

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.

## CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2014

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1000) to require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1000

*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 “Chesapeake Bay Accountability and Recovery Act of 2014”.

### SEC. 2. DEFINITIONS.

In this Act:

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

(2) **CHESAPEAKE BAY STATE.**—The term “Chesapeake Bay State” or “State” means any of—

(A) the States of Maryland, West Virginia, Delaware, and New York;

(B) the Commonwealths of Virginia and Pennsylvania; and

(C) the District of Columbia.

(3) **CHESAPEAKE BAY WATERSHED.**—The term “Chesapeake Bay watershed” means all tributaries, backwaters, and side channels, including watersheds, draining into the Chesapeake Bay.

(4) **CHESAPEAKE EXECUTIVE COUNCIL.**—The term “Chesapeake Executive Council” has the meaning given the term by section 117(a) of the Federal Water Pollution Control Act (33 U.S.C. 1267(a)).

(5) **CHIEF EXECUTIVE.**—The term “chief executive” means, in the case of a State or Commonwealth, the Governor of the State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

(7) **FEDERAL RESTORATION ACTIVITY.**—

(A) **IN GENERAL.**—The term “Federal restoration activity” means a Federal program or project carried out under Federal authority in existence as of the date of enactment of this Act with the express intent to directly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that provide financial and technical assistance to promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.

(B) **CATEGORIZATION.**—Federal restoration activities may be categorized as follows:

(i) Physical restoration.

(ii) Planning.

(iii) Feasibility studies.

(iv) Scientific research.

(v) Monitoring.

(vi) Education.

(vii) Infrastructure development.

(8) **STATE RESTORATION ACTIVITY.**—

(A) **IN GENERAL.**—The term “State restoration activity” means any State program or project carried out under State authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.

(B) **CATEGORIZATION.**—State restoration activities may be categorized as follows:

(i) Physical restoration.

(ii) Planning.

(iii) Feasibility studies.

(iv) Scientific research.

(v) Monitoring.

(vi) Education.

(vii) Infrastructure development.

### SEC. 3. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) **IN GENERAL.**—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays, as applicable—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year;

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C); and

(E) a section that identifies and evaluates, based on need and appropriateness, specific opportunities to consolidate similar programs and activities within the budget and recommendations to Congress for legislative action to streamline, consolidate, or eliminate similar programs and activities within the budget;

(2) a detailed accounting of all funds received and obligated by each Federal agency for restoration activities during the current and preceding fiscal years, including the identification of funds that were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including—

(A) the project description;

(B) the current status of the project;

(C) the Federal or State statutory or regulatory authority, program, or responsible agency;

(D) the authorization level for appropriations;

(E) the project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) a list of coordinating entities;

(I) a description of the funding history for the project;

(J) cost sharing; and

(K) alignment with the existing Chesapeake Bay Agreement, Chesapeake Executive Council goals and priorities, and Annual Action Plan required by section 205 of Executive Order 13508 (33 U.S.C. 1267 note; relating to Chesapeake Bay protection and restoration).

(b) **MINIMUM FUNDING LEVELS.**—In describing restoration activities in the report required under subsection (a), the Director shall only include—

(1) for the first 3 years that the report is required, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to \$300,000; and

(B) State restoration activities that have funding amounts greater than or equal to \$300,000; and

(2) for every year thereafter, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to \$100,000; and

(B) State restoration activities that have funding amounts greater than or equal to \$100,000.

(c) **DEADLINE.**—The Director shall submit to Congress the report required by subsection (a) not later than September 30 of each year.

(d) **REPORT.**—Copies of the report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) **EFFECTIVE DATE.**—This section shall apply beginning with the first fiscal year after the date of enactment of this Act.

### SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) **IN GENERAL.**—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on—

(1) restoration activities; and

(2) any related topics that are suggested by the Chesapeake Executive Council.

(b) **APPOINTMENT.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of submission of nominees by the Chesapeake Executive Council, the Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council with the consultation of the scientific community.

(2) **NOMINATIONS.**—The Chesapeake Executive Council may nominate for consideration as Independent Evaluator a science-based institution of higher education.

(3) **REQUIREMENTS.**—The Administrator shall only select as Independent Evaluator a nominee that the Administrator determines demonstrates excellence in marine science, policy evaluation, or other studies relating to complex environmental restoration activities.

(c) **REPORTS.**—Not later than 180 days after the date of appointment and once every 2 years thereafter, the Independent Evaluator shall submit to Congress a report describing the findings and recommendations of reviews conducted under subsection (a).

### SEC. 5. PROHIBITION ON NEW FUNDING.

No additional funds are authorized to be appropriated to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, first, I would like to commend Congressman WITTMAN, the author of the House companion bill, H.R. 739, which has already passed the House earlier in this Congress. I would like to thank him for his work for this government efficiency bill for the Chesapeake Bay.

Mr. WITTMAN is a true champion for the Chesapeake Bay, and this bill is another example of his effective leadership for the bay and his Virginia constituents.

Mr. Speaker, there are two parts to this bill, and I will let Mr. WITTMAN explain that, but I would like to comment also that while section 3(d) of the bill does not require that a copy of the financial report be submitted to the Committee on Science, Space, and Technology, it is our intent that the director should also transmit a copy to that committee.

Finally, I would like to thank Chairman SHUSTER of the Transportation and Infrastructure Committee for his assistance in scheduling this bill for floor consideration. I include in the RECORD the exchange of letters on S. 1000 between our two committees.

COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, December 5, 2014.

Hon. DOC HASTINGS,  
Chairman, Committee on Natural Resources,  
Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning S. 1000, the Chesapeake Bay Accountability and Recovery Act of 2014. S. 1000 contains provisions that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring S. 1000 before the House in an expeditious manner and, accordingly, I will not seek a referral of the bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction.

I would appreciate your response to this letter, confirming this understanding, and would request that you insert our exchange of letters on this matter into the committee report on S. 1000 and the Congressional

Record during consideration of this bill on the House floor.

Sincerely,

BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, December 8, 2014.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and  
Infrastructure, Rayburn House Office  
Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding S. 1000, the Chesapeake Bay Accountability and Recovery Act of 2014.

I appreciate your willingness to forego a referral of this bill, and agree that by not exercising this authority for S. 1000, your committee is not prejudiced in any future jurisdictional claim over the subject matter contained in the bill or similar legislation that falls within the Committee on Transportation and Infrastructure's Rule X jurisdiction.

As the Committee on Natural Resources won't be filing a report on S. 1000, I will instead be pleased to include this exchange of letters in the Congressional Record during consideration of the bill.

Sincerely,

DOC HASTINGS,  
Chairman.

Mr. HASTINGS of Washington. With that, Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, the Chesapeake Bay is America's largest estuary, and restoration of the estuary will be an incredible conservation challenge. The Federal Government, States, localities, and conservation groups have spent billions of dollars to improve water quality, habitat, fisheries, recreational opportunities, and tributaries since the first Chesapeake Bay agreement was signed back in 1983; yet the water quality has continued to deteriorate.

The efforts have yielded some impressive successes, but by many metrics, the bay is still in poor health. This is due in large part to the fact that since bay cleanup began in earnest in the eighties, the population of the watershed has increased dramatically by more than one-third.

There is more wetland loss, more polluted runoff, and more nutrients in the wastewater and other sources entering the bay. In a sense, the bay is being loved to death by those who live near it.

President Obama's 2009 executive order on Chesapeake Bay protection and restoration has refocused Federal efforts, and that is a good thing; however, taxpayers and bay advocates deserve to know more about how and how much money is being spent.

S. 1000 would require the Office of Management and Budget to prepare a crosscut budget of Federal agency and State expenditures on bay restoration. This exercise will help identify areas where Bay partners can better coordinate or eliminate redundancy.

Mr. Speaker, this is commonsense legislation that will help improve the efficiency and effectiveness of Chesapeake

Bay cleanup efforts. I would certainly congratulate the representative from Virginia (Mr. WITTMAN) for championing this cause and shepherding his version of this legislation through the House.

I would note that today I did hear on the radio that the Governor-elect of Maryland is proposing to further delay or undo some additional restrictions on the applications of chicken manure and other phosphate nitrogen-rich fertilizers that are contributing to the dramatic deterioration of the bay.

I would say this new Governor is being very shortsighted in terms of the benefits of the bay in total versus the small cost that would be imposed upon farmers to get these needed restrictions in place, and I would hope that he reconsiders and hears a lot about this from his constituents.

Mr. Speaker, I support passage of this bill, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from Virginia (Mr. WITTMAN). He is the gentleman who sponsored the House version of this legislation.

Mr. WITTMAN. Mr. Speaker, I would first like to commend and thank Chairman HASTINGS for all of his efforts and his support in bringing this legislation to the floor. We would not be where we are today without his leadership, and it has been a true pleasure and honor to serve with him during his time as chairman of the House Natural Resources Committee.

Mr. Chairman, you have been a tireless champion for preserving our Nation's bountiful natural resources. We thank you so much for the legacy that you have left in leadership, but also for the improvements that you have made in this Nation's natural resources, and I wish you all the best.

Mr. Speaker, S. 1000 is the Chesapeake Bay Accountability and Recovery Act of 2014. I am the author of the House companion legislation, H.R. 739, which has already passed the House earlier this Congress and in previous sessions of Congress.

The Chesapeake Bay is the economic and cultural backbone of our region, and it is one of our Nation's most prized natural resources. Many activities are currently underway to clean up the bay, but without a coordinated effort, it is impossible to ascertain the effectiveness of these programs or to accurately gauge their success.

The restoration effort includes multiple Federal agencies and also includes six States and the District of Columbia, as well as more than 1,000 localities and multiple nongovernmental operations.

While the drive and determination to restore the bay is shared by all of these entities, the effort can be muddled due to the complexity of various participants. As we have seen, we have taken in some instances steps forward, but in some instances, those steps have not

been forthcoming with other efforts. We need to make sure that every effort is indeed making progress on restoring the bay.

□ 1230

At the same time as we look at those efforts, it is difficult to pinpoint exactly where and how much money is being spent across this wide scope of bay restoration activities. To remedy this, we must ensure that Federal, State, and local efforts are not working at cross-purposes and that the restoration effort, as a whole, is coordinated and efficient. Today, when we are in a resource-challenged environment, we must get the most out of the dollars we spend to restore the bay.

This simple legislation would require a crosscut budget to ensure Federal dollars currently spent on bay restoration activities produce results and ensure that we are coordinating how restoration dollars are being spent. That coordination at the local, State, and Federal level is critical to make sure that we demonstrate results and that we continue those efforts that have proven to be successful. It is also critical to make sure that we are not duplicating efforts or unnecessarily spending money in areas that are not producing results.

Second, the bill would require the appointment of an independent evaluator to review restoration activities in the watershed. The Chesapeake Bay Accountability and Recovery Act is a smart, commonsense piece of legislation that will lead to better spending decisions and better government, which will ensure that more resources are available to help restore the Nation's largest estuary, the Chesapeake Bay.

This has been a truly cooperative effort, and I am very grateful for the leadership of Senator MARK WARNER and Senator TIM KAINE as champions of Chesapeake Bay restoration. I would also like to thank my fellow Virginia Representatives FRANK WOLF, JIM MORAN, BOBBY SCOTT, GERRY CONNOLLY, and SCOTT RIGELL—as well as CHRIS VAN HOLLEN of Maryland—and Congressman RANDY FORBES for their consistent support in getting this bill through the House.

I first introduced this bill in 2008, and it has been a difficult road to get to where we are now, but the Chesapeake Bay, too, has had a difficult road. With the House passage today, Mr. Speaker, we will be one step closer to the next chapter of the Chesapeake Bay's long history of efforts to restore her to her previous bounty.

Today, we see that the economic foundation of our region remains vested in the Chesapeake Bay, and it continues to be a national treasure. We hope that with today's efforts it will continue to be enjoyed for generations and generations to come.

Mr. Speaker, I urge my colleagues to support the Chesapeake Bay and this commonsense bill.

Mr. DEFAZIO. Mr. Speaker, I have no further speakers.

I yield back the balance of my time. Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to adopt this very hard bill that went through arduous examination from all aspects, and I commend the gentleman from Virginia (Mr. WITTMAN) for his work on it.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, S. 1000.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### JOHN MUIR NATIONAL HISTORIC SITE EXPANSION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5699) to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5699

*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 "John Muir National Historic Site Expansion Act".*

##### SEC. 2. JOHN MUIR NATIONAL HISTORIC SITE LAND ACQUISITION.

(a) *ACQUISITION.*—The Secretary of the Interior may acquire by donation the approximately 44 acres of land, and interests in such land, that are identified on the map entitled "John Muir National Historic Site Proposed Boundary Expansion", numbered 426/127150, and dated November, 2014.

(b) *BOUNDARY.*—Upon the acquisition of the land authorized by subsection (a), the Secretary of the Interior shall adjust the boundaries of the John Muir Historic Site in Martinez, California, to include the land identified on the map referred to in subsection (a).

(c) *ADMINISTRATION.*—The land and interests in land acquired under subsection (a) shall be administered as part of the John Muir National Historic Site established by the Act of August 31, 1964 (Public Law 88-547; 78 Stat. 753; 16 U.S.C. 461 note).

(d) *DATE CERTAIN.*—The authority provided in subsections (a), (b), and (c) shall apply only if the lands identified on the map entitled "John Muir National Historic Site Proposed Boundary Expansion" are held in title by the Muir Heritage Land Trust by May 31, 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. 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 material on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the John Muir Historic Site was established in 1964 and currently consists of 345 acres in Martinez, California. H.R. 5699 allows the National Park Service to accept the donation of 44 acres of property adjacent to the John Muir National Historic Site. This donation will enhance the recreational value of the existing park by creating new opportunities for visitors. It is a good bill.

I reserve the balance of my time.

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

Mr. Speaker, I congratulate Mr. MILLER on this legislation. H.R. 5699 will authorize the National Park Service to expand the boundary of the John Muir National Historic Site and acquire, by donation, 44 acres of land from the Muir Heritage Land Trust. It will expand the site and help carry on Muir's legacy of conservation and environmental stewardship.

John Muir is an important historic figure to me and to millions of other Americans in terms of his advocacy for the environment. Obviously, we owe him a great debt of gratitude for many, many of the actions of his legacy—Yosemite and Sequoia National Parks, and he also founded the Sierra Club back in the early part of the last century. This bill will contribute to his legacy and help protect and conserve the place where he found solace and inspiration in his later years.

It was interesting to me. I read an article that I would describe as sort of ascribing 21st century political correctness on the part of a few historians—one from UCLA, one from Stanford, and one person from the Center for Biological Diversity—essentially criticizing and denying the legacy of John Muir and using a 21st century politically correct backwards telescope to look at it. It is just extraordinary to me that there are people like that who exist. Sure, he didn't live up to 21st century political correctness, and he certainly couldn't have predicted the phenomenal growth of the Western United States and the need for amenities that relate to the environment in major urban areas, but what he saved is an extraordinary gift enjoyed by millions of Americans and people from around the entire world every year. I just have to say to those people that they are a bit misguided.

With that, I want to congratulate my friend and colleague Representative