

Mr. LAMALFA. Madam Speaker, I rise today to congratulate the University Preparatory School from Redding for winning first place in the 2014 Regional Science Bowl competition.

The National Science Bowl is an annual competition sponsored by the U.S. Department of Energy that brings together some of the best and brightest students from across our country. Teams compete in a face-off competition featuring questions on a range of science disciplines including biology, chemistry, earth science, physics, energy, and math. The event, while very competitive, also promotes and encourages discovery, innovation, and teamwork and a commitment to bettering our Nation's future.

We are very proud of all the north State teams that competed against dozens of California high schools for a chance to represent California at the National Science Bowl. Their interest and diligent studies in math and science are a testament to the outstanding work from our students, educators, and parents across our region.

Best of luck to Bond, Tyler, Nathan, Kay, and Colleen, who will be traveling to Washington, D.C., next month to compete against teams from across the country in the National Science Bowl. I know you will make us proud. Good luck.

EXECUTIVE OVERREACH

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to once again remind the President that it is Congress that makes the laws, not the Executive. It is time the President works with Congress, not around it, to achieve realistic policy goals to help grow the economy for hardworking Americans. They work hard and they play by the rules. We need an administration that does the same.

The President's willingness to go around Congress harms the balance between the branches that our Founders sought to protect. Furthermore, it makes both Chambers consider whether legislation they pass will be faithfully executed—all at a time when it is hard enough to come together on the very critical issues.

Governing by Executive fiat and acting as a Congress-of-one does little to restore the faith of the American people in their government. The businesses and families we represent deserve a government willing to work together.

Mr. President, it is time to stop the overuse of Executive actions and get back to the real work of growing our economy and making our Nation a better place for all Americans.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 10, 2014 at 2:19 p.m.:

Appointments:
Public Interest Declassification Board.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 11, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 11, 2014 at 9:45 a.m.:

That the Senate passed S. 1917.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 11, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 11, 2014 at 10:45 a.m.:

That the Senate passed without amendment H.R. 2019.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

TRANSMITTAL OF ADDITIONAL FISCAL YEAR 2015 BUDGET DOCUMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-84)

The SPEAKER pro tempore laid before the House the following message from the President of the United

States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, March 10, 2014.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I transmit herewith the following hard copy volumes of the Fiscal Year 2015 Budget: Appendix, Analytical Perspectives, and Historical Tables.

Sincerely,

BARACK OBAMA.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1530

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BYRNE) at 3 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FARMERS UNDERTAKE ENVIRONMENTAL LAND STEWARDSHIP ACT

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 311) to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 311

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Farmers Undertake Environmental Land Stewardship Act" or the "FUELS Act".

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

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

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

(A) a professional engineer for a farm with—

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

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

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

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

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

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

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

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

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

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

SEC. 3. DEFINITIONS.

In this Act, the following terms apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

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

(3) **GALLON.**—The term “gallon” refers to a United States liquid gallon.

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

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 311.

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

There was no objection.

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

Mr. Speaker, the Farmers Undertake Environmental Land Stewardship Act—or the **FUELS** Act—is an important piece of legislation that brings much-needed relief to the Nation’s agricultural community. H.R. 311 is a bipartisan bill that currently has 73 cosponsors from Members on both sides of the aisle.

It passed the House unanimously last Congress and again last year as an amendment to the farm bill. Additionally, this legislation has gained the support of more than 30 producer organizations, including every major farm group.

The EPA-mandated **SPCC**—or Spill Prevention, Control, and Counter-

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

These mandated infrastructure improvements, along with the necessary inspection and certification by a specially licensed professional engineer, would cost farmers tens of thousands of dollars.

The **SPCC** program dates back to 1973, shortly after the Clean Water Act was signed into law. In the last decade, it has come down harshly on agriculture, and the rules have been amended, delayed, and extended dozens of times, creating enormous confusion in the farming community.

On top of that, the EPA has failed to engage in effective outreach to producers and cooperatives on **SPCC**’s compliance.

The **FUELS** Act is simple. It revises the **SPCC** regulations to be reflective of a producer’s spill risk and their financial resources. The exemption level would be adjusted upward from an unworkable 1,320 gallons of oil storage to an amount that would protect small farms, 10,000 gallons.

The bill would also place a greater degree of responsibility on farmers and ranchers to self-certify compliance if their oil storage facilities exceed their exemption level. To add another layer of environmental production, the producer must be able to demonstrate that he or she has no history of oil spills.

The University of Arkansas conducted a study, concluding that this bill would exempt over 80 percent of producers from **SPCC** compliance, saving up to \$240 million in costs in Arkansas alone. For the entire country, it could save small farmers up to \$3.36 billion.

The last thing the government should be doing is imposing an expensive regulatory burden on farming families. There is no scientific justification for such action, bolstered by the fact that the EPA cannot provide data or even anecdotal evidence of agricultural spills.

A 2005 USDA report found that more than 99 percent of farms surveyed haven’t experienced a single incident. In fact, one year after this report was published, EPA endorsed the 10,000-gallon exemption threshold I am proposing in this bill. Unfortunately, they moved the goalpost again a few years later.

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

I urge support of the **FUELS** Act and our Nation’s small farmers.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise to express my concern on consideration of H.R. 311.

This legislation would inexplicably weaken environmental safeguards against oil spills for one specific sector of our economy, American farms.

Under current law, any facility that stores certain quantities of oil is required to take precautionary steps to prevent the discharge of oil into U.S. waters. These requirements apply across the board based on the quantity of oil stored in the facility, which can range from an industrial facility to a service station to, of course, a farm.

These steps, outlined in the EPA’s implementation regulations, known as the Spill Prevention, Control, and Countermeasure—or **SPCC**—rule, require facilities put in place appropriate measures to prevent any spilled oil from entering the water, which can include both the construction of containment systems or more simplistic measures to capture small leaks.

The **SPCC** rule also requires such facilities to have a plan in place in advance that identifies additional measures to clean up any oil that might otherwise escape such containment. These provisions generally have been in place since 1974 and have been in force for farmers since May 2013.

Since that time, all farmers who fall within the guidelines of the **SPCC** rule should now have put in place appropriately scaled countermeasures based on the size of their facility and the likelihood of an oil spill reaching U.S. waters; yet H.R. 311 would modify the existing obligations for farmers to comply with the **SPCC** rule.

In many instances, H.R. 311 would alleviate existing **SPCC** obligations for farmers to develop oil spill contingency plans, especially for those farmers that store less than 10,000 gallons of oil in above-ground containers.

In summary, this bill would tell farmers that currently have these measures in place to stop taking precautionary efforts to prevent spills.

Why does this legislation make this change? Is it because the oil stored on farms is less likely to spill or to pollute U.S. waters than other facilities that store oil? There is no empirical evidence in the committee record that this is the case.

Is it because the oil stored on farms is any different from oil stored at other facilities? Again, the answer is likely no.

The stated reason for this legislation is that these safeguards simply cost too much for American farmers, but the reality is, for many farmers, many of these costs have already taken place, especially any capital costs that might have been required for containment structures.

So, in reality, many of the compliance cost concerns expressed in this bill may well be overstated, as annual compliance costs may now be reduced simply to cover periodic maintenance.

Mr. Speaker, again, I have concerns with this legislation, and I hope that, as we continue to work through this issue, we will come up with a more sensible way of addressing the protection

of our American farms, as well as the protection of our U.S. waters.

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

NATURAL RESOURCES DEFENSE COUNCIL,
Washington, DC, March 11, 2014.
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Today, March 11, the House of Representatives is scheduled to consider H.R. 311, under suspension of the rules. This bill would decrease the oversight of oil storage and safeguards against spills at locations around the country for one class of facilities without showing that they are safer than other facilities with the same volume of oil.

H.R. 311 increases the amount of storage capacity that triggers various requirements under the spill prevention, control and countermeasure (SPCC) rules for any "farm," defined as "a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, \$1,000 or more of agricultural products during a year." Consequently, more operations will be subject to weaker requirements or will be exempt altogether, as compared to the safeguards currently in place.

Oil is no less harmful to waterways and the people and wildlife that depend on the nation's waters if it happens to be spilled at an agricultural operation. It is common sense that any facility located such that a spill could reasonably reach waterways and cause harm—including agricultural facilities—should take steps to prevent spills and plan to respond to those that occur. Coming so soon after the chemical and coal slurry spills in West Virginia and the coal ash spill in North Carolina, it is nothing short of astonishing that Congress would weaken protections that seek to prevent, plan for, and address spills that could contaminate drinking water supplies or harm aquatic life.

The changes that H.R. 311 would impose would weaken current protections enormously. Take for instance the provisions that exempt facilities from the SPCC requirements; under H.R. 311, agri-businesses with an "aggregate aboveground storage capacity" of oil of 10,000 gallons or less would be exempt, compared with 1,320 gallons under current law. That provision alone is troubling, but the bill is even weaker than it appears at first blush, as it would also change the threshold for storage containers that can be ignored in the calculation of aboveground storage capacity from 55 gallons to 1,320 gallons, so long as a facility has not had a history of spills. That would allow covered operations to avoid the SPCC planning and prevention requirements entirely by having an unlimited number of 1,319-gallon tanks on site.

Agri-business operations already have been given significant flexibility in meeting the SPCC requirements. They have had an extended period of time to comply with changes to the applicable provisions; other facilities have been subject to these requirements since 2010 or 2011, whereas agri-businesses with the requisite oil storage capacity were due to comply in May, 2013. Section 1416 of the March, 2013 continuing resolution, Public Law 113-6, later prohibited the use of funds to enforce this requirement until September, 2013. The rules also provide flexibility in developing plans for certain operations with smaller storage volumes and a good history with respect to spills. And EPA provided for individual extensions of the deadline under some circumstances. Given that the deadline has now passed for farms, it is hard to understand what H.R. 311 would accomplish, aside from allowing newly-ex-

empt operators to ignore the plans and procedures they have already developed, and rewarding those facilities that did not comply with the rules on time.

Congress should not gamble the nation's water resources for the sake of one industry. Please maintain sensible safeguards against oil spills and oppose H.R. 311.

Sincerely,

SCOTT SLESINGER,
Legislative Director,
Natural Resources Defense Council.

Mr. CRAWFORD. I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I want to thank the gentlelady for her comments. I would say that the 10,000-gallon threshold that we have described here is actually taken right from the EPA.

Up to 2005, they were perfectly comfortable with the 10,000-gallon threshold, so we are basically saying that we definitely want to work with the EPA and use the thresholds that they see as viable or that they did see up to that point.

The other thing is that, in agriculture, it is not a one-size-fits-all type of a scenario, where there are different scales of production and different levels of production.

Economies of scale are certainly better equipped and use lots more fuel on their farm, and so we are trying to implement some guidelines that do respect the financial resources as well as the size of the operation.

And, again, there is no empirical evidence that there have been any kind of spills that would warrant this level of regulation for farmers and certainly not to the degree that 1,320 gallons calls for, and that would catch up virtually every farmer in the United States.

What we are trying to do is to implement some common sense into this in a way that even the EPA has already agreed to in past rules; so I just would, again, urge my colleagues to join me in supporting this important legislation. This will be, I believe, in total, the sixth time that we will have passed this out of the House.

Again, I think this is good common-sense legislation. I urge my colleagues to join in supporting H.R. 311.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 311.

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

A motion to reconsider was laid on the table.

HONORING THE LIFE AND LEGACY OF VÁCLAV HAVEL

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules

and agree to the resolution (H. Res. 506) honoring the life and legacy of Václav Havel by directing the House of Representatives Fine Arts Board to provide for the display of a bust of Václav Havel in the United States Capitol.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 506

Whereas Václav Havel, former President of the Czech Republic, passed away on December 18, 2011, at 75 years of age, at his country home in Hrůdeček in the Czech Republic;

Whereas Václav Havel is widely recognized and respected throughout the world as a defender of democratic principles and human rights;

Whereas through his extensive writings, Václav Havel courageously challenged the ideology and legitimacy of the authoritarian communist regimes that ruled Central and Eastern Europe during the Cold War;

Whereas Václav Havel, who was imprisoned multiple times by the Communist Party of Czechoslovakia for his advocacy of universal human rights and democratic principles, maintained his convictions in the face of repression;

Whereas Václav Havel was one of the founders of Charter 77, a group of 242 individuals who called for the human rights guaranteed under the 1975 Helsinki accords to be realized in Czechoslovakia;

Whereas Václav Havel was a cofounder of the Committee for the Defense of the Unjustly Prosecuted, an organization dedicated to supporting dissidents and their families which helped to advance the cause of freedom and justice in Czechoslovakia;

Whereas Václav Havel, as leader of the Civic Forum movement, was a key figure in the 1989 "Velvet Revolution", the peaceful overthrow of the Czechoslovakia communist government;

Whereas, on February 21, 1990, Václav Havel addressed a Joint Session of Congress where he stated, "Thomas Jefferson wrote that 'governments are instituted among men, deriving their just powers from the consent of the governed'. It was a simple and important act of the human spirit. What gave meaning to that act, however, was that the author backed it up with his life. It was not just his words but it was his deeds as well.'";

Whereas following the Velvet Revolution, Václav Havel was democratically elected as President of the Czech and Slovak Federal Republic in 1990, and after a peaceful partition forming 2 separate states, democratically elected President of the Czech Republic in 1993;

Whereas under the leadership of Václav Havel, the Czech Republic became a prosperous, democratic country and a respected member of the international community;

Whereas also under his leadership the Czech Republic became a member of the North Atlantic Treaty Organization (NATO) on March 12, 1999, and continues to be a valued ally of the United States;

Whereas during his lifetime, Václav Havel received praise as one of the world's great democratic leaders and was awarded many international prizes recognizing his commitment to peace and democratic principles;

Whereas, on July 23, 2003, President George W. Bush honored Václav Havel with the Presidential Medal of Freedom, the highest civilian award of the United States Government, for being "one of liberty's great heroes";