Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Schiff

□ 1356

Messrs. JEFFRIES, VELA, and NADLER changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 5, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 186, not voting 23, as follows:

[Roll No. 6]

AYES—223

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—186

Andrews
Barber
Barrow (GA)
Bass
Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—23

Barton
Becerra
Cárdenas
Castro (TX)
Cleaver
Cole
Collins (GA)
Fattah
Gabbard
Guthrie
Heck (NV)
Jones
McCarthy (NY)
McClintock
Nunes
Rogers (KY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Schiff
Turner

□ 1406

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.

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 6, had I been present, I would have voted "no."

REDUCING EXCESSIVE DEADLINE OBLIGATIONS ACT OF 2013

GENERAL LEAVE

Mr. JOHNSON of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2279.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 455 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. 2279.

The Chair appoints the gentleman from Kansas (Mr. YODER) to preside over the Committee of the Whole.

□ 1409

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. 2279) to amend the Solid Waste Disposal Act relating to review of regulations under such Act and to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 relating to financial responsibility for classes of facilities, with Mr. YODER 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.

The gentleman from Ohio (Mr. JOHNSON) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOHNSON of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to rise in support of the amendment to H.R. 2279, the Reducing Excessive Deadline Obligations, or REDO, Act of 2013, which also includes my legislation, H.R. 2226, the Federal and State Partnership for Environmental Protection Act, and Mr. LATTA's bill, H.R. 2318, the Federal Facility Accountability Act of 2013.

Our goal with all three of these bills is to modernize some of the environmental laws that we oversee and make sure that the States are playing a significant role in implementing them. To do that, we began this Congress with a hearing on the role of the States in protecting the environment. State environmental protection officials shared their experience and expertise with us and helped us better understand the complex partnership between the States and the Federal Government as States implement Federal laws, such as the Solid Waste Disposal Act, and the EPA implements the Comprehensive

Environmental Response, Compensation, and Liability Act, or CERCLA or Superfund law, and the relation to State environmental protection laws.

Today we consider three bills that are a logical outgrowth of that discussion. The Reducing Excessive Deadline Obligations, or REDO, Act of 2013 would give EPA flexibility by correcting two arbitrary action deadlines that were written into the Solid Waste Disposal Act and CERCLA many years ago.

RCRA contains a mandate that EPA review and, if necessary, revise all RCRA regulations every 3 years. This deadline is unnecessary and unworkable in the face of the significant number of regulations that currently exist under RCRA.

The bill would allow the Administrator to review and, if necessary, revise regulations as she thinks appropriate. The bill would also lift an action deadline in CERCLA requiring EPA to identify, prior to 1984, classes of facilities for which to develop financial assurance regulations.

□ 1415

More than 30 years passed without action from the EPA to promulgate regulations regarding financial assurance. A lawsuit and court order finally prompted the EPA action just a few years ago.

In the meantime the States and other Federal agencies have long since acted, putting in place strong financial assurance requirements of their own. That is why the bill also provides that if EPA does get around to establishing Federal financial assurance regulations, the States requirements would not be preempted.

The bill also requires the EPA to gather information regarding the financial assurance programs of States and other Federal agencies and report to Congress regarding whether there is a need for additional regulations by the EPA.

Should the EPA determine there is a need for additional requirements, the bill ensures compliance with existing State or Federal requirements will count towards compliance with EPA's requirements.

The Federal Facility Accountability Act would bring the CERCLA waiver of sovereign immunity into conformity with the Solid Waste Disposal Act, and for that matter the Clean Air Act, by requiring that all Federal Superfund sites comply with the same State laws and regulations as a private entity. This is not a new concept.

Legislation has been introduced previously by my friends across the aisle to ensure that Federal agencies comply with all Federal and State environmental laws, including CERCLA.

In fact, the Federal Facilities Compliance Act of 1991 had the same goal: to make Federal facilities subject to all the same substantive and procedural requirements, including enforcement requirements and sanctions that State and local governments and private companies meet.

The Federal Facility Accountability Act applies the same policy to Federal facilities under CERCLA that already applies to Federal facilities under the Solid Waste Disposal Act. Some argue that if this bill becomes law it will change Federal agencies' spending by forcing them to comply with State laws and that CERCLA is different because it is retroactive and applies to prior actions of the Federal Government.

The Solid Waste Disposal Act often applies to past conduct. That's why there is a provision for ''corrective measures.'' In fact, the EPA has issued multiple guidance documents that describe how Federal agencies should harmonize RCRA and CERCLA with respect to cleanups of hazardous waste.

Past conduct, future conduct—the fairness principle is the same. The basic question is whether Federal agencies should comply with State environmental protection laws just as private companies and State and local agencies must do.

My bill, the Federal and State Partnership for Environment Protection Act, does exactly what the title implies and would go a long way toward making the States partners with the EPA in cleaning up hazardous waste sites.

CERCLA is implemented by the EPA, but often States are in the best position to understand the sites in their State. This bill would allow States to play a larger role in the CERCLA process in several ways. The bill would allow States to list a site that it believes needs to be on the National Priorities List every 5 years and would provide transparency to the States if they suggest a site for listing.

The bill would also allow States to be consulted before the EPA selects a remedial action.

States are on the front lines and understand at the ground level how to prioritize environmental actions within their States.

They often come up with innovative solutions that better fit the local problem. We heard examples of that in our hearing on the Role of the States in Protecting the Environment.

CERCLA is a key example of a statute passed more than 30 years ago that we can now update and strengthen the Federal-State partnership to get sites cleaned up.

Removing barriers to job creation imposed by Federal Government is a cornerstone in our governing philosophy. CORY GARDNER, BOB LATTA and I produced bills to ensure that the Federal Government reduces unnecessary red tape, the barriers to job creation, while still keeping our environment healthy. These important bills aim to improve the Federal and State relationship when dealing with hazardous waste.

With that, Mr. Chairman, I reserve the balance of my time.

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES.
Washington, DC, January 8, 2014.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN UPTON, I am writing with respect to H.R. 2279, the ''Reducing Excessive Deadline Obligations Act of 2013.''

As you know, H.R. 2279 contains provisions within the Committee on the Judiciary's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 2279, the Committee on the Judiciary will not assert a jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2279, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2279.

Sincerely,

BOB GOODLATTE,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES.
Washington, DC, January 8, 2014.

Hon. BOB GOODLATTE,
Chairman, Committee on Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GOODLATTE, Thank you for your letter regarding H.R. 2279, the ''Reducing Excessive Deadline Obligations Act of 2013.'' As you noted, there are provisions of the bill that fall within the Committee on the Judiciary's Rule X jurisdiction.

I appreciate your willingness to forgo action on H.R. 2279, and I agree that your decision is not a waiver of any of the Committee on the Judiciary's jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward. In addition, I understand the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, for which you will have my support.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 2279 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

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

At a time when too many of our citizens are still out of work, our Nation's infrastructure is in need of repair, the Tax Code needs revision, and when the safety net that provides basic necessities for our citizens has a tragic number of holes to close, we are spending our time on yet another bill that is headed straight for the legislative dust bin.

It was the high-profile contamination at Love Canal in my home State of New York back in 1978 that motivated Congress to address the serious public

health threat that existed at many sites across this country. Toxic contamination of air, of water, and of land from the improper handling of disposal of hazardous materials.

Many of us represent districts that have formerly contaminated sites or sites that still remain to be cleaned up.

Superfund is not a perfect law, but it has, in combination with other environmental laws, returned many abandoned, contaminated sites to productive use.

When contaminated, blighted land is transformed, the entire community benefits. A long-abandoned former industrial site along the riverfront in my district was restored to a popular park. The residents of Amsterdam now enjoy a beautiful waterfront area.

H.R. 2279 does nothing to improve public health or create jobs or protect the environment or avoid needless public expenses. In fact, it does the opposite.

Title I of this bill further delays actions that should have been taken years ago. Congress included broad authorities for the Environmental Protection Agency to ensure that businesses that handle hazardous substances were financially able to deal with contamination that might result from their activities. This provision remains essential to protecting taxpayer interests, and it ensures these businesses are acting responsibly.

EPA's goals within the Superfund program should not stop at cleaning up the legacy sites that we have. It should also prevent new sites from being contaminated. It should prevent more people from being exposed to toxic substances, and it should prevent the property damage, loss of revenue, and stigma that communities experience when they are marred by these sites.

H.R. 2279 blocks the Environmental Protection Agency from implementing financial responsibility standards that their inspector general's office and the Government Accountability Office have advised are prudent actions that will avoid unnecessary public expenditures to clean up contaminated sites.

The GAO's last report on this topic indicated that in the 10-year period they examined, Federal agencies spent $2.6 billion to reclaim abandoned hardrock mine sites on Federal, State, private, and tribal lands.

So how does H.R. 2279 address this potential $100 million per year liability? By blocking EPA from taking recommended steps to avoid these potential cleanup costs. We cannot afford to continue this destructive policy.

Under the guise of ''fiscal responsibility,'' the majority voted to expand the list of requirements for applicants to the food stamp program to include drug testing and work requirements in addition to the detailed examination of an applicant's financial assets already required—all this to avoid providing a subsidy of about $1.50 per meal.

Apparently, it is too much to ask that a business, which could expose communities to toxic contamination, leave taxpayers with cleanup costs in the tens of millions of dollars, and result in lost local revenue and loss of property values, provide the government with assurance that it can afford to properly manage or clean up contamination that it created. The inconsistency in these policy choices is, indeed, incredible.

Blocking EPA from instituting basic requirements to protect public health, community vitality, local economic interests, and taxpayer interests provides a massive subsidy to a polluter at great public expense.

Titles II and III of this bill are somewhat of a mystery. I have no idea what problems with the Superfund program they propose to fix, but we have heard from the administration about serious problems this bill would, indeed, create.

The proponents of this legislation claim that title II will provide States more funding, give States a greater role in cleanups, and improve cooperation between States and the Federal Government on site cleanups, but States already have a significant role. Under current law, States can assert greater control over cleanups through a variety of mechanisms if they wish to do so.

The provisions altering the relationship between Federal and State government have a number of serious problems. For example, title III creates situations in which Federal employees could find themselves in a legal mess if caught between conflicting State and Federal direction of a cleanup site. This is an issue that was raised when this bill was considered by the committee. It was not resolved in committee, and it was not resolved before coming here to the House floor.

This is not the first bill this House has considered that demonstrated a disregard for Federal workers. This House has repeatedly turned to Federal workers to shoulder an unfair amount of the burden of deficit reduction.

Our erratic appropriation process has made their jobs more difficult, even as we have reduced their benefits and frozen their salaries.

We shut down the government, creating tremendous uncertainty for their families and barring people from their workplace. Now we are poised to pass a bill that might result in Federal workers being put in jail for doing their job.

Mr. Chair, I have touched on a few of the problems with this legislation. This is a poorly crafted bill that offers nothing for the public. It will not speed cleanups. It will not save money. It will not improve public health. This is bad policy and poorly crafted legislation. With that, I urge my colleagues to reject it.

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

Mr. JOHNSON of Ohio. Mr. Chairman, I am proud to yield 3 minutes to my colleague from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 2279 and specifically a section of the bill I sponsored referred to as the Federal Facility Accountability Act. This commonsense legislation updates CERCLA to ensure that Federal facilities are held to the same level of accountability as private facilities when it comes to cleaning up the release of hazardous substances. This legislation is supported by a number of State entities that have had numerous problems with Federal facilities skirting their CERCLA cleanup responsibilities.

As the Department of Environmental Conservation Contaminated Sites program in Alaska pointed out during one of our subcommittee hearings, a recurring problem is when Federal entities use sovereign immunity as a bar to limit or even refute State involvement and oversight of agency cleanups. In these instances, the Federal agency is acting as the responsible party and the regulator in which they get to determine which laws to apply, how safe the remedy needs to be, and they also pay the bill. Further, there is inconsistency in how some Federal agencies apply their CERCLA authority.

The Federal Facilities Accountability Act addresses these concerns and existing ambiguities by ensuring current and formerly owned Federal facilities will have to comply with the same State requirements as a private entity doing cleanup under CERCLA and specifically identifies the types of State procedural and substantive requirements that are applicable to the Federal Government.

Some of the most pressing environmental problems exist at current and former Federal facilities, and States have come a long way in developing strong regulatory programs to protect public health, safety, and the environment. It makes sense for Federal agencies to comply with these State environmental laws and to clean up contamination at Federal facilities to the same standards as everyone else.

With strong independent State enforcement authority, the environmental performance of Federal agencies will undoubtedly improve.

Mr. Chairman, I urge my colleagues to support H.R. 2279.

Mr. TONKO. Mr. Chair, I now yield 5 minutes to the distinguished gentleman from California (Mr. WAXMAN), the ranking member of the Energy and Commerce Committee, the former chair of the Energy and Commerce Committee, and a staunch defender in public policy and outspoken word for the environment.

Mr. WAXMAN. Mr. Chairman, I thank my colleague from New York (Mr. TONKO) for yielding and for his kind words.

Today the House is considering legislation to reduce the number of cleanups of dangerous contaminated sites that can occur each year. It is reducing the number of cleanups. At the same time, it is raising the cost to the taxpayers and letting polluters escape responsibility.

This bill is a perfect illustration of what is wrong with the House of Representatives. It is a partisan bill, developed through an insufficient committee process that erodes landmark public health protections for the benefit of big polluters.

When I first learned that the committee was considering this legislation to address the cleanup of contaminated sites on Federal land, I was hopeful that this was an issue that could be pursued on a bipartisan basis. We should always be looking for ways to improve our laws, to be more careful and effective in the use of taxpayer dollars, and to better protect public health and the environment. But the Energy and Commerce Committee leadership refused to work with the stakeholders to develop a workable and credible proposal.

□ 1430

The Department of Justice and Department of Defense both offered to come help us craft new and effective policies, but the chairman of the subcommittee refused to even meet with them.

Even worse, after the hearing on the bill, where a bill was out there, we had a hearing on it, the House Republicans added provisions that would let private companies avoid accountability for the pollution they cause. That means we are voting on legislation today to create new hurdles for holding polluters accountable, and we have no legislative record to explain it.

The outcome of enacting this bill should be obvious. If polluters don't pay to clean up their pollution, then it just becomes one more burden on the taxpayer. And none of us should want that.

This is the continuation of a disturbing trend. Over the last 3 years under Republican control, the House has voted over 400 times to weaken environmental laws. Last year, the House voted 51 times to benefit the oil and gas industry. From gutting laws that fight climate change to repealing rules that cut toxic air pollution, the House Republican leadership appears to have no qualms about targeting any public health and environmental protection.

The House Republicans seem to have forgotten we represent all of the American people. We represent the parents who want to know that their children are not being exposed to cancer-causing pollution. We represent taxpayers who don't want to spend millions to clean up a polluted industrial site simply because a big corporation decided to walk away. And, yes, we even represent the Federal employees who shouldn't have to face the threat of State sanctions just for doing their job and following the law as they would under this bill.

The administration strongly opposes this bill because it could delay cleanup of contaminated sites with the most urgent human health and safety risks. All of the Democrats on the Energy and Commerce Committee voted against these bills that have been combined and are being presented to us today. We all oppose it because it will increase litigation and let polluters off the hook. This bill would be vetoed if it ever made its way to the President's desk. Most likely it will never see the light of day in the other House.

This bill might play well with some special interest groups, but it should never become law; and I urge all Members to oppose this legislation.

Mr. JOHNSON of Ohio. Mr. Chairman, I have to respond, I think, briefly. I appreciate the ranking member's passion in addressing these issues, but we need to clear up what some of the facts actually are.

CBO has scored these bills and has come back and said that there are no significant cost increases associated with these. Furthermore, in regards to meeting with the Department of Justice and the Department of Defense, that meeting did occur, and the concerns that they raised were mainly around criminal liabilities for Federal employees, and that was addressed in the final legislation. So I'm not sure why we are still debating those issues.

At this time, I would like to yield 2 minutes to my colleague from Colorado (Mr. GARDNER).

Mr. GARDNER. Mr. Chairman, I thank the gentleman from Ohio for his leadership in managing this legislation today. I also thank the chairman of the subcommittee, Mr. SHIMKUS of Illinois, for his fine work on this legislation.

I am rising today in support of H.R. 2279, the Reducing Excessive Deadline Obligations Act, a package of bills, as we have discussed, which includes the Federal Facility Accountability Act by Mr. LATTA from Ohio and the Federal and State Partnership for Environmental Protection Act by Mr. JOHNSON of Ohio.

This legislation represents steps to roll back unnecessary and overburdensome regulations that are duplicative and unnecessary. The bills are aimed to protect the State-Federal partnership when it comes to cleaning up hazardous waste sites as quickly and as efficiently as possible. Solid waste must be disposed of in a responsible, efficient, and environmentally friendly manner; but there is no need for overly burdensome regulations that put a strain on businesses.

While our economy continues to sputter along, commonsense revisions of rules and regulations are a vital and critical component of helping our State and local economies grow.

My bill, the REDO Act, does two things. It allows the EPA the authority to revise and review the Resource Conservation Recovery Act, or RCRA, regulations as appropriate instead of every 3 years as required under current law. Even the EPA in written testimony to the Energy and Commerce Committee said that this regulation—the regulation that we are changing—can pose a significant resource burden on the EPA, given the complexity and volume of EPA's RCRA regulations.

Again, the EPA has problems with the rule. We are simply trying to change the rule to give them the power to meet the rule, and that is why it is all the more surprising that the President would issue a veto threat over a regulation that his own agency has written testimony saying they can't comply with it and have problems with it.

This bill also provides that when the EPA promulgates a financial responsibility requirement, existing State or Federal requirements are not preempted and EPA's requirement will fill whatever gap may be left by the requirements set forth by States and other Federal agencies. If EPA does revise requirements, they must submit a report to Congress explaining their justification for doing so.

It is a commonsense bill, commonsense jobs legislation; and I urge this Chamber's support.

Mr. TONKO. Mr. Chair, I yield an additional 1 minute to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I thank you for yielding so I can correct the record.

Bipartisan staff on our committee met with the Department of Justice and the Department of Defense to hear a long list of objections they had to the bill that was before the markup in committee. When we went into the markup in committee, I personally asked in the public session if Chairman SHIMKUS, the chairman of the subcommittee, would meet personally with the Department of Justice and Department of Defense because they had great concerns about the bill. He said at that markup that he would.

We checked with the Department of Defense, we checked with the Department of Justice, and there has been no such meeting. There has been some change, but they have not really addressed all the issues that I think Members should have been taking into consideration. There was really not an attempt, if the gentleman would permit, to work this out on a bipartisan basis, to hear what other people had to say about it. This bill was driven through and was being written whether we had a hearing, written after the hearings where they had a markup, written after the markup without getting all the facts; and it is a flawed bill as a result of it.

Thank you for yielding to me.

Mr. JOHNSON of Ohio. Mr. Chairman, I'm proud at this point to yield 3 minutes to my good friend from Pennsylvania (Mr. MEEHAN).

Mr. MEEHAN. I thank the gentleman from Ohio.

Section 106 of this bill requires that the owners and operators of facilities holding certain quantities of materials that are included on the Department of Homeland Security's Chemicals of Interest list report those materials to

their State emergency response commissions. And while it is absolutely imperative that State and local authorities are properly informed about potential hazards in their communities, we have to be sure to communicate this information in the most secure, responsible, and effective way.

As chairman of the Homeland Security Committee's Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, this provision concerns me for two particular reasons. First, the President has already specifically asked several Federal agencies—this is the Department of Homeland Security; the Environmental Protection Agency; and ATF, Alcohol, Tobacco and Firearms—to assess the feasibility of sharing this kind of information with the emergency response commissions while they are actually engaged in this activity.

Section 106 effectively mandates that they share this information immediately—before the President has had a chance to make his determination. And with sensitive information about the amount, variety and location of potentially dangerous materials at issue, this directive raises serious security concerns.

Second, the DHS Chemicals of Interest list is specific to the Chemical Facilities Anti-Terrorism Standards program. CFATS has in place a required practice of sharing information in a way that ensures facility security. I have serious reservations about whether this sensitive information could become compromised or subject to broad dissemination if section 106 were to become law. Chemical security is the responsibility of the Department of Homeland Security, which is specifically equipped to protect it.

Because these concerns have yet to be addressed, I request that the committee revisit section 106 during conference with the Senate.

Mr. SHIMKUS. Will the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. I thank my colleague, my friend from Pennsylvania, for calling attention to this concern that you raised.

In our open, deliberative process which we had in the markup, this was added as an amendment to the bill by my friends on the other side. This was prior to the President's rollout of his working group, prior to the President's stated concern about the sensitive nature of this information; and so it is one of the few times I would agree with the President that this information is very, very sensitive. So it might have been inappropriate at that time to accept this portion of the bill.

In our view, protecting this information, especially keeping it away from terrorists, is of utmost concern; and I want to assure you that this will be our guiding principle as we consider whether to include section 106 or any version of it in the final draft of the legislation.

Mr. MEEHAN. I thank the gentleman.

Mr. TONKO. Mr. Chairman, I yield 3 minutes to the chairman emeritus of the Energy and Commerce Committee and also the longest-serving Member of the House, my good friend from the State of Michigan (Mr. DINGELL), who was at the table in 1980 to oversee the Superfund and knows more about the Superfund than perhaps anyone in the House.

Mr. DINGELL. I thank my dear friend from New York. I commend him for his outstanding service, and I appreciate his yielding this time to me.

Well, we have a bad bill on the floor. Frankly, I am embarrassed; and if I was one of the Republican managers of this bill, I would have a red face. Quite honestly, it does nothing except expose Federal employees to liability for actually enforcing the law.

No oversight was conducted to bring about the consideration of this legislation. No opportunity was made for the agencies to come forward and fully set out their concerns about how this bill is a bad piece of legislation.

As the chairman of the Committee on Energy and Commerce, I handled the Superfund amendments in the reauthorization acts earlier. In that effort, it was a fully bipartisan undertaking, and we worked very closely with the Reagan administration, which was present and involved in all the conference meetings. The Senate at that time was under Republican control. President Reagan signed the act on October 17, 1986, after overwhelming votes of 386–27 in the House and 88–8 in the Senate.

At the one hearing that we had on this bill, I did not hear any support from the majority's witnesses. Most of them seemed to be somewhat embarrassed about the legislation and were unable to tell us anything that the legislation would accomplish in the public good or towards speeding up or improving the enforcement of Superfund.

It was interesting to note that there was really no identification of what the legislation would do to cure the problems that we confront with regard to Superfund. The Superfund program has been a fine example of success after having had a rocky start, and we have seen substantial completion of construction activities at over 70 percent of the national priority sites. Thousands of other shorter-term actions have also been completed.

Before charging headlong into solving problems that are not backed up with a factual record and with no showing whatsoever of a need for the legislation, I recommend that this body first gather the evidence that it needs from EPA, from States, from local governments, from industry and communities to better understand what, if any, problems need to be addressed. Until then, I fail to understand the purpose of this legislation other than a device to provide work for members of staff, to obfuscate the enforcement of Superfund and to, quite frankly, ignore the real problems which exist.

Superfund is cursed with the fact that it has major difficulty in being properly funded because the funding for it has long since expired, and now the ability of the Nation to fund the cleanup is not available to us. This bill would do nothing to address any of the problems that are there to be seen. It is a bad bill. It should be rejected.

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Mr. JOHNSON of Ohio. Mr. Chairman, I am pleased now to yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS), our chairman.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Chairman, well, it is great to be here on the floor with my friends as we talk about moving pieces of legislation. It is unfortunate that we are no longer a debating society; we are just a statement society, whether we are going back to what is true and right in language of the bill or what is not.

Let me talk to folks about how we got to this position.

Upon becoming subcommittee chairman in the last Congress, I talked to members of my committee and staff and I said, There is no perfect piece of legislation. There is no perfect piece of law. What are some things that we can fix to make this process go better?

And it wasn't just our ideas; we went to the States. The States have a huge responsibility. And I think if people watched the body of information of what is coming out of our committee, we have given a lot of deference to the States because they are the ones who live closest to these locations. So we bring in the Council of the States, the Environmental Council of the States and all the stakeholders and we say, What is it about the Federal law that drives you crazy and if we fixed it would make your life better? Hence, these three pieces of legislation that have been rolled into one bill to make it to the floor.

The Reducing Excessive Deadline Obligations Act, it allows the EPA to review regulations on solid waste disposal only when necessary. You know what the law says; regardless if the law works or not, you have to review it every 3 years. And you know what happens when that law is in there; regardless if it works, regardless if there are no complaints, you have to review it. So that is ripe for litigation. You don't do it within the time line, whether you need to or not, let's sue and settle. Let's do something.

So all we are saying is, if the law works, if the regulations are good, if there are no complaints, don't have an automatic time line of having to review it in 3 years. The States said, Yes, we would like that because we are spending more time.

Part of the problem with the Superfund is huge amounts of money go to

litigation. Surprise, surprise. We want to get money away from litigation to remediation. That is all we are trying to do.

The bill also requires EPA, prior to developing new financial responsibility requirements—and that is the key. What is a financial responsibility requirement? What do you have to have available if you are going to do this site and in case something goes wrong and you need cleanup? What are the financial requirements? What is the bonding you need? All we are saying is don't change the rules. And if you are going to change the rules for financial bonding while the process and the site is being operated, wouldn't it be good to talk to the States and let people know that the Federal Government is going to change the rules in the operation of a new site? The States said, Good idea. You ought to look at that.

One other part of the bill is the Federal and State Partnership for Environmental Protection Act of 2013, which requires the EPA to consult with States when undergoing a removal action. So usually what happens at a Superfund site, the Federal Government gets involved. They are going to help do the majority of the cleanup. But guess who has the long-term observation and administration costs of the site? The States do. All we are saying is, if we are going to start to remediate in a State, let's have the State sit down and work with the EPA so the State knows its long-term costs. Pretty simple.

And the last one, which I always find pretty amazing that my friends on the other side are arguing about, protecting the Federal Government to pollute. All we are saying is, when the Federal Government has polluted a site, the Federal Government ought to clean it up. We make everyone else do it. We hold everyone else responsible. But no, if the Federal Government has polluted, we give them immunity. Sovereign immunity. They don't have to do anything. So this law says that it is about time the Federal Government comply with the same laws that States do and other individuals do.

This is a position my colleagues have had for many, many years. And of all the portions of this bill that I thought that they would be all for is moving this position that the Federal Government should comply with the same laws as everyone else does. And for my colleagues on the other side to protect governmental polluters I just find is unbelievable.

So the process was good. We had hearings. We had markups. We had amendments agreed to. I am proud of my colleagues in bringing these bills to the floor. I am glad of the participation by the States, and I look forward to the moving of the bill.

Mr. TONKO. Mr. Chairman, before I yield, I would like to make a few comments.

I keep hearing from the bill's supporters that the States need and want this legislation. I am a little confused by those statements. My staff called the Association of State and Territorial Solid Waste Management Officials, and they do not support the legislation. We also called the Environmental Council of the States, which represents the State environmental commissioners, and they have not endorsed the instant legislation before the House. So I am somewhat confused by the statements being made here.

I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), who has fought for many environmental causes through the committee on behalf of his home State of New Jersey and, for that matter, for this Nation.

Mr. PALLONE. Mr. Chairman, I want to thank my colleague from New York, the ranking member of the subcommittee.

Mr. Chairman, I rise today to urge my colleagues to vote ''no'' on H.R. 2279. This is an unnecessary and ill-advised piece of legislation that would significantly weaken our country's hazardous waste laws and further shift the burden of cleaning up these sites from the entities responsible for the contamination to the taxpayer instead.

Mr. Chairman, polluters are already not paying their fair share to help clean up America's worst toxic sites, and this bill only makes things worse. Since 1995 when the Superfund taxes expired, taxpayers have shouldered an unreasonable responsibility to pay for these cleanups. I have a bill, the Superfund Polluter Pays Act, which would reauthorize the original Superfund fees and make polluters, not taxpayers, pay the costs of cleaning up Superfund sites. Congress needs to reinstate the ''polluter pays'' taxes so the industries most responsible for polluting our land and water are held responsible for cleaning up our toxic legacy, a legacy which severely affects my home State of New Jersey.

But again we face the prospect of the Republican majority dismantling our Nation's critical environmental laws. The bill before us today is really a combination of three bills, all of which will hinder hazardous cleanup across the country. And I am especially troubled by provisions in the bill that enable sites to veto sites from being added to the Superfund National Priorities List, as well as the provision that weakens the requirement for companies who deal with hazardous materials to carry insurance to cover contamination threats. Absent this insurance requirement, it will be easier for a company to go bankrupt and shirk its responsibility to clean up contamination that it has caused.

Mr. Chairman, cleaning up Superfund sites creates jobs by converting the contaminated areas into productive land ready for redevelopment and employing engineers, construction workers, and others engaged in the cleanup. I have seen this in my home State. New Jersey has more Superfund sites than any other State, and my county of Middlesex actually has more sites than any other county. But we have cleaned up a lot of these sites and created jobs. They are now used for recreation, for manufacturing, for shopping centers, so many other things.

We don't want to weaken the Superfund law. That would be a huge mistake. So I urge all of my colleagues to vote ''no'' on this legislation.

Mr. JOHNSON of Ohio. Mr. Chairman, just a couple of quick points of clarification.

My friend and colleague Mr. TONKO and I agree on many things, and we have a history of having worked together to hold the EPA to commonsense rules, and I appreciate that, but I need to clarify just a couple of quick things that my colleague mentioned.

From the Environmental Council of the States, I have before me a letter that I would like to enter into the RECORD stating that the Environmental Council of the States is writing to support many of the concepts included in this legislation, on all three pieces of this legislation.

And the other organization, the Association of State and Territorial Solid Waste Management Officials, they don't take positions on legislation; so no matter what the piece of legislation would be, if you call them, they are not going to take a position on it one way or another. That does not mean that they do not support this, but they simply don't take positions.

I wanted to make those clarifications for the RECORD.

I reserve the balance of my time.

ECOS, THE ENVIRONMENTAL
COUNCIL OF THE STATES,
Washington, DC, June 18, 2013.

Re ''CERCLA Bills'' H.R.s 2226, 2318, 2279

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

Hon. HENRY WAXMAN,
Ranking Member, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMEN: The Environmental Council of the States (ECOS) is writing to support many of the concepts included in H.R. 2226 The Federal and State Partnership for Environmental Protection Act of 2013, H.R. 2318 The Federal Facility Accountability Act of 2013 H.R. 2279, and The Reducing Excessive Deadline Obligations Act of 2013.

As stated in our testimony at your hearing on May 17, ECOS supports the expansion of ''consultation with states'' as described in the bills. ECOS especially acknowledges that the bills directly address concerns expressed by the States in our ECOS Resolution on federal facilities operations under RCRA and CERCLA (attached; see especially the bolded items).

ECOS is a non-partisan, non-profit organization of the state environmental agencies and their leaders, who are our members.

We ask that you include this letter in the record on this matter. If there is anything else that ECOS can do to assist you in this matter, please do not hesitate to ask.

Regards,

R. STEVEN BROWN,
Executive Director.

Attachment.

ON ENVIRONMENTAL FEDERALISM

Whereas, the states are co-regulators with the federal government in a federal system; and

Whereas, the meaningful and substantial involvement of the state environmental agencies as partners with the U.S. Environmental Protection Agency (U.S. EPA) is critical to both the development and implementation of environmental programs; and

Whereas, the U.S. Congress has provided by statute for delegation, authorization, or primacy (hereinafter referred to collectively as ''delegation'') of certain federal program responsibilities to states which, among other things, enables states to establish state programs that go beyond the minimum federal program requirements; and

Whereas, States that have received delegation have demonstrated to the U.S. EPA that they have the independent authority to adopt and they have adopted laws, regulations, and policies at least as stringent as federal laws, regulations, and policies; and

Whereas, states have further demonstrated their commitment to environmental protection by taking responsibility for 96% of the primary environmental programs which can be delegated to states; and

Whereas, because of this delegation, the state environmental agencies have a unique position as co-regulators and co-funders of these programs; and

Whereas, the delegation of new federal environmental rules (issued as final and completed actions and published by the U.S. EPA) to the states to implement continues at a steady pace of about 28 per year since spring 2007, for a total of approximately 143 new final rules and completed actions to implement through fall 2011; and

Whereas, federal financial support to implement environmental programs delegated to the states has declined since 2005; and

Whereas, cuts in federal and state support adversely affects the states' ability to implement federal programs in a timely manner and to adequately protect human health and the environment; and

Whereas, states currently perform the vast majority of environmental protection tasks in America, including 96% of the enforcement and compliance actions; and collection of more than 94% of the environmental quality data currently held by the U.S. EPA; and

Whereas, these accomplishments represent a success by the U.S. EPA and the states working together in ways the U.S. Congress originally envisioned to move environmental responsibility to the states, not an indictment of the U.S. EPA's performance; and

Whereas, the U.S. EPA provides great value in achieving protection of human health and the environment by fulfilling numerous important functions, including; establishing minimum national standards; ensuring state-to state consistency in the implementation of those national standards; supporting research and providing information; and providing standardized pollution control activities across jurisdictions; and

Whereas, with respect to program operation, when a program has been delegated to a state and the state is meeting the minimum delegated program requirements, the role of the U.S. EPA is oversight and funding support rather than state-level implementation of programs; and

Whereas, under some federal programs the U.S. EPA grants to states the flexibility to adjust one-size-fits-all programs to local conditions and to try new procedures and techniques to accomplish agreed-upon environmental program requirements, thereby assuring an effective and efficient expenditure of the taxpayers' money. Now, therefore, be it resolved that the environmental Council of the States: Affirms its continuing support for the protection of human health and the environment by providing for clean air, clean water, and proper handling of waste materials;

Affirms that states are co-regulators, co-funders and partners with appropriate federal agencies, including the U.S. EPA, and with each other in a federal environmental protection system;

Affirms the need for adequate funding for both state environmental programs and the U.S. EPA, given the vitally important role of both levels of government;

Affirms that expansion of environmental authority to the states is to be supported, while preemption of state authority, including preemption that limits the state's ability to establish environmental programs more stringent than federal programs, is to be opposed;

Supports the authorization or delegation of programs to the states and believes that when a program has been authorized or delegated, the appropriate federal focus should be on program reviews, and, further, believes that the federal government should intervene in such state programs where required by court order or where a state fails to enforce federal rules particularly involving spillovers of harm from one state to another;

Supports early, meaningful, and substantial state involvement in the development and implementation of environmental statutes, policies, rules, programs, reviews, joint priority setting, budget proposals, budget processes, and strategic planning, and calls upon the U.S. Congress and appropriate federal agencies to provide expanded opportunities for such involvement;

Specifically calls on U.S. EPA to consult in a meaningful, timely, and concurrent manner with the states' environmental agencies in the priority setting, planning, and budgeting of offices of the U.S. EPA as these offices conduct these efforts;

Further specifically calls on U.S. EPA to consult in a meaningful and timely manner with the states' environmental agencies regarding the U.S. EPA interpretation of federal regulations, and to ensure that the U.S. EPA has fully articulated its interpretation of federal regulations prior to the U.S. EPA intervention in state programs;

Believes that such integrated consultation will increase mutual understanding, improve state-federal relations, remove barriers, reduce costs, and more quickly improve the nation's environmental quality;

Noting the extensive contributions states have made to a clean environment, affirms its belief that where the federal government requires that environmental actions be taken, the federal government ought to fund those actions, and not at the expense of other state programs;

Affirms that the federal government should be subject to the same environmental rules and requirements, including the susceptibility to enforcement that it imposes on states and other parties;

Affirms its support for the concept of flexibility and that the function of the federal environmental agency is, working with the states, largely to set goals for environmental accomplishment and that, to the maximum extent possible, the means of achieving those goals should be left primarily to the states; especially as relates to the use of different methods to implement core programs, such as risk-based inspections or multi-media environmental programs, and particularly in the development of new programs which will impact both states and the U.S. EPA; and

Directs ECOS staff to provide a copy of this resolution to the U.S. EPA Administrator.

CLARIFICATION OF CERCLA SOVEREIGN IMMUNITY WAIVER FOR FEDERAL FACILITIES

Whereas, current and former federal facilities have some of the most pressing environmental problems, such as hazardous substances, unexploded ordnance, radioactive materials, and abandoned mines; and

Whereas, problems associated with some of these federal facilities pose substantial threats to public health, safety, and the environment; and

Whereas, ECOS believes the States' regulatory role at federal facilities should be recognized and that federal agency environmental cleanup activities are subject to and should receive the same regulatory oversight as private entities; and

Whereas, for many contamination actions the federal agencies assert Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) lead agency authority under Executive Order 12580; and

Whereas, state experience for many contamination actions has shown that assertions of sovereign immunity and CERCLA lead agency authority have led to inappropriate and/or inconsistent interpretation of state law and have not supported cleanup to the same standards as private parties; and

Whereas, assertions of sovereign immunity and CERCLA lead agency authority hamper consistent state regulatory oversight and responsibility to its citizens; and

Whereas, a clarification of Executive Order 12580 and/or federal legislation would aid states in implementing regulations which have been duly enacted by the states; and

Whereas, this resolution fully supports Policy NR–03i (specifically Section 3.5 on ''Natural Resources'') executed by the National Governors' Association. Now, therefore, be it

Resolved that the environmental Council of the States (ECOS):

Requests the Administration revise Executive Order 12580 to clarify that federal facilities are subject to appropriate state regulations and are not unduly shielded by sovereign immunity and lead agency authority;

Encourages the U.S. Congress act to support the States by the implementation of specific legislation which will without equivocation acknowledge state authority and regulatory responsibility for oversight of removal and cleanup actions at current and formerly owned or operated federal facilities; and

Authorizes the transmittal of this resolution to the Administration, appropriate congressional committees, federal agencies, and other interested organizations and individuals.

Mr. TONKO. Mr. Chairman, while the Environmental Council of the States may have supported some concepts of the bill, they have not moved to endorse the bill. I will stand by my statement.

Next I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a staunch defender of the environment and a good friend.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy and leadership here on the floor.

When I first heard that we were going to be dealing with Superfund reforms and modifications, I was originally encouraged. I have been working with these issues on the Federal level, and before that, for almost 20 years, as a local official dealing with the problems of pollution in Superfund sites. I know that there are many challenges to the

process and that it is chronically and dramatically underfunded. It is complex and cumbersome. Many of the participants are not fully equipped to be able to manage it. We have learned a little bit in the almost 30 years since the legislation was passed, but I am sad to say I was very disappointed because, rather than dealing in a thoughtful, bipartisan way to try and refine the process, we are actually taking a step backward.

This bill would water down the requirements and provide fewer dollars, blurring lines of responsibility. This is not going to help. The Superfund tax expired in 1995. Since then, we have been shifting the burden away from the petrochemical industry that created these problems in the main, shifting it to the general fund taxpayer, a scarce and dwindling supply.

This isn't going to move away from litigation; it is going to make it more likely, if it were enacted, by confusing people. Changing the rules that people have operated under is not going to be helpful; it is going to slow it down further.

I am deeply concerned that the Department of Defense has not fully met its obligation as the largest generator of Superfund sites in the United States. I have been on this floor repeatedly attempting to work through the budget process and the authorization process for us to step up and do right by people.

I have got a harbor that was the staging area for three wars, and a significant amount of the pollution there that we are dealing with is as a result of that Defense Department operation. But what we are doing here would, according to the Department of Defense, disrupt the national priority scheme in which the most contaminated Federal sites are cleaned up first. It would increase litigation, delay cleanup, and waste already limited resources.

Now, by pretending that somehow the State government is going to take the lead and compel Federal agencies to do things that may in fact be contrary to Federal law is not going to speed this process further. It is not going to make it easier. It is going to continue what is the problem. People today dig in their heels.

The CHAIR. The time of the gentleman has expired.

Mr. TONKO. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. We haven't actually moved forward to try to work carefully, to thoughtfully, in a bipartisan session, refine it. We are going ahead and trying to superimpose on top of it things that will undercut that effort.

Now, I am critical of what the Federal Government has done in some areas, but as a practical matter, local governments, by failure to zone, plan, regulate, and exercise oversight, have often been responsible for many of these problems. And they have, in the main, not stepped up and been aggressive with the strictest of standards. This would superimpose what are potentially less rigorous or, in fact, no local standards, be able to cost shift to the Federal Government without any interest in providing the resources for the Federal Government to do so.

I would hope that our friends, if they are sincere, would spend time with people who are in the trenches and look for ways in a bipartisan, thoughtful way to refine the Superfund program so that, in the spirit of what originally created the legislation, we can do something that will do better by our constituents, better by the environment, and better by the taxpayer.

Mr. JOHNSON of Ohio. I reserve the balance of my time.

Mr. TONKO. I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON) who has organized the Environmental Justice Advocates of his home State of Minnesota, and is also the chair of the Progressive Caucus in the House.

Mr. ELLISON. Mr. Chairman, the polluter pays. The polluter pays, and that is a simple idea with very broad appeal. The company responsible for causing the pollution should have to pay for the cleanup. It makes sense. This bill would relieve many companies of that responsibility when it comes to the most polluted sites in the country. Instead, taxpayers will pick up the tab. It is another bailout.

Currently, if a company is part of an industry with a record of pollution, it needs to post a bond or buy insurance. This requirement helps to prevent a company from polluting until it goes out of business, leaving the taxpayer with the bill for the cleanup.

H.R. 2279 allows the company to skirt its financial responsibility, in essence, to internalize all the money they make while polluting but to externalize all of the costs after they are done and leaving everyone else to shoulder the burden. That is not free market enterprise; that is crony capitalism.

The bill would also reduce funding for highly contaminated sites. It should be increasing funding for the sites so their cleanup does not drag on for decades. Less funding is not the answer. Because funding is already so short for these Superfund sites, we have to prioritize the worst sites for cleanup, and the result is the National Priorities List. This bill would disrupt that priority system.

Mr. Chairman, instead of letting polluters off the hook, we should use the money to put people to work by cleaning up the long list of toxic sites all over the country that are exposing people to toxic waste, pushing down property values, and inhibiting economic growth.

As I close, I just want to say that this bill, like so many bills offered by the majority, rests upon a falsehood, and that is that health and safety regulations hurt the economy. They don't. It is not true. It is a false statement, and there is no evidence for them to prove that it is true. And yet they want us to believe, as these companies deregulate and get tax cuts and all these other benefits, that they are going to use the extra money they get in order to create jobs, which they never do.

Reject this bill. It is a bad idea.

Mr. JOHNSON of Ohio. Mr. Chairman, I continue to reserve the balance of my time.

□ 1500

Mr. TONKO. Mr. Chair, I have no further speakers, and I am prepared to close.

Mr. Chair, H.R. 2279 is a deeply flawed bill that will increase costs, increase litigation, slow down the pace of cleanups, and, indeed, put the public at risk. It will do nothing to make cleanups at contaminated sites more efficient or more effective.

The proponent's intended goals for this legislation are not reflected in the bill's language. We can, and we should, do much better for people living in communities that are dealing with toxic legacies from past failures to deal with hazardous substances properly.

If we want to prevent new Superfund sites from being created and to clean up contaminated sites in their communities and convert them from liabilities to productive assets, we must reject H.R. 2279. I oppose this legislation and urge my colleagues to do the same.

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

Mr. JOHNSON of Ohio. Mr. Chairman, I yield myself such time as I may consume.

In closing, I want to go back and revisit just briefly some of the cost implications or the allegations of cost implications of today's legislation that we are considering.

CBO carefully analyzed all three of the bills that we are considering as part of H.R. 2279 today, and here is what they said:

> CBO estimates that, in some cases, implementing this legislation could affect the pace of discretionary spending if priorities for cleanup activities change. However, CBO expects that total costs to fulfill Federal responsibilities under CERCLA would be little changed under this legislation.

That was directly from the CBO score for H.R. 2226.

> Based on information from EPA, CBO expects that removing the current requirement to review certain recommendations every 3 years would reduce administrative costs. However, some of those savings in administrative expenses would be offset by spending on the new requirement to report to the Congress any financial responsibility requirements. CBO estimates that, on balance, implementing this legislation would not have a significant net impact on spending that is subject to appropriation over the 2014–2018 period. Enacting H.R. 2279 would not affect direct spending or revenues.

That was directly from the CBO score for H.R. 2279.

CBO estimates that enacting this legislation could increase the pace of discretionary spending to the extent that Federal agencies accelerate spending

related to cleanup activities or pay additional fines and penalties imposed by the States. However, CBO expects that aggregate, long-term costs to fulfill Federal responsibilities under CERCLA would be little changed under the legislation.

In addition, H.R. 2318 could increase direct spending to the extent that fines and penalties were paid from the Treasury's Judgment Fund. However, CBO expects that any incremental spending from that fund would probably be insignificant. CBO estimates that any additional direct spending over the 2014–2023 period would be insignificant.

CBO goes on to say:

Enacting this legislation would not fundamentally change the Federal Government's responsibility to comply with CERCLA. According to the latest financial report of the United States, the Federal Government's current environmental remediation and waste disposal liabilities exceed $300 billion (under all environmental laws). Under current law, Federal agencies, in particular the Departments of Defense and Energy, currently spend billions of dollars each year conducting cleanup activities under CERCLA, including reimbursements to State agencies for related services they provide. Based on information from Federal agencies and industry representatives, CBO expects that enacting this legislation could induce Federal agencies to accelerate their compliance activities at some facilities—possibly changing the timing of funding requests for certain projects. As a result, H.R. 2318 might lead to greater compliance costs for Federal facilities for the years immediately following enactment, but the total long-term cost of compliance would not change substantially.

I just wanted to make that point for the record.

Finally, I want to urge my colleagues not to be misled by my colleague's argument that this bill somehow prevents the EPA from enacting financial assurance requirements. It simply does not. More than 30 years passed before EPA complied with the requirements of CERCLA and started the process of developing financial assurance requirements. All this bill does is require the EPA to acknowledge the body of law developed by the States and other Federal agencies in the more than 30 years since the EPA has failed to act.

This legislation does not limit EPA from establishing Federal CERCLA financial responsibility requirements or from setting a minimum level of financial assurance that is required. H.R. 2279 merely ensures that existing State and Federal requirements can be used to meet those requirements where appropriate and ensures that existing State protections that may already exceed a new Federal minimum requirement will not be automatically voided.

The purpose of the provision in the bill requiring the EPA to report to Congress before new CERCLA financial responsibility requirements are enacted is to make sure that there is a legitimate need for new requirements. It does not prevent the EPA from promulgating new requirements if they are necessary.

My colleague argues that the bill is based on a false premise that States are implementing adequate financial assurance requirements. The bill does not prejudge State financial assurance requirements. What the bill does is require the EPA to analyze the existing financial assurance requirements, and it directs the EPA to ''fill the gap'' left by financial assurance regulations developed by the States or other Federal agencies. But make no mistake, if there is a regulatory gap and the EPA believes that gap needs to be filled, the EPA is free to enact regulations.

The purpose of financial assurance under 108(b) of CERCLA was to prevent the creation of new Superfund sites. The bill provides a mechanism for gathering information to decide whether the existing State and Federal financial assurance requirements are adequate to protect the Federal Government from incurring response costs under CERCLA.

The bill directs the EPA to gather information and report back to us before it promulgates any additional requirements. It does not otherwise preclude the EPA from enacting rules that the EPA determines are necessary. In fact, we understand that the EPA has already been gathering this information from the States and other Federal agencies like the Bureau of Land Management and the Forest Service.

The bill simply sets out a process for us to learn what State and other agency requirements are out there and whether there is a need for more regulation before the EPA creates yet another layer of regulation. Contrary to what my colleagues are saying, the bill does not cut off any rulemaking by the EPA.

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

The 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 Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 113–30. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2279

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

TITLE I—REDUCING EXCESSIVE DEADLINE OBLIGATIONS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Reducing Excessive Deadline Obligations Act of 2013''.

SEC. 102. REVIEW OF REGULATIONS UNDER THE SOLID WASTE DISPOSAL ACT.

Section 2002(b) of the Solid Waste Disposal Act (42 U.S.C. 6912(b)) is amended to read as follows:

''(b) REVIEW OF REGULATIONS.—The Administrator shall review, and revise, as the Administrator determines appropriate, regulations promulgated under this Act.''.

SEC. 103. FINANCIAL RESPONSIBILITY FOR CLASSES OF FACILITIES UNDER CERCLA.

Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''Not later than three years after the date of enactment of the Act, the President shall'' and inserting ''The President shall, as appropriate,''; and

(B) by striking ''first'' after ''for which requirements will be''; and

(2) in paragraph (2)—

(A) by striking ''Financial responsibility may be established'' and inserting ''Owners and operators may establish financial responsibility'';

(B) by striking ''any one, or any combination, of the following:'' and inserting ''forms of security, including''; and

(C) by striking ''or qualification'' and inserting ''and qualification''.

SEC. 104. REPORT TO CONGRESS REGARDING FINANCIAL RESPONSIBILITY REQUIREMENTS.

Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)) is further amended by adding at the end the following:

''(6) The President may not promulgate any financial responsibility requirement under this subsection without first submitting to Congress a report—

''(A) describing each facility or class of facilities to be covered by such requirement;

''(B) describing the development of such requirement, why the facility or class of facilities proposed to be covered by such requirement present the highest level of risk of injury, and why the facility or class of facilities is not already covered by adequate financial responsibility requirements;

''(C) describing the financial responsibility requirements promulgated by States or other Federal agencies for the facility or class of facilities to be covered by the financial responsibility requirement proposed under this subsection and explaining why the requirement proposed under this subsection is necessary;

''(D) describing the exposure to the Fund for response costs resulting from the facility or class of facilities proposed to be covered; and

''(E) describing the capacity of the financial and credit markets to provide instruments of financial responsibility necessary to meet such requirement.

The President shall update any report submitted under this paragraph to reflect any revision of the facilities or classes of facilities to be covered by a financial responsibility requirement that is the subject of such report.''.

SEC. 105. PREEMPTION OF FINANCIAL RESPONSIBILITY REQUIREMENTS.

Section 114(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9614(d)) is amended to read as follows:

''(d) No owner or operator of a vessel or facility who establishes and maintains evidence of financial responsibility associated with the production, transportation, treatment, storage, or disposal of hazardous substances pursuant to financial responsibility requirements under any State law or regulation, or any other Federal law or regulation, shall be required to establish or maintain evidence of financial responsibility under this title, unless the President determines, after notice and opportunity for public comment, that in the event of a release of a hazardous substance that is not a federally permitted release or authorized by a State permit, such other Federal or State financial responsibility requirements are insufficient to cover likely response costs under section 104. If the President determines that such other Federal or State

financial responsibility requirements are insufficient to cover likely response costs under section 104 in the event of such a release, the President shall accept evidence of compliance with such other Federal or State financial responsibility requirements in lieu of compliance with any portion of the financial responsibility requirements promulgated under this title to which they correspond.''.

SEC. 106. EXPLOSIVE RISKS PLANNING NOTIFICATION.

Not later than 180 days after the date of enactment of this Act, the owner or operator of each facility at which substances listed in appendix A to part 27 of title 6, Code of Federal Regulations, as flammables or explosives are present above the screening threshold listed therein shall notify the State emergency response commission for the State in which such facility is located that such substances are present at such facility and of the amount of such substances that are present at such facility.

TITLE II—FEDERAL AND STATE PARTNERSHIP FOR ENVIRONMENTAL PROTECTION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Federal and State Partnership for Environmental Protection Act of 2013''.

SEC. 202. CONSULTATION WITH STATES.

(a) REMOVAL.—Section 104(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(a)(2)) is amended by striking ''Any removal action undertaken by the President under this subsection (or by any other person referred to in section 122) should'' and inserting ''In undertaking a removal action under this subsection, the President (or any other person undertaking a removal action pursuant to section 122) shall consult with the affected State or States. Such removal action should''.

(b) REMEDIAL ACTION.—Section 104(c)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(c)(2)) is amended by striking ''before determining any appropriate remedial action'' and inserting ''during the process of selecting, and in selecting, any appropriate remedial action''.

(c) SELECTION OF REMEDIAL ACTION.—Section 104(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(c)(4)) is amended by striking ''shall select remedial actions'' and inserting ''shall, in consultation with the affected State or States, select remedial actions''.

(d) CONSULTATION WITH STATE AND LOCAL OFFICIALS.—Section 120(f) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(f)) is amended—

(1) by striking ''shall afford to'' and inserting ''shall consult with'';

(2) by inserting ''and shall provide such State and local officials'' before ''the opportunity to participate in''; and

(3) by adding at the end the following: ''If State or local officials make a determination not to participate in the planning and selection of the remedial action, such determination shall be documented in the administrative record regarding the selection of the response action.''.

SEC. 203. STATE CREDIT FOR OTHER CONTRIBUTIONS.

Section 104(c)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(c)(5)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''removal at such facility, or for'' before ''remedial action''; and

(B) by striking ''non-Federal funds.'' and inserting ''non-Federal funds, including oversight costs and in-kind expenditures. For purposes of this paragraph, in-kind expenditures shall include expenditures for, or contributions of, real property, equipment, goods, and services, valued at a fair market value, that are provided for the removal or remedial action at the facility, and amounts derived from materials recycled, recovered, or reclaimed from the facility, valued at a fair market value, that are used to fund or offset all or a portion of the cost of the removal or remedial action.''; and

(2) in subparagraph (B), by inserting ''removal or'' after ''under this paragraph shall include expenses for''.

SEC. 204. STATE CONCURRENCE WITH LISTING ON THE NATIONAL PRIORITIES LIST.

(a) BASIS FOR RECOMMENDATION.—Section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)) is amended—

(1) by inserting ''Not later than 90 days after any revision of the national list, with respect to a priority not included on the revised national list, upon request of the State that submitted the priority for consideration under this subparagraph, the President shall provide to such State, in writing, the basis for not including such priority on such revised national list. The President may not add a facility to the national list over the written objection of the State, unless (i) the State, as an owner or operator or a significant contributor of hazardous substances to the facility, is a potentially responsible party, (ii) the President determines that the contamination has migrated across a State boundary, resulting in the need for response actions in multiple States, or (iii) the criteria under the national contingency plan for issuance of a health advisory have been met.'' after ''the President shall consider any priorities established by the States.''; and

(2) by striking ''To the extent practicable, the highest priority facilities shall be designated individually and shall be referred to as'' and all that follows through the semicolon at the end, and inserting ''Not more frequently than once every 5 years, a State may designate a facility that meets the criteria set forth in subparagraph (A) of this paragraph, which shall be included on the national list;''.

(b) STATE INVOLVEMENT.—Section 121(f)(1)(C) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(f)(1)(C)) is amended by striking ''deleting sites from'' and inserting ''adding sites to, and deleting sites from,''.

SEC. 205. STATE ENVIRONMENTAL COVENANT LAW.

Section 121(d)(2)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)) is amended by striking ''State environmental or facility siting law'' and inserting ''State environmental, facility siting, or environmental covenant law, or under a State law or regulation requiring the use of engineering controls or land use controls,''.

TITLE III—FEDERAL FACILITY ACCOUNTABILITY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Federal Facility Accountability Act of 2013''.

SEC. 302. FEDERAL FACILITIES.

(a) APPLICATION TO FEDERAL GOVERNMENT.—Section 120(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(a)) is amended in the heading by striking ''OF ACT''.

(b) APPLICATION OF REQUIREMENTS TO FEDERAL FACILITIES.—Section 120(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(a)(2)) is amended—

(1) by striking ''preliminary assessments'' and inserting ''response actions'';

(2) by inserting ''or'' after ''National Contingency Plan,'';

(3) by striking '', or applicable to remedial actions at such facilities''; and

(4) by inserting ''or have been'' before ''owned or operated''.

(c) APPLICABILITY OF LAWS.—Section 120(a)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(a)(4)) is amended to read as follows:

''(4) APPLICABILITY OF LAWS.—

''(A) IN GENERAL.—Each department, agency, and instrumentality of the United States shall be subject to, and comply with, at facilities that are or have been owned or operated by any such department, agency, or instrumentality, State substantive and procedural requirements regarding response relating to hazardous substances or pollutants or contaminants, including State hazardous waste requirements, in the same manner and to the same extent as any nongovernmental entity.

''(B) COMPLIANCE.—

''(i) IN GENERAL.—The United States hereby expressly waives any immunity otherwise applicable to the United States with respect to any State substantive or procedural requirement referred to in subparagraph (A).

''(ii) INJUNCTIVE RELIEF.—Neither the United States, nor any agent, employee, nor officer thereof, shall be immune or exempt from any process or sanction of any State or Federal Court with respect to the enforcement of any injunctive relief under subparagraph (C)(ii).

''(iii) CIVIL PENALTIES.—No agent, employee, or officer of the United States shall be personally liable for any civil penalty under any State substantive or procedural requirement referred to in subparagraph (A), or this Act, with respect to any act or omission within the scope of the official duties of the agent, employee, or officer.

''(C) SUBSTANTIVE AND PROCEDURAL REQUIREMENTS.—The State substantive and procedural requirements referred to in subparagraph (A) include—

''(i) administrative orders;

''(ii) injunctive relief;

''(iii) civil and administrative penalties and fines, regardless of whether such penalties or fines are punitive or coercive in nature or are imposed for isolated, intermittent, or continuing violations;

''(iv) reasonable service charges or oversight costs; and

''(v) laws or regulations requiring the imposition and maintenance of engineering or land use controls.

''(D) REASONABLE SERVICE CHARGES OR OVERSIGHT COSTS.—The reasonable service charges or oversight costs referred to in subparagraph (C) include fees or charges assessed in connection with—

''(i) the processing, issuance, renewal, or modification of permits;

''(ii) the review of plans, reports, studies, and other documents;

''(iii) attorney's fees;

''(iv) inspection and monitoring of facilities or vessels; and

''(v) any other nondiscriminatory charges that are assessed in connection with a State requirement regarding response relating to hazardous substances or pollutants or contaminants.''.

SEC. 303. AUTHORITY TO DELEGATE, ISSUE REGULATIONS.

Section 115 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9615) is amended by adding at the end the following new sentence: ''If the President delegates or assigns any duties or powers under this section to a department, agency, or instrumentality of the United States other than the Administrator, the Administrator may review, as the Administrator determines necessary or upon request of any State, actions taken, or regulations promulgated, pursuant to such delegation or assignment, for purposes of ensuring consistency with the guidelines, rules, regulations, or criteria established by the Administrator under this title.''.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those

printed in part A of House Report 113–322. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as 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 MS. SINEMA

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113–322.

Ms. SINEMA. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, strike lines 13 and 14 and insert the following: ''U.S.C. 9605(a)(8)(B)) is amended by inserting ''Not later than 90 days after''.

Page 9, line 7, strike ''; and'' and insert a period.

Page 9, strike lines 8 through 15.

The CHAIR. Pursuant to House Resolution 455, the gentlewoman from Arizona (Ms. SINEMA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Arizona.

Ms. SINEMA. Mr. Chairman, I yield myself such time as I may consume.

My amendment would strike language that expands eligibility for the National Priorities List in section 204, which is overseen by the Environmental Protection Agency.

My amendment also reinstates language that directs listings of the ''highest priority facilities'' for cleanup and guarantees that State-recommended sites receive priority.

□ 1515

In 2003, an agreement was finalized to provide much-needed cleanup to the North Indian Bend Wash site in my district. The site, formerly used for industrial production and manufacturing, now spans several housing developments in which thousands of Arizona families, students and seniors reside.

Since then, Federal, State, and local stakeholders have worked together to put a 25-year plan in place to address soil and water contamination at this site, but those plans have not gone uninterrupted. In January of 2008, more than 3.5 million gallons of contaminated water were mistakenly delivered from this site to homes in Paradise Valley, and in July of that same year, irrigation water used from this site triggered a study at an elementary school in my district to determine if the school grounds had been contaminated.

The North Indian Bend Wash site is one of many sites across the country listed under the National Priorities List, which provides much-needed funding to assist States with cleanup efforts.

In keeping with the mission of the National Priorities List, which is to protect public health, my amendment protects funding for important cleanup projects, like the North Indian Bend Wash, that are taking place in hundreds of communities across the country.

The underlying bill would expand eligibility for the National Priorities List, stretching its mission beyond its current financial means without providing additional funding to accommodate this expansion. My amendment prevents this unfunded expansion.

In times of financial shortfall, we should ensure that we efficiently and responsibly use taxpayers dollars to prioritize projects by need and maximize our impact on improving public health. While I agree that providing more robust State input is essential to crafting better environmental policy, H.R. 2279 would actually repeal language that requires the administration to prioritize the most urgent and impactful State projects for cleanup.

I also believe that striking the ''highest priority facilities'' language, as called for in the underlying bill, may have the unintended consequence of diminishing the statutory role that States would have in determining the EPA's cleanup priorities. The underlying bill strikes the only clause in the current law that explicitly protects states' rights with NPL. Without this language, it is possible that the underlying bill could result in the EPA's placing certain projects that States have requested at the bottom of its funding priorities on the NPL while still following the law. My amendment reinstates this language, directing the EPA to make tough choices that necessarily respect the interests of our States.

We all share the desire to work towards commonsense, reasonable solutions, using tax dollars wisely, facilitating job growth and improving public health. This amendment provides a meaningful fix to the underlying bill by preventing an unfunded expansion of the NPL and directing the administration to make tough choices that respect the rights of States. I urge my colleagues to vote ''yes'' on this amendment.

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

Mr. JOHNSON of Ohio. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Ohio. Mr. Chairman, this amendment strikes the provision that would allow States to list a site on the National Priorities List once every 5 years.

States have a great deal of experience and expertise in cleaning up sites contaminated by hazardous wastes, and States are often in a better position to understand the realities of site cleanup in their States and to understand the local or regional issues affecting the cleanup, but there are times when it would be better addressed by the EPA under CERCLA, and there would be a significant delay in the listing process. As a result, the bill also allows a State to designate a site that meets the criteria for listing to the National Priorities List once every 5 years.

CERCLA currently permits States to list a site on the National Priorities List only once. States have taken to calling this their ''silver bullet.'' Using the silver bullet fast-tracks the listing of a site on the NPL and allows States to avoid the often lengthy listing process. Some States have already used their silver bullet, while others hold onto it and wait for a site that it believes would be better addressed by the EPA under CERCLA.

My colleague indicated in a Dear Colleague letter she circulated earlier today that the bill could result in the EPA's placing silver bullet projects at the bottom of the priorities list while still remaining in statutory compliance. While I appreciate my colleague's concern, this statement is both misleading and incorrect. The reality is that the EPA can place a silver bullet site—or any other site for that matter—at the bottom of its priority list at any time. This bill does not change the EPA's ability to prioritize sites for cleanup.

CERCLA is very process heavy, and States are often reluctant to wade into the drawn-out CERCLA process. They would rather clean up the sites themselves and avoid the stigma associated with having a Superfund site in their States. However, there are times when the only way to get a site cleaned up is to get it on the Superfund list. It is not an easy conclusion for States to come to, and States are not clamoring to list on the National Priorities List. So any argument that this bill would somehow result in an onslaught of new listings by the States would simply not play out.

One of the arguments against allowing States to list a site on the NPL is that it will somehow change the EPA's prioritization of how to spend its cleanup dollars. Just because a site is listed on the NPL does not mean that it will automatically receive funding or will somehow jump to the front of the line to receive cleanup dollars. Nothing in this bill changes the fact that the EPA sets the priority for sites to be cleaned up, and the EPA decides how to spend its cleanup dollars.

Furthermore, if a site is listed and is being cleaned up using Federal dollars, States are financially invested in making sure the cleanup is done right. States must contribute 10 percent of the overall remedial cost and all of the long-term operation and maintenance costs. With that, I urge my colleagues to oppose this amendment.

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

Ms. SINEMA. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. SEAN PATRICK MALONEY), my colleague.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I rise in support of my colleague's amendment requiring the EPA to stay focused on the National Priorities List.

There are nine Superfund sites where I am from in the Hudson Valley of New York. Toxic sites once declared uninhabitable are now engines of economic development, and I want to credit the good folks at the EPA, including my friend Judith Enck, who leads Region 2, but one Hudson Valley community with poison in its water has waited over 10 years for a solution.

The EPA began cleanup at the site in Hopewell Junction in 2003 and officially added Hopewell to the Superfund National Priorities List in 2005. Hopewell Junction isn't some abandoned wasteland, and it isn't an empty brownfield. It is a community full of children and families who need our help and who need our help now. Hopewell could be a neighborhood anywhere, a neighborhood in which families shouldn't have to choose between clean water and their children's health, between selling their houses or staying in a place where they grew up and loved but is now contaminated. My neighbors, like Debra Hall, have put blood, sweat and tears into this effort for 10 years to try to clean up Hopewell—10 years telling anyone who would listen that Hopewell must be a priority because they can't wait.

It is outrageous, and they deserve better from their government. I support this amendment to keep our priorities straight, and I urge my colleagues to do the same.

Mr. JOHNSON of Ohio. Mr. Chairman, I continue to reserve the balance of my time.

Ms. SINEMA. Mr. Chairman, I yield myself the balance of my time.

I share the desire of my Republican colleagues to increase the input provided by and the role of States in listing facilities on the National Priorities List, but by adding more sites to an already overwhelmed program, we may diminish the effectiveness of this important program.

I am also concerned that the underlying bill, by striking the current statutory language that directs the EPA to give State-recommended sites priority, could have the unintended consequence of decreasing the role of States in this process. For these reasons, Mr. Chair, I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. JOHNSON of Ohio. Mr. Chairman, ironically, the EPA often pushes States to identify more sites that the EPA can put on the list so that the EPA can argue for more cleanup funding. The EPA incentivizes States to identify sites that meet the listing criteria by giving the States that identify sites more funds to do initial site assessments.

So the long and short of it is that the EPA wants more sites on the NPL, and the EPA wants the States to assist with identifying NPL sites, but the EPA does not want to relinquish control over the actual selection of the appropriate sites. We are trying to help fix that. Again, I urge a ''no'' vote from my colleagues on the Sinema amendment.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Arizona (Ms. SINEMA).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. SINEMA. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Arizona will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113–322.

Mr. TONKO. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE IV—AVOIDING INCREASED LITIGATION AND DELAYS IN CLEANUPS

SEC. 401. AVOIDING INCREASED LITIGATION AND DELAYS IN CLEANUPS.

This Act shall not take effect if any provision thereof would increase the potential for litigation, reduce the amount of funds available for the cleanup of contaminated sites, or delay the implementation of any such cleanup.

The CHAIR. Pursuant to House Resolution 455, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chair, my amendment adds a savings clause to H.R. 2279 to avoid unintended consequences and detrimental impacts on current and future site cleanup efforts.

We certainly know that the actual provisions of the bill trump the intended goals of the legislation. If, as the supporters of this bill claim, it will not increase litigation, it will not increase costs or delay ongoing or future site cleanups, my amendment would have no effect. However, if the administration's analysis is correct—and I believe it is—my amendment will keep current site cleanups on track and ensure that taxpayer dollars are spent efficiently—spent on cleaning up contaminated sites and not spent in courtrooms.

If the committee had taken additional time to do the necessary oversight that would enable us to identify the best options for improving the Superfund program, my amendment would not be necessary, but the many problems with this bill that Democratic members of the committee have raised and that are echoed in the administration's analysis make my amendment truly necessary.

As the administration's statement of policy points out, H.R. 2279 severely reduces the Federal Government's role in the cleanup of Federal sites. The Federal Government's ability to set a ''worst first'' prioritization agenda for site cleanups is eliminated. The Federal Government pays the vast majority of the costs for site cleanups on Federal lands and sites on the National Priorities List. The Federal Government certainly should consult with the State on sites within its borders, but especially in cases where Federal land, Federal tax dollars, Federal employees, and Federal operations are concerned, the Federal Government should have the last word.

My amendment provides a prudent insurance policy to ensure that we do not use limited Superfund resources to litigate rather than to mitigate. My amendment ensures that we move forward. It ensures that we clean up these sites and convert them from revenue liabilities to revenue enhancements. It ensures that we reduce public health risks from contamination. With that, I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Ohio. Mr. Chairman, I am sure my colleague's amendment is well-intentioned, and in fact, I agree with him. I do not want to see an increase in litigation or a slowdown in the cleanup process or a decrease in funds available to clean up Superfund sites, but this amendment is not necessary because H.R. 2279 will not do any of those things.

CERCLA has been implemented for over 30 years, and the EPA has developed many practices and policies during that time. Some of the policies work and are consistently implemented, but many of the policies or practices are ineffective or are not consistently applied across the EPA regions. The EPA has done a good job of getting contaminated sites cleaned up under CERCLA, but that doesn't mean that we can't do better.

States are often in a better position to understand the local and regional issues affecting the cleanup, and States are well positioned to assist the EPA with all aspects of a response action. By ensuring that the States have a meaningful role in the Federal-State partnership under CERCLA and by making sure that Federal entities are on a level playing field with private entities engaged in CERCLA cleanups, we can do better and get more sites cleaned up faster.

My colleague's amendment implies that the purpose of this bill is to thwart cleanup efforts. On the contrary, the purpose of this legislation is to make sure sites get cleaned up in a

timely fashion by enhancing the existing role of the States, which are in the best position to assess the conditions at the site. The bill adjusts a top-down culture of CERCLA cleanups, but the bill does not alter the EPA's lead role in implementing CERCLA. States are already involved in the CERCLA process. Ensuring that States have a meaningful and substantial role will not slow down the cleanup process.

My colleague's amendment also implies that H.R. 2279 will reduce the number of funds available for cleanup. This is simply not the case. Congress decides on the amount of money to be appropriated to the EPA or to other Federal agencies for cleanups, and that is not changed by this legislation. It is up to the Federal agencies to prioritize how they spend the appropriated cleanup funds, and nothing in this bill changes the way money appropriated for cleanups is spent.

With that, I reserve the balance of my time.

□ 1530

Mr. TONKO. Mr. Chairman, our colleague and my friend from Ohio indicates that this bill will not increase litigation or increase costs or delay ongoing or future site cleanups, and so my amendment would not affect the measure before the House. So it really is a statement in support of the amendment. There is no just reason offered to not support the amendment.

With that, again, I would encourage my colleagues to support the amendment, and I yield back the balance of my time.

Mr. JOHNSON of Ohio. Mr. Chairman, once again, I want to say how much I respect my colleague, Mr. TONKO. We continue to work together, have worked together, and have had some successes in holding the EPA accountable to the law. I appreciate working with him.

But this amendment, although well-intentioned, is drafted in such a way that makes it impossibly vague. It is indeterminable whether a provision of the bill would increase the potential for litigation, and I continue to urge my colleagues to vote ''no'' on the Tonko amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 113–322 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. SINEMA of Arizona.

Amendment No. 2 by Mr. TONKO of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. SINEMA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Arizona (Ms. SINEMA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 228, not voting 15, as follows:

[Roll No. 7]

AYES—189

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—228

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—15

Barton
Cleaver
Crowley
Gabbard
Garamendi
Guthrie
Heck (NV)
Jones
McCarthy (NY)
McClintock
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Smith (WA)

□ 1559

Messrs. BOUSTANY, BROOKS of Alabama, WHITFIELD, HULTGREN, HUDSON, FLEISCHMANN, GOHMERT, LoBIONDO, Mrs. BACHMANN, and Messrs. TERRY and GALLEGO changed their vote from ''aye'' to ''no.''

Ms. LEE of California and Mr. SIRES changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SINEMA. Mr. Speaker, on rollcall No. 9, had I been present, I would have voted ''aye.''

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 227, not voting 15, as follows:

[Roll No. 8]

AYES—190

Andrews	Gallego	Michaud
Barber	Garcia	Miller, George
Barrow (GA)	Gibson	Moore
Bass	Grayson	Moran
Beatty	Green, Al	Murphy (FL)
Becerra	Green, Gene	Nadler
Bera (CA)	Grijalva	Napolitano
Bishop (GA)	Gutiérrez	Neal
Bishop (NY)	Hahn	Negrete McLeod
Blumenauer	Hanabusa	Nolan
Bonamici	Hastings (FL)	O'Rourke
Brady (PA)	Heck (WA)	Owens
Braley (IA)	Higgins	Pallone
Brown (FL)	Himes	Pascrell
Brownley (CA)	Hinojosa	Pastor (AZ)
Bustos	Holt	Payne
Butterfield	Honda	Pelosi
Capps	Horsford	Perlmutter
Capuano	Hoyer	Peters (CA)
Cárdenas	Huffman	Peters (MI)
Carney	Israel	Pingree (ME)
Carson (IN)	Jackson Lee	Pocan
Cartwright	Jeffries	Polis
Castor (FL)	Johnson (GA)	Price (NC)
Castro (TX)	Johnson, E. B.	Quigley
Chu	Kaptur	Rangel
Cicilline	Keating	Richmond
Clark (MA)	Kelly (IL)	Roybal-Allard
Clarke (NY)	Kennedy	Ryan (OH)
Clay	Kildee	Sanchez, Loretta
Clyburn	Kilmer	Sarbanes
Cohen	Kind	Schakowsky
Connolly	Kirkpatrick	Schiff
Conyers	Kuster	Schneider
Cooper	Langevin	Schrader
Costa	Larsen (WA)	Schwartz
Courtney	Larson (CT)	Scott (VA)
Cuellar	Lee (CA)	Scott, David
Cummings	Levin	Serrano
Davis (CA)	Lewis	Sewell (AL)
Davis, Danny	Lipinski	Shea-Porter
DeFazio	Loebsack	Sherman
DeGette	Lofgren	Sinema
Delaney	Lowenthal	Sires
DeLauro	Lowey	Slaughter
DelBene	Lujan Grisham (NM)	Speier
Deutch	Luján, Ben Ray (NM)	Swalwell (CA)
Dingell	Lynch	Takano
Doggett	Maffei	Thompson (CA)
Doyle	Maloney, Carolyn	Thompson (MS)
Duckworth	Maloney, Sean	Tierney
Edwards	Matheson	Titus
Ellison	Matsui	Tonko
Engel	McCollum	Tsongas
Enyart	McDermott	Van Hollen
Eshoo	McGovern	Vargas
Esty	McIntyre	Veasey
Farr	McNerney	Vela
Fattah	Meeks	Velázquez
Fitzpatrick	Meng	Visclosky
Foster	Moore	Walz
Frankel (FL)	Murphy (FL)	Wasserman
Fudge	Nadler	Schultz
Garcia	Napolitano	Waters
Gibson	Neal	Waxman
Grayson	Negrete McLeod	Welch
Green, Al	Nolan	Wilson (FL)
Green, Gene	O'Rourke	Yarmuth
Grijalva	Owens	[H09JA4-
Gutiérrez	Pallone	
Hahn	Pascrell	
Hanabusa	Pastor (AZ)	
Hastings (FL)	Payne	
Heck (WA)	Pelosi	
Higgins	Perlmutter	
Himes	Peters (CA)	
Hinojosa	Peters (MI)	
Holt	Pingree (ME)	
Honda	Pocan	
Horsford	Polis	
Hoyer	Price (NC)	
Huffman	Quigley	
Israel	Rangel	
Jackson Lee	Richmond	
Jeffries	Roybal-Allard	
Johnson (GA)	Ryan (OH)	
Johnson, E. B.	Sanchez, Loretta	
Kaptur	Sarbanes	
Keating	Schakowsky	
Kelly (IL)	Schiff	
Kennedy	Schneider	
Kildee	Schrader	
Kilmer	Schwartz	
Kind	Scott (VA)	
Kirkpatrick	Scott, David	
Kuster	Serrano	
Langevin	Sewell (AL)	
Larsen (WA)	Shea-Porter	
Larson (CT)	Sherman	
Lee (CA)	Sinema	
Levin	Sires	
Lewis	Slaughter	
Lipinski	Speier	
Loebsack	Swalwell (CA)	
Lofgren	Takano	
Lowenthal	Thompson (CA)	
Lowey	Thompson (MS)	
Lujan Grisham (NM)	Tierney	
Luján, Ben Ray (NM)	Titus	
Lynch	Tonko	
Maffei	Tsongas	
Maloney, Carolyn	Van Hollen	
Maloney, Sean	Vargas	
Matheson	Veasey	
Matsui	Vela	
McCollum	Velázquez	
McDermott	Visclosky	
McGovern	Walz	
McIntyre	Wasserman	
McNerney	Schultz	
Meeks	Waters	
Meng	Waxman	

NOES—227

Aderholt	Graves (MO)	Pittenger
Amash	Griffin (AR)	Pitts
Amodei	Griffith (VA)	Poe (TX)
Bachmann	Grimm	Pompeo
Bachus	Hall	Posey
Barletta	Hanna	Price (GA)
Barr	Harper	Radel
Benishek	Harris	Rahall
Bentivolio	Hartzler	Reed
Bilirakis	Hastings (WA)	Reichert
Bishop (UT)	Hensarling	Renacci
Black	Herrera Beutler	Ribble
Blackburn	Holding	Rice (SC)
Boustany	Hudson	Rigell
Brady (TX)	Huelskamp	Roby
Bridenstine	Huizenga (MI)	Roe (TN)
Brooks (AL)	Hultgren	Rogers (AL)
Brooks (IN)	Hunter	Rogers (KY)
Broun (GA)	Hurt	Rogers (MI)
Buchanan	Issa	Rohrabacher
Bucshon	Jenkins	Rokita
Burgess	Johnson (OH)	Rooney
Byrne	Johnson, Sam	Ros-Lehtinen
Calvert	Jordan	Roskam
Camp	Joyce	Ross
Campbell	Kelly (PA)	Rothfus
Cantor	King (IA)	Royce
Capito	King (NY)	Runyan
Carter	Kingston	Ryan (WI)
Cassidy	Kinzinger (IL)	Salmon
Chabot	Kline	Sanford
Chaffetz	Labrador	Scalise
Coble	LaMalfa	Schock
Coffman	Lamborn	Schweikert
Cole	Lance	Scott, Austin
Collins (GA)	Lankford	Sensenbrenner
Collins (NY)	Latham	Sessions
Conaway	Latta	Shimkus
Cook	LoBiondo	Shuster
Cotton	Long	Simpson
Cramer	Lucas	Smith (MO)
Crawford	Luetkemeyer	Smith (NE)
Crenshaw	Lummis	Smith (NJ)
Culberson	Marchant	Smith (TX)
Daines	Marino	Southerland
Davis, Rodney	Massie	Stewart
Denham	McAllister	Stivers
Dent	McCarthy (CA)	Stockman
DeSantis	McCaul	Stutzman
DesJarlais	McHenry	Terry
Diaz-Balart	McKeon	Thompson (PA)
Duffy	McKinley	Thornberry
Duncan (SC)	McMorris Rodgers	Tiberi
Duncan (TN)	Meadows	Tipton
Ellmers	Meehan	Turner
Farenthold	Messer	Upton
Fincher	Mica	Valadao
Fleischmann	Miller (FL)	Wagner
Fleming	Miller (MI)	Walberg
Flores	Miller, Gary	Walden
Forbes	Mullin	Walorski
Fortenberry	Mulvaney	Weber (TX)
Foxx	Murphy (PA)	Webster (FL)
Franks (AZ)	Neugebauer	Wenstrup
Frelinghuysen	Noem	Westmoreland
Gardner	Nugent	Whitfield
Garrett	Nunes	Williams
Gerlach	Nunnelee	Wilson (SC)
Gibbs	Olson	Wittman
Gingrey (GA)	Palazzo	Wolf
Gohmert	Paulsen	Womack
Goodlatte	Pearce	Woodall
Gosar	Perry	Yoder
Gowdy	Peterson	Yoho
Granger	Petri	Young (AK)
Graves (GA)	Pittenger	Young (IN)
	Pitts	
	Poe (TX)	
	Pompeo	
	Posey	
	Price (GA)	
	Radel	
	Rahall	
	Reed	
	Reichert	
	Renacci	
	Ribble	
	Rice (SC)	
	Rigell	
	Roby	
	Roe (TN)	
	Rogers (AL)	
	Rogers (KY)	
	Rogers (MI)	
	Rohrabacher	
	Rokita	
	Rooney	
	Ros-Lehtinen	
	Roskam	
	Ross	
	Rothfus	
	Royce	
	Runyan	
	Ryan (WI)	
	Salmon	
	Sanford	
	Scalise	
	Schock	
	Schweikert	
	Scott, Austin	
	Sensenbrenner	
	Sessions	
	Shimkus	
	Shuster	
	Simpson	
	Smith (MO)	
	Smith (NE)	
	Smith (NJ)	
	Smith (TX)	
	Southerland	
	Stewart	
	Stivers	
	Stockman	
	Stutzman	
	Terry	
	Thompson (PA)	
	Thornberry	
	Tiberi	
	Tipton	
	Turner	
	Upton	
	Valadao	
	Wagner	
	Walberg	
	Walden	
	Walorski	
	Weber (TX)	
	Webster (FL)	
	Wenstrup	
	Westmoreland	
	Whitfield	
	Williams	
	Wilson (SC)	
	Wittman	
	Wolf	
	Womack	
	Woodall	
	Yoder	
	Yoho	
	Young (AK)	
	Young (IN)	

NOT VOTING—15

Barton	Heck (NV)	Rush
Cleaver	Jones	Sánchez, Linda T.
Crowley	McCarthy (NY)	Smith (WA)
Gabbard	McClintock	
Garamendi	Ruiz	
Guthrie	Ruppersberger	

□ 1605

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. YODER, 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. 2279) to amend the Solid Waste Disposal Act relating to review of regulations under such Act and to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 relating to financial responsibility for classes of facilities, and, pursuant to House Resolution 455, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was 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. PETERS of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PETERS of California. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

At the end of the bill, add the following new title:

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. PETERS of California, moves to recommit the bill H.R. 2279 to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following new title:

TITLE IV—PRESERVING THE POLLUTER PAYS PRINCIPLE AND LIMITING EXPOSURE TO TOXIC CHEMICALS

SEC. 401. PRESERVING THE POLLUTER PAYS PRINCIPLE AND LIMITING EXPOSURE TO TOXIC CHEMICALS.

This Act shall not take effect if any provision thereof would result in—

(1) fewer contaminated sites being cleaned up each year, or the responsibility for cleaning up a contaminated site being shifted from the polluter to the taxpayer; or

(2) greater long-term exposure for vulnerable populations, including populations in pre-schools, elementary and secondary schools, hospitals, and nursing homes within 5 miles of contaminated sites, to arsenic, mercury, cadmium, polychlorinated biphenyls (PCBs), perchlorate, or other toxic substances that pollute drinking water or cause adverse human health effects, such as respiratory disease, cancer, or reproductive disorders.

Mr. PETERS of California (during the reading). Mr. Speaker, I ask unanimous consent that the Clerk dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. PETERS of California. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage, as amended.

My amendment simply states that the bill won't take effect if it results in fewer cleaned-up sites, if it shifts responsibility from polluters to the American taxpayers, and if there is greater exposure to carcinogens for schools, hospitals, and nursing homes within 5 miles of a contaminated site.

Mr. Speaker, for too long, we have heard as an article of faith that we have to choose between a prosperous economy and a clean environment, the idea that we can't have both. That is a false choice.

People in San Diego and people around the country know that we deserve nothing less than both. We need to provide both economic opportunity and clean air and water for our future generations.

In my first career, for 15 years, I practiced environmental law in the public and private sectors. Many of my clients were businesses or local governments that struggled to understand and follow what they felt were overly complex and time-consuming regulatory requirements, and from this experience, I have no doubt that overly burdensome red tape hurts our economy.

So I hope that in any case where we can streamline and simplify environmental regulations, while still protecting and enhancing the health of our rivers, lakes, oceans, and air, that everyone in this Congress would be onboard.

I hope that we all agree that real substantive protections are important to ensuring that our drinking water, ocean water, and the land we live and farm on are safe for our children, the elderly, and our families. These resources are economic assets that we have inherited, that we have a responsibility to preserve, and that we must be active stewards in protecting.

At the heart of the Superfund program is the commonsense idea that those who caused pollution would pay to clean it up. The underlying bill turns away from this basic principle and, instead, puts hardworking taxpayers who didn't cause the pollution on the hook for the expensive cleanups. That is not right, and it is not a good incentive for preventing future contamination.

The bill creates an unfunded mandate by allowing States to move polluted sites off of their regulatory plates to the Federal Superfund list, shifting responsibility from corporations and States to the Federal taxpayer, and just as the Congress has slashed the Superfund budget 40 percent over the last 5 years. If we add more sites to the already burdened Federal list, we will certainly delay cleanups at the expense of human health and the environment.

Second, the bill, for the first time ever, would subject our Federal employees to unfair penalties and perhaps even imprisonment if, in the good faith execution of their duties, they find that they can't comply with a State order because it directly conflicts with Federal law. Putting Federal workers who are tasked with cleaning up these heavily polluted sites in this position is beyond bad management, it is cruelly unfair, and it effectively scares employees from doing the very job we pay them, as taxpayers, to do.

Finally, the Department of Defense has serious concerns with the bill, as it would make it difficult to clean up many of the nearly 10,000 Superfund sites on military bases. According to the military, the bill would waste money on unnecessary litigation instead of actual site cleanup.

Just north of my district in San Diego, a part of Marine Corps Base Camp Pendleton is a Superfund site. Nine areas of soil and groundwater have been contaminated by pesticides, metals, herbicides, and more. These waters sources flow into the neighboring Pacific Ocean, and every day that we delay the cleanup and restoration of this site, our servicemembers, civilians working on the site, and numerous endangered species in the region face adverse risks. We cannot let this continue.

In these lean fiscal times, we must make the most of limited Federal resources and taxpayer dollars. This legislation would bring with it unnecessary litigation, more spending that doesn't go to fixing the problems, exactly the kind of waste we are trying to eliminate from the Federal budget.

My motion to recommit ensures that we are both careful stewards of the taxpayer dime and the environment. We must support laws that protect human health and the environment and continue to enforce the idea that polluters—not hardworking taxpayers—pay for what they pollute.

I call on my colleagues not to fall for the false choice between growing the economy and protecting the environment. We can and we must do both. Vote ''yes'' on this motion, and stand with me to protect the taxpayer, protect children's health, and ensure that those who cause pollution pay to clean it up.

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

□ 1615

Mr. JOHNSON of Ohio. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes in opposition to the motion.

Mr. JOHNSON of Ohio. Mr. Speaker, our goal with this legislation is clear and straightforward. We want to modernize outdated environmental laws. The part of the bill that the gentleman from Colorado (Mr. GARDNER) wrote makes modest, but important, improvements in environmental law. It allows the EPA to review and revise its solid waste disposal regulations as necessary.

In a hearing that we had, we asked a mayor from New Jersey, Would you rather clean up the trash or revise regulations? The mayor made it clear he would rather focus on getting the real work done instead of getting bogged down in governmental red tape.

The part of the bill written by the gentleman from Ohio (Mr. LATTA) says that Federal facilities should behave like anyone else in the State and meet the same natural resource protection requirements. Now, go figure: requiring the Federal Government to live under the same laws that the American people, the States and private-sector businesses have to live under. This is not a new concept. It is already the case under the Clean Air Act and RCRA. Let's just narrow the gap for the Superfund.

Finally, the portion that I wrote ensures that States have a place at the discussion table throughout the process that the EPA set for developing remediation plans.

I urge a ''no'' vote on the motion to recommit and a ''yes'' on final passage. With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. 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.

RECORDED VOTE

Mr. PETERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was 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 a 5-minute vote on passage of the bill, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 225, not voting 19, as follows:

[Roll No. 9]

AYES—188

Andrews	Cartwright	DeLauro
Barber	Castor (FL)	DelBene
Barrow (GA)	Castro (TX)	Deutch
Bass	Chu	Dingell
Beatty	Cicilline	Doggett
Becerra	Clark (MA)	Doyle
Bera (CA)	Clarke (NY)	Duckworth
Bishop (GA)	Clay	Edwards
Bishop (NY)	Clyburn	Ellison
Blumenauer	Cohen	Engel
Bonamici	Connolly	Enyart
Brady (PA)	Conyers	Eshoo
Braley (IA)	Cooper	Esty
Brown (FL)	Costa	Farr
Brownley (CA)	Courtney	Fattah
Bustos	Cuellar	Foster
Butterfield	Cummings	Frankel (FL)
Capps	Davis (CA)	Fudge
Capuano	Davis, Danny	Gallego
Cárdenas	DeFazio	Garcia
Carney	DeGette	Grayson
Carson (IN)	Delaney	Green, Al

Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—225

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—19

Barton
Cleaver
Crowley
Gabbard
Garamendi
Guthrie
Gutiérrez
Heck (NV)
Jones
McCarthy (NY)
McClintock
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sinema
Smith (WA)
Stockman
Terry

□ 1623

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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 ayes appeared to have it.

RECORDED VOTE

Mr. PETERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 188, not voting 19, as follows:

[Roll No. 10]

AYES—225

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—188

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gallego
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas

Veasey	Walz	Waxman
Vela	Wasserman Schultz	Welch
Velázquez	Waters	Wilson (FL)
Visclosky		Yarmuth

NOT VOTING—19

Aderholt	Gingrey (GA)	Ruppersberger
Barton	Guthrie	Rush
Cleaver	Heck (NV)	Sánchez, Linda T.
Conyers	Jones	Smith (WA)
Crowley	McCarthy (NY)	Stockman
Gabbard	McClintock	
Garamendi	Ruiz	

□ 1631

Ms. SINEMA changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 10 on Final Passage of H.R. 2279, the Reducing Excessive Deadline Obligations Act of 2013, I am not recorded because I was unavoidably detained. Had I been present, I would have voted ''yea.''

MOMENT OF SILENCE FOR VINCENTE ''BEN'' GARRIDO BLAZ

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

Ms. BORDALLO. Mr. Speaker, I would like to ask my colleagues to join me here as I deliver this eulogy for a former Member of Congress.

I rise to pay tribute to the late Vicente ''Ben'' Garrido Blaz, Guam's former Congressman and a retired brigadier general in the United States Marine Corps. Ben passed away last night at the age of 85.

Ben was a longtime friend whose lifetime of service to Guam and our Nation has been an inspiration to generations. As a survivor of the Japanese occupation of Guam during World War II, Ben had a strong sense of patriotism and duty to our country. He was commissioned as an officer of the Marine Corps in 1951 and went on to become the first Chamorro to achieve the rank of brigadier general. In 1984, Ben was elected to serve in this House of Representatives, where he represented the people of Guam for four terms.

Throughout my time in Congress, Ben has been a strong source of support and guidance. I am grateful for his counsel and friendship, and I will miss him dearly.

I join the people of Guam mourning the loss of Congressman Ben Blaz. Our thoughts and prayers are with his sons, Mike and Tom, and their families.

I now ask for the House to observe a moment of silence in remembrance of Congressman Blaz.

I thank my colleagues who have joined me here, Mr. Speaker.

OPPOSITION TO UNESCO FUNDING

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

Ms. ROS-LEHTINEN. Mr. Speaker, I stand in strong opposition to attempts in the omnibus budget bill to restore any U.S. funding to UNESCO, a corrupt entity that is an extension of an anti-America, anti-Israel U.N. agenda.

UNESCO is attempting to pull a bait and switch on the American public. It says that it will use our constituents' money on World Heritage sites in our districts, but what it really wants is to use the funds that it lost when it admitted Palestine to its club.

UNESCO knew what would happen to it if it admitted Palestine, but the agency counted on this administration to give it the money anyway. Not only is money fungible, Mr. Speaker, but studies indicate that there is no guarantee that this designation of World Heritage site is beneficial to the local economy.

Taxpayer money for UNESCO is included in next week's omnibus budget bill. UNESCO must not receive a dime unless it reverses its decision on Palestine. I urge my colleagues to see through this guise and to continue to support American principles and U.S. law.

KELLOGG LOCKOUT

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

Mr. COHEN. Mr. Speaker, there has been a lot of discussion recently about extending benefits to the unemployed, and it is critical we do that.

I would like to talk about 226 people who are in my district who have jobs but still can't come to work to perform those jobs and get paid. They worked at the Kellogg plant in Memphis, making cereal like Corn Flakes and Frosted Flakes, but they have been locked out by Kellogg since October 22 due to a national contract dispute.

The company, with sales of $14 billion at last estimate, hopes to bring in so-called ''casual'' employees who would be paid less and work fewer hours and get fewer benefits than the steady middle class jobs that the company offers now.

I am proud Kellogg is in my district, and I have toured their plant. When I am flying out of Memphis, I drive up and down Airways Boulevard. I go past the Kellogg plant, and I see those employees out each day, day and night, even in 10-degree weather earlier this week. Like the post office, they are out in rain, snow, or sleet. I see them on holidays, weekends, you name it, fighting for their rights, standing up for themselves.

It is time to end this lockout. Put those people back to work. Let's produce our cereal with good Memphis employees.

SEX TRAFFICKING AT THE SUPER BOWL

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

Mr. POE of Texas. Mr. Speaker, the United States is gearing up for the next Super Bowl. Unfortunately, so are human sex traffickers. Super Bowl Sunday is not just the sporting event of the year; it has also become America's traveling human trafficking magnet. Exploiters roam the streets looking for prey.

Last year, while the two teams battled it out on the field, a young trafficked girl prayed for her life while sold for sex. These are women and children who have been taken as sex slaves, becoming sought-after entertainment on Super Bowl weekend.

New Jersey's efforts toward eliminating this dastardly deed are to be commended. Hopefully, they are successful in curbing modern-day slavery at the Super Bowl. But this crime ought not to be, not at a major sporting event, not in our neighborhood.

That is why CAROLYN MALONEY and I have introduced H.R. 3530, the Justice for Victims of Trafficking Act, which will go after the traffickers and the consumers of this slavery. We need to protect victims and prosecute the slave trafficking deviants.

And that's just the way it is.

EXTEND EMERGENCY UNEMPLOYMENT INSURANCE

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

Mr. GARCIA. Mr. Speaker, our priority in Congress should be to find solutions, to boost our economy and get people back to work. While we are still working to get our economy back on track, Americans need to be able to feed their families and support themselves. It is about fairness.

That is why I urge my colleagues today to extend the emergency unemployment insurance. For every dollar spent on unemployment insurance, we generate $1.55 in new economic activity in its first year, which is why we create more jobs and will get Americans back to work.

In Florida alone, 70,000 people have lost this essential lifeline during the holiday season. And if we don't act, this number could double in the next 6 months.

Mr. Speaker, this is simply a question of fairness. It is the right thing to do for our families and for our economy.

BROWSE ACT

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

Mr. DUFFY. Mr. Speaker, I want to talk about ObamaCare this afternoon and the fact that the President came out to the American people and said that healthcare.gov was going to work