

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 953) TO AMEND THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT TO CLARIFY CONGRESSIONAL INTENT REGARDING THE REGULATION OF THE USE OF PESTICIDES IN OR NEAR NAVIGABLE WATERS, AND FOR OTHER PURPOSES

MAY 22, 2017.—Referred to the House Calendar and ordered to be printed

Mr. WOODALL, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 348]

The Committee on Rules, having had under consideration House Resolution 348, by a record vote of 7 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 953, the Reducing Regulatory Burdens Act of 2017, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-21 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this 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 in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 57

Motion by Ms. Slaughter to report an open rule. Defeated: 3–7

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Nay	Ms. Slaughter	Yea
Mr. Woodall	Nay	Mr. McGovern	Yea
Mr. Burgess	Nay	Mr. Hastings of Florida	Yea
Mr. Collins	Nay	Mr. Polis
Mr. Byrne	Nay		
Mr. Newhouse		
Mr. Buck	Nay		
Ms. Cheney		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 58

Motion by Mr. Cole to report the rule. Adopted: 7–3

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Yea	Ms. Slaughter	Nay
Mr. Woodall	Yea	Mr. McGovern	Nay
Mr. Burgess	Yea	Mr. Hastings of Florida	Nay
Mr. Collins	Yea	Mr. Polis
Mr. Byrne	Yea		
Mr. Newhouse		
Mr. Buck	Yea		
Ms. Cheney		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Esty (CT): Ensures that existing clean water protections apply to the release of these toxic chemicals into the environment. (10 minutes)

2. Huffman (CA): Protects commercial, recreational and subsistence fisheries from the negative impacts of unregulated discharge. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESTY OF CONNECTICUT OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, after line 2, insert the following (and redesignate subsequent subparagraphs of the quoted matter accordingly):

“(B) A discharge that contains any active or inactive ingredient identified on the list of toxic pollutants established pursuant to section 307(a)(1) of this Act, the list of extremely hazardous substances established pursuant to section 302(a) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11002(a)), the list of toxic chemicals established pursuant to section 313(c) of such Act (42 U.S.C. 11023(c)), or the list of hazardous substances established pursuant to section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUFFMAN OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, after line 13, add the following:

SEC. 4. PROTECTION OF FISHERIES.

Nothing in this Act, or the amendments made by this Act, shall prevent the Administrator of the Environmental Protection Agency or a State from requiring a permit under section 402 of the Federal Water Pollution Control Act for any discharge (as defined in such Act) that would have a negative effect on commercial, recreational, or subsistence fisheries, or on fisheries protected by Tribal treaty rights, as determined by the Administrator or the State, as applicable, based on the best available science.