

Lake in central Minnesota from U.S. Coast Guard licensing and inspection requirements.

This bill provides rather narrow regulatory relief. However, because this bill was rushed to legislation, to mark-up without first having a hearing on the bill itself or having the Subcommittee on Coast Guard and Maritime Transportation consider the specific bill, no one can say for sure what consequences might arise in the future. My concerns are somewhat allayed by learning the State of Minnesota has an adequate program to regulate vessels operating on its inland lakes, including Mille Lacs.

Nonetheless, the Coast Guard has expressed concerns that the limitations imposed on its vessel safety authorities by this bill could create uncertainty and some confusion among the boating public, especially regarding marine casualty investigations and maritime liability.

Notwithstanding these objections, and because the bill, as reported, would no longer vacate the Coast Guard's 2010 determination that Mille Lacs Lake is navigable, I do not object to the bill moving forward today.

With that, I yield back the balance of my time.

Mr. CRAVAACK. I thank my respected colleague for his kind remarks, and I ask my colleagues to join me in supporting this important legislation to Minnesota.

I yield back the balance of my time, as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. CRAVAACK) that the House suspend the rules and pass the bill, H.R. 5797, as amended.

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

The title was amended so as to read: "A bill to exempt the owners and operators of vessels operating on Mille Lacs Lake, Minnesota, from certain Federal requirements."

A motion to reconsider was laid on the table.

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#### FARMERS UNDERTAKE ENVIRONMENTAL LAND STEWARDSHIP ACT

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3158) to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3158

*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 "Farmers Undertake Environmental Land Stewardship Act" or the "FUELS Act".

#### SEC. 2. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) IN GENERAL.—The Administrator, in implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, shall—

(1) require certification of compliance with such rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than or equal to 42,000 gallons; or

(iii) a history that includes a spill, as determined by the Administrator; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and

(ii) no history of spills, as determined by the Administrator; and

(2) exempt from all requirements of such rule any farm—

(A) with an aggregate aboveground storage capacity of less than or equal to 10,000 gallons; and

(B) no history of spills, as determined by the Administrator.

(b) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For the purposes of subsection (a), the aggregate aboveground storage capacity of a farm excludes all containers on separate parcels that have a capacity that is less than 1,320 gallons.

#### SEC. 3. DEFINITIONS.

In this Act, the following terms apply:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term "farm" has the meaning given such term in section 112.2 of title 40, Code of Federal Regulations.

(3) GALLON.—The term "gallon" refers to a United States liquid gallon.

(4) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term "Spill Prevention, Control, and Countermeasure rule" means the regulation promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentleman from Iowa (Mr. BOSWELL) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

#### GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 3158.

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

There was no objection.

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

Mr. Speaker, I'd like to thank Members from both parties who joined in cosponsoring this bipartisan bill that will provide regulatory relief to our family farmers, in particular, my colleague, Mr. BOSWELL. Thank you very much.

The EPA-mandated Oil Spill Prevention, Control and Countermeasure pro-

gram, or SPCC, requires that oil storage facilities with a capacity of over 1,320 gallons make costly infrastructure modifications to reduce the possibility of oil spills.

The regulations require farmers to construct a containment facility, like a dike or a basin, which must retain 110 percent of the fuel in the container. These mandated infrastructure improvements—along with the necessary inspection and certification by a specially licensed professional engineer—will cost many farmers tens of thousands of dollars. In some cases, compliance costs could reach higher than \$60,000 for a single farmer in my district.

The SPCC program dates back to 1973, shortly after the Clean Water Act was signed into law. In the last decade, it has strictly come down on agriculture, and the rules have been amended, delayed, and extended dozens of times, creating enormous confusion in the farming community. On top of that, the EPA has failed to engage in effective outreach to producers and cooperatives on SPCC application.

In 2009, the EPA lifted a 2006 rule that suspended compliance requirements for small farms with oil storage of 10,000 gallons or less. The rule applies to more than just fuel. In fact, it applies to hydraulic oil, adjuvant oil, crop oil, vegetable oil, and even animal fat. It was scheduled to go into effect this past November.

Last summer, I headed up an effort to send a bipartisan letter with over 100 cosigners to EPA Administrator Lisa Jackson highlighting problems with the program and requesting a permanent fix. At the very least, I requested a delay so farmers impacted by last year's natural disasters would have more time to comply. The EPA responded only a few weeks before the November deadline and issued a statement saying they would not begin enforcement until May of 2013. While we were thankful for the delay, this action still didn't do anything to fix the burden on small farms. It just kicked the can down the road.

The FUELS Act is simple. It revises the SPCC regulations to be reflective of a producer's spill risk and financial resources. The exemption level would be adjusted upward from an unworkable 1,320 gallons of oil storage to an amount that would protect small farms—10,000 gallons. The proposal would also place a greater degree of responsibility on farmers and ranchers to self-certify compliance if their storage facilities exceed the exemption level. To add another layer of environmental protection, the producer must be able to demonstrate that he or she has no history of oil spills.

Mr. Speaker, this legislation is necessary because the existing regulations are not only burdensome to small farmers; they're unenforceable. According to USDA, the current regulations would bring more than 70 percent of farms into the SPCC regulatory net.

This is more than 1.5 million farms in the SPCC regulatory net next year alone.

The University of Arkansas, Division of Agriculture did a study recently concluding that the FUELS Act would exempt over 80 percent of producers from SPCC compliance. It could save, in my home State, up to \$240 million in costs. Over the entire country, it could save small farmers up to \$3.36 billion.

This year, the ag sector of the economy is facing a crisis. Over two-thirds of the Nation is being impacted by drought, and farm revenue has dropped substantially. Food costs are projected to skyrocket for consumers. On top of that, the fate of a multiyear farm bill is still unknown, creating long-term uncertainty for the agriculture community. The last thing the government should be doing right now is imposing a regulation on producers that could cost our Nation's family farmers up to \$3.36 billion during next year's planting season. There is absolutely no justification for such an expensive regulation, especially when the EPA cannot provide data or even anecdotal evidence of agriculture spills.

By nature of occupation, family farmers are already careful stewards of the land and water. No one has more at stake than those who work on the ground from which they derive their livelihood.

I urge adoption of H.R. 3158 and reserve the balance of my time.

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

Mr. CRAWFORD, I believe that you pretty much covered the details of this. And I see the gentleman sitting beside you there and I'm sure he's going to add to it, so I don't think I'll spend a lot of time repeating what you said. But I want you to know that as a hands-on farmer producer, I appreciate the efforts you put into this to bring this forward because there are just too many times we see where the farmers in your State, my State, and across the country are burdened with these extra expenses and criteria that they don't really need. Because you know, I know, and I think those of us that are familiar with the farming industry, we are stewards of the land. We don't want to ruin the land; we certainly don't want to ruin the water.

So this is a good thing to come forth with this piece of legislation, to put a practical sense, practical application to the situation. It's been delayed and delayed and delayed.

It refers to American farmers. American farmers are very much dedicated to what they represent. And again, those that, as I do and as I'm sure you do and others, when we have fuel on the farm for whatever reason—to run the tractors, the combines, the irrigation pumps, or whatever—we're very careful. The cost of the fuel and the exposure of it being stolen or something is something we don't have a lot of excess sitting around these days anyway. Those that are large operators, seems

to me like quite a few of them have got a tank wagon.

So I appreciate what you've offered up here, and I'm very supportive of it.

With that, I reserve the balance of my time.

Mr. CRAWFORD. Again, thank you, Mr. BOSWELL, not only for your support, but your real-world common sense as an ag producer. I appreciate it.

I'd just like to yield 2 minutes to my esteemed colleague from Oklahoma (Mr. LANKFORD) and thank him for his patience.

Mr. LANKFORD. I may not even use all 2 minutes of that, but I do want to be able to just tell the story a little bit of an Oklahoma farm.

The things that they're up against right now are common to farms all across the Midwest. They're dealing with drought right now. They're dealing with the threat of new dust particulate rules coming down from the EPA. They just fought through a battle to try to be able to have family farms be able to function with their own kids working on their family farms or their grandparents' farms, or their cousin's farm down the road—is that permissible or not—point source pollution rules that are coming down on them. Farm truck distance rules, if they want to drive 151 miles in their farm truck and the new regulations they deal with on it. All these different regulations.

And then imagine the Federal Government contacting them and saying, on top of all those rules and all those threatened rules, now you need to go find a professional engineer to check out your fuel tank, and we want to send a regulator to be able to evaluate it. And we want you to have a whole new set of rules around your tank as well. It assumes family farms and farmers don't take care of their land. Nothing could be further from the truth.

A family farm, and farms all around the country, these are individuals that they farm that land, they take care of that land, that water is very important to them. Many of them live on well water itself, and so a spill into their groundwater is incredibly important to them for their own personal family as well. They're great stewards of the land; that's how they make their living.

In addition to that, they're careful guardians of their storage tank because that tank itself, if it spills, they lose a tremendous amount of money; and the margins on a farm are not very high.

I'd like to stand with my colleagues, as well, to say let's respect the farmer for what they're doing already on their land and not send someone from Washington to come check out their farm and check out their tank and be able to evaluate all those things. Let's allow some trust to the commonsense folks in the country that take care of our food and take care of the land and water every single day.

With that, I'd urge my colleagues to support this.

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Mr. BOSWELL. Mr. Speaker, we have no other speakers.

In closing, I feel like we've defined what the need is. This will be very helpful to the Nation's producers, and it's a step in the right direction. So I will urge agreement and support of H.R. 3158. And thank you again for bringing this forth.

I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, again my thanks to the gentleman from Iowa and to those who spoke tonight. I just urge my colleagues to join me in supporting this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 3158, as amended.

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

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6233, AGRICULTURAL DISASTER ASSISTANCE ACT OF 2012

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-644) on the resolution (H. Res. 752) providing for consideration of the bill (H.R. 6233) to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### MARINE DEBRIS ACT AMENDMENTS OF 2012

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1171) to reauthorize and amend the Marine Debris Research, Prevention, and Reduction Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1171

*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 "Marine Debris Act Amendments of 2012".

#### SEC. 2. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment is expressed as an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Marine Debris Research, Prevention, and Reduction Act (33 U.S.C. 1951 et seq.), as in effect immediately before the enactment of this Act.

#### SEC. 3. SHORT TITLE AMENDMENT.

Section 1 (33 U.S.C. 1951 note) is amended by striking "Research, Prevention, and Reduction".