census population data, we estimated the number of murders in that state. Data and sources are attached above.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise in strong support of this assault weapons ban to reclaim our streets, churches, schools, and synagogues.

Assault weapons are killing machines and the weapon of choice for mass murderers. In my own county, in Parkland, a lone teenager slaughtered 17 people by himself all because he had an assault weapon. This deranged individual tragically, brutally killed and then overturned the lives of those families and forever changed our entire community.

But this is no isolated case. Similar mass murders haunt Las Vegas, El Paso, Buffalo, Uvalde, Orlando, Pittsburgh, and too many other communities for me to list here today.

No parent should fear seeing a child off to a mall, movie theater, or school knowing that a killer wielding a weapon designed to kill as many people as possible and as fast as possible may lie in wait for them.

We need a whole-of-government solution to this health epidemic, including enforced ammunition background checks.

Let's take these killing machines off our streets and end this fear that one person with one assault weapon in one moment can tragically tear countless lives apart.

Republicans take note: the Supreme Court clearly allows limitations on weapons in their decisions. Repeating a falsehood doesn't make it true.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. FITZGERALD).

Mr. FITZGERALD. Mr. Speaker, I thank the ranking member for yielding.

There is a motion to recommit that I would like to offer. If we adopt the motion to recommit, we will instruct the House Committee on the Judiciary to consider the amendment to H.R. 1808 which excludes Active Duty and retired military from the ban on assault weapons.

I, therefore, ask unanimous consent to include the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, just imagine a 17-year-old makes a decision to enlist in the Army, the Marine Corps, or the Navy. And then that 17-

year-old goes through 8 weeks of basic combat training at one of the basic training centers in Fort Jackson or Fort Knox or Fort Benning. Then they are given a service weapon, an M16 typically, and then they are taught to assemble and disassemble that weapon down to the bolt.

They will go through training with a drill sergeant on a range and they are taught how to fire their service weapon in live-fire exercises. Then the 17-year-old will go on to AIT to be taught their specialty and continue to be on Active Duty or the Reserves or in the National Guard and then potentially deployed.

What this bill seeks to do is prevent this member of the military who comes home, either to the Reserve unit or National Guard unit or on Active Duty, from purchasing a rifle that they can use on their own.

My colleagues who support the bill are saying: We trusted you to join the service. We encouraged you to join the service. But then when it comes down to it, we really don't trust you to go out and purchase that weapon.

It makes no sense.

If the majority is going to snub every veteran in this country by saying: We don't trust you. Then how can the U.S. Government ask someone to enlist when they don't trust them to have the same responsibility with their own personal weapon?

Mr. Speaker, if we adopt the motion to recommit, we will instruct the Committee on the Judiciary to consider my amendment to H.R. 1808 to ensure that the Nation's Active Duty members and veterans will be trusted.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Mr. Speaker, I yield the gentleman from Wisconsin an additional 30 seconds.

Mr. FITZGERALD. Mr. Speaker, it is so amazing to me that the majority rejected this in the Judiciary Committee. They talk a good game when it comes to veterans, but when it comes right down to it, they don't trust them.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Speaker, today I rise in emphatic support of H.R. 1808, the Assault Weapons Ban of 2022.

Over the past few weeks, survivors of the horrific shooting in Highland Park, Illinois, came to D.C. determined to make change. They teamed up with Uvalde, Parkland, and Newtown to demand an assault weapons ban to reduce the chance of other communities experiencing the trauma they all tragically bear.

Today, thanks in no small part to their efforts, the American people will get that recorded vote. The world is watching. No other nation experiences the grotesque number of murders from deranged individuals turning weapons of war on kids in school, families at prayer, and people watching a parade.

The vote we are taking today will show the families of those murdered

exactly who is on their side—who is protecting our children and putting people over politics, and, conversely, who is on the other side voting for their own power.

Mr. Speaker, I thank Speaker PELOSI and Congressman CICILLINE for working tirelessly to secure a timely vote, and I urge passage of this bill.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 1808, which is just the latest gun-grabbing bill Democrats are dangerously ramming through in their unconstitutional crusade to disarm America.

The ink is barely dry on the anti-gun bill from last month, and here they are pushing another anti-gun bill that proclaims to make us safer but does the exact opposite. It puts citizens at greater risk by taking away the rights of the law-abiding.

This legislation takes aim at our Constitution by banning what the Democrats call assault weapons, which is a vague political term used as a catchphrase to make the public think we are banning guns that assault people. But the truth is that the bill would ban the most popular semiautomatic rifle in America, the AR-15 and what the industry calls a modern sporting rifle.

The Democrats have consistently called them weapons of war and are trying to ban them from being purchased by law-abiding citizens.

But whom does this bill exempt?

The Federal Government. Federal Government agencies like the Department of Health and Human Services, the Department of Education, the Department of Labor, the Department of Housing and Urban Development, and down the line.

So if they are weapons of war, as the Democrats call them, what do these departments need with weapons of war?

Is the Department of Education going to use them against the moms and dads who protest against woke local school board policies?

Is the Department of Housing and Urban Development going to use them against the occupants in their housing developments?

You cannot have it both ways. If it is a weapon of war, then ban these Federal agencies, too.

The truth is they are simply semiautomatic rifles the Democrats want to demonize so they can ban more guns and take more of our citizens' unalienable constitutional rights away.

Democrat ignorance and malice do not justify banning nearly 25 million firearms that Americans, including myself, proudly own and responsibly use.

□ 1645

Now I know the author of this legislation would prefer that I spare him

both the prefatory clause and the supremacy clause of the Second Amendment. But it is quite clear: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.”

Shall not be infringed, period, is the supremacy clause. And banning an entire class of firearms, the most popular firearm in common use today, is clearly infringement.

An armed America is a safe and free America. I urge all of my colleagues to stand firm in the fight to protect and preserve the Second Amendment by voting “no” on this unconstitutional and, therefore, illegal piece of legislation.

Mr. NADLER. Mr. Speaker, I include in the RECORD a letter of endorsement of the assault weapons ban from the Major Cities Chiefs Association, a professional organization of law enforcement executives representing the largest cities in the United States.

MAJOR CITIES CHIEFS ASSOCIATION,  
July 20, 2022.

Hon. JERROLD NADLER,  
Chairman, Committee on the Judiciary, House  
of Representatives, Washington, DC.

Hon. JIM JORDAN,  
Ranking Member, Committee on the Judiciary,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER AND RANKING MEMBER JORDAN: I write on behalf of the Major Cities Chiefs Association (MCCA), a professional organization of law enforcement executives representing the largest cities in the United States and Canada. Thank you for including H.R. 1808, the Assault Weapons Ban of 2022, in today’s markup. The MCCA was proud to endorse this legislation when it was introduced earlier this Congress.

The MCCA has long advocated for sensible firearms and gun safety policies. In 2018, the Association adopted a Firearms Violence Policy that consists of several common-sense reforms, including banning assault weapons and high-capacity magazines. Many law enforcement officials have closely studied assault weapons and firearms with high-capacity magazines and determined they have no reasonable sporting or hunting purpose.

Assault weapons and high-capacity magazines also represent a significant threat to law enforcement officers responding to violent crimes. For example, the suspect who murdered NYPD Officers Jason Rivera and Wilbert Mora in January 2022 used a firearm with a high-capacity magazine that allowed his gun to hold 40 additional rounds. Earlier this month, Detroit PD Officer Loren Michael Courts was killed by a suspect with an AK-47-style pistol that would have been banned under H.R. 1808.

The MCCA encourages all Members of the Committee to support the Assault Weapons Ban of 2022 and report it favorably during today’s markup.

Sincerely,

JERI WILLIAMS,  
Chief, Phoenix Police Department,  
President, Major Cities Chiefs Association.

Mr. NADLER. Mr. Speaker, I include in the RECORD a report from the Violence Policy Center entitled, “Target: Law Enforcement, Assault Weapons in the News.”

#### Section One

#### INTRODUCTION: BACKGROUND ON ASSAULT WEAPONS AND FEDERAL ATTEMPTS AT THEIR REGULATION

Assault weapons. Semiautomatic assault weapons are civilian versions of automatic military assault rifles like the AK-47 and the M-16. The civilian guns look the same as their military brethren because they are identical functionally, except for one feature: military assault rifles are machine guns. A machine gun fires continuously as long as its trigger is held back—until it runs out of ammunition. Civilian assault rifles, in contrast, are semi-automatic weapons. The trigger of a semiautomatic weapon must be pulled back separately for each round fired. Because federal law has banned the sale of new machine guns to civilians since 1986 and heavily regulates sales to civilians of older model machine guns, there is virtually no civilian market for military assault weapons. Nonetheless, civilian semiautomatic assault weapons have proven every bit as deadly as their military counterparts.

Regulation of assault weapons. The regulation of semiautomatic assault weapons has been a contentious subject for more than two decades.

In the 1980s foreign manufacturers (principally China) began dumping semiautomatic versions of the Soviet-designed AK-47 military assault rifle—a ubiquitous staple of the world-wide small arms trade—onto the U.S. civilian firearms market. Colt Industries, a domestic manufacturer, was also marketing the AR-15, a semiautomatic version of its M-16 machine gun, the standard U.S. military infantry rifle. The gun industry introduced these semiautomatic versions of military assault weapons in order to create and exploit new civilian markets. More particularly, the industry found in assault weapons a product to compensate for a slump in handgun sales. Importers and manufacturers rushed copycats and new models to market. By the end of the decade, a roster of semiautomatic assault weapons had become household words, boosted into daily language as much by their glamorization in entertainment media as by their deadly toll on America’s streets. These guns included, among others, assault pistols like the MAC-10, MAC-11, and TEC-9, the Ruger Mini-14 rifle, and several versions of the Israeli Military Industries UZI.

No comprehensive statistics were available about the misuse of the hundreds of thousands of assault weapons pouring onto the Nation’s streets. But by 1988 police departments and other law enforcement agencies were often on the receiving end of assault weapons firepower. Many of them demanded that the federal government take action to stringently control or ban semiautomatic assault weapons. In February 1988, for example, Prince George’s County (Maryland) Police Chief Michael J. Flaherty stated, “The real issue is the safety of our officers.” Holding up a TEC-9 assault pistol, he added, “It’s not used for hunting, and it’s not used for sporting events. In my opinion, they should not be sold in the United States.”

In 1989 the federal government took a modest regulatory step. At the urging of William J. Bennett, the director of the Office of National Drug Control Policy under President George H. W. Bush, the Bureau of Alcohol, Tobacco and Firearms (ATF) barred the import of a handful of specific models, including AK-type and UZI assault rifles. The move was based on a federal statute that effectively limits the import of firearms to those that are “generally recognized as particularly suitable for or readily adaptable to sporting purposes.” This “sporting purposes” test does not apply to domestically manufac-

tured firearms, however. Law enforcement officials quickly complained that the putative ban did not reach many of the most dangerous weapons they faced, including semiautomatic assault pistols made in the United States (e.g., the MAC-10, MAC-11, and TEC-9, among others). Although the Bush Administration claimed to have been conducting a wide review with the goal of further regulation, strong opposition by the National Rifle Association (NRA) and the firearms industry squelched any further regulatory moves by the Administration. Within a year, Bennett announced himself opposed to any further regulation, declaring his opposition at a February 1990 Senate hearing, stating, “I don’t know a damn thing about guns!”

In 1994, President William J. Clinton signed the 1994 federal assault weapons “ban.” The law defined assault weapons in two different ways—by a list of specific firearm types, and by a generic description. Thus, the law specifically named 19 types of guns (e.g., “Norinco, Mitchell and Poly Technologies Avtomat Kalashnikovs”) as assault weapons covered by the putative “ban.” It also generally defined as assault weapons semiautomatic firearms that could accept a detachable magazine and had any two of a list of specified design characteristics (e.g., bayonet mount, folding stock). The 1994 law was deeply flawed. At the outset it exempted millions of semiautomatic assault weapons by “grandfathering” all such firearms legally owned as of the date of enactment. For these guns, it was as if the law had never been passed. They continued to be bought and sold, many at gun shows where no questions are asked of prospective buyers in nominally “private” sales. Moreover, some of the design characteristics by which new production or imports were to be defined as banned assault weapons were simply a laundry list of superficial cosmetic features that had nothing to do with the weapons’ most deadly functional features. The gun industry quickly and easily evaded the 1994 law by making slight, cosmetic changes to the supposedly banned firearms. Gun manufacturers and importers soon openly boasted of the ease with which they could circumvent the ban. By the time the 1994 law expired (sunset) in 2004, there were actually many more types and models of assault weapons legally on the civilian market than before the law was passed.

In April 1998 the Clinton Administration attempted to staunch the flow of cosmetically redesigned foreign assault weapons by strictly interpreting the “sporting purposes” test for imports. The action—taken independent of the 1994 law and intended to close the cosmetic redesign loophole for imports—was reported to have blocked 58 types of assault weapons, including in one swoop importation permits pending at the time for as many as 1.6 million guns. Since this administrative determination and action has never been rescinded, it should have survived the expiration of the broader 1994 assault weapons ban. However, there is substantial evidence—including extensive gun industry advertising—which compels the conclusion that the George W. Bush Administration either ignored or effectively gutted through administrative artifice the 1998 Clinton import controls. This evidence includes the following facts.

There are numerous companies that appear to be importing AK-47 and other assault weapons of the type clearly prohibited by the import ban. The Russian American Armory Company offers the Saiga rifle, an AK-47 variant that was one of the guns specifically excluded from import under the 1998 Clinton rule. The Fabrique Nationale Herstal PS90 assault rifle, a favorite of Mexican drug cartels, is manufactured in Belgium and imported by the company’s U.S. subsidiary, FN



USA, according to the company's catalogs and promotional materials.

There seems to have been a substantial increase in the past few years of assault weapons made primarily from imported parts that skirt the import ban by incorporating a small, minimum number of US-made parts into imported assault weapons (27 C.F.R. §478.39 prohibits the assembly of a semiautomatic rifle or any shotgun using more than 10 enumerated parts that are imported if the assembled firearm is prohibited from importation under 18 USC 925(d)(3)).

ATF has further weakened the prohibition on imported assault weapons by placing certain extremely problematic assault rifles on the "curios or relics" list. Inclusion on the "curios or relics" list makes a shotgun or rifle automatically eligible for importation (18 USC §925(e)(1)). The most problematic of these are certain SKS assault rifles manufactured in Yugoslavia and Albania. The SKS type assault rifle is the "rifle most commonly encountered by law enforcement" according to ATF and is frequently used to kill police officers. The Clinton Administration specifically banned SKSs from China and Russia from import through trade agreements because they are so frequently involved in crime.

There are examples of firearms being imported that seem to clearly fall outside of the "sporting purposes" test articulated in 925(d)(3). For example, J&G Sales advertises "Romanian AK Pistol[s]" along with Romanian and Hungarian AK-47 assault rifles.

For all practical purposes, it thus appears that the federal government has abandoned all attempts to regulate commerce in assault weapons into and within the United States. As a result, an unknown but certainly substantial number of foreign assault weapons poured into the United States during the Bush Administration and continue to under the Obama Administration. This is in addition to the enormous number of firearms exempted from, or manufactured in easy evasion of, the 1994 law. The only meaningful attempts at regulating this flood of killing machines exist at the state level. One outstanding example is California's assault weapons ban, which has been hammered into an effective ban after the now-predictable gun industry attempts to evade the intent of the original law. Even California's law, however, is undermined by the lack of a strong and effective federal ban, allowing for out-of-state assault weapons to be illegally trafficked into the state.

The current study. This study is a snapshot of the effect of America's laissez-faire policy toward assault weapons. Based on reports of assault weapons in the news over a two-year span, it makes clear that assault weapons are frequently used in crime and confiscated from criminals. Moreover, it demonstrates that the number of incidents in which law enforcement officers are reported to have been confronted with assault weapons rose dramatically in the two-year period monitored.

#### Section Two

##### SOURCES FOR THIS ANALYSIS

The dearth of data. Firearms enjoy the dubious distinction of being the only consumer product not subject to federal public health and safety regulation. Moreover, there is no national database tracking deaths and injuries from specific types and models of firearms. And only the most rudimentary, summary information is collected at any level about criminal use of firearms. As a result, public policy analysts, legislators, and public health and safety administrators must make do with crude data and anecdotal analysis. This is neither an accident nor a product of inattention. It is the deliberate result

of a coldly calculated long-term policy of strangling information about guns and their public health effects designed by the National Rifle Association and its major client, the gun industry, and implemented by an all-too-pliant Congress. The firearms industry and gun lobby know that if as much data were available to the public about death and injury resulting from firearms as is available about, for example tires, toys, or Tacoma pick-up trucks, the gun lobby would lose the public debate.

The Tiahrt Amendment. A blatant and crucial example of this iron curtain surrounding information about the carnage and criminality caused by firearms is a federal spending prohibition known as the "Tiahrt Amendment."

For the past six fiscal years (2004 through 2010), legislation making appropriations for ATF has contained language severely restricting release of information about guns traced to crime scenes contained in the agency's Firearms Tracing System database. This restriction has become known as the "Tiahrt Amendment," after its principal sponsor, Representative Todd Tiahrt of Kansas.

For many years, crime gun tracing data was publicly available under the provisions of the Freedom of Information Act (FOIA). It was an imperfect but extraordinarily useful surrogate for a badly needed, but non-existent, national firearms and public health database and tracking system. Crime gun tracing data was routinely used by city officials and law enforcement agencies to determine the sources of illegally trafficked firearms and to identify corrupt gun dealers and the types of guns most often traced to crime. The "Tiahrt Amendment" cut off even this basic data. It prohibits ATF from releasing any data contained in the database, except in a limited fashion to individual law enforcement agencies. There is also a prohibition on use of the data in civil litigation.

Proponents of the "Tiahrt" restrictions claim that the release of tracing data could interfere with ongoing law enforcement investigations. However, prior to implementation of the "Tiahrt Amendment" exemptions to the FOIA enabled ATF to withhold any information that could interfere with law enforcement investigations. The FOIA explicitly protects from disclosure any information that would interfere with enforcement or reveal confidential information. Moreover, ATF compilations of tracing data (e.g., top 10 crime guns) bore no conceivable relation to the compromise of any investigation. The "Tiahrt Amendment" simply represents an unwarranted and cynical restriction on public access to information, enacted in the interest of protecting the gun industry and acquiesced to by a Congress frightened by the NRA.

The "Tiahrt Amendment" also serves to hide the source of assault weapons used in crime—including those detailed in this study. For example, it is impossible to document the sources of the assault weapons used in California, where the sale of such weapons is banned, although experience suggests that these weapons are illegally trafficked from states with lax gun laws such as Nevada and Arizona.

Surrogate data sources. In the absence of a responsible national firearms information policy, researchers, public policy analysts, and policymakers have sought out information in various interstices of public life, such as public polling and media reports. While none claim that these surrogate sources of data are comprehensive or "scientific," they represent the best information available in the stark aridity of data about guns and their effect on public health and safety in the United States.

The current report. This report was developed in response to a number of stories in

the news media, as well as Violence Policy Center staff conversations with law enforcement personnel, from which it appeared that: (1) assault weapons continue to be the source of many deaths and injuries throughout the United States; and, (2) law enforcement agencies have become concerned enough about the frequency of their encounters with assault weapons that many are issuing assault rifles to their patrol units as a way of "evening up" the firepower. In short, as has so often been seen in the past three decades, the gun industry first increased the level of firepower available to criminals by marketing enhanced lethality, and then persuaded the law enforcement community that it needed to "arm up" in order to keep pace with the criminals.

The information described in the following pages is based on a compilation derived from multiple searches using a variety of terms ("assault weapons" and "assault rifles," for example) of reports published in U.S. news media and included in the commercial database Nexis between March 1, 2005 and February 28, 2007. Stories that recounted firearm-related events outside of those date ranges were discarded. For example, if a story within the date range reported an appellate decision or trial of a shooting that occurred prior to the date range, that story was eliminated.

No claim is made that the information compiled here is exhaustive, much less complete. It is a fair conclusion from common experience and examination of police records that many more crimes of violence occur than are reported in the news media on any given day. Recognizing this, the numbers cited in this study most likely represent the floor, not the ceiling, of assault weapon incidents, and are best suited to determining overall trends, not whole numbers or rankings. Inspection of the stories themselves indicates that in the vast preponderance of cases they are based on law enforcement reports. Accordingly, the use of terms such as assault weapon or assault rifle in these cases is usually derived from police descriptions.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. HIGGINS).

MR. HIGGINS of New York. Mr. Speaker, no technology advances more quickly in our society than the technology of killing. Every day, weapons of mass destruction are being made and manipulated to kill more people more quickly.

In Buffalo, New York, May 14, one shooter, a racist shooter, went into a supermarket on Jefferson Avenue and shot 13 people, killing 10 of them. The shooting started and was completed in 2 minutes and 3 seconds; one shooter.

I often heard it said that the best way to stop a bad guy with a gun is a good guy with a gun. There was a good guy with a gun in the store that day that was working security; a retired 30-year-veteran of the Buffalo Police Department. But he was helpless because he was outgunned by the bad guy with the gun who had an assault rifle.

I thank Mr. CICILLINE for his leadership on this issue, for his thoughtful approach to this, and I urge my colleagues to support this legislation.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, we are the only country in the world where mass shootings continually happen. They happen in schools, grocery stores, malls, hospitals, parades, you name it. In America, there has not been a single week in 2022 without a mass shooting.

Weapons of war, especially, have no place in our streets or schools or our grocery stores. They have no place in nail salons or churches or shopping malls.

About their horrific impact on children like this, a trauma surgeon said the tissue destruction is almost unimaginable. Bones are exploded. Soft tissue is absolutely destroyed. It is like a bomb went off.

But we in Congress can end this. We can end this uniquely American plague of mass death caused by gun violence. I support the assault weapons ban because we cannot wait to act until the next mass shooting. We must pass this bill today.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. And still I rise, Mr. Speaker. I rise to announce that I will vote for this legislation, and I will do so because I know that there are 19 babies who were murdered at Robb Elementary School in Texas who will never have the right to vote.

I rise to vote for it because there are two teachers who were murdered who will never have the opportunity to seek the future that was theirs.

I rise because we have a Governor in the State of Texas who could have saved all of those lives if he had but only, after the shooting at Walmart that took 23 lives, passed legislation such as what we are passing today.

I rise because I don't want the blood of the next person murdered with an AR-15-type weapon on my hands.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I have heard a lot of talk today about the Constitution. Well, when the Founding Fathers wrote the Second Amendment these kind of weapons didn't even exist. They had muskets and flintlock pistols that could fire three or four shots in a minute, on a good day; and they weren't very accurate at all.

The Founding Fathers did not know or anticipate these weapons of mass destruction that shooters use to kill as many innocent people as brutally and quickly as possible; and that is exactly what they did in my district on October 1, 2017, when you had 60 people shot at a concert.

I urge my colleagues on the other side to have the courage to stand up to the NRA and support this legislation. It is common sense; it is necessary; and

it will prevent mass shootings and save lives.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Connecticut (Ms. DELAURO), the Chairman of the Appropriations Committee.

Ms. DELAURO. Mr. Speaker, 26 souls, including 20 babies massacred at Sandy Hook Elementary School.

Parkland, Buffalo, Uvalde; the common denominator, an AR-15-style assault weapon, the weapon of choice.

Eight of the 10 deadliest mass shootings involved an assault weapon. We cannot be numb to this needless violence. It is long past time for us to act.

In Connecticut, the tragedy at Sandy Hook changed our lives forever. These are unspeakable tragedies. They are avoidable tragedies; and they are happening in our schools, our grocery stores, our places of worship.

The legislation before us today will reduce the prevalence of assault weapons, ban the purchase of assault weapons, get them off of our streets, make our communities safer, protect our children, save their lives.

Is that not the noblest of goals, to save lives? We have the opportunity to do that in this body today. Enough is enough.

Mr. JORDAN. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. MASSIE), the chair of the Second Amendment Caucus.

Mr. MASSIE. Mr. Speaker, if facts are the ammunition of debate, I point out that the other side of the aisle entered this room unarmed.

There are so many mischaracterizations or misfires, if you will, about this bill and what this bill does that I don't know where to start.

But let me start here with the words of the author of this bill. He says it will ban weapons of war only suitable for soldiers in combat.

Is that what it does? Does it ban an M16? It doesn't ban an M16 or an M4. It bans the most commonly sold rifle in the United States today and for the last several years.

It doesn't ban weapons of war. It explicitly exempts the M1 Garand. General Patton said the M1 Garand is the finest implement of battle ever devised. Why is it exempted? It is a weapon of war.

It exempts the M1 Carbine. Look at the picture of the soldiers, the marines at Iwo Jima. What were they carrying? The M1 Carbine.

It exempts the quintessential Cold War weapon, the pride of the Chinese and the Communists, the SKS. It is exempted in this bill. These are literal weapons of war that are not in this bill.

Now, they will come back and ban those, but they don't want to ban them right now because they don't look scary enough. They have a wooden forestock and a wooden butt. They not

made of plastic. They don't look like the scary stuff on the news, so they have no interest in banning that.

Literally, actual weapons of war are not banned, but the most common firearm sold today is banned.

But let's take them at their word. Weapons of war. These are weapons of war. We have got to ban weapons of war.

Well, they exempt 80-some Federal agencies from the ban. Literally, every bureaucratic agency in the government can have a weapon of war under this bill; weapons of war as they call them.

So we offered an amendment in the committee. We couldn't conceive of why the Department of Education would need a weapon of war to complete their mission of educating our children; coming up with the curriculum.

We couldn't conceive of why the USDA would need weapons of war, so we offered an amendment to exempt the USDA and the Department of Education from being able to have these weapons of war; so-called weapons of war.

Every Democrat, even though they couldn't give us a good reason of why these agencies would need weapons of war, or with whom they planned to go to war—are they bringing them to the school board? Where are they going to bring these things?

Now, they couldn't give a good reason why these agencies would need weapons of war. But they all voted to allow these agencies to have weapons of war.

Now, the reason they did, we came to that conclusion is, they aren't weapons of war. It is the most common firearm sold in the United States today. These are not weapons of war.

There was one Democrat who did articulate a reason. He said, well, they are actually good for defense. You have might need them to defend the Department of Education. Well, that is what the Second Amendment is about.

It is not about making sure that the Department of Education—which, by the way, is unconstitutional—but it is not making sure that the Department of Education could have proper defense; it is for the people to have proper defense. So that is the first falsehood.

Now, here is another reason that gun owners should be concerned about this bill. Maybe you don't own one of these firearms, but if you own guns, you know about terminal ballistics. You know what are suitable calibers for hunting deer, for hunting coyotes.

We have heard it said here today, and in the committee, and they showed us a video, oh, the terminal ballistics of a .223 round are so dangerous that we need to ban these AR-15s because they shoot .223 rounds.

What they didn't show you was a video of a deer cartridge, like a .30-06, or a 7-millimeter, or a .308.

If you are banning—if the purpose of this legislation is to ban these firearms because they shoot a cartridge with

those terminal ballistics of a .223, then you plan, you absolutely plan to come after deer rifles because they have two and three times as much power; two and three times as much destructive and killing power as the firearm—as the cartridge used in the firearm that you seek to ban here today.

Another falsehood. This bill will save lives. Let me get to this. We heard it here today. I was waiting for it. It was mentioned a couple of times. Even the Speaker of the House mentioned it.

They have said that the 1994–2004 assault weapons ban—so-called assault weapons—reduced crime; that crime went down. Well, guess what? From 1995–2004, there were 2 million of these firearms imported or manufactured and sold.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. I yield an additional 30 seconds to the gentleman from Kentucky.

Mr. MASSIE. The number of these rifles doubled in the United States during your last assault weapons ban. If you think crime went down because of the last assault weapons ban, then you have got some explaining to do because the number of those rifles increased. Maybe, just maybe people became safer.

Mr. Speaker, I urge opposition to this bill.

□ 1700

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman for yielding time.

We face two choices today in this body. One is to protect our children, to protect our houses of worship, to protect where we shop, to protect where we watch a movie from guns that exist for one purpose only—mass death inflicted efficiently.

Or we can listen to the other argument, which you have heard, in thrall to the gun manufacturers, to protect them at any cost, and you as a citizen are collateral damage at the altar of the gun manufacturers, and we will be bathed in blood forever.

It is time to act. It is time to end the madness and disentrail ourselves from automatic weapons that are mass killers.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time.

This is, of course, an emotional debate. Some have talked about fear, and they instill fear in the process. As Mr. NADLER has pointed out, no weapons are taken away.

A number of Members on the other side of the aisle have gotten up and said this is an unconstitutional bill. Yet, from 1994 to 2004, that bill was

tested in the courts. None of those courts found that unconstitutional.

In the Heller case, which has been quoted over and over again, a very simple statement was made by that super-liberal Antonin Scalia. He said, “Like most rights, the right secured by the Second Amendment is not unlimited.”

From Blackstone through the 19th century cases, commentators and courts routinely explained that the right was not a right to keep and carry any weapon whatsoever in any manner whatsoever for whatever purposes.

One indication of that, of course, is that we have a ban on machine guns in America. Now, one could answer, “Well, they are not in common use.” That is correct, because they are banned.

Mr. Speaker, 67 percent of Americans support an assault weapon ban. Fifty-three percent, over half, strongly support, and another 14 percent somewhat support, for a total of 67 percent. That is in a poll by Morning Consult on May 25, 2022.

There was another poll by Pew in September 2021 that said that 63 percent of Americans support it.

In both polls, over 60 percent of Americans, over two-thirds of Americans, think this action makes sense.

I am sure the Founders, as they were discussing the Second Amendment, debated whether we ought to have mass rapid-fire weapons covered by the Second Amendment.

They had no idea. Such weapons certainly didn't exist, and they acted within the framework of the times in which they lived.

Mr. Speaker, Congress must take action today to protect all Americans from dangerous and deadly assault weapons. If we do so, we will still be the country that has the most weapons per capita in the world, more weapons than people, which you would seem to think, therefore, we ought to be the least dangerous nation if the premise that the more people who are armed, the less crime we will have. That seems a little counterintuitive to me.

The weapons that we are talking about are able to kill large numbers rapidly, used to kill 6 adults and 20 children at Sandy Hook, used to kill 61 people in Las Vegas, used to kill 19 students and 2 teachers in Uvalde, Texas, just a few weeks ago. From Aurora to Orlando, San Bernardino, Buffalo, El Paso, and Highland Park, they have been mentioned today, and we ought to mention them on a regular basis to remind us.

We have watched assault weapons inflict mass destruction in our communities time and time again. Not only do these weapons claim the lives of innocent civilians, but they frequently kill members of law enforcement who have worked to keep their communities safe.

That is why law enforcement largely, not all of them, support this bill because they see that as one of the greatest dangers to their lives.

Indeed, one study by the Violence Policy Center found that nearly a quarter of all the police officers killed in the line of duty between 2016 and 2017 were killed by the same firearms that would be outlawed under this ban.

Of those police officers killed by assault weapons, almost a quarter of them were wearing body armor that was nevertheless penetrated by a bullet. These types of attacks and police killings are not inevitable.

We know there is a better way. We know that because these attacks became far less common when an overwhelmingly bipartisan coalition—this was not some Democratic bill. It was a bipartisan bill. I will speak more to that in just a second.

They came together in 1994 to pass a ban, including 46 House Republicans. That measure had support from law enforcement and from both Democratic and Republican Presidents, including Ronald Reagan.

After Republicans were in control of Congress, they allowed that ban to expire in 2004. Mass shootings tripled.

Today, I am pleased to bring Mr. CICILLINE's bill to the floor to reinstate—reinstate—a bill that has been taken to court already. This legislation would prohibit the possession, manufacture, sale, and transfer of semiautomatic assault weapons and high-capacity magazines. It does not take any of those away from any citizen.

To be clear, we are not undermining the Second Amendment. I am for a person having the right to have a weapon not only to hunt but in his home, in his business, to protect himself and his family, and, where authorized, to carry upon his person—where authorized.

This bill will not lead to confiscation of firearms, notwithstanding the fear that has been expressed, of weapons that were legally purchased before its enactment. However, it will set safety requirements.

Doesn't that make sense? We have safety requirements for our cars. Doesn't it make sense to have safety requirements for weapons that can kill?

Additionally, this legislation will provide funding for buyback programs for those who would prefer to be responsible neighbors and community members and relinquish their assault weapons voluntarily.

But, of course, our NRA friends have this slippery slope concept that anything we do, even banning cop killer bullets, goes too far because of the next step and the next step and the next step.

These commonsense reforms will save the lives of law enforcement officers and innocent Americans across the country. The Speaker said that we are going to bring additional community safety legislation to the floor to support our police because as much as the Republicans would like to say we Democrats are for defunding the police, it is absolutely incorrect and false, and they know it.

Why do they know it? Because we bring appropriation bills to this floor which fund the police, not only at the national level but at the State and local level as well, which gives lie to that assertion.

Are there some people who used that comment? Look in the mirror, folks. There are some people on your side of the aisle who say absurd things.

There are many people on both sides of the aisle who say, "Let's support and protect police." This is a way to do it. Today, we have an opportunity to put votes behind our words and show who is ready to do exactly that.

Now, I hope my Republican friends and Democratic friends and my fellow Americans will listen to the quote that I am about to give from a President that used to be revered on the Republican side of the aisle but is now not looked at as such a reverential figure.

Ronald Reagan said this: "Listen to the American public and to the law enforcement community and support a ban on the further manufacture of these weapons."

A moment of silence is not enough. I should have counted how many moments of silence we have had on this floor this year and lamented the loss of children and the elderly and everybody in between because of a weapon that is designed to kill a lot of people quickly.

No more moments of silence. Let's act. Vote "yes." Pass this bill.

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

We haven't said the Second Amendment was unlimited. We quoted the Second Amendment, the Second Amendment which the Supreme Court has said protects firearms in common use. Twenty-four million Americans have these weapons. That is most certainly common use.

The fact that the chair of the Judiciary Committee says, I don't care, we are going to do it even though we know it is unconstitutional, that is just wrong.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ARRINGTON), my friend.

Mr. ARRINGTON. Too often, Mr. Speaker, we skip over the fundamental principle and precept and driver of the Second Amendment, so let's reaffirm our faith here.

Our Founders were determined to fight against their own government for our freedom and independence. They stated unequivocally that when there was a train of abuses and usurpations, and the citizens were reduced to absolute despotism, it was our right and our duty to throw off that government.

We wouldn't have these United States, we wouldn't be here today, without this sacred Second Amendment. Every law-abiding citizen in America must be able to meet evil with equal or greater force, whether it is a violent criminal, a crazed killer, or a coercive government.

Mr. Speaker, we must reject this attempt to trample the Constitution, to

violate the spirit of what those Founders wrote into that sacred document, and disarm our citizens.

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

The previous speaker on the Republican side said that citizens must be able to meet the government with equal arms. The United States Government has hydrogen bombs. Does he think that every citizen ought to have a hydrogen bomb?

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Rhode Island (Mr. LANGEVIN).

□ 1715

Mr. LANGEVIN. Mr. Speaker, I know the damage that guns can cause firsthand. When I was 16, an accidental gunshot severed my spinal cord and left me paralyzed.

And yet, the damage caused by that gun pales in comparison to the destruction caused by assault weapons, whose sole purpose is to inflict maximum damage on their targets.

No one needs an assault weapon to go deer hunting.

No one needs an assault weapon to defend their home.

These weapons of war simply have no place on our streets.

After all, it is no coincidence that assault weapons were the firearm of choice for the killers in Uvalde, Buffalo, Pittsburgh, Parkland, Orlando, Sandy Hook, and the list goes on.

I ask my colleagues, does this body have the courage to stop the next massacre from taking place?

Or will we shirk from our responsibilities and our duty to act, content to simply offer thoughts and prayers while Americans, and even small children, are mowed down in our schools, grocery stores, and places of worship?

I know which side I am on. I hope my colleagues will join me.

I thank Congressman CICILLINE for his steadfast work on bringing this legislation to the floor.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of the assault weapons ban.

I live very close to Highland Park, Illinois, and I have heard from literally hundreds of people and met with hundreds of people—students, teachers, parents, small businessowners, and, yes, even law enforcement officials—who demand that we pass an assault weapons ban.

Today's vote would not be possible without the fearless and tireless work of advocates and survivors. This day is for them. I think that there is no rational reason that we would allow these weapons of mass destruction that ravage our families, our communities, and even our way of life to be on the streets of our country.

Mr. Speaker, I urge a "yes" vote to ban assault weapons.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, Americans want their freedom back, and I would say to my colleague from Ohio (Mr. JORDAN), your freedom stops where mine and that of my constituents begin.

Schools, shopping malls, grocery stores, and Independence Day parades shouldn't be scenes of mass carnage and bloodshed. Weapons of war have no place on the streets of America.

An experienced Ohio sheriff says it well: Assault weapons and large-capacity magazines should only be utilized by the military and law enforcement. A proposal to ban their use is common sense, supported by a majority of Americans. Until such time that Members of Congress start to care about the safety of children in our schools more than their next reelection, mass shootings will continue to occur, and innocent people will die.

One of the most experienced chiefs of police I represent says the following: The connection between guns and illicit drugs is 100 percent.

So let's take the two most important steps, remove large-capacity assault weapons from our streets and arrest the drug dealers who are creating death and destruction across our country.

Let's give freedom back to the American people.

The SPEAKER pro tempore. The Chair will remind Members to direct their remarks to the Chair.

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

I would just say, if the gentlewoman from Ohio wants to come to the Fourth District of Ohio and debate me on the Second Amendment, I would welcome her to come to my district anytime she wants to. She can stand here and lecture all she wants, but I would welcome her to come to my district. I would be happy to debate her.

My guess is the constituents I get the privilege of representing, most of them probably agree with me and agree with the United States Constitution.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. COHEN), a member of the Judiciary Committee.

Mr. COHEN. Mr. Speaker, this has been an interesting debate.

The cumulative debate from the Republican side has been Members who have been wanting to show their intimate knowledge of weapons. It is almost a fetishism with weapons, something that only Freud would properly understand and be able to explain to the American people.

They have talked about hands being dangerous and knives being dangerous,

but hands and knives and other weapons that they discussed don't kill people in volume and number like AR-15s do.

The CIA did a study and said that even shots to extremities all made fatal impacts on people. The AR-15 is an outgrowth of a military weapon that was designed for military use. The AR-15 is a weapon that destroys people's bodies and kills them quickly. It should not be allowed in a civilized, safe society, particularly for children and for people in the general public.

Mr. Speaker, I urge passage of the bill.

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

Mr. NADLER. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from New York has 2 minutes. The gentleman from Ohio has 45 seconds.

Mr. NADLER. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, red flag laws take all guns from some people. This bill makes illegal some guns for all people, and we know where they want to go. We know what they want to do. They want to take all guns from all people because they can't stand the Second Amendment. They hate the Second Amendment.

In fact, during the markup, the sponsor of the legislation said this: "Spare me the BS about constitutional rights."

Well, Republicans care about law-abiding citizens' constitutional liberties: Their First Amendment rights, their Second Amendment rights, their Fourth Amendment due process rights. All of those have been attacked by the Democrats over the last several months.

That is why we should vote "no" on this legislation and let law-abiding Americans have the respect for the Second Amendment they deserve.

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

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, it is no surprise that assault weapons are the weapon of choice for mass shooters and those who target law enforcement. They are designed for ruthless efficiency, killing the most people in the shortest amount of time.

The gentleman from Ohio is right, I did say in the committee, "Spare us the BS." I meant the Republican BS about the Constitution, about the Second Amendment.

The Second Amendment is designed not to allow people to fight the government.

Do they want to take up arms against American troops? Is that what they say?

That is what they say. You saw what that did with the insurrection we had recently, and that was a mild case.

No, the Second Amendment is designed to allow for a well-regulated militia, which is to say in our day the National Guard.

The assault weapons ban would take the weapons of war off our streets and save countless lives, and that is why it is supported by all associations of police, the American Federation of Teachers, the American College of Physicians, the American Public Health Association, the National Alliance to End Sexual Violence, the National Organization of Black Law Enforcement Executives, the Major Cities Chiefs Association. They know what they are doing.

The assault weapons ban would take these weapons of war off our streets. It would prevent more of the Uvaldes, more of the Parklands, more of the Tree of Life synagogues.

Mr. Speaker, I urge all Members to support this important legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1302, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FITZGERALD. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Fitzgerald of Wisconsin moves to recommit the bill H.R. 1808 to the Committee on the Judiciary.

The material previously referred to by Mr. FITZGERALD is as follows:

In subsection (v)(4) of section 922 of title 18, United States Code, as proposed to be inserted by section 3(a)(1) of the bill, (1) strike "or" at the end of subparagraph (D), strike the period at the end of subparagraph (E) and insert "; or", and add at the end the following:

"(F) the possession, by an individual who is a member of the Armed Forces on active duty or a veteran."

In subsection (t)(1) of section 922 of title 18, United States Code, as proposed to be inserted by 5(a)(4) of the bill, insert "(other than an individual who is a member of the Armed Forces on active duty or a veteran)" before "to transfer".

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. FITZGERALD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of Rule XX, the Chair will reduce to 5 minutes the minimum

time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 207, nays 220, not voting 3, as follows:

[Roll No. 409]

YEAS—207

Aderholt	Garcia (CA)	Miller (WV)
Allen	Gibbs	Miller-Meeks
Armstrong	Jimenez	Moolenaar
Arrington	Gohmert	Mooney
Babin	Gonzales, Tony	Moore (AL)
Bacon	Good (VA)	Moore (UT)
Baird	Gooden (TX)	Mullin
Balderson	Gosar	Murphy (NC)
Banks	Granger	Nehls
Barr	Graves (LA)	Newhouse
Bentz	Graves (MO)	Norman
Bergman	Green (TN)	Oberholte
Bice (OK)	Greene (GA)	Owens
Biggs	Griffith	Palazzo
Bilirakis	Grothman	Palmer
Bishop (NC)	Guest	Pence
Boebert	Guthrie	Perry
Bost	Harris	Pfluger
Brady	Harshbarger	Posey
Brooks	Hartzler	Reschenthaler
Buchanan	Hern	Rice (SC)
Buck	Herrell	Rodgers (WA)
Bucshon	Herrera Beutler	Rogers (AL)
Budd	Hice (GA)	Rogers (KY)
Burchett	Higgins (LA)	Rose
Burgess	Hill	Rosendale
Calvert	Hinson	Rouzer
Cammack	Hollingsworth	Roy
Carey	Hudson	Rutherford
Carl	Huizenga	Salazar
Carter (GA)	Issa	Scalise
Carter (TX)	Jackson	Schweikert
Cawthorn	Jacobs (NY)	Scott, Austin
Chabot	Johnson (LA)	Sessions
Cheney	Johnson (OH)	Simpson
Cline	Johnson (SD)	Smith (MO)
Cloud	Jordan	Smith (NE)
Clyde	Joyce (OH)	Smith (NJ)
Cole	Joyce (PA)	Smucker
Comer	Katko	Spart
Conway	Keller	Stauber
Crawford	Kelly (MS)	Steel
Crenshaw	Kelly (PA)	Stefanik
Curtis	Kim (CA)	Steil
Davidson	Kustoff	Steube
Davis, Rodney	LaHood	Stewart
DesJarlais	LaMalfa	Taylor
Diaz-Balart	Lamborn	Tenney
Donalds	Latta	Thompson (PA)
Duncan	LaTurner	Tiffany
Dunn	Lesko	Timmons
Ellzey	Letlow	Turner
Emmer	Long	Upton
Estes	Loudermilk	Valadao
Fallon	Lucas	Van Drew
Feenstra	Luetkemeyer	Van Duyne
Ferguson	Mace	Wagner
Fischbach	Malliotakis	Walberg
Fitzgerald	Mann	Walorski
Fitzpatrick	Massie	Waltz
Fleischmann	Mast	Weber (TX)
Flood	McCarthy	Webster (FL)
Flores	McCaul	Wenstrup
Foxx	McClain	Westerman
Franklin, C.	McClintock	Williams (TX)
Scott	McHenry	Wilson (SC)
Fulcher	McKinley	Wittman
Gaetz	Meijer	Womack
Gallagher	Meuser	
Garbarino	Miller (IL)	

NAYS—220

Adams	Boyle, Brendan	Cherfilus-
Aguilar	F.	McCormick
Allred	Brown (MD)	Chu
Amodei	Brown (OH)	Cicilline
Auchincloss	Brownley	Clark (MA)
Axne	Bush	Clarke (NY)
Barragan	Bustos	Cleaver
Bass	Butterfield	Clyburn
Beatty	Carbajal	Cohen
Bera	Cardenas	Connolly
Beyer	Carson	Cooper
Bishop (GA)	Carter (LA)	Correa
Blumenauer	Cartwright	Costa
Blunt Rochester	Case	Courtney
Bonamici	Casten	Craig
Bourdeaux	Castor (FL)	Crist
Bowman	Castro (TX)	Crow

Cuellar	Kuster	Raskin	DeSaulnier	Kirkpatrick	Rodgers (WA)	Espaillet	Lieu	Ruiz
Davis (KS)	Lamb	Rice (NY)	(Perlmutter)	(Pallone)	(Moore (UT))	Evans	Lofgren	Ruppersberger
Davis, Danny K.	Langevin	Ross	DesJarlais	LaHood (Latta)	Ruppersberger	Fitzpatrick	Lowenthal	Rush
Dean	Larsen (WA)	Royal-Allard	(Fleischmann)	Lamborn	(Trone)	Fletcher	Luria	Ryan
DeFazio	Ruiz	Ruiz	Deutch	(Fleischmann)	Ryan (Kuster)	Foster	Lynch	Sánchez
DeGette	Lawrence	Ruppersberger	(Wasserman	Lawson (FL)	Scott, David	Frankel, Lois	Malinowski	Sarbanes
DeLauro	Lawson (FL)	Rush	Schultz)	(Wasserman	(Perlmutter)	Gallego	Maloney	Scanlon
DelBene	Lee (CA)	Ryan	Dingell (Kuster)	Schultz)	Sewell (Cicilline)	Garamendi	Carolyn B.	Schakowsky
Demings	Lee (NV)	Sánchez	Doggett	Leger Fernandez	Sires (Pallone)	Garcia (IL)	Maloney, Sean	Schiff
DeSaulnier	Leger Fernandez	Sarbanes	(Takano)	(Garcia (TX))	Smith (WA)	Garcia (TX)	Manning	Schneider
Deutch	Levin (CA)	Scanlon	Donalds	Letlow (Moore	(Wasserman	Gomez	Matsui	Schrier
Dingell	Levin (MI)	Schakowsky	(Timmons)	(UT))	Schultz)	Gottheimer	McBath	Scott (VA)
Doggett	Lieu	Schiff	Evans (Neguse)	Levin (MI)	Smucker (Kelly	Green, Al (TX)	McCollum	Scott, David
Doyle, Michael	Lofgren	Schneider	(Correa)	(Correa)	(PA))	Grijalva	McEachin	Sewell
F.	Lowenthal	Schrader	Frankel, Lois	Malliotakis	Spartz (Banks)	Harder (CA)	McGovern	Sherman
Escobar	Luria	Schrier	(Kuster)	(Armstrong)	Speier (Garcia	Hayes	McNerney	Sherrill
Eshoo	Lynch	Schrier	Gaetz (Cawthorn)	Maloney,	(TX))	Higgins (NY)	Meeks	Sires
Espaillet	Malinowski	Scott (VA)	Garamendi	Carolyn B.	Stansbury	Himes	Meng	Slotkin
Evans	Maloney,	Scott, David	(Pallone)	Carlyn B.	(Wasserman	Horsford	mfume	Smith (WA)
Fletcher	Carolyn B.	Sewell	Garbarino	Schultz)	Steel (Kim (CA))	Houlahan	Moore (WI)	Soto
Foster	Maloney, Sean	Sherman	(Moore (UT))	McBath (Bishop	Stefanik (Keller)	Hoyer	Morelle	Spanberger
Frankel, Lois	Manning	Sherrill	Gibbs (Bucshon)	(GA))	Steube	Huffman	Moulton	Speier
Gallego	Matsui	Sires	Gimenez	McEachin	(Franklin, C.	Jackson Lee	Mrvan	Stansbury
Garamendi	McBath	Slotkin	(Salazar)	(Trone)	Scott)	Jacobs (CA)	Murphy (FL)	Stanton
Garcia (IL)	McCollum	Smith (WA)	Gonzales, Tony	McHenry	Stevens (Kuster)	Jacobs (NY)	Nadler	Stevens
Garcia (TX)	McEachin	Soto	Good (Greene	(Bice (OK))	Stewart (Moore	Jayapal	Napolitano	Strickland
Golden	McGovern	Spanberger	(GA))	(Wagner)	(UT))	Jeffries	Neal	Swalwell
Gomez	McNerney	Speier	Gosar (Weber	McNerney	Strickland	Johnson (GA)	Neguse	Takano
Gonzalez,	Meeks	Stansbury	(TX))	(Pallone)	(Neguse)	Johnson (TX)	Newman	Thompson (CA)
Vicente	Meng	Stanton	Granger (Weber	(Mooney)	Suozzi	Jones	Norcross	Thompson (MS)
Gottheimer	mfume	Stevens	(TX))	Miller-Meeks	(Perlmutter)	Kahele	O'Halleran	Titus
Green, Al (TX)	Moore (WI)	Strickland	Green (TN)	(Keller)	Swalwell	Kaptur	Ocasio-Cortez	Tlaib
Grijalva	Morelle	Suozzi	(Fleischmann)	Moore (WI)	(Correa)	Keating	Omar	Tonko
Harder (CA)	Moulton	Swalwell	Guest	(Neguse)	Taylor	Kelly (IL)	Pallone	Torres (CA)
Hayes	Mrvan	Takano	(Fleischmann)	Moulton	(Armstrong)	Khanna	Panetta	Torres (NY)
Higgins (NY)	Murphy (FL)	Thompson (CA)	Guthrie (Wagner)	(Perlmutter)	Thompson (CA)	Kildee	Pappas	Trahan
Himes	Nadler	Thompson (MS)	Hartzler (Moore	Neal (Kildee)	(Correa)	Kilmer	Pascrell	Trone
Horsford	Napolitano	Titus	(UT))	Nehls (Weber	Tiffany	Kim (NJ)	Payne	Underwood
Houlahan	Neal	Tlaib	Herrera Beutler	(TX))	(Fitzgerald)	Kirkpatrick	Pelosi	Vargas
Hoyer	Neguse	Tonko	(Moore (UT))	Newman (Trone)	Tlaib (Ocasio-	Krishnamoorthi	Perlmutter	Veasey
Huffman	Newman	Torres (CA)	Jayapal	Omar (Takano)	Cortez	Kuster	Peters	Velázquez
Jackson Lee	Norcross	Torres (NY)	(Pallone)	Owens (Moore	Torres (NY)	Lamb	Phillips	Wasserman
Jacobs (CA)	O'Halleran	Trahan	Jeffries	(UT))	(Correa)	Langevin	Pingree	Schultz
Jayapal	Ocasio-Cortez	Trone	(Velázquez)	Palazzo	Trahan (Trone)	Larsen (WA)	Pocan	Waters
Jeffries	Omar	Underwood	Johnson (LA)	(Fleischmann)	Van Drew	Larson (CT)	Porter	Watson Coleman
Johnson (GA)	Pallone	Vargas	(Graves (LA))	Panetta (Correa)	(Fleischmann)	Lawrence	Pressley	Welch
Johnson (TX)	Panetta	Veasey	Johnson (SD)	Payne (Pallone)	Vargas (Correa)	Lee (CA)	Price (NC)	Wexton
Jones	Pappas	Velázquez	(Fleischmann)	Porter (Wexton)	Veasey (Kelly	Lee (NV)	Quigley	Wild
Kahele	Pascrell	Wasserman	Johnson (TX)	Pressley (Ocasio-	(IL))	Leger Fernandez	Raskin	Williams (GA)
Kaptur	Payne	Schultz	(Pallone)	Cortez)	Walorski (Banks)	Levin (CA)	Rice (NY)	Wilson (FL)
Keating	Perlmutter	Waters	Reschenthaler	Reschenthaler	Waltz (Salazar)	Levin (MI)	Ross	Yarmuth
Kelly (IL)	Peters	Watson Coleman	(Keller)	(Keller)	Welch (Pallone)		Roybal-Allard	
Khanna	Phillips	Welch	Joyce (PA)	Rice (NY)	Wenstrup (Latta)			
Kildee	Pingree	Wexton	(Keller)	(Wasserman	Williams (GA)			
Kilmer	Pocan	Wild	Kahele (Correa)	Schultz)	(Neguse)			
Kim (NJ)	Porter	Williams (GA)	Katko (Meijer)	Rice (SC)	Wilson (SC)			
Kind	Pressley	Wilson (FL)	Keating (Correa)	(Meijer)	(Dunn)			
Kirkpatrick	Price (NC)	Yarmuth						
Krishnamoorthi	Quigley							

NAYS—213

NOT VOTING—3

Gonzalez (OH)	Kinzinger	Zeldin
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□ 1808

Messrs. RUSH, TONKO, CORREA, VEASEY, Ms. BLUNT ROCHESTER, Mr. HIGGINS of New York, Ms. VELÁZQUEZ, Miss RICE of New York, Messrs. DEUTCH, CRIST, and Ms. BARRAGÁN changed their vote from “yea” to “nay.”

Messrs. LOUDERMILK, CALVERT, HARRIS, and ARRINGTON changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	Boyle, Brendan	Conway (Moore
Barr (Wagner)	F. (Trone)	(UT))
Bass (Neguse)	Bush (Ocasio-	Craig (Kuster)
Blumenauer	Cortez)	Crawford
(Kuster)	Bustos (Kuster)	(Fleischmann)
Blunt Rochester	Cárdenas (Soto)	Crist
(Kelly (IL))	Carter (TX)	(Wasserman
Boebert	(Weber (TX))	Schultz)
(Cawthorn)	Casten (Neguse)	Cuellar (Correa)
Bourdeaux	Cherfilus-	Curtis (Moore
(Correa)	McCormick	(UT))
Bowman (Ocasio-	(Neguse)	DeGette
Cortez)	Comer (Keller)	(Perlmutter)

The SPEAKER pro tempore (Mr. PERLMUTTER). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JORDAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 217, nays 213, not voting 1, as follows:

[Roll No. 410]

YEAS—217

Adams	Bustos	Correa
Aguilar	Butterfield	Costa
Alfred	Carbajal	Courtney
Auchincloss	Cárdenas	Craig
Axne	Carson	Crist
Barragán	Carter (LA)	Crow
Bass	Cartwright	David (KS)
Beatty	Case	Davis, Danny K.
Bera	Casten	Dean
Beyer	Castor (FL)	DeFazio
Bishop (GA)	Castro (TX)	DeGette
Blumenauer	Cherfilus-	DeLauro
Blunt Rochester	McCormick	DelBene
Bonamici	Chu	Demings
Bourdeaux	Cicilline	DeSaulnier
Bowman	Clark (MA)	Deutch
Boyle, Brendan	Clarke (NY)	Dingell
F.	Cleaver	Doggett
Brown (MD)	Clyburn	Doyle, Michael
Brown (OH)	Cohen	F.
Brownley	Connolly	Escobar
Bush	Cooper	Eshoo

Aderholt	Curtis	Guthrie
Allen	Davidson	Harris
Amodei	Davis, Rodney	Harshbarger
Armstrong	DesJarlais	Hartzler
Arrington	Diaz-Balart	Hern
Babin	Donalds	Herrell
Bacon	Duncan	Herrera Beutler
Baird	Dunn	Hice (GA)
Balderson	Ellzey	Higgins (LA)
Banks	Emmer	Hill
Barr	Estes	Hinson
Bentz	Fallon	Hollingsworth
Bergman	Feenstra	Hudson
Bice (OK)	Ferguson	Huizenga
Biggs	Fischbach	Issa
Bilirakis	Fitzgerald	Jackson
Bishop (NC)	Fleischmann	Johnson (LA)
Boebert	Flood	Johnson (OH)
Bost	Flores	Johnson (SD)
Brady	Foxx	Jordan
Brooks	Franklin, C.	Joyce (OH)
Buchanan	Scott	Joyce (PA)
Buck	Fulcher	Katko
Bucshon	Gaetz	Keller
Budd	Gallagher	Kelly (MS)
Burchett	Garbarino	Kelly (PA)
Burgess	Garcia (CA)	Kim (CA)
Calvert	Gibbs	Kind
Cammack	Gimenez	Kinzinger
Carey	Gohmert	Kustoff
Carl	Golden	LaHood
Carter (GA)	Gonzales, Tony	LaMalfa
Carter (TX)	Gonzalez,	Lamborn
Cawthorn	Vicente	Latta
Chabot	Good (VA)	LaTurner
Cheney	Gooden (TX)	Lesko
Cline	Gosar	Letlow
Cloud	Granger	Long
Clyde	Graves (LA)	Loudermillk
Cole	Graves (MO)	Lucas
Comer	Green (TN)	Luetkemeyer
Conway	Greene (GA)	Mace
Crawford	Griffith	Malliotakis
Crenshaw	Grothman	Mann
Cuellar	Guest	Massie

Mast  
McCarthy  
McCaul  
McClain  
McClintock  
McHenry  
McKinley  
Meijer  
Meuser  
Miller (IL)  
Miller (WV)  
Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Oberholte  
Owens  
Palazzo  
Palmer  
Pence  
Perry

Pfluger  
Posey  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schradler  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Staubert  
Steel  
Stefanik

Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Westrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Zeldin

NOT VOTING—1  
Gonzalez (OH)

□ 1825

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)  
Barr (Wagner)  
Bass (Neguse)  
Blumenauer  
Blunt Rochester  
Boebert  
Bourdeaux  
Bowman  
Boyle, Brendan  
Bush  
Bustos  
Cárdenas  
Carter  
Casten  
Cherfilus-  
McCormick  
Comer  
Conway  
Craig  
Crawford  
Crist  
Cuellar  
Curtis  
DeGette  
DeSaulnier  
DesJarlais  
Deutch  
Dingell  
Doggett  
Donalds  
Evans  
Frankel  
Gaetz  
Garamendi  
Garcia

Garbarino  
(Moore)  
Gibbs  
Gimenez  
(Kuster)  
Gonzales  
Good  
Gosar  
Granger  
Green  
Guest  
Guthrie  
Hartzler  
Herrera  
Jayapal  
Jeffries  
Johnson  
Johnson  
Johnson  
Jones  
Joyce  
Kahale  
Katko  
Keating  
Kinzinger  
Kirkpatrick  
Kirkpatrick  
LaHood  
Lamborn  
Lawson  
Letlow  
Levin  
Malliotakis  
Maloney  
Carolyn B.  
(Wasserman  
Schultz)  
McBath  
McEachin  
McHenry  
McNerney  
Moulton  
Neal  
Nehls  
Newman  
Omar  
Owens  
Palazzo  
Panetta  
Payne  
Porter  
Pressley  
Reschenthaler  
Rice  
Rice  
Rice  
Rodgers  
Rogers  
Rupersberger  
Ryan  
Schakowsky  
Scott  
Sewell  
Sires  
Smith  
Smucker

Maloney,  
Carolyn B.  
(Wasserman  
Schultz)  
McBath  
McEachin  
(Trone)  
McHenry  
(Wagner)  
McNerney  
(Pallone)  
Miller  
(Mooney)  
Miller-Meeks  
(Keller)  
Moore  
(Neguse)  
Moulton  
(Perlmutter)  
Neal  
Nehls  
Newman  
Omar  
Owens  
Palazzo  
(Fleischmann)  
Panetta  
Payne  
Porter  
Pressley  
Reschenthaler  
(Keller)  
Rice  
(Wasserman  
Schultz)  
Rice  
(Meijer)  
Rodgers  
(Moore)  
Rupersberger  
(Trone)  
Ryan  
Schakowsky  
(Cicilline)  
Scott  
(Perlmutter)  
Sewell  
Sires  
Smith  
Smucker

Spartz  
Speier  
Stansbury  
Stefanik  
Steube  
Stevens  
Stewart  
Strickland  
Suozzi  
(Perlmutter)  
Swailwell  
(Correa)  
Taylor  
(Armstrong)  
Thompson  
(Correa)  
Tiffany  
(Fitzgerald)  
Tlaib  
Torres  
(Correa)  
Trahan  
Van Drew  
(Fleischmann)  
Vargas  
Veasey  
Walorski  
Waltz  
Welch  
Wenstrup  
Williams  
(Neguse)  
Wilson  
(Dunn)

The vote was taken by electronic device, and there were—ayes 223, noes 203, not voting 10, as follows:

[Roll No. 411]

AYES—223

Adams  
Aguilar  
Gonzalez  
Auchincloss  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan  
Brown  
Brown  
Brownley  
Bush  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson  
Carter  
Cartwright  
Case  
Casten  
Castor  
Castro  
Cherfilus-  
McCormick  
Chu  
Cicilline  
Clark  
Clarke  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
Crow  
Cuellar  
Davids  
Davis  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle  
Escobar  
Eshoo  
Espallat  
Evans  
Fitzpatrick  
Fletcher  
Foster  
Frankel  
Gallego  
Garamendi  
Garcia  
Garcia

Golden  
Gomez  
Gonzalez  
Vicente  
Gottheimer  
Green  
Grijalva  
Harder  
Hayes  
Higgins  
Himes  
Horsford  
Houlihan  
Hoyer  
Huffman  
Jackson  
Jacobs  
Jayapal  
Jeffries  
Johnson  
Johnson  
Jones  
Kahale  
Kaptur  
Keating  
Kelly  
Khanna  
Kildee  
Kilmer  
Kim  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster  
Lamb  
Langevin  
Larsen  
Larson  
Lawrence  
Lawson  
Lee  
Lee  
Leger  
Levin  
Levin  
Lieu  
Lofgren  
Lowenthal  
Luria  
Lynch  
Malinowski  
Maloney  
Carolyn B.  
Maloney  
Manning  
Matsui  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Mfume  
Moore  
Morelle  
Moulton  
Mrvan  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Newman  
Norcross  
Norton  
O'Halleran

Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price  
Quigley  
Raskin  
Rice  
Ross  
Roybal-Allard  
Ruiz  
Rupersberger  
Rush  
Ryan  
Sablan  
San Nicolas  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schrier  
Scott  
Scott  
Sewell  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith  
Soto  
Spanberger  
Speier  
Stansbury  
Stanton  
Stevens  
Strickland  
Suozzi  
Swailwell  
Takano  
Thompson  
Thompson  
Titus  
Tlaib  
Tonko  
Torres  
Torres  
Trahan  
Trone  
Underwood  
Vargas  
Veasey  
Velázquez  
Wasserman  
Schultz  
Waters  
Watson  
Welch  
Wexton  
Wild  
Williams  
Yarmuth

NOES—203

CONTINENTAL DIVIDE TRAIL COMPLETION ACT

The SPEAKER. Pursuant to House Resolution 1254 and rule XVIII, the Chair declares the House in the Committee of the Whole on the state of the Union for the further consideration of the bill, H.R. 5118.

Will the gentleman from New York (Mr. HIGGINS) kindly take the chair.

□ 1830

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5118) to direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes, with Mr. HIGGINS of New York (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in part C of House Report 117-432 offered by the gentleman from New York (Ms. VELÁZQUEZ) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 117-432 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. SCHRIER of Washington.

Amendment No. 3 by Ms. VELÁZQUEZ of New York.

The Chair will reduce to 5 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. SCHRIER

The Acting CHAIR. The unfinished business is the request for a recorded vote on amendment No. 2 printed in part C of House Report 117-432 by the gentleman from Washington (Ms. SCHRIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been requested.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

Bice  
Biggs  
Bilirakis  
Bishop  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett

Burgess  
Calvert  
Cammack  
Carey  
Carl  
Carter  
Carter  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Clyde

Cole  
Comer  
Conway  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fleischmann  
Flood  
Flores  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez  
Gohmert  
Gonzales, Tony  
González-Colón  
(PR)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Griffith  
Grothman  
Guest  
Guthrie  
Harris  
Harshbarger  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson

Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson  
Jacobs (NY)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Katko  
Keller  
Kelly (MS)  
Kelly (PA)  
Kim (CA)  
Kustoff  
LaHood  
LaMalfa  
Lamborn  
Latta  
LaTurner  
Lesko  
Letlow  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Mace  
Malliotakis  
Mann  
Massie  
Mast  
McCaul  
McClain  
McClintock  
McHenry  
McKinley  
Meijer  
Meuser  
Miller (IL)  
Miller (WV)  
Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Oberholte  
Owens  
Palazzo  
Palmer

Pence  
Perry  
Pfluger  
Posey  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Dwyne  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Zeldin

Johnson (SD)  
(Fleischmann)  
Johnson (TX)  
(Pallone)  
Jones (Trone)  
Joyce (PA)  
(Keller)  
Kahele (Correa)  
Katko (Meijer)  
Keating (Correa)  
Kirkpatrick  
(Pallone)  
LaHood (Latta)  
Lamborn  
(Fleischmann)  
Lawson (FL)  
(Wasserman  
Schultz)  
Leger Fernandez  
(Garcia (TX))  
Letlow (Moore  
(UT))  
Levin (MI)  
(Correa)  
Malliotakis  
(Armstrong)  
Maloney,  
Carolyn B.  
(Wasserman  
Schultz)  
McBath (Bishop  
(GA))  
McEachin  
(Trone)  
McHenry  
(Wagner)  
McNerney  
(Pallone)  
Miller (WV)  
(Mooney)  
Miller-Meeks  
(Keller)  
Moore (WI)  
(Neguse)  
Spartz (Banks)

Moulton  
(Perlmutter)  
Neal (Kildee)  
Nehls (Weber  
(TX))  
Newman (Trone)  
Omar (Takano)  
Owens (Moore  
(UT))  
Palazzo  
(Fleischmann)  
Panetta (Correa)  
Payne (Pallone)  
Plaskett (Soto)  
Porter (Wexton)  
Pressley (Ocasio-  
Cortez)  
Reschenthaler  
(Keller)  
Rice (NY)  
(Wasserman  
Schultz)  
Rice (SC)  
(Meijer)  
Rodgers (WA)  
(Moore (UT))  
Ruppersberger  
(Trone)  
Ryan (Kuster)  
Sablan (Neguse)  
San Nicolas  
(Pallone)  
Schakowsky  
(Cicilline)  
Scott, David  
(Perlmutter)  
Sewell (Cicilline)  
Sires (Pallone)  
Smith (WA)  
(Wasserman  
Schultz)  
Smucker (Kelly  
(PA))  
Spartz (Banks)

Speier (Garcia  
(TX))  
Stansbury  
(Ocasio-Cortez)  
Steel (Kim (CA))  
Stefanik (Keller)  
Steube  
(Franklin, C.  
Scott)  
Stevens (Kuster)  
Stewart (Moore  
(UT))  
Strickland  
(Neguse)  
Suzoi  
(Perlmutter)  
Swalwell  
(Correa)  
Taylor  
(Armstrong)  
Thompson (CA)  
(Correa)  
Tiffany  
(Fitzgerald)  
Tlaib (Ocasio-  
Cortez)  
Torres (NY)  
(Correa)  
Trahan (Trone)  
Van Drew  
(Fleischmann)  
Vargas (Correa)  
Veasey (Kelly  
(IL))  
Walorski (Banks)  
Waltz (Salazar)  
Welch (Pallone)  
Wenstrup (Latta)  
Williams (GA)  
(Neguse)  
Wilson (SC)  
(Dunn)

Diaz-Balart  
Dingell  
Doggett  
Donalds  
Doyle, Michael  
F.  
Dunn  
Escobar  
Eshoo  
Espallat  
Evans  
Fitzpatrick  
Fletcher  
Flores  
Foster  
Frankel, Lois  
Gallego  
Garamendi  
Garbarino  
Garcia (CA)  
Garcia (IL)  
Garcia (TX)  
Gibbs  
Gimenez  
Golden  
Gomez  
Gonzales, Tony  
Gonzalez,  
Vicente  
González-Colón  
(PR)  
McGovern  
Gottheimer  
Graves (LA)  
Graves (MO)  
Green, Al (TX)  
Griffith  
Grijalva  
Guest  
Guthrie  
Harder (CA)  
Hayes  
Herrell  
Herrera Beutler  
Higgins (LA)  
Higgins (NY)  
Himes  
Hinson  
Horsford  
Houlahan  
Hoyer  
Huffman  
Jackson Lee  
Jacobs (CA)  
Jacobs (NY)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (LA)  
Johnson (TX)  
Jones  
Joyce (OH)  
Joyce (PA)  
Kahele  
Kaptur  
Katko  
Keating  
Keller  
Kelly (IL)  
Kelly (PA)  
Khanna  
Kildee  
Kilmer  
Kim (CA)  
Kim (NJ)  
Kind  
Kirkpatrick  
Krishnamoorthi

Kuster  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Dunn  
Lee (CA)  
Lee (NV)  
Leger Fernandez  
Letlow  
Levin (CA)  
Levin (MI)  
Lieu  
Lofgren  
Lowenthal  
Luetkemeyer  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Manning  
Mast  
Matsui  
McBath  
McCaul  
McCollum  
McEachin  
McHenry  
McKinley  
McNerney  
Meeks  
Meng  
Meuser  
Mfume  
Miller-Meeks  
Moore (UT)  
Moore (WI)  
Morelle  
Moulton  
Mrvan  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Neguse  
Newman  
Norcross  
Norton  
O'Halleran  
Ocasio-Cortez  
Omar  
Owens  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Reschenthaler  
Rice (NY)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)

Ross  
Rouzer  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan  
Sablan  
Salazar  
San Nicolas  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Sherrill  
Simpson  
Sires  
Slotkin  
Smith (NJ)  
Smith (WA)  
Smucker  
Soto  
Spanberger  
Speier  
Stansbury  
Stanton  
Stauber  
Stefanik  
Stevens  
Stewart  
Strickland  
Suzoi  
Swalwell  
Takano  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan  
Trone  
Turner  
Underwood  
Upton  
Valadao  
Van Drew  
Van Dwyne  
Vargas  
Veasey  
Velázquez  
Wagner  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Webster (FL)  
Welch  
Westerman  
Wexton  
Wild  
Williams (GA)  
Wilson (SC)  
Womack  
Yarmuth  
Zeldin

NOT VOTING—10

Duncan  
Gonzalez (OH)  
Good (VA)  
Greene (GA)

Hartzler  
Kinzinger  
McCarthy  
Norman

Radewagen  
Wilson (FL)

AMENDMENT NO. 3 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 296, noes 128, not voting 12, as follows:

[Roll No. 412]

AYES—296

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)  
Barr (Wagner)  
Bass (Neguse)  
Blumenauer  
Blunt Rochester  
(Kelly (IL))  
Boebert  
(Cawthorn)  
Bourdeaux  
(Correa)  
Bowman (Ocasio-  
Cortez)  
Boyle, Brendan  
F. (Trone)  
Bush (Ocasio-  
Cortez)  
Bustos (Kuster)  
Cárdenas (Soto)  
Carter (TX)  
(Weber (TX))  
Casten (Neguse)  
Cherfilus-  
McCormick  
(Neguse)  
Comer (Keller)  
Conway (Moore  
(UT))

Craig (Kuster)  
Crawford  
(Fleischmann)  
Crist  
(Wasserman  
Schultz)  
Cuellar (Correa)  
Curtis (Moore  
(UT))  
DeGette  
(Perlmutter)  
DeSaulnier  
(Perlmutter)  
DesJarlais  
(Fleischmann)  
Deutch  
(Wasserman  
Schultz)  
Dingell (Kuster)  
Doggett  
(Takano)  
Donalds  
(Timmons)  
Evans (Neguse)  
Frankel, Lois  
(Kuster)  
Gaetz (Cawthorn)

Garamendi  
(Pallone)  
Garbarino  
(Moore (UT))  
Gibbs (Bucshon)  
Gimenez  
(Salazar)  
Gonzales, Tony  
(Bice (OK))  
González-Colón  
(Salazar)  
Gosar (Weber  
(TX))  
Granger (Weber  
(TX))  
Green (TN)  
(Fleischmann)  
Guest  
(Fleischmann)  
Guthrie (Wagner)  
Herrera Beutler  
(Moore (UT))  
Jayapal  
(Pallone)  
Jeffries  
(Velázquez)  
Johnson (LA)  
(Graves (LA))

Adams  
Aguilar  
Allred  
Auchincloss  
Axne  
Bacon  
Barragán  
Bass  
Beatty  
Bentz  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan  
F.  
Brady  
Brown (MD)  
Brown (OH)  
Brownley

Buchanan  
Bush  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carl  
Carson  
Carter (LA)  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Cherfilus-  
McCormick  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Cole

Comer  
Connolly  
Conway  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crenshaw  
Crist  
Crow  
Cuellar  
Curtis  
Davids (KS)  
Davis, Danny K.  
Davis, Rodney  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Baird  
Balderson  
Banks  
Barr  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brooks  
Buck  
Bucshon

NOES—128

Budd  
Burchett  
Calvert  
Cammack  
Carey  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Clyde  
Crawford  
Davidson  
DesJarlais  
Ellzey  
Emmer  
Estes  
Fallon

Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fleischmann  
Flood  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Gohmert  
Gooden (TX)  
Gosar  
Granger  
Green (TN)  
Grothman  
Harris  
Harshbarger



Hern	Malliotakis	Rose
Hice (GA)	Mann	Rosendale
Hill	Massie	Roy
Hollingsworth	McClain	Rutherford
Hudson	McClintock	Schweikert
Huizenga	Meijer	Scott, Austin
Issa	Miller (IL)	Sessions
Jackson	Miller (WV)	Smith (MO)
Johnson (OH)	Moolenaar	Smith (NE)
Johnson (SD)	Mooney	Spartz
Jordan	Moore (AL)	Steel
Kelly (MS)	Mullin	Steil
Kustoff	Murphy (NC)	Steube
LaHood	Nehls	Taylor
LaMalfa	Newhouse	Tiffany
Lamborn	Obernolte	Timmons
Latta	Palazzo	Walberg
LaTurner	Palmer	Walorski
Lesko	Pence	Waltz
Long	Perry	Weber (TX)
Loudermilk	Pfuger	Wenstrup
Lucas	Posey	Williams (TX)
Mace	Rice (SC)	Wittman

NOT VOTING—12

Burgess	Greene (GA)	Norman
Duncan	Hartzler	Radewagen
Gonzalez (OH)	Kinzinger	Scalise
Good (VA)	McCarthy	Wilson (FL)

□ 1859

So the amendment was agreed to.  
The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	Miller (WV)
Barr (Wagner)	(Mooney)
Bass (Neguse)	Miller-Meeks
Blumenauer	(Bice (OK))
(Kuster)	(Keller)
Blunt Rochester	González-Colón
(Kelly (IL))	(Salazar)
Boebert	Moore (WI)
(Cawthorn)	(Neguse)
Bourdeaux	Moulton
(Correa)	(Perlmutter)
Green (TN)	Neal (Kildee)
(Fleischmann)	Nehls (Weber
Guest	(TX))
Boyle, Brendan	Newman (Trone)
F. (Trone)	Omar (Takano)
Herrera Beutler	Owens (Moore
(Moore (UT))	(UT))
Jayapal	Palazzo
(Pallone)	(Fleischmann)
Jeffries	Panetta (Correa)
(Velázquez)	Payne (Pallone)
Johnson (LA)	Plaskett (Soto)
(Graves (LA))	Porter (Wexton)
Johnson (SD)	Pressley (Ocasio-
(Fleischmann)	Cortez)
Johnson (TX)	Reschenthaler
(Pallone)	(Keller)
Jones (Trone)	Rice (NY)
Joyce (PA)	(Wasserman
(Keller)	Schultz)
Kahele (Correa)	Rice (SC)
Katko (Meijer)	(Meijer)
Keating (Correa)	Rodgers (WA)
Kirkpatrick	(Moore (UT))
(Pallone)	Ruppersberger
LaHood (Latta)	(Trone)
Lamborn	Ryan (Kuster)
(Fleischmann)	Sablan (Neguse)
Lawson (FL)	San Nicolas
(Wasserman	(Pallone)
Schultz)	Schakowsky
Leger Fernandez	(Cicilline)
(Garcia (TX))	Scott, David
Letlow (Moore	(Perlmutter)
(UT))	Sewell (Cicilline)
Levin (MI)	Sires (Pallone)
(Correa)	Smith (WA)
Malliotakis	(Wasserman
(Armstrong)	Schultz)
Maloney,	Smucker (Kelly
Carolyn B.	(PA))
(Wasserman	Spartz (Banks)
Schultz)	Spartz (Garcia
Stansbury	(TX))
(Ocasio-Cortez)	Stevens (Kuster)
Steel (Kim (CA))	
Stefanik (Keller)	
Steube	
(Franklin, C.	
Scott)	
Stevens (Kuster)	

Stewart (Moore	Thompson (CA)	Vargas (Correa)
(UT))	(Correa)	Veasey (Kelly
Strickland	Tiffany	(IL))
(Neguse)	(Fitzgerald)	Walorski (Banks)
Suozzi	Tlaib (Ocasio-	Waltz (Salazar)
(Perlmutter)	Cortez)	Welch (Pallone)
Swailwell	Torres (NY)	Wenstrup (Latta)
(Correa)	(Correa)	Williams (GA)
Taylor	Trahan (Trone)	(Neguse)
(Armstrong)	Van Drew	Wilson (SC)
	(Fleischmann)	(Dunn)

The Acting CHAIR (Mr. AGUILAR). There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HIGGINS of New York) having assumed the chair, Mr. AGUILAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5118) to direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes, and, pursuant to House Resolution 1254, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 1254, the question on adoption of the further amendments will be put en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. VALADAO. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Valadao of California moves to recommit the bill H.R. 5118 to the Committee on Natural Resources.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. VALADAO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on:

Passage of the bill, if ordered;  
Passage of H.R. 263;  
Motions to suspend the rules and pass:

H.R. 7283 and Senate 3451.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 200, nays 218, not voting 12, as follows:

[Roll No. 413]

YEAS—200

Aderholt	Gallagher	Miller (WV)
Allen	Garbarino	Miller-Meeks
Amodei	Garcia (CA)	Moolenaar
Armstrong	Gibbs	Mooney
Arrington	Jimenez	Moore (AL)
Babin	Gohmert	Moore (UT)
Bacon	Gonzales, Tony	Mullin
Baird	Gooden (TX)	Murphy (NC)
Balderson	Gosar	Nehls
Banks	Granger	Newhouse
Barr	Graves (LA)	Obernolte
Bentz	Graves (MO)	Owens
Bergman	Green (TN)	Palazzo
Bice (OK)	Griffith	Palmer
Biggs	Grothman	Pence
Billirakis	Guest	Perry
Bishop (NC)	Guthrie	Pfuger
Boebert	Harris	Posey
Bost	Harshbarger	Reschenthaler
Brady	Hern	Rice (SC)
Brooks	Herrell	Rodgers (WA)
Buchanan	Herrera Beutler	Rogers (AL)
Buck	Hice (GA)	Rogers (KY)
Bucshon	Higgins (LA)	Rose
Budd	Hill	Rosendale
Burchett	Hinson	Rouzer
Calvert	Hollingsworth	Roy
Cammack	Hudson	Rutherford
Carey	Salazar	Salazar
Carl	Huizenga	Schweikert
Carter (GA)	Issa	Scott, Austin
Carter (TX)	Jackson	Sessions
Cawthorn	Jacobs (NY)	Simpson
Chabot	Johnson (LA)	Smith (MO)
Cheney	Johnson (OH)	Smith (NE)
Cline	Johnson (SD)	Smith (NJ)
Cloud	Jordan	Smith (NJ)
Clyde	Joyce (OH)	Smucker
Cole	Joyce (PA)	Spartz
Comer	Katko	Staubert
Conway	Keller	Steel
Crawford	Kelly (MS)	Stefanik
Crenshaw	Kelly (PA)	Steil
Curtis	Kim (CA)	Steube
Davidson	Kustoff	Stewart
Davis, Rodney	LaHood	Taylor
DesJarlais	LaMalfa	Tenney
Diaz-Balart	Lamborn	Thompson (PA)
Donalds	Latta	Tiffany
Dunn	LaTurner	Timmons
Ellzey	Lesko	Turner
Emmer	Letlow	Upton
Estes	Loudermilk	Valadao
Fallon	Lucas	Van Drew
Feenstra	Luetkemeyer	Van Duyne
Ferguson	Mace	Wagner
Fischbach	Malliotakis	Walberg
Fitzgerald	Mann	Walorski
Fitzpatrick	Massie	Waltz
Fleischmann	Mast	Weber (TX)
Flood	McCaul	Webster (FL)
Flores	McClain	Wenstrup
Foxx	McClintock	Westerman
Franklin, C.	McHenry	Williams (TX)
Scott	McKinley	Wilson (SC)
Fulcher	Meijer	Wittman
Gaetz	Meuser	Womack
	Miller (IL)	Zeldin

NAYS—218

Adams	Carter (LA)	DeFazio
Aguilar	Cartwright	DeGette
Allred	Case	DeLauro
Auchincloss	Casten	DeBene
Axne	Castor (FL)	Demings
Barragán	Castro (TX)	DeSaulnier
Bass	Cherfilus-	Deutch
Beatty	McCormick	Dingell
Bera	Chu	Doggett
Beyer	Cicilline	Escobar
Bishop (GA)	Clark (MA)	Eshoo
Blumenauer	Clarke (NY)	Española
Blunt Rochester	Cleaver	Evans
Bonamici	Clyburn	Fletcher
Bourdeaux	Cohen	Foster
Bowman	Connolly	Frankel, Lois
Boyle, Brendan	Cooper	Gallego
F.	Correa	Garamendi
Brown (MD)	Costa	Garcia (IL)
Brown (OH)	Courtney	Garcia (TX)
Brownley	Craig	Golden
Bush	Crist	Gomez
Bustos	Crow	Gonzalez,
Butterfield	Cuellar	Vicente
Carbajal	Dauids (KS)	Gottheimer
Cárdenas	Davis, Danny K.	Green, Al (TX)
Carson	Dean	Grijalva

Harder (CA)	Matsui	Schakowsky	Johnson (SD)	Moulton	Steel (Kim (CA))	Kuster	Neguse	Sherrill
Hayes	McBath	Schiff	(Fleischmann)	(Perlmutter)	Stefanik (Keller)	Lamb	Newman	Sires
Higgins (NY)	McCollum	Schneider	Johnson (TX)	Neal (Kildee)	Steube	Langevin	Norcross	Slotkin
Himes	McEachin	Schrader	(Pallone)	Nehls (Weber	(Franklin, C.	Larsen (WA)	O'Halleran	Smith (WA)
Horsford	McGovern	Schrier	Jones (Trone)	(TX))	Scott)	Larson (CT)	Ocasio-Cortez	Soto
Houlahan	McNerney	Scott (VA)	Joyce (PA)	Newman (Trone)	Stevens (Kuster)	Lawrence	Omar	Spanberger
Hoyer	Meeks	Scott, David	(Keller)	Omar (Takano)	Stewart (Moore	Lawson (FL)	Pallone	Speier
Huffman	Meng	Sewell	Kahele (Correa)	Owens (Moore	(UT))	Lee (CA)	Panetta	Stansbury
Jackson Lee	Mfume	Sherman	Katko (Meijer)	(UT)	Strickland	Lee (NV)	Pappas	Stanton
Jacobs (CA)	Moore (WI)	Sherrill	Keating (Correa)	Palazzo	(Neguse)	Leger Fernandez	Payne	Stevens
Jayapal	Morelle	Sires	Kirkpatrick	(Fleischmann)	Suozzi	Levin (CA)	Pelosi	Strickland
Jeffries	Moulton	Slotkin	(Pallone)	Panetta (Correa)	(Perlmutter)	Levin (MI)	Perlmutter	Suozzi
Johnson (GA)	Mrvan	Smith (WA)	LaHood (Latta)	Payne (Pallone)	Swalwell	Lieu	Peters	Swalwell
Johnson (TX)	Murphy (FL)	Soto	Lamborn	Porter (Wexton)	(Correa)	Lofgren	Phillips	Takano
Jones	Nadler	Spanberger	(Fleischmann)	Pressley (Ocasio-	Taylor	Lowenthal	Pingree	Thompson (CA)
Kahele	Napolitano	Speier	Lawson (FL)	Cortez)	(Armstrong)	Luria	Pocan	Thompson (MS)
Kaptur	Neal	Stansbury	(Wasserman	Reschenthaler	Thompson (CA)	Lynch	Porter	Titus
Keating	Neguse	Stanton	Schultz)	(Keller)	(Correa)	Malinowski	Pressley	Tlaib
Kelly (IL)	Newman	Stevens	Leger Fernandez	Rice (NY)	Tiffany	Maloney, Sean	Price (NC)	Tonko
Khanna	Norcross	Strickland	(Garcia (TX))	(Wasserman	(Fitzgerald)	Raskin	Quigley	Torres (CA)
Kildee	O'Halleran	Suozzi	Letlow (Moore	Schultz)	Tlaib (Ocasio-	Rice (NY)	Raskin	Torres (NY)
Kilmer	Ocasio-Cortez	Swalwell	(UT))	Rice (SC)	Cortez)	Ross	Manning	Trahan
Kim (NJ)	Omar	Takano	Levin (MI)	(Meijer)	Torres (NY)	McBath	Matsui	Trone
Kind	Pallone	Thompson (CA)	(Correa)	Rodgers (WA)	(Correa)	McCormack	Roybal-Allard	Underwood
Kirkpatrick	Panetta	Thompson (MS)	Malliotakis	(Moore (UT))	Trahan (Trone)	McCollum	Ruiz	Vargas
Krishnamoorthi	Pappas	Titus	(Armstrong)	Ruppersberger	Van Drew	McEachin	Ruppersberger	Veasey
Kuster	Pascrell	Tlaib	Maloney,	(Trone)	(Fleischmann)	McGovern	Rush	Wasserman
Lamb	Payne	Torres (CA)	Carolyn B.	Ryan (Kuster)	Vargas (Correa)	McNerney	Ryan	Schultz
Langevin	Perlmutter	Torres (NY)	(Wasserman	Schakowsky	Veasey (Kelly	Meeks	Sánchez	Watson Coleman
Larsen (WA)	Peters	Trahan	Schultz)	(Cicilline)	(IL))	Meng	Sarbanes	Welch
Larson (CT)	Phillips	Trone	McBath (Bishop	Scott, David	Walorski (Banks)	Mfume	Scanlon	Wexton
Lawrence	Pingree	Underwood	(GA))	(Perlmutter)	Waltz (Salazar)	Moore (WI)	Schakowsky	Wild
Lawson (FL)	Pocan	Vargas	McEachin	Sewell (Cicilline)	Welch (Pallone)	Morelle	Schiff	Williams (GA)
Lee (CA)	Porter	Veasey	(Trone)	Sires (Pallone)	Wenstrup (Latta)	Moulton	Schneider	Wilson (FL)
Lee (NV)	Pressley	Velázquez	McHenry	Smith (WA)	Williams (GA)	Mrvan	Schrier	Yarmuth
Leger Fernandez	Price (NC)	Wasserman	(Wagner)	(Wasserman	(Neguse)	Murphy (FL)	Scott (VA)	
Levin (CA)	Quigley	Schultz)	McNerney	Schultz)	Wilson (FL)	Nadler	Scott, David	
Levin (MI)	Raskin	Smucker (Kelly	(Pallone)	Smucker (Kelly	(Soto)	Napolitano	Sewell	
Lieu	Rice (NY)	(PA)	Miller (WV)	(PA)	Wilson (SC)	Neal	Sherman	
Lofgren	Ross	Spartz (Banks)	(Mooney)	Spartz (Banks)	(Dunn)			
Lowenthal	Roybal-Allard	Speier (Garcia	Miller-Meeks	Speier (Garcia				
Luria	Ruiz	(Keller)	(Keller)	(TX))				
Lynch	Ruppersberger	Moore (WI)	Moore (WI)	Stansbury				
Malinowski	Rush	(Neguse)	(Neguse)	(Ocasio-Cortez)				
Maloney,	Ryan							
Carolyn B.	Sánchez							
Maloney, Sean	Sarbanes							
Manning	Scanlon							

NAYS—199

NOT VOTING—12

Burgess	Good (VA)	McCarthy
Doyle, Michael	Greene (GA)	Norman
F.	Hartzler	Scalise
Duncan	Kinzinger	
Gonzalez (OH)	Long	

□ 1915

Mr. BURCHETT changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	Craig (Kuster)	Garamendi
Barr (Wagner)	Crawford	(Pallone)
Bass (Neguse)	(Fleischmann)	Garbarino
Blumenauer	Crist	(Moore (UT))
(Kuster)	(Wasserman	Gibbs (Bucshon)
Blunt Rochester	Schultz)	Jimenez
(Kelly (IL))	Cuellar (Correa)	(Salazar)
Boebert	Curtis (Moore	Gonzales, Tony
(Cawthorn)	(UT))	(Bice (OK))
Bourdeaux	DeGette	Gosar (Weber
(Correa)	(Perlmutter)	(TX))
Bowman (Ocasio-	DeSaulnier	Granger (Weber
Cortez)	(Perlmutter)	(TX))
Boyle, Brendan	DesJarlais	Green (TN)
F. (Trone)	(Fleischmann)	
Bush (Ocasio-	Deutch	Guest
Cortez)	(Wasserman	(Fleischmann)
Bustos (Kuster)	Schultz)	Guthrie (Wagner)
Cárdenas (Soto)	Dingell (Kuster)	Herrera Beutler
Carter (TX)	(Weber (TX))	(Moore (UT))
(Weber (TX))	Doggett	Jackson Lee
Casten (Neguse)	(Takano)	(Cicilline)
Cherfilus-	Donalds	Jayapal
McCormick	(Timmons)	(Pallone)
(Neguse)	Evans (Neguse)	Jeffries
Comer (Keller)	Frankel, Lois	(Velázquez)
Conway (Moore	(Kuster)	Johnson (LA)
(UT))	Gaetz (Cawthorn)	(Graves (LA))

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the nays appeared to have it.

Mr. NEGUSE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 218, nays 199, not voting 14, as follows:

[Roll No. 414]

YEAS—218

Adams	Cicilline	Garamendi
Aguilar	Clark (MA)	Garcia (IL)
Allred	Clarke (NY)	Garcia (TX)
Auchincloss	Cleaver	Golden
Axne	Clyburn	Gomez
Barragán	Cohen	Gonzalez,
Bass	Connolly	Vicente
Beatty	Cooper	Gottheimer
Bera	Correa	Green, Al (TX)
Beyer	Costa	Grijalva
Bishop (GA)	Courtney	Harder (CA)
Blumenauer	Craig	Hayes
Blunt Rochester	Crist	Higgins (NY)
Bonamici	Crow	Himes
Bourdeaux	Cuellar	Horsford
Bowman	Davidis (KS)	Houlahan
Boyle, Brendan	Davis, Danny K.	Hoyer
F.	Dean	Huffman
Brown (MD)	DeFazio	Jackson Lee
Brown (OH)	DeGette	Jacobs (CA)
Brownley	DeLauro	Jayapal
Bush	DelBene	Jeffries
Bustos	Demings	Johnson (GA)
Butterfield	DeSaulnier	Johnson (TX)
Carbajal	Deuch	Jones
Cárdenas	Dingell	Kahele
Carson	Doggett	Kaptur
Carter (LA)	Escobar	Keating
Cartwright	Eshoo	Kelly (IL)
Case	Españillat	Khanna
Casten	Evans	Kildee
Castor (FL)	Fitzpatrick	Kilmer
Castro (TX)	Fletcher	Kim (NJ)
Cherfilus-	Foster	Kind
McCormick	Frankel, Lois	Kirkpatrick
Chu	Gallego	Krishnamoorthi

Aderholt	Flood	Loudermilk
Amodei	Flores	Lucas
Armstrong	Fox	Luetkemeyer
Arrington	Franklin, C.	Mace
Babin	Scott	Malliotakis
Bacon	Fulcher	Mann
Baird	Gaetz	Massie
Balderson	Gallagher	Mast
Banks	Garbarino	McCaul
Barr	Garcia (CA)	McClain
Bentz	Gibbs	McClintock
Bergman	Jimenez	McHenry
Bice (OK)	Gohmert	McKinley
Biggs	Gonzales, Tony	Meijer
Bilirakis	Gooden (TX)	Meuser
Bishop (NC)	Gosar	Miller (IL)
Boebert	Granger	Miller (WV)
Bost	Graves (LA)	Miller-Meeks
Brady	Graves (MO)	Moolenaar
Brooks	Green (TN)	Mooney
Buchanan	Griffith	Moore (AL)
Buck	Grothman	Moore (UT)
Bucshon	Guest	Mullin
Budd	Guthrie	Murphy (NC)
Burchett	Harris	Nehls
Calvert	Harshbarger	Newhouse
Cammack	Herrell	Oberholte
Carey	Herrera Beutler	Owens
Carl	Hice (GA)	Palazzo
Carter (GA)	Higgins (LA)	Palmer
Carter (TX)	Hill	Pence
Cawthorn	Hinson	Perry
Chabot	Hollingsworth	Pfluger
Cheney	Hudson	Posey
Cline	Huizenga	Reschenthaler
Cloud	Issa	Rice (SC)
Clyde	Jackson	Rodgers (WA)
Cole	Jacobs (NY)	Rogers (AL)
Comer	Johnson (LA)	Rogers (KY)
Conway	Johnson (OH)	Rose
Crawford	Johnson (SD)	Rosendale
Crenshaw	Jordan	Rouzer
Curtis	Joyce (OH)	Roy
Davidson	Joyce (PA)	Rutherford
Davis, Rodney	Katko	Salazar
DesJarlais	Keller	Schrader
Diaz-Balart	Kelly (MS)	Schweikert
Donalds	Kelly (PA)	Scott, Austin
Dunn	Kim (CA)	Sessions
Ellzey	Kinzinger	Simpson
Emmer	Kustoff	Smith (MO)
Estes	LaHood	Smith (NE)
Fallon	LaMalfa	Smith (NJ)
Feenstra	Lamborn	Smucker
Ferguson	Latta	Spartz
Fischbach	LaTurner	Staubert
Fitzgerald	Lesko	Steel
Fleischmann	Letlow	Stefanik

Steil	Upton	Webster (FL)
Steupe	Valadao	Westrup
Stewart	Van Drew	Westerman
Taylor	Van Duyne	Williams (TX)
Tenney	Wagner	Wilson (SC)
Thompson (PA)	Walberg	Wittman
Tiffany	Walorski	Womack
Timmons	Waltz	Zeldin
Turner	Weber (TX)	

NOT VOTING—14

Allen	Gonzalez (OH)	Long
Burgess	Good (VA)	McCarthy
Doyle, Michael F.	Greene (GA)	Norman
Duncan	Hartzler	Pascrell
	Hern	Scalise

□ 1933

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to direct the Secretary of Agriculture and the Secretary of the Interior to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes.”

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	DeSaulnier	Jeffries
Barr (Wagner)	(Perlmutter)	(Velázquez)
Bass (Neguse)	DesJarlais	Johnson (LA)
Blumenauer (Kuster)	(Fleischmann)	(Graves (LA))
Blunt Rochester (Kelly (IL))	Deutch	Johnson (SD)
Boebert (Cawthorn)	(Wasserman Schultz)	(Fleischmann)
Bourdeaux (Correa)	Dingell (Kuster)	Johnson (TX)
Bowman (Ocasio-Cortez)	Doggett	(Pallone)
Boyle, Brendan F. (Trone)	(Takano)	Jones (Trone)
Bush (Ocasio-Cortez)	Donalds	Joyce (PA)
Bustos (Kuster)	(Timmons)	(Keller)
Cárdenas (Soto)	Evans (Neguse)	Kahele (Correa)
Carter (TX)	Frankel, Lois	Katko (Meijer)
(Weber (TX))	(Kuster)	Keating (Correa)
Casten (Neguse)	Gaetz (Cawthorn)	Kinzinger
Cherfilus-McCormick (Neguse)	Garamendi	(Meijer)
Comer (Keller)	(Pallone)	Kirkpatrick
Conway (Moore (UT))	Garbarino	(Pallone)
Craig (Kuster)	(Moore (UT))	LaHood (Latta)
Crawford (Fleischmann)	Gibbs (Bucshon)	Lamborn
Crist (Wasserman Schultz)	Gimenez	(Fleischmann)
Cuellar (Correa)	(Salazar)	Lawson (FL)
Curtis (Moore (UT))	Gonzales, Tony	(Wasserman Schultz)
DeGette (Perlmutter)	(Bice (OK))	Leger Fernandez
	Gosar (Weber (TX))	(Garcia (TX))
	Granger (Weber (TX))	Letlow (Moore (UT))
	Green (TN)	Levin (MI)
	(Fleischmann)	(Correa)
	Guest	Malliotakis
	(Fleischmann)	(Armstrong)
	Guthrie (Wagner)	Maloney,
	(Moore (UT))	Carolyn B.
	Herrera Beutler	(Wasserman Schultz)
	(Moore (UT))	Schultz)
	Jackson Lee	McBath (Bishop (GA))
	(Cicilline)	(GA))
	Jayapal	McEachin
	(Pallone)	(Trone)

McHenry (Wagner)	Rice (SC)	Strickland (Neguse)
McNerney	(Meijer)	(Neguse)
(Pallone)	Rodgers (WA)	Suozzi
Miller (WV)	(Moore (UT))	(Perlmutter)
(Mooney)	Ruppersberger	Swalwell
Miller-Meeks (Keller)	(Trone)	(Correa)
(Keller)	Ryan (Kuster)	Taylor (Armstrong)
Moore (WI)	Schakowsky	(Armstrong)
(Neguse)	(Cicilline)	Thompson (CA)
Moulton	Scott, David	(Correa)
(Perlmutter)	(Perlmutter)	Tiffany
Neal (Kildee)	Sewell (Cicilline)	(Fitzgerald)
Nehls (Weber (TX))	Sires (Pallone)	Tlaib (Ocasio-Cortez)
Newman (Trone)	Smith (WA)	Torres (NY)
Omar (Takano)	(Wasserman Schultz)	(Correa)
Owens (Moore (UT))	Schultz	Trahan (Trone)
Palazzo (Fleischmann)	Smucker (Kelly (PA))	Van Drew
Panetta (Correa)	Spartz (Banks)	(Fleischmann)
Payne (Pallone)	Speier (Garcia (TX))	Vargas (Correa)
Porter (Wexton)	Stansbury	Veasey (Kelly (IL))
Pressley (Ocasio-Cortez)	(Ocasio-Cortez)	Walorski (Banks)
Reschenthaler (Keller)	Steel (Kim (CA))	Waltz (Salazar)
Rice (NY)	Stefanik (Keller)	Welch (Pallone)
(Wasserman Schultz)	Steube	Westrup (Latta)
	(Franklin, C. Scott)	Williams (GA)
	Stevens (Kuster)	(Neguse)
	Stewart (Moore (UT))	Wilson (FL)
		(Soto)
		Wilson (SC)
		(Dunn)

Carter (GA)	Jackson Lee	Payne
Carter (LA)	Jacobs (CA)	Perlmutter
Cartwright	Jacobs (NY)	Peters
Case	Jayapal	Phillips
Casten	Jeffries	Pingree
Castor (FL)	Johnson (GA)	Pocan
Castro (TX)	Johnson (OH)	Porter
Cawthorn	Johnson (TX)	Posey
Chabot	Jones	Pressley
Cherfilus-McCormick	Joyce (OH)	Quigley
Chu	Kahele	Raskin
Cicilline	Kaptur	Reschenthaler
Clark (MA)	Katko	Rice (NY)
Clarke (NY)	Keating	Rice (SC)
Cleaver	Kelly (IL)	Rogers (KY)
Clyburn	Khanna	Ross
Cohen	Kildee	Roybal-Allard
Cole	Kilmer	Ruiz
Connolly	Kim (CA)	Ruppersberger
Cooper	Kim (NJ)	Rush
Correa	Kind	Rutherford
Costa	Kinzinger	Ryan
Courtney	Kirkpatrick	Salazar
Craig	Krishnamoorthi	Sánchez
Crenshaw	Kuster	Sarbanes
Crist	Lamb	Scanlon
Crow	Langevin	Schakowsky
Cuellar	Larsen (WA)	Schiff
Curtis	Larson (CT)	Schneider
Davis (KS)	Lawrence	Schradler
Davis, Danny K.	Lawson (FL)	Schrier
Davis, Rodney	Lee (CA)	Schweikert
Dean	Lee (NV)	Scott (VA)
DeFazio	Leger Fernandez	Scott, David
DeGette	Levin (CA)	Sessions
DeLauro	Levin (MI)	Sewell
DeBene	Lieu	Sherman
Demings	Lofgren	Sherrill
DeSaulnier	Lowenthal	Sires
Deutch	Luria	Slotkin
Diaz-Balart	Lynch	Smith (NJ)
Dingell	Mace	Smith (WA)
Doggett	Malinowski	Smucker
Escobar	Malliotakis	Soto
Eshoo	Maloney,	Spanberger
Espallat	Carolyn B.	Speier
Evans	Maloney, Sean	Stansbury
Fitzpatrick	Manning	Stanton
Fletcher	Matsui	Steel
Foster	McBath	Stefanik
Frankel, Lois	McCaul	Stevens
Gaetz	McClain	Strickland
Gallagher	McCollum	Suozzi
Galleo	McEachin	Swalwell
Garamendi	McGovern	Takano
Garbarino	McKinley	Tenney
Garcia (CA)	McNerney	Thompson (CA)
Garcia (IL)	Meeks	Thompson (MS)
Garcia (TX)	Meng	Titus
Gimenez	Mfume	Tlaib
Golden	Moore (AL)	Tonko
Gomez	Moore (WI)	Torres (CA)
Gonzalez,	Morelle	Torres (NY)
Vicente	Moulton	Trahan
Gooden (TX)	Mrvan	Trone
Gottheimer	Murphy (FL)	Turner
Green, Al (TX)	Nadler	Underwood
Grijalva	Napolitano	Upton
Harder (CA)	Neal	Valadao
Harshbarger	Neguse	Van Drew
Hayes	Nehls	Van Duyne
Herrera Beutler	Newman	Vargas
Higgins (NY)	Norcross	Veasey
Hill	O'Halleran	Velázquez
Himes	Ocasio-Cortez	Waltz
Horsford	Omar	Wasserman
Houlahan	Palazzo	Schultz
Hoyer	Pallone	Waters
Huffman	Panetta	Watson Coleman
	Pappas	Welch

BIG CAT PUBLIC SAFETY ACT

The SPEAKER pro tempore (Mr. AGUILAR). Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 263) to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. PIN-GREE). The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 278, nays 134, not voting 18, as follows:

[Roll No. 415]

YEAS—278

Adams	Beyer	Brown (OH)
Aguilar	Bilirakis	Brownley
Allred	Bishop (GA)	Buchanan
Amodei	Blumenauer	Buck
Auchincloss	Blunt Rochester	Burchett
Axne	Bonamici	Bush
Bacon	Bourdeaux	Bustos
Balderson	Bowman	Calvert
Barragan	Boyle, Brendan F.	Carbajal
Bass	Brady	Cárdenas
Beatty	Brown (MD)	Carey
Bera		Carson

Wexton	Wilson (FL)	Zeldin
Wild	Womack	
Williams (GA)	Yarmuth	
NAYS—134		
Aderholt	Gibbs	Meuser
Armstrong	Gohmert	Miller (IL)
Arrington	Gonzales, Tony	Miller (WV)
Babin	Gosar	Miller-Meeks
Baird	Granger	Moolenaar
Banks	Graves (LA)	Mooney
Barr	Graves (MO)	Moore (UT)
Bentz	Green (TN)	Mullin
Bergman	Griffith	Murphy (NC)
Bice (OK)	Grothman	Newhouse
Biggs	Guest	Obernolte
Bishop (NC)	Guthrie	Owens
Boebert	Harris	Palmer
Bost	Herrell	Pence
Brooks	Hice (GA)	Perry
Bucshon	Higgins (LA)	Pfluger
Budd	Hinson	Rodgers (WA)
Cammack	Hollingsworth	Rogers (AL)
Carl	Hudson	Rose
Carter (TX)	Huizenga	Rosendale
Cheney	Issa	Rouzer
Cline	Jackson	Roy
Cloud	Johnson (LA)	Scott, Austin
Clyde	Johnson (SD)	Simpson
Comer	Joyce (PA)	Smith (MO)
Conway	Keller	Smith (NE)
Crawford	Kelly (MS)	Spartz
DesJarlais	Kelly (PA)	Stauber
Donalds	Kustoff	Steil
Dunn	LaHood	Steube
Ellzey	LaMalfa	Stewart
Emmer	Lamborn	Taylor
Estes	Latta	Thompson (PA)
Fallon	LaTurner	Tiffany
Feenstra	Lesko	Timmons
Ferguson	Letlow	Wagner
Fischbach	Loudermilk	Walberg
Fitzgerald	Lucas	Walorski
Fleischmann	Luetkemeyer	Weber (TX)
Flood	Mann	Webster (FL)
Flores	Massie	Wenstrup
Foxx	Mast	Westerman
Franklin, C.	McClintock	Williams (TX)
Scott	McHenry	Wilson (SC)
Fulcher	Meijer	Wittman

NOT VOTING—18

Allen	Gonzalez (OH)	McCarthy
Burgess	Good (VA)	Norman
Butterfield	Greene (GA)	Pascrell
Davidson	Hartzler	Price (NC)
Doyle, Michael	Hern	Scalise
F.	Jordan	
Duncan	Long	

□ 1949

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	Craig (Kuster)	Garamendi
Barr (Wagner)	Crawford (Pallone)	
Bass (Neguse)	(Fleischmann)	Garbarino
Blumenauer	Crist	(Moore (UT))
(Kuster)	(Wasserman)	Gibbs (Bucshon)
Blunt Rochester	Schultz	Gimenez
(Kelly (IL))	Cuellar (Correa)	(Salazar)
Boebert	Curtis (Moore)	Gonzales, Tony
(Cawthorn)	(UT)	(Bice (OK))
Bourdeaux	DeGette	Gosar (Weber
(Correa)	(Perlmutter)	(TX))
Bowman (Ocasio-	DeSaulnier	Granger (Weber
Cortez)	(Perlmutter)	(TX))
Boyle, Brendan	DesJarlais	Green (TN)
F. (Trone)	(Fleischmann)	(Fleischmann)
Bush (Ocasio-	Deutch	Guest
Cortez)	(Wasserman)	(Fleischmann)
Bustos (Kuster)	Schultz	Guthrie (Wagner)
Cárdenas (Soto)	Dingell (Kuster)	Herrera Beutler
Carter (TX)	(Weber (TX))	(Moore (UT))
(Weber (TX))	(Takano)	Jackson Lee
Casten (Neguse)	Donalds	(Cicilline)
Cherfilus-	(Timmons)	Jayapal
McCormick	(Neguse)	(Pallone)
(Neguse)	Evans (Neguse)	Jeffries
Comer (Keller)	Frankel, Lois	(Velázquez)
Conway (Moore	(Kuster)	Johnson (LA)
(UT))	Gaetz (Cawthorn)	(Graves (LA))

Johnson (SD)	Moore (WI)	Stansbury
(Fleischmann)	(Neguse)	(Ocasio-Cortez)
Johnson (TX)	Moulton	Steel (Kim (CA))
(Pallone)	(Perlmutter)	Stefanik (Keller)
Jones (Trone)	Neal (Kildee)	Steube
Joyce (PA)	Nehls (Weber	(Franklin, C.
(Keller)	(TX))	Scott)
Kahele (Correa)	Newman (Trone)	Stevens (Kuster)
Katko (Meijer)	Omar (Takano)	Stewart (Moore
Keating (Correa)	Owens (Moore	(UT))
Kinzinger	(UT)	Strickland
(Meijer)	Palazzo	(Neguse)
Kirkpatrick	(Fleischmann)	Suozi
(Pallone)	Panetta (Correa)	(Perlmutter)
LaHood (Latta)	Payne (Pallone)	Swalwell
Lamborn	Porter (Wexton)	(Correa)
(Fleischmann)	Pressley (Ocasio-	Taylor
Lawson (FL)	Cortez)	(Armstrong)
(Wasserman)	Reschenthaler	(Keller)
Schultz	(Keller)	Thompson (CA)
Leger Fernandez	Rice (NY)	(Correa)
(Garcia (TX))	(Wasserman)	Tiffany
Letlow (Moore	Schultz)	(Fitzgerald)
(UT))	Rice (SC)	Tlaib (Ocasio-
Levin (MI)	(Meijer)	Cortez)
(Correa)	Rodgers (WA)	Torres (NY)
Malliotakis	(Moore (UT))	(Correa)
(Armstrong)	Ruppersberger	Trahan (Trone)
Maloney,	(Trone)	Van Drew
Carolyn B.	Ryan (Kuster)	(Fleischmann)
(Wasserman)	Schakowsky	Vargas (Correa)
Schultz	(Cicilline)	Veasey (Kelly
McBath (Bishop	Scott, David	(IL))
(GA))	(Perlmutter)	Walorski (Banks)
McEachin	Sewell (Cicilline)	Waltz (Salazar)
(Trone)	Sires (Pallone)	Welch (Pallone)
McHenry	Smith (WA)	Wenstrup (Latta)
(Wagner)	(Wasserman)	Williams (GA)
McNerney	Schultz	(Neguse)
(Pallone)	Smucker (Kelly	(PA))
Miller (WV)	(PA))	Wilson (FL)
(Mooney)	Spartz (Banks)	(Soto)
Miller-Meeks	Speier (Garcia	Wilson (SC)
(Keller)	(TX))	(Dunn)

SAFEGUARDING TREATMENT FOR THE RESTORATION OF ECO-SYSTEMS FROM ABANDONED MINES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7283) to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LOWENTHAL) that the House suspend the rules and pass the bill, as amended. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 9, not voting 30, as follows:

[Roll No. 416] YEAS—391

Adams	Beatty	Brooks
Aderholt	Bentz	Brown (MD)
Aguiar	Bera	Brown (OH)
Alred	Bergman	Brownley
Amodei	Beyer	Buchanan
Armstrong	Bice (OK)	Bucshon
Arrington	Bilirakis	Budd
Auchincloss	Bishop (GA)	Burchett
Axne	Blumenauer	Bush
Babin	Blunt Rochester	Bustos
Bacon	Bonamici	Calvert
Baird	Bost	Cammack
Balderson	Bourdeaux	Carbajal
Banks	Bowman	Cárdenas
Barr	Boyle, Brendan	Carey
Barragán	F.	Carl
Bass	Brady	Carson

Carter (GA)	Guthrie	Meng
Carter (LA)	Harder (CA)	Meuser
Carter (TX)	Harris	Mfume
Cartwright	Harshbarger	Miller (IL)
Case	Hayes	Miller (WV)
Casten	Herrell	Miller-Meeks
Castor (FL)	Herrera Beutler	Moolenaar
Castro (TX)	Higgins (LA)	Mooney
Cawthorn	Higgins (NY)	Moore (AL)
Chabot	Hill	Moore (UT)
Cheney	Himes	Moore (WI)
Cherfilus-	Hinson	Morelle
McCormick	Hollingsworth	Moulton
Chu	Horsford	Mrvan
Cicilline	Houlihan	Mullin
Clark (MA)	Hoyer	Murphy (FL)
Clarke (NY)	Hudson	Murphy (NC)
Cleaver	Huffman	Nadler
Cline	Huizenga	Napolitano
Cloud	Issa	Neal
Clyde	Jackson	Neguse
Cohen	Jackson Lee	Nehls
Cole	Jacobs (CA)	Newhouse
Comer	Jacobs (NY)	Newman
Connolly	Jayapal	Norcross
Conway	Jeffries	O'Halleran
Cooper	Johnson (GA)	Obernolte
Correa	Johnson (LA)	Ocasio-Cortez
Costa	Johnson (OH)	Omar
Courtney	Johnson (SD)	Owens
Craig	Johnson (TX)	Pallazo
Crawford	Jones	Pallone
Crenshaw	Joyce (OH)	Palmer
Crist	Joyce (PA)	Panetta
Crow	Kahele	Pappas
Cuellar	Kaptur	Payne
Curtis	Katko	Pence
Davids (KS)	Keating	Perlmutter
Davis, Danny K.	Keller	Perry
Davis, Rodney	Kelly (IL)	Peters
Dean	Kelly (MS)	Pfluger
DeGette	Kelly (PA)	Phillips
DeLauro	Khanna	Pingree
DelBene	Kildee	Pocan
Demings	Kilmer	Porter
DeSaulnier	Kim (CA)	Quigley
DesJarlais	Kim (NJ)	Raskin
Deutch	Kind	Reschenthaler
Diaz-Balart	Kirkpatrick	Rice (NY)
Dingell	Krishnamoorthi	Rice (SC)
Doggett	Kuster	Rodgers (WA)
Dunn	Kustoff	Rogers (AL)
Ellzey	LaHood	Rogers (KY)
Emmer	LaMalfa	Rose
Escobar	Lamb	Ross
Eshoo	Lamborn	Rouzer
Espallat	Langevin	Roybal-Allard
Estes	Larsen (WA)	Ruiz
Evans	Larson (CT)	Ruppersberger
Fallon	Latta	Rush
Feenstra	LaTurner	Rutherford
Ferguson	Lawrence	Ryan
Fischbach	Lawson (FL)	Salazar
Fitzpatrick	Lee (CA)	Sánchez
Fleischmann	Lee (NV)	Sarbanes
Fletcher	Leger Fernandez	Schakowsky
Flood	Lesko	Schiff
Flores	Letlow	Schneider
Foster	Levin (CA)	Schrader
Frankel, Lois	Levin (MI)	Schrier
Franklin, C.	Lieu	Schweikert
Scott	Lofgren	Scott (VA)
Fulcher	Lowenthal	Scott, Austin
Gaetz	Lucas	Scott, David
Gallagher	Luetkemeyer	Sessions
Galleo	Luria	Sewell
Garamendi	Lynch	Sherman
Garbarino	Mace	Sherrill
Garcia (CA)	Malinowski	Simpson
Garcia (IL)	Malliotakis	Sires
Garcia (TX)	Maloney,	Slotkin
Gibbs	Carolyn B.	Smith (MO)
Gimenez	Maloney, Sean	Smith (NE)
Golden	Mann	Smith (NJ)
Gomez	Manning	Smith (WA)
Gonzales, Tony	Mast	Smucker
Gonzalez,	Matsui	Soto
Vicente	McBath	Spanberger
Gooden (TX)	McCaul	Spartz
Gosar	McClain	Speier
Gottheimer	McClintock	Stansbury
Granger	McColum	Stanton
Graves (LA)	McEachin	Stauber
Graves (MO)	McGovern	Steel
Green (TN)	McHenry	Stefanik
Green, Al (TX)	McKinley	Steil
Griffith	McNerney	Steube
Grijalva	Meeks	Stevens
Guest	Meijer	Stewart

Strickland  
Suozi  
Swalwell  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Timmons  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan  
Trone

NAYS—9

Biggs  
Boebert  
Donalds

NOT VOTING—30

Allen  
Bishop (NC)  
Buck  
Burgess  
Butterfield  
Clyburn  
Davidson  
DeFazio  
Doyle, Michael  
F.  
Duncan

□ 2006

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)  
Barr (Wagner)  
Bass (Neguse)  
Blumenauer  
(Kuster)  
Blunt Rochester  
(Kelly (IL))  
Boebert  
(Cawthorn)  
Bourdeaux  
(Correa)  
Bowman (Ocasio-  
Cortez)  
Boyle, Brendan  
F. (Trone)  
Bush (Ocasio-  
Cortez)  
Bustos (Kuster)  
Cárdenas (Soto)  
Carter (TX)  
(Weber (TX))  
Casten (Neguse)  
Cherfilus-  
McCormick  
(Neguse)  
Cohen (Beyer)  
Comer (Keller)  
Conway (Moore  
(UT))  
Craig (Kuster)  
Crawford  
(Fleischmann)  
Crist  
(Wasserman  
Schultz)  
Cuellar (Correa)  
Curtis (Moore  
(UT))  
DeGette  
(Perlmutter)  
DeSaulnier  
(Perlmutter)  
DesJarlais  
(Fleischmann)  
Deutch  
(Wasserman  
Schultz)  
Dingell (Kuster)  
Doggett  
(Takano)

Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Wexton  
Wild  
Williams (GA)  
Scott, David  
(Perlmutter)  
Sewell (Cicilline)  
Sires (Pallone)  
Smith (WA)  
Womack  
Schultz  
Smucker (Kelly  
(PA))  
Spartz (Banks)  
Speier (Garcia  
(TX))

INCLUDING CERTAIN COMPUTER-RELATED PROJECTS IN THE FEDERAL PERMITTING PROGRAM UNDER TITLE XLI OF THE FAST ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3451) to include certain computer-related projects in the Federal permitting program under title XLI of the FAST Act, and for other purposes on which the yeas and nays were ordered.

The Clerk read the title of the bill. 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.

This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 303, nays 89, not voting 38, as follows:

[Roll No. 417]  
YEAS—303

Aderholt  
Aguilar  
Allred  
Amodei  
Armstrong  
Arrington  
Auchincloss  
Axne  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Beatty  
Bentz  
Bera  
Bergman  
Beyer  
Bice (OK)  
Biggs  
Bishop (GA)  
Boebert  
Bost  
Bourdeaux  
Brooks  
Brown (OH)  
Brownley  
Buchanan  
Buchson  
Budd  
Burchett  
Bustos  
Donalds  
Dunn  
Ellzey  
Emmer  
Escobar  
Eshoo  
Estes  
Fallon  
Feenstra

Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Himes  
Hinson  
Hollingsworth  
Houlahan  
Hoyer  
Hudson  
Huizenga  
Issa  
Jackson  
Jackson Lee  
Jacobs (NY)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Joyce (OH)  
Joyce (PA)  
Katko  
Keating  
Keller  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Khanna  
Kildee  
Kilmer  
Kim (CA)  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster  
Kustoff  
LaHood  
LaMalfa  
Lamb  
Lamborn  
Langevin  
Larsen (WA)  
Latta  
LaTurner  
Lawrence  
Lawson (FL)  
Lee (NV)  
Lesko  
Letlow  
Lieu  
Lucas  
Luetkemeyer  
Luria  
Lynch  
Mace  
Malinowski  
Malliotakis  
Mann  
Manning  
Mast  
Matsui

Neals  
Nehls  
Newhouse  
Norcross  
O'Halleran  
Oberholte  
Owens  
Palazzo  
Palmer  
Panetta  
Pappas  
Payne  
Pence  
Perlmutter  
Perry  
Peters  
Pfluger  
Phillips  
Pingree  
Posey  
Reschenthaler  
Rice (NY)  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Ross  
Rouzer  
Roybal-Allard  
Ruppersberger  
Rush  
Mace  
Rutherford  
Ryan  
Salazar  
Sánchez  
Schiff  
Schneider  
Schrader

NAYS—89

Adams  
Barragán  
Bass  
Blumenauer  
Blunt Rochester  
Bonamici  
Bowman  
Boyle, Brendan  
F.  
Brown (MD)  
Bush  
Carson  
Cartwright  
Case  
Castor (FL)  
Castro (TX)  
Cherfilus-  
McCormick  
Cicilline  
Connolly  
Crist  
Crow  
DeGette  
DeLauro  
DeSaulnier  
Dingell  
Doggett  
Espallat  
Evans  
Frankel, Lois  
Gomez

NOT VOTING—38

Allen  
Bilirakis  
Bishop (NC)

Schrier  
Schweikert  
Scott, Austin  
Scott, David  
Sessions  
Sewell  
Sherman  
Sherrill  
Simpson  
Slotkin  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Soto  
Moore (WI)  
Spartz  
Speier  
Stanton  
Staubert  
Steel  
Stefanik  
Neal  
Steil  
Steube  
Stevens  
Stewart  
Strickland  
Suozi  
Swalwell  
Taylor  
Tenney  
Thompson (CA)  
Thompson (PA)  
Timmons  
Torres (CA)  
Trahan  
Trone  
Turner  
Upton  
Valadao  
Van Drew  
Van Dуйne  
Vargas  
Veasey  
Wagner  
Walberg  
Walorski  
Waltz  
Wasserman  
Schultz  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Zeldin

Mooney  
Moore (AL)  
Moore (UT)  
Moore (WI)  
Morelle  
Moulton  
Mrvan  
Mullin  
Murphy (FL)  
Neal  
Nehls  
Newhouse  
Norcross  
O'Halleran  
Oberholte  
Owens  
Palazzo  
Palmer  
Panetta  
Pappas  
Payne  
Pence  
Perlmutter  
Perry  
Peters  
Pfluger  
Phillips  
Pingree  
Posey  
Reschenthaler  
Rice (NY)  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Ross  
Rouzer  
Roybal-Allard  
Ruppersberger  
Rush  
Mace  
Rutherford  
Ryan  
Salazar  
Sánchez  
Schiff  
Schneider  
Schrader

Gottheimer  
Grijalva  
Higgins (NY)  
Horsford  
Huffman  
Jacobson (CA)  
Jayapal  
Jeffries  
Johnson (TX)  
Jones  
Kahele  
Kim (NJ)  
Larson (CT)  
Lee (CA)  
Leger Fernandez  
Levin (CA)  
Levin (MI)  
Lofgren  
Lowenthal  
Maloney,  
Carolyn B.  
Maloney, Sean  
McCormack  
McEachin  
McGovern  
McNerney  
Meng  
Mfume  
Nadler  
Napolitano  
Neguse

Newman  
Ocasio-Cortez  
Omar  
Pallone  
Pocan  
Porter  
Pressley  
Quigley  
Raskin  
Ruiz  
Sarbanes  
Kim (NJ)  
Larson (CT)  
Lee (CA)  
Leger Fernandez  
Levin (CA)  
Levin (MI)  
Lofgren  
Lowenthal  
Maloney,  
Carolyn B.  
Maloney, Sean  
McCormack  
McEachin  
McGovern  
McNerney  
Meng  
Mfume  
Nadler  
Napolitano  
Neguse

Butterfield  
Clyburn  
Clyde

Davidson	Good (VA)	McCarthy
DeVas, Danny K.	Greene (CA)	McCaul
DeFazio	Hartzler	Murphy (NC)
Doyle, Michael	Hern	Norman
F.	Jordan	Pascarell
Duncan	Kaptur	Price (NC)
Ferguson	Kinzinger	Roy
Fitzgerald	Long	Scalise
Foxx	Loudermilk	Scanlon
Gonzalez (OH)	Massie	Tiffany

□ 2023

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Babin (Pfluger)	Guest	Pressley (Ocasio-Cortez)
Barr (Wagner)	(Fleischmann)	
Bass (Neguse)	Guthrie (Wagner)	Reschenthaler (Keller)
Blumenauer (Kuster)	Herrera Beutler (Moore (UT))	Rice (NY)
Blunt Rochester (Kelly (IL))	Jackson Lee (Cicilline)	(Wasserman Schultz)
Boebert (Cawthorn)	Jayapal (Pallone)	Rice (SC)
Bourdeaux (Correa)	Jeffries (Velázquez)	(Meijer)
Bowman (Ocasio-Cortez)	Johnson (LA)	Rodgers (WA)
Boyle, Brendan F. (Trone)	(Graves (LA))	(Moore (UT))
Bush (Ocasio-Cortez)	Johnson (SD)	Ruppersberger (Trone)
Bustos (Kuster)	(Fleischmann)	Ryan (Kuster)
Cárdenas (Soto)	Johnson (TX)	Schakowsky (Cicilline)
Carter (TX)	(Pallone)	Scott, David (Perlmutter)
(Weber (TX))	Jones (Trone)	Sewell (Cicilline)
Casten (Neguse)	Joyce (PA)	Smith (WA)
Cherfilus-McCormick (Neguse)	Katko (Meijer)	(Wasserman Schultz)
Cohen (Beyer)	Keating (Correa)	Smucker (Kelly (PA))
Comer (Keller)	Kirkpatrick (Pallone)	LaHood (Latta)
Conway (Moore (UT))	LaHood (Latta)	Lamborn (Fleischmann)
Craig (Kuster)	Lamborn (Fleischmann)	Lawson (FL)
Crawford (Fleischmann)	Lawson (FL)	(Wasserman Schultz)
Crist (Wasserman Schultz)	(Wasserman Schultz)	Leger Fernandez (Garcia (TX))
Cuellar (Correa)	Letlow (Moore (UT))	Levin (MI)
Curtis (Moore (UT))	Levin (MI)	(Correa)
DeGette (Perlmutter)	Malliotakis (Armstrong)	Stevens (Kuster)
DeSaulnier (Perlmutter)	Maloney, Carolyn B. (Wasserman Schultz)	Stewart (Moore (UT))
DesJarlais (Fleischmann)	Maloney, Carolyn B. (Wasserman Schultz)	Strickland (Neguse)
Deutch (Wasserman Schultz)	McBath (Bishop (GA))	Suozzi (Perlmutter)
Dingell (Kuster)	McEachin (Trone)	Swalwell (Correa)
Doggett (Takano)	McHenry (Wagner)	Taylor (Armstrong)
Donalds (Timmons)	McNerney (Pallone)	Thompson (CA)
Evans (Neguse)	Miller (WV)	(Correa)
Frankel, Lois (Kuster)	(Mooney)	Tlaib (Ocasio-Cortez)
Gaetz (Cawthorn)	Miller-Meeke (Keller)	Torres (NY)
Garamendi (Pallone)	Moore (WI)	(Correa)
Garbarino (Moore (UT))	(Neguse)	Trahan (Trone)
Gibbs (Bucshon)	Moulton (Perlmutter)	Van Drew (Fleischmann)
Jimenez (Salazar)	Neal (Kildee)	Vargas (Correa)
Gonzales, Tony (Bice (OK))	Nehls (Weber (TX))	Veasey (Kelly (IL))
Gosar (Weber (TX))	(TX))	Walorski (Banks)
Granger (Weber (TX))	Newman (Trone)	Waltz (Salazar)
Green (TN)	Omar (Takano)	Welch (Pallone)
(Fleischmann)	Owens (Moore (UT))	Wenstrup (Latta)
	Palazzo (Fleischmann)	Williams (GA)
	Panetta (Correa)	(Neguse)
	Payne (Pallone)	Wilson (FL)
	Porter (Wexton)	(Soto)
		Wilson (SC)
		(Dunn)

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 1808, ASSAULT WEAPONS BAN OF 2022

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1808, to include corrections in section numbers, punctuation, spelling, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore (Mr. PERLMUTTER). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 8167

Mr. KELLY of Mississippi. Mr. Speaker, I hereby remove my name as cosponsor of H.R. 8167.

The SPEAKER pro tempore. The gentleman's request is accepted.

COMMUNICATION FROM THE  
REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable KEVIN MCCARTHY, Republican Leader:

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 29, 2022.

Hon. NANCY PELOSI,  
Speaker of the House,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to 29 USC § 780, I am pleased to appoint the following member to the National Council on Disability:

Mr. Shawn Kennemer, Bakersfield, California.

Thank you for your attention to this matter.

Sincerely,

KEVIN MCCARTHY,  
Republican Leader.

LOWERING COSTS FOR  
HARDWORKING AMERICANS

(Ms. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Ohio. Mr. Speaker, House Democrats have been fighting to lower costs for hardworking American families every day. From the gas pump to the grocery store checkout lines, we have reclaimed our commitment to our mission of creating a fair and balanced economy where Americans can thrive, and our efforts are starting to pay off in some areas.

For example, gas prices continue to drop across the Nation, which leaves a little more money in the pockets of American families, allowing them to spend more on necessities like putting food on the table.

We have passed a series of bills to lower everyday costs for Americans, including the Lower Food and Fuel Costs Act and the Consumer Fuel Price Gouging Prevention Act.

However, we need more.

We must continue to put people over politics and pass more comprehensive legislation to help Americans thrive.

□ 2030

WHY DO YOU WANT MY GUNS

(Mr. CAWTHORN asked and was given permission to address the House for 1 minute.)

Mr. CAWTHORN. Mr. Speaker, a right is not truly a right if it requires permission from the ruling class. Mr. Speaker, you and others in this body seek to strip us of the most sacred tenet of natural law. With H.R. 1808, this body is attempting to disarm Americans by outlawing basic rifles and handguns.

It seems only logical to think that a government intent on disarming its citizens is planning to do something that those same citizens would utilize firearms to prevent.

In response to this radical gun control bill, I submitted H.R. 8399, effectively known as the double tap to tyranny bill, to amend the Internal Revenue Code and repeal the National Firearms Act, thus removing infringements on our Second Amendment.

H.R. 1808 and the NFA both stem from the same class of totalitarianism. Our Founders understood that the first steps to tyranny begin by removing every safeguard that hinders its approach.

Mr. Speaker, let me ask you this: Why do you want my guns? You seem perfectly content sitting behind a squadron of armed guards while your constituents are slaughtered by gang violence in the streets. Perhaps your reason for taking away my rights to defend myself are not as well-intentioned as you present them to be.

CONGRATULATING KATELLA HIGH  
SCHOOL

(Mr. CORREA asked and was given permission to address the House for 1 minute.)

Mr. CORREA. Mr. Speaker, today I rise to congratulate Katella High School in my district for winning the National Green Ribbon Award.

Katella High School is one of 36 high schools nationwide to win this honor. Katella High School has also been recognized as a California Green Ribbon School not once but twice; in 2020 earning the bronze award, and in 2021 earning the silver award.

From a Colonist to the Knights, congratulations. Keep up the good work.

## CARDS FOR ILLEGAL IMMIGRANTS

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Mr. Speaker, everybody is obsessed with inflation, as well they should be obsessed, but there are so many stories out there that the mainstream media is not covering that the American public ought to be aware of.

Right now, ICE is proposing identification cards for illegal immigrants. First of all, we have a situation in which there are over 170,000 people allowed in this country every month who should probably not even be here illegally.

Why is this?

Already we promised free healthcare, and I think in many cases people coming here illegally are getting more healthcare or easier access to healthcare than people are originally. They are allowed to travel all around the country.

Now there is already a concern in my State that many illegal immigrants are getting public benefits, as well. I am afraid that these cards will be used to further solidify the programs to give free public benefits to those people who shouldn't be here.

I hope the press looks into it.

CONGRATULATING RANDAL S.  
JERNIGAN

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to congratulate Marine Sergeant Major Randal S. Jernigan, the United States Marine Corps JROTC from my alma mater, Catholic High School for Boys, in Little Rock on a very happy and healthy retirement.

Jernigan retired from the Marine Corps where he served in a variety of roles. Upon his retirement, Jernigan returned to his Ohio hometown where he began a teaching career.

Ten years later, Jernigan was hired to lead the Catholic High School JROTC program. After a short time, Jernigan took over the school's physical fitness team where during his first 3 years, Jernigan had delivered three-peat national titles.

This year, Jernigan and his team of cadets took home another national title, but this time it was different. Jernigan and his cadets received the 2022 National Title on Catholic's home field for the first time.

In all, Jernigan led nine different teams at Catholic High School to national titles, plus two more teams from Mount St. Mary Academy.

As school begins in a few weeks, we will miss seeing Sergeant Major Jernigan on campus.

Mr. Speaker, I thank Sergeant Major Jernigan for his service and dedication for our hardworking students. His impact is recognized and lasting.

## BIDEN RECESSION

(Mr. ROSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSE. Mr. Speaker, the United States has officially entered a recession thanks to the out-of-touch economic policies of President Biden and congressional Democrats.

Since the day Democrats gained control of our government, having majorities in the House, Senate, and a Democratic President in the White House, fiscally conservative Members of Congress like myself have been sounding the alarms on this reckless deficit spending that got us in this mess.

Now, it looks like it will be Republicans tasked with getting us out of this recession, as the American people are fed up with Democrats' economic policies that are causing record-breaking inflation and now a recession.

If and when Republicans gain control of the House, I can assure you the first thing we will do is stop the out-of-control and wasteful spending enacted under a complete Democratic control of Washington. Hopefully, by then, the President will come to his senses and work with Republicans to get us back on track.

ROLE THAT CALIFORNIA PLAYS IN  
CROP PRODUCTION CANNOT BE  
UNDERSTATED

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, the Biden administration is throwing such a wrench in the American economy and is stifling production in critical domestic industries, including agriculture.

His failed economic policies raised input costs on essentials like fuel and fertilizer and severely disrupted our supply chain.

Of great concern right now in California is our water supply. His regulators in the Bureau of Reclamation and U.S. Fish and Wildlife have cut so much water out of the State. We have hundreds of thousands of acres that are idle this year.

Now, why is that important to everybody across the country? California produces a very high amount of all these crops: 100 percent of artichokes, celery, garlic, honeydew, olives, plums. Many of these crops you can see on this chart here: 100 percent, 96 percent, 94 percent. Even down here, wild rice, 60 percent. Horseradish, 30 percent.

The water is being taken away to grow these crops. Is that a big deal? Well, if you want to import it from other countries, I guess you can, and then we can be subject to their supply, their price, their delivery times.

California is the top agriculture producing State in the country. We need to have a water supply. We do not need to have it taken away by regulators or given to fish or environmental stuff.

□ 2045

INFORMATION REQUEST TO  
CAPITOL POLICE

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, a law today that I was not aware of is 2 USC 1979, Release of Security Information. And section (c) says, "Nothing in this section may be construed to affect the ability of the Senate and the House of Representatives, including any Member . . . to obtain information of the Capitol Police regarding the operations and activities of the Capitol Police that affect the Senate and House of Representatives."

Mr. Speaker, they have thousands and thousands of hours of video, and I have seen what notice was given to one of the January 6 defendants. It said, You will get this section, this section. That is what we will use to prosecute. They were not given any of the exculpatory evidence.

So today, we requested this information—all the video—from the Capitol Police, and it is worth fighting for because we need to know all the truth.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH (at the request of Mr. MCCARTHY) for today on account of a natural disaster in the district.

ENROLLED BILLS SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1057. An act to require the Secretary of the Treasury to mint coins in commemoration of the National World War II Memorial in Washington, DC, and for other purposes.

H.R. 1842. An act to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

H.R. 3359. An act to provide for a system for reviewing the case files of cold case murders at the instance of certain persons, and for other purposes.

Kevin F. McCumber, Deputy Clerk of the House, further reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4346. An act making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 1 of House Resolution 1230, the House stands adjourned until 3 p.m. on Tuesday, August 2, 2022.

Thereupon (at 8 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Tuesday, August 2, 2022, at 3 p.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-4965. A letter from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting the Bureau's advisory opinion — Fair Credit Reporting; Permissible Purposes for Furnishing, Using, and Obtaining Consumer Reports received July 7, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-4966. A letter from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting the Bureau's interpretive rule — The Fair Credit Reporting Act's Limited Preemption of State Laws received July 7, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-4967. A letter from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Examination and Copying of PBGC Records (RIN: 1212-AB44) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

EC-4968. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Metal Halide Lamp Fixtures [EERE-2017-BT-TP-0053] (RIN: 1904-AE17) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4969. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Final Determination of Air Cleaners as a Covered Consumer Product [EERE-2021-BT-DET-0022] (RIN: 1904-AF25) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4970. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Appliance Standards: Certification for Ceiling Fan Light Kits, General Service Incandescent Lamps, Incandescent Reflector Lamps, Ceiling Fans, Consumer Furnaces and Boilers, Consumer Water Heaters, Dishwashers, and Commercial Clothes Washers, Battery Chargers, and Dedicated-Purpose Pool Pumps [EERE-2012-BT-STD-0045] (RIN: 1904-AE90) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4971. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final determination — Energy Conservation Program: Energy Conservation Standards for Commercial Prerinse Spray Valves [EERE-2019-BT-STD-0034] (RIN: 1904-AE56) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4972. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Improvements for

Heavy-Duty Engine and Vehicle Test Procedures [EPA-HQ-OAR-2019-0307; FRL-7423.1-01-OAR] (RIN: 2060-AV21) received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4973. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; Amendments [EPA-HQ-OAR-2002-0058; FRL-6312-01-OAR] (RIN: 2060-AU20) received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4974. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Michigan Underground Injection Control (UIC) Class II Program; Primacy Approval [EPA-HQ-OW-2020-0595; FRL 8378-04-OW] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4975. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oklahoma; Volatile Organic Compound Emissions in Nonattainment Areas and Former Nonattainment Areas [EPA-R06-OAR-2020-0437; FRL-8698-02-R6] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4976. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Arizona, California, Nevada; Emissions Statements Requirements [EPA-R09-OAR-2021-0623; FRL-8997-02-R9] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4977. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; Northern Sierra Air Quality Management District; Reasonably Available Control Technology [EPA-R09-OAR-2021-0818; FRL-9264-02-R9] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4978. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Removal of Control of Emissions from Bakery Ovens [EPA-R07-OAR-2022-0382; FRL-9767-02-R7] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4979. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methylorubrum extorquens strain NLS0042; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2021-0571; FRL-9964-01-OCSP] received July 21, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4980. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-022; to the Committee on Foreign Affairs.

EC-4981. A letter from the Assistant Secretary, Bureau of Legislative Affairs, De-

partment of State, transmitting Department Notification Number: DDTC 22-005; to the Committee on Foreign Affairs.

EC-4982. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-011; to the Committee on Foreign Affairs.

EC-4983. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-009; to the Committee on Foreign Affairs.

EC-4984. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-028; to the Committee on Foreign Affairs.

EC-4985. A letter from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Global Terrorism Sanctions Regulations received July 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

EC-4986. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a notice regarding section 542 of Division F of the Consolidated Appropriations Act, 2021 (Pub.L. 116-260), pursuant to Public Law 116-260, div. F, title V, Sec. 542; (134 Stat. 1477); to the Committee on Oversight and Reform.

EC-4987. A letter from the Chief, Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Marron Bacora and Designation of Critical Habitat [Docket No.: FWS-R4-ES-2019-0050; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BE15) received July 8, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4988. A letter from the Chief, Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Arizona Eryngo and Designation of Critical Habitat [Docket No.: FWS-R2-ES-2020-0130; FF09E21000 FXES1111090FEDR 223] (RIN: 1018-BF21) received July 8, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4989. A letter from the Acting Manager, Branch of Listing Policy and Support, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat [Docket No.: FWS-HQ-ES-2020-0047, FF09E23000 FXES1111090FEDR 223; Docket No.: 220613-0133] (RIN: 1018-BE69; 0648-BJ44) received July 8, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4990. A letter from the Attorney Advisor, Regulatory Affairs Division, Office of Chief Counsel, Pipeline and Hazardous Materials Safety Administration, transmitting the Administration's final rule — Pipeline Safety: Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments; Technical Corrections [Docket No.: PHMSA-2011-0023; Amdt. No. 191-32] (RIN: 2137-AF38) received July 7, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to



the Committee on Transportation and Infrastructure.

EC-4991. A letter from the Branch Chief, Trade and Commercial Regulations, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension and Amendment of Import Restrictions on Archaeological and Ethnological Material from Cyprus [CBP Dec. 22-15] (RIN: 1515-AE74) received July 27, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-4992. A letter from the Inspector General, Department of Health and Human Services, transmitting a report titled, "Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2022", pursuant to 42 U.S.C. 1395w-101 note; Public Law 111-148, Sec. 3313(a)(2); (124 Stat. 477); jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCGOVERN: Committee on Rules. House Resolution 1300. Resolution waiving a requirement of clause of 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes (Rept. 117-447). Referred to the House Calendar.

Mr. MCGOVERN: Committee on Rules. House Resolution 1302. Resolution providing for consideration of the bill (H.R. 1808) to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes (Rept. 117-448). Referred to the House Calendar.

Mr. DEUTCH: Committee on Ethics. In the Matter of Allegations Relating to the Arrests of Members of the House During a Protest Outside the United States Supreme Court on July 19, 2022 (Rept. 117-449). Referred to the House Calendar.

Mr. DEUTCH: Committee on Ethics. In the Matter of Allegations Relating to Representative Andy Levin (Rept. 117-450). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HILL:

H.R. 8589. A bill to prohibit the Securities and Exchange Commission from finalizing the proposed rule titled "The Enhancement and Standardization of Climate-Related Disclosures for Investors", and for other purposes; to the Committee on Financial Services.

By Mr. DAVID SCOTT of Georgia:

H.R. 8590. A bill to provide assistance to certain small family farmers and ranchers, and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:

H.R. 8591. A bill to amend title III of the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Director of the National Institute for Occupational Safety and Health shall conduct research on programs to educate workplace professionals on the prevention of impairment from the use of cannabis, opioids, and other drugs, and the risks re-

sulting from individuals working while impaired, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TIFFANY:

H.R. 8592. A bill to establish a 1-year moratorium on the enrollment of land in the conservation reserve program under the Food Security Act of 1985 and to prohibit the enrollment of prime farmland in such program, and for other purposes; to the Committee on Agriculture.

By Mr. GRIJALVA (for himself, Mr. SABLAN, Ms. PLASKETT, Mr. SAN NICOLAS, Miss GONZÁLEZ-COLÓN, and Mrs. RADEWAGEN):

H.R. 8593. A bill to direct the Interagency Council on Statistical Policy to develop a plan to collect and publish statistics regarding the Territories of the United States in the same manner as statistics are collected and reported by Federal agencies for the several States, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York (for herself, Mr. ARRINGTON, Mr. CARTER of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. CÁRDENAS, Mr. O'HALLERAN, Mr. SOTO, Ms. SEWELL, Ms. HERRERA BEUTLER, Ms. VAN DUYN, Mr. FERGUSON, Mr. JOYCE of Pennsylvania, Mr. WENSTRUP, Mr. PAYNE, Mr. DUNN, Mr. SWALWELL, and Mr. KELLY of Pennsylvania):

H.R. 8594. A bill to amend title XVIII of the Social Security Act to clarify and preserve the breadth of the protections under the Medicare Secondary Payer Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLOUD (for himself, Mrs. FLORES, Mrs. MILLER of Illinois, and Mr. ROSENDALE):

H.R. 8595. A bill to amend title 49, United States Code, to require the disclosure of a relationship with a foreign principal by any person who is required to submit an application for an energy project to the Secretary of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER-MEEKS (for herself, Ms. PINGREE, Mr. PANETTA, Mr. FEENSTRA, Ms. KUSTER, and Ms. SCHRIER):

H.R. 8596. A bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to direct the Secretary of Agriculture to establish a national biochar research network, and for other purposes; to the Committee on Agriculture.

By Mr. ARRINGTON (for himself, Mr. SESSIONS, Mr. BABIN, Mr. PFLUGER, Ms. VAN DUYN, Mr. WILLIAMS of Texas, Mr. GOHMERT, Mr. NEHLS, Mr. HERN, Mr. JACKSON, and Mr. BURGESS):

H.R. 8597. A bill to amend titles XVIII and XIX of the Social Security Act to provide for coverage of services furnished by free-standing emergency centers; and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subse-

quently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALDERSON (for himself, Mr. CRAWFORD, and Mr. GIBBS):

H.R. 8598. A bill to direct the Secretary of Transportation to issue certain regulations to define the term "classroom" for the purposes of parts 240 and 242 of title 49, Code of Federal Regulations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BEATTY:

H.R. 8599. A bill to amend the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 to adjust the affordable housing allocations; to the Committee on Financial Services.

By Mrs. BICE of Oklahoma (for herself and Ms. SHERRILL):

H.R. 8600. A bill to amend title 18, United States Code, to criminalize abuse with respect to assisted reproductive technology, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOEBERT (for herself, Mr. BUCK, and Mr. LAMBORN):

H.R. 8601. A bill to establish the Dolores River National Conservation Area and the Dolores River Special Management Area in the State of Colorado, to protect private water rights in the State, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS:

H.R. 8602. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Education and Labor.

By Mr. CAWTHORN:

H.R. 8603. A bill to direct the President to take such actions as may be necessary to prohibit the purchase of public or private real estate located in the United States by an foreign governments; to the Committee on Foreign Affairs.

By Mr. CAWTHORN:

H.R. 8604. A bill to establish the Free City Commission to examine the effects of liberal Government policy on American cities, and for other purposes; to the Committee on Oversight and Reform.

By Mr. COHEN (for himself, Mr. GARCÍA of Illinois, Mr. RASKIN, Mr. CARSON, Mr. RUSH, Mrs. WATSON COLEMAN, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. SCHAKOWSKY, Ms. PORTER, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. VELAZQUEZ, Ms. JAYAPAL, Mr. GRIJALVA, Mr. KHANNA, Mr. LYNCH, Mr. RYAN, Ms. KAPTUR, and Mr. CORREA):

H.R. 8605. A bill to provide for cash refunds for canceled airline flights and tickets; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD:

H.R. 8606. A bill to amend title 49, United States Code, to prohibit the extension of certain contracts to procure rail rolling stock, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CRAWFORD:

H.R. 8607. A bill to direct the Secretary of Transportation to give priority consideration for certain Department of Transportation grant programs to eligible projects that improve or build resiliency in the supply chain, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CRAWFORD:

H.R. 8608. A bill to temporarily suspend non-payment provisions and deduction provisions for certain former railroad employees, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CRENSHAW (for himself, Ms. VAN DUYN, and Mr. BURCHETT):

H.R. 8609. A bill to direct the Secretary of Homeland Security to establish and maintain a ratio of U.S. Immigrations and Customs Enforcement prosecutors to immigration judges, and for other purposes; to the Committee on the Judiciary.

By Mrs. DEMINGS (for herself, Mr. THOMPSON of Mississippi, Ms. CLARKE of New York, and Ms. UNDERWOOD):

H.R. 8610. A bill to amend the Homeland Security Act of 2002 to authorize the Office of Health Security, make technical corrections to the authorization of the Countering Weapons of Mass Destruction Office, establish a Countering Weapons of Mass Destruction Advisory Committee, establish a departmental biodefense strategy, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONALDS (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. FLEISCHMANN):

H.R. 8611. A bill to require the President develop a national strategy for utilizing microreactors to assist with natural disaster response efforts, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mrs. BOEBERT, Mr. GAETZ, Mr. GOOD of Virginia, Mr. GROTHMAN, Mr. NEHLS, Mr. NORMAN, Mr. TIFFANY, Mrs. MILLER of Illinois, and Mr. BIGGS):

H.R. 8612. A bill to amend section 230 of the Communications Act of 1934 (commonly referred to as the Communications Decency Act) to stop censorship, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HARDER of California:

H.R. 8613. A bill to provide for the establishment of a pilot program to provide grants to community mental health centers for the placement of social workers with law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Ms. HOULAHAN (for herself, Mr. BACON, Mr. MEIJER, and Mrs. LURIA):

H.R. 8614. A bill to amend the Energy Policy and Conservation Act to prohibit the export or sale of petroleum products from the Strategic Petroleum Reserve to certain entities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of South Dakota:

H.R. 8615. A bill to amend title 49, United States Code, to limit the preference for Amtrak using rail lines, junctions, and crossings near ports and rail yards, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KILMER (for himself, Mr. RESCENTIALER, and Mr. VEASEY):

H.R. 8616. A bill to amend the National Housing Act to include information regarding VA home loans in the Informed Consumer Choice Disclosure required to be provided to a prospective FHA borrower who is a veteran; to the Committee on Financial Services.

By Mr. LOUDERMILK (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 8617. A bill to amend the Securities Exchange Act of 1934 to revise the definition of a facility; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CARSON, Mr. GARCIA of Illinois, Mr. GOMEZ, Mr. GRIJALVA, Mrs. HAYES, Mr. JONES, Mr. LYNCH, Ms. MOORE of Wisconsin, Mr. NADLER, Ms. NORTON, Mr. POCAN, Ms. PORTER, Ms. ROYBAL-ALLARD, Mr. SMITH of Washington, Mr. TAKANO, Ms. TITUS, and Ms. VELÁZQUEZ):

H.R. 8618. A bill to require annual reporting by employers to the Equal Employment Opportunity Commission of the number of settlements of employee claims of discrimination based on race, color, national origin, religion, sex (including pregnancy, sexual orientation, or gender identity), age (40 or older), disability, genetic information (including family medical history), or any combination of such factors; and for other purposes; to the Committee on Education and Labor.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CARSON, Mr. CONNOLLY, Mr. GARCIA of Illinois, Mr. GOMEZ, Mr. GRIJALVA, Mrs. HAYES, Mr. JONES, Mr. LYNCH, Mr. NADLER, Ms. NORTON, Mr. POCAN, Ms. PORTER, Ms. ROYBAL-ALLARD, Mr. SMITH of Washington, Mr. TAKANO, Ms. TITUS, and Ms. VELÁZQUEZ):

H.R. 8619. A bill to amend the Internal Revenue Code of 1986 to deny a deduction for severance payments made in connection with workplace harassment; to the Committee on Ways and Means.

By Mrs. MILLER of West Virginia (for herself and Ms. CHU):

H.R. 8620. A bill to allow community supports to meet specific needs of families and children through an electronic care portal under the MaryLee Allen Promoting Safe and Stable Families program; to the Committee on Ways and Means.

By Mr. MORELLE (for himself and Mr. ELLZEY):

H.R. 8621. A bill to authorize the Secretary of Transportation to extend the duration of certain waivers for school bus drivers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PANETTA (for himself, Mr. HUFFMAN, Mr. GARAMENDI, Ms. MATSUI, Mr. OBERNOLTE, Mr. MCNERNEY, Mr. HARDER of California, Ms. LEE of California, Mr. COSTA, Mr. KHANNA, Ms. ESHOO, Ms. LOFGREN, Mr. CARBAJAL, Mr. GARCIA of California, Ms. BROWNLEY, Ms. CHU, Mr. SCHIFF, Mr. CÁRDENAS, Mr. SHERMAN, Mrs. NAPOLITANO, Mr. LIEU, Mr. GOMEZ, Mrs. TORRES of California, Mr. RUIZ, Ms. SÁNCHEZ, Mr. TAKANO, Mr. CALVERT, Ms. PORTER, Mr. LOWENTHAL, Mr. PETERS, Ms. JACOBS of California, and Mr. MCCLINTOCK):

H.R. 8622. A bill to designate the facility of the United States Postal Service located at 123 South 3rd Street in King City, California, as the "Chief Rudy Banelos Post Office"; to the Committee on Oversight and Reform.

By Mr. PHILLIPS:

H.R. 8623. A bill to require that Members of Congress hold a security clearance at the level of top secret or higher to obtain access to Sensitive Compartmented Information, and for other purposes; to the Committee on House Administration.

By Ms. SCHAKOWSKY (for herself and Mr. TAKANO):

H.R. 8624. A bill to amend title XI of the Social Security Act to provide for additional

requirements for disclosing entities relating to the quality of care furnished at skilled nursing facilities and nursing facilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER (for himself and Mrs. WALORSKI):

H.R. 8625. A bill to amend the Internal Revenue Code of 1986 to modify rules relating to beneficiaries of charitable remainder trusts; to the Committee on Ways and Means.

By Mrs. SLOTKIN (for herself and Mrs. MILLER-MEEKS):

H.R. 8626. A bill to amend title 10, United States Code, to direct the Secretary concerned to carry out training on the consequences of committing a crime in pre-separation counseling of the Transition Assistance Program, and for other purposes; to the Committee on Armed Services.

By Ms. SLOTKIN:

H.R. 8627. A bill to direct the Secretary of Defense to include a module on digital literacy in the annual cyber awareness training provided to certain members of the Armed Forces; to the Committee on Armed Services.

By Ms. SLOTKIN (for herself and Mr. WALTZ):

H.R. 8628. A bill to direct the Secretary of State to further surge capacity to better support special immigrant visa applicants who are nationals of Afghanistan, and for other purposes; to the Committee on the Judiciary.

By Ms. SLOTKIN (for herself and Mrs. MILLER-MEEKS):

H.R. 8629. A bill to remove the requirement to demonstrate residency for eligibility as a nonimmigrant described in section 101(a)(15)(F) of the Immigration and Nationality Act for certain aliens, and for other purposes; to the Committee on the Judiciary.

By Ms. STANSBURY (for herself, Ms. LEGER FERNANDEZ, and Ms. HERRELL):

H.R. 8630. A bill to designate the facility of the United States Postal Service located at 400 North Main Street in Belen, New Mexico, as the "U.S. Senator Dennis Chávez Post Office"; to the Committee on Oversight and Reform.

By Mrs. STEEL (for herself, Mr. PANETTA, Mr. FALLON, Mr. MOULTON, Mr. CRENSHAW, Mr. WITTMAN, Mrs. MILLER-MEEKS, Mrs. MURPHY of Florida, Mrs. LESKO, Mr. KINZINGER, Ms. SHERRILL, Mr. LAMBORN, Mr. GOLDEN, and Mr. KAHELE):

H.R. 8631. A bill to provide for the loan and lease of defense articles to the Government of Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Mr. VAN DREW (for himself, Mr. CRENSHAW, Mr. NEHLS, Mr. DESJARLAIS, Mr. HIGGINS of Louisiana, Mr. STEUBE, Mr. JACKSON, and Mrs. LESKO):

H.R. 8632. A bill to provide that no Federal funds may be used for the U.S. Immigration and Customs Enforcement Secure Docket Card Program, and for other purposes; to the Committee on the Judiciary.

By Ms. WILLIAMS of Georgia:

H.R. 8633. A bill to amend the Water Resources Development Act of 1992 with respect to stormwater management for the city of East Point, Georgia, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. PORTER (for herself and Ms. SPEIER):

H. Res. 1301. A resolution expressing support for the designation of July 30, 2022, as "National Whistleblower Appreciation Day"; to the Committee on Oversight and Reform.

By Mr. BISHOP of North Carolina (for himself, Mr. DUNCAN, Mr. VAN DREW, Mr. GROTHMAN, Mr. WEBER of Texas, Mr. STEUBE, Mr. GOOD of Virginia, Mr. BANKS, Mr. CLYDE, Mrs. BOEBERT, and Mr. MASSIE):

H. Res. 1303. A resolution establishing the Marxist roots of critical race theory and detail the threat this divisive ideology poses to the American republic; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART (for himself, Mr. CRAWFORD, Ms. SALAZAR, Mr. GIMENEZ, and Mr. MCCAUL):

H. Res. 1304. A resolution commending the bravery, courage, and resolve of the human rights and pro-democracy activists in Cuba one year after the historic march led by such activists through the streets of Cuba to exercise the fundamental right to peacefully assemble and speak out against the human rights atrocities committed by the brutal, totalitarian, and illegitimate Communist regime in Cuba; to the Committee on Foreign Affairs.

By Mr. GREEN of Texas (for himself, Mr. CARSON, Ms. OMAR, and Ms. TLAIB):

H. Res. 1305. A resolution recognizing Islam as one of the great religions of the world; to the Committee on Foreign Affairs.

By Ms. SCANLON (for herself, Mr. FITZPATRICK, Mr. EVANS, Mrs. LEE of Nevada, Mr. BLUMENAUER, Ms. NORTON, and Ms. HOULAHAN):

H. Res. 1306. A resolution expressing the support of the House of Representatives for the designation of "Public Radio Music Day" and its deep appreciation for the role of public radio music stations in serving listeners, musicians, and hundreds of communities in the United States; to the Committee on Oversight and Reform.

By Mr. SCHNEIDER (for himself and Mr. FLEISCHMANN):

H. Res. 1307. A resolution committing to ensuring that Iran will never acquire a nuclear weapon and supporting the important work of the International Atomic Energy Agency in safeguarding nuclear material around the globe; to the Committee on Foreign Affairs.

By Mr. SOTO:

H. Res. 1308. A resolution honoring the Future Forum on its successful second Youth Congress and its commitment to issues that affect young people, recognizes the youth participants in Future Forum's town halls and youth congresses for their commitment to public service, and expresses its best wishes for continued success; to the Committee on House Administration.

By Mrs. TORRES of California (for herself and Mr. FITZPATRICK):

H. Res. 1309. A resolution recognizing August 2, National Night Out, the national coming together of Americans all over the Nation to unite and promote public safety; to the Committee on the Judiciary.

rent Resolution No. 25, relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress; to the Committee on the Judiciary.

ML-221. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 141, urging the Congress to reconcile United States Innovation and Competition Act and American COMPETES Act to expedite funding for semiconductor production and innovation; jointly to the Committees on Science, Space and Technology, Agriculture, and Energy and Commerce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HILL:

H.R. 8589.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. DAVID SCOTT of Georgia:

H.R. 8590.

Congress has the power to enact this legislation pursuant to the following:

The commerce clause power under article 1, section 8, clause 3 of the U.S. Constitution.

By Mr. OWENS:

H.R. 8591.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. TIFFANY:

H.R. 8592.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3

By Mr. GRIJALVA:

H.R. 8593.

Congress has the power to enact this legislation pursuant to the following:

Article. IV. Section. 3. Clause 2. "The Congress shall have Power to dispose of and make all of the needful Rules and Regulations respecting the Territory or the Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Ms. CLARKE of New York:

H.R. 8594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CLOUD:

H.R. 8595.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1, Section 8 of the Constitution.

By Mrs. MILLER-MEEKS:

H.R. 8596.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8

By Mr. ARRINGTON:

H.R. 8597.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Mr. BALDERSON:

H.R. 8598.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mrs. BEATTY:

H.R. 8599.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mrs. BICE of Oklahoma:

H.R. 8600.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution.

By Mrs. BOEBERT:

H.R. 8601

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the United States Constitution

By Mr. BURGESS:

H.R. 8602

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CAWTHORN:

H.R. 8603

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CAWTHORN:

H.R. 8604

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. COHEN:

H.R. 8605

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAWFORD:

H.R. 8606

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. CRAWFORD:

H.R. 8607

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. CRAWFORD:

H.R. 8608.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. CRENSHAW:

H.R. 8609

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States"

By Mrs. DEMINGS:

H.R. 8610

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. DONALDS:

H.R. 8611

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

By Mr. GOSAR:

H.R. 8612

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 "To regulate commerce with foreign nations, and among

#### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

ML-220. The SPEAKER presented a memorial of the House of Representatives of the State of Missouri, relative to Senate Concur-

the several states, and with the Indian tribes.”

Article 1 Section 8: “To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.”

By Mr. HARDER of California:

H.R. 8613

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8

By Ms. HOULAHAN:

H.R. 8614

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the U.S. Constitution

By Mr. JOHNSON of South Dakota:

H.R. 8615

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. KILMER:

H.R. 8616

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. LOUDERMILK:

H.R. 8617

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 8618

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 8619

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. MILLER of West Virginia:

H.R. 8620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to “provide for the common Defense and general Welfare of the United States.”

By Mr. MORELLE:

H.R. 8621

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress by Article V of the Constitution

By Mr. PANETTA:

H.R. 8622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. PHILLIPS:

H.R. 8623.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 18, Congress has the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SCHAKOWSKY:

H.R. 8624.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SCHNEIDER:

H.R. 8625.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SLOTKIN:

H.R. 8626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SLOTKIN:

H.R. 8627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SLOTKIN:

H.R. 8628.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SLOTKIN:

H.R. 8629.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. STANSBURY:

H.R. 8630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

By Mrs. STEEL:

H.R. 8631.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. VAN DREW:

H.R. 8632.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Ms. WILLIAMS of Georgia:

H.R. 8633.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. GUEST.

H.R. 389: Mrs. CAROLYN B. MALONEY of New York.

H.R. 483: Mr. O'HALLERAN.

H.R. 622: Ms. PINGREE.

H.R. 794: Mr. SMITH of Washington and Mr. VARGAS.

H.R. 1179: Ms. PINGREE.

H.R. 1185: Mr. ROGERS of Kentucky.

H.R. 1282: Mr. KILDEE, Mr. CRAWFORD, and Mr. LYNCH.

H.R. 1368: Mrs. TORRES of California.

H.R. 1381: Mr. FALLON.

H.R. 1670: Mr. SCOTT of Virginia.

H.R. 1772: Mr. LEVIN of California.

H.R. 2021: Mr. BISHOP of Georgia and Ms. JOHNSON of Texas.

H.R. 2127: Mrs. GREENE of Georgia.

H.R. 2143: Mr. CICILLINE and Mr. GOODEN of Texas.

H.R. 2144: Mr. MCKINLEY.

H.R. 2363: Mr. KIND and Mr. O'HALLERAN.

H.R. 2460: Ms. BROWNLEY and Mr. DOGGETT.

H.R. 2517: Mrs. MURPHY of Florida.

H.R. 2635: Mr. HUFFMAN and Mr. SAN NICOLAS.

H.R. 2770: Mr. NADLER.

H.R. 2803: Mr. GARCÍA of Illinois.

H.R. 2896: Ms. ROSS.

H.R. 2920: Ms. DEAN.

H.R. 2974: Ms. VELÁZQUEZ, Mr. CRAWFORD, and Mr. LAMALFA.

H.R. 3001: Mr. SMITH of Washington.

H.R. 3150: Mr. POCAN and Mr. RASKIN.

H.R. 3159: Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. JEFFRIES, Mr. CORREA, Mr. GARCÍA of Illinois, Ms. SEWELL, Mrs. BEATTY, Mr. CLEAVER, and Ms. BLUNT ROCHESTER.

H.R. 3172: Mr. SOTO.

H.R. 3452: Mr. CARSON.

H.R. 3541: Ms. KUSTER.

H.R. 3728: Mr. MFUME.

H.R. 3733: Mr. GOSAR.

H.R. 3884: Ms. LOFGREN.

H.R. 3897: Mr. CLEAVER.

H.R. 3932: Mr. LANGEVIN and Mr. HILL.

H.R. 4158: Ms. DEAN.

H.R. 4202: Mr. POCAN.

H.R. 4311: Ms. DEAN.

H.R. 4385: Ms. BARRAGÁN.

H.R. 4436: Ms. ESHOO.

H.R. 4634: Mr. CAREY.

H.R. 4698: Mr. MAST.

H.R. 4949: Mrs. FLORES.

H.R. 5008: Ms. LOFGREN.

H.R. 5227: Mr. BEYER.

H.R. 5244: Mr. JOHNSON of Georgia, Mr. SCHIFF, Mrs. MILLER-MEEKS, and Mr. GOODEN of Texas.

H.R. 5444: Ms. DEAN.

H.R. 5468: Ms. WATERS.

H.R. 5533: Mr. MCNERNEY.

H.R. 5818: Mr. LATURNER.

H.R. 5819: Ms. WILD.

H.R. 6005: Mr. CARTWRIGHT.

H.R. 6026: Mr. GARCÍA of Illinois.

H.R. 6202: Mr. GOTTHEIMER.

H.R. 6461: Mr. LEVIN of California.

H.R. 6583: Mr. KILMER.

H.R. 6630: Ms. CONWAY.

H.R. 6631: Ms. CONWAY.

H.R. 6659: Mr. HIGGINS of Louisiana.

H.R. 6678: Mr. TONKO.

H.R. 6823: Ms. WILD.

H.R. 6852: Mr. CORREA and Mr. PAYNE.

H.R. 7048: Ms. ADAMS and Mr. MOOLENAAR.

H.R. 7055: Ms. ROYBAL-ALLARD.

H.R. 7223: Mr. CLYDE, Mr. BROWN of Maryland, Mr. MOONEY, Mr. CARTER of Georgia, Mr. DUNCAN, and Mr. FULCHER.

H.R. 7321: Mr. NADLER and Mr. PAYNE.

H.R. 7462: Mr. DONALDS, Mr. CARL, Mr. STAUBER, and Ms. FOX.

H.R. 7477: Mr. GOMEZ.

H.R. 7482: Ms. MATSUI.

H.R. 7510: Mr. BABIN and Mr. DAVIDSON.

H.R. 7555: Mr. CROW.

H.R. 7630: Mr. WILSON of South Carolina, Mr. CONNOLLY, Mr. CARBAJAL, Mr. BACON, Mr. RUTHERFORD, Mr. GARCÍA of California, Mr. LAHOOD, Mr. LIEU, and Mr. MEUSER.

H.R. 7644: Mr. MOULTON.

H.R. 7696: Mr. PHILLIPS and Mr. O'HALLERAN.

H.R. 7706: Mr. DESAULNIER, Mr. BLUMENAUER, and Ms. CHU.

H.R. 7724: Mr. SWALWELL.  
 H.R. 7832: Mrs. KIM of California.  
 H.R. 7857: Mr. EVANS.  
 H.R. 7863: Ms. NORTON.  
 H.R. 7925: Mr. GARAMENDI.  
 H.R. 7961: Ms. CASTOR of Florida and Ms. ROSS.  
 H.R. 7987: Mr. AUCHINCLOSS and Mr. STAUBER.  
 H.R. 7995: Mr. DOGGETT.  
 H.R. 8000: Ms. LETLOW and Mrs. FLORES.  
 H.R. 8008: Mr. GRAVES of Louisiana.  
 H.R. 8050: Mr. GROTHMAN.  
 H.R. 8054: Mr. MAST.  
 H.R. 8105: Mrs. HAYES and Mr. LOWENTHAL.  
 H.R. 8169: Mr. BACON.  
 H.R. 8181: Mrs. LURIA.  
 H.R. 8193: Mr. MEUSER.  
 H.R. 8264: Mr. ESPAILLAT and Mr. BLUMENAUER.  
 H.R. 8286: Ms. SCHRIER.  
 H.R. 8299: Ms. CRAIG.  
 H.R. 8338: Ms. BASS.  
 H.R. 8354: Mrs. HINSON.  
 H.R. 8368: Mr. PHILLIPS and Mr. MOULTON.  
 H.R. 8369: Mr. BABIN.  
 H.R. 8380: Ms. NEWMAN.  
 H.R. 8384: Mr. MEUSER.  
 H.R. 8393: Ms. CASTOR of Florida.  
 H.R. 8421: Mr. GRAVES of Louisiana.  
 H.R. 8452: Mr. CARTER of Louisiana, Mrs. NAPOLITANO, Mr. EVANS, and Ms. WILLIAMS of Georgia.  
 H.R. 8460: Ms. TITUS.

H.R. 8461: Mr. CLYDE.  
 H.R. 8490: Mr. RUTHERFORD.  
 H.R. 8499: Mr. WILLIAMS of Texas and Mr. BUDD.  
 H.R. 8513: Mrs. HARSHBARGER.  
 H.R. 8522: Mr. O'HALLERAN.  
 H.R. 8528: Mr. STAUBER and Mr. AMODEI.  
 H.R. 8530: Ms. TENNEY.  
 H.R. 8535: Ms. ROSS, Ms. ROYBAL-ALLARD, Mr. SOTO, Mr. PANETTA, Mr. CONNOLLY, Mr. LIEU, Mr. CORREA, and Ms. PORTER.  
 H.R. 8539: Ms. MATSUI.  
 H.R. 8550: Mr. HARRIS.  
 H.R. 8554: Mr. BUDD.  
 H.R. 8563: Mr. LOUDERMILK, Mrs. HINSON, and Mr. MOORE of Utah.  
 H.R. 8568: Mr. KEATING.  
 H.R. 8573: Ms. WILLIAMS of Georgia, Mr. SWALWELL, Ms. ROYBAL-ALLARD, and Mr. SMITH of Washington.  
 H.R. 8583: Mr. LOWENTHAL and Mr. EMMER.  
 H.J. Res. 73: Ms. ESHOO.  
 H. Res. 404: Mr. OWENS and Mr. MCGOVERN.  
 H. Res. 558: Mr. KEATING, Mr. COSTA, and Mr. CICILLINE.  
 H. Res. 744: Mr. KEATING and Mr. CICILLINE.  
 H. Res. 1156: Mr. CORREA.  
 H. Res. 1183: Mr. MCKINLEY.  
 H. Res. 1185: Mrs. CAROLYN B. MALONEY of New York and Ms. PINGREE.  
 H. Res. 1233: Mr. RESCHENTHALER, Mr. MANN, Mr. RUTHERFORD, and Mr. NORMAN.  
 H. Res. 1255: Mr. JACKSON.  
 H. Res. 1282: Mr. CORREA.

H. Res. 1293: Mr. JACKSON.  
 H. Res. 1297: Mr. BANKS.

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#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 7769: Mr. PRICE of North Carolina.  
 H.R. 8167: Mr. DESJARLAIS and Mr. KELLY of Mississippi.

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#### DISCHARGE PETITIONS—ADDITIONS AND WITHDRAWALS

The following Members added their names to the following discharge petitions:

Petition 8 by Mr. LONG on the bill (H.R. 3860): Ms. Van Dyne.

Petition 12 by Mr. GOSAR on House Joint Resolution 46: Mrs. Rodgers of Washington, Mr. Palmer, Mr. Kelly of Mississippi, Mr. Murphy of North Carolina, Mr. Crenshaw, Mr. Dunn, Mr. Lamborn, and Mr. Carl.

Petition 16 by Mr. GOOD of Virginia on House Resolution 1167: Mr. Bergman, Mr. Johnson of Ohio, and Mr. Smucker.