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

There was no objection.

Mr. CARTER of Georgia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 1531, introduced by our colleague from Virginia (Mr. CONNOLLY). The Land Management Workforce Flexibility Act allows certain temporary workers to compete for full-time positions when vacancies arise.

Many of the Federal Government's firefighters work on a temporary basis and gain valuable experience as they return year after year to battle Western wildfires. Current law prevents these experienced employees from competing for full-time jobs under internal merit promotion procedures.

This commonsense bill will allow Federal land agencies to fully consider the applications of experienced workers when they identify the need for a full-time employee.

Covered agencies include the Forest Service, the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, and the Bureau of Reclamation.

The bill does not change the total number of Federal jobs available or the salaries paid to Federal employees; rather, it expands the pool of individuals eligible for Federal land management positions.

Of course, the bill does impose a few conditions to be eligible to compete for a full-time position, including length of service and adherence to performance standards.

I urge support for this bipartisan legislation, and I reserve the balance of my time.

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

I thank my friend from Georgia (Mr. CARTER) for being here today on the floor.

Madam Speaker, obviously, I rise in strong support of our bipartisan Land Management Workforce Flexibility Act. I want to take a moment to recognize our colleagues, Congressman DON YOUNG of Alaska and Congressman ROB BISHOP of Utah, two of this Chamber's most dedicated advocates for the men and women who comprise America's hard-working temporary civil service, particularly our Nation's courageous temporary seasonal wildland firefighters.

It was an honor to join my esteemed colleagues, who have each served as chairman of the House Natural Resources Committee, to develop and introduce this good government legislation. The spirit of bipartisanship that went into creating it is reflected in the equal number of Democratic and Republican cosponsors.

Further, I was pleased that the entire Committee on Oversight and Government Reform joined us in unanimously supporting this much-needed reform to remove arbitrary barriers that prevent talented, long-term temporary seasonal employees from just competing for vacant permanent positions, as my friend from Georgia described.

As the committee noted favorably in reporting the bill, our legislation will improve government effectiveness by enhancing the quality of the pool of applicants for Federal positions.

Our commonsense legislation provides long-serving, temporary seasonal wildland firefighters and other seasonal employees with the same career advancement opportunities available to all other Federal employees.

Specifically, the Land Management Workforce Flexibility Act authorizes qualifying land management agency employees serving under time-limited appointments to compete for vacant permanent positions under internal merit promotion procedures, just as any permanent Federal employee is eligible to do.

Our bill is deficit neutral, as my friend from Georgia indicated, because it only strengthens the pool of individuals eligible to compete for vacant Federal permanent positions. It does not create new positions.

As the nonpartisan Congressional Budget Office noted, ''CBO estimates that implementing the legislation would have no significant effect on the Federal budget. Enacting the bill would not affect direct spending or revenues because our bipartisan bill would,'' to quote CBO, ''not change the total number of Federal jobs available.''

As many of my colleagues understand, particularly those Members who represent Western constituencies in America, many Federal land management employees, including wildland firefighters, are often hired under temporary appointments that amount to less than 6 months or 1,040 hours. These individuals, so often called temporary appointments, repeatedly are extended on an annual basis.

As Congressman STEPHEN LYNCH, my friend from Massachusetts, the former chairman of the Federal Workforce Subcommittee, observed at a 2010 hearing: ''Oftentimes, seasonal temporary employees have worked in the same capacity year after year, decade after decade.''

Despite those years of service and putting themselves often in harm's way, career advancement and opportunities are severely limited. It is difficult to overstate the adverse impact the unfair policy of precluding their ability to compete for the same jobs as full-time Federal employees has on Americans serving under term-limited appointments since many agencies utilize merit promotion to competitively fill nonentry-level jobs.

Indeed, bipartisan concerns have been raised over a status quo where, no matter how long an individual may serve under a term-limited appointment, even one that is originally obtained under open, competitive examination, he or she never can acquire the status that would enable him or her to compete for vacant permanent positions.

For example, a former chairman of the House Civil Service Subcommittee addressed the illogical inequity of this position at a 1993 hearing, stating:

> Furthermore, there needs to be better access for all temporary employees, not just term employees, to apply for permanent positions within the Federal Government. It is simply unfair that, after years of employment, a temporary employee applying for a permanent position job is no better off than someone off the street applying for a job. Agencies could save large sums of money on education and training by hiring more temporary employees for permanent positions.

At the same hearing, former Congressman Dan Burton submitted a statement for the RECORD, expressing the view: ''One of the best things we can do for temporary employees is to increase their opportunities to compete for permanent positions.''

The current barrier to competition placed on our Nation's temporary seasonal employees demoralizes the dedicated and courageous corps of temporary civil servants that serve in land management agencies, and it contributes to increased attrition and, ultimately, leads to higher training costs and a less-experienced and capable workforce.

As the devastating 2014 California wildfires demonstrated, our country cannot afford to degrade its wildland firefighting and emergency response capabilities that put themselves in harm's way. Our bipartisan bill is consistent with the Office of Personnel Management's support for the concept.

In closing, I strongly urge all my colleagues to support this bipartisan Land Management Workforce Flexibility Act.

Madam Speaker, I yield back the balance of my time.

□ 1445

Mr. CARTER of Georgia. Madam Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 1531.

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.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous material on H.R. 2822 and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 1446

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 further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 25, 2015, an amendment offered by the gentleman from Michigan (Mr. BENISHEK) had been disposed of, and the bill had been read through page 76, line 4.

Mr. CALVERT. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I would encourage Members who have striking amendments to come to the floor immediately.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $357,363,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That $40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2016 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $14,743,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 4601-4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $20,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 77, line 14, after the dollar amount, insert ''(reduced by $1,000,000)(increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Madam Chair, this amendment takes $1 million out of the Forest Service land acquisition account and then, for technical reasons, inserts it back into the same account with the intent to identify unused land for potential sale.

The United States Federal Government currently owns around 640 million acres of land. That is just a number. But that is 27 percent of the landmass in the United States, owned by Uncle Sam. That is the same size as all of Western Europe, if you can imagine that, that being 27 percent of the United States landmass. The Forest Service alone owns over 230 million acres of this Federal land.

This amendment is very simple. All it does is to have the Federal Government examine the land that it has in its possession for the potential sale back to Americans so that Americans can own America.

We are not talking about National Forests. We are not talking about the Grand Canyon. We are talking about unused land that is owned by the Federal Government.

It will have the Federal Government go through that land—27 percent of the landmass in the country—and decide whether some of that might actually be better to be in the possession and the property of Americans so that, if Americans then own the land, that land in some State—like Utah—can then be developed by Americans, and then those people can pay taxes on the land that would go to the State of Utah, for example. Right now the land is unused. It is not able to be productive.

So that is what this amendment would do: have the Forest Service study the possibility of selling some of that unused land back to the United States.

I yield to the gentleman from California.

Mr. CALVERT. Madam Chair, I urge the adoption of the gentleman's amendment.

Mr. POE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $950,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 4601-516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,441,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,373,078,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or

disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $361,749,000 is for hazardous fuels management activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $13,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities and for training or monitoring associated with such hazardous fuels management activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels management, not to exceed $5,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That funds designated for wildfire suppression, including funds transferred from the ''FLAME Wildfire Suppression Reserve Fund'', shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to $28,077,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 79, line 17, after the dollar amount, insert ''(increased by $1,000,000) (decreased by $1,000,000)''.

Mr. CALVERT. Madam Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, we still see approximately 3,000 deaths, 17,000 injuries, and $3 billion spent annually as a result of wildfires across the country.

In many ways, wildfires lack parity with nearly every other natural disaster and are hugely underfunded when it comes to mitigation, prevention, and suppression.

Despite the fact the fires often occur in rural communities with smaller populations, wildfires demand intensive resources, equipment, and infrastructure.

The Volunteer Fire Assistance grant program is critical to moving the needle on wildfire management and supporting the men and women who serve in our volunteer fire agencies, including in my district in Colorado. Though this grant program is small and oriented towards lesser trafficked communities, its impact is incredible.

The Volunteer Fire Assistance program provides matching funds to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for use in wildland fire suppression.

Volunteer fire departments provide nearly 80 percent of the initial attack on wildfires across the United States, but, unfortunately, these volunteer fire departments frequently lack the financial resources. And $1 million makes an enormous difference for our volunteer fire departments across the country.

Unfortunately, in recent years, Federal funding for volunteer fire departments to prepare for wildland fire suppression has dwindled. VFA has seen funding reduced from $16 million in FY 2010 to $15.6 million in 2011 and approximately $13 million in FY 2012–2015.

Additionally, the Rural Fire Assistance program, which has historically been funded at $7 to $10 million per year and provided matching grants to fire departments that agreed to assist in responding to wildland fires on Federal lands, hasn't been funded since FY 2010.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Mr. POLIS. Madam Chair, Federal support is critical to ensure volunteer fire departments are able to safely and effectively respond to wildland fires.

The bipartisan amendment I offer today with my colleagues, Representatives RUIZ of California and PETER KING of New York, would help ensure that we have stronger support for our volunteer fire departments across our country.

I urge my colleagues to support this amendment that has been supported by the Congressional Fire Service Institute, the International Association of Fire Chiefs, and National Volunteer Fire Council.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $315,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings ''Wildland Fire Management''

and ''FLAME Wildfire Suppression Reserve Fund'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,321,539,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, $935,726,000 for Purchased/Referred Care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a-1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That $717,970,000 shall be for payments to Indian tribes and tribal organizations for contract support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and an Indian tribe or tribal organization pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) prior to or during fiscal

year 2016, and shall remain available until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $466,329,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations: *Provided further*, That the Indian Health Service shall develop a strategic plan for the Urban Indian Health program in consultation with urban Indians and the National Academy of Public Administration, and shall publish such plan not later than one year after the date of enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2016, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10: *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $9,469,000, to remain available until September 30, 2017.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $680,422,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed $47,522,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $139,119,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $119,500,000, to remain available until September 30, 2017, of which not to exceed $3,578,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $19,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $21,660,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $11,140,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,420,000, to remain available until September 30, 2017.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 to remain available until expended, of which $135,121,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,900,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, $2,524,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,080,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $52,385,000, of which $865,000 shall remain available until September 30, 2018, for the Museum's equipment replacement program; and of which $2,200,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

TITLE IV—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2017, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2016.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2016 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2016 under the headings ''Department of Health and Human Services, Indian Health Service, Indian Health Services'' and ''Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Operation of Indian Programs'' are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2016 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of chapter 33 of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 416. Not later than 120 days after the date on which the President's fiscal year 2017 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2015 and 2016, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

□ 1500

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 416.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, the overwhelming scientific consensus is that climate change is real. Leaders of the communities of faith, such as His Holiness the Pope, are now urging us to take this issue very seriously.

No matter how often the fossil fuel industry whispers that we have nothing to worry about, no matter how much manufactured science they gin up to create doubt, climate change is real.

We should have begun assessing the costs of climate change decades ago, but we did not. The legislation before us today would require a report on climate change expenditures. But the purpose of this section is not to assess the impacts of climate change; the purpose is to root out climate funding in the budget, so that next year's Interior bill can prohibit that spending.

Madam Chair, the report requirement as written is not only pointless, it is counterproductive. The Obama administration is open about responding to climate change. Most of their climate expenditures are clearly labeled and can be discovered by simply reading their budget request. For the remainder, I would be happy to write the President asking him to list these programs, and I suspect he would be pleased to answer.

As written, this reporting requirement is a waste of time. We should be instead asking the administration to report back to us on the costs of climate change to our health, our environment, and our economy.

Earlier this week, the White House issued a report showing that its efforts to reduce air pollution and climate change—efforts opposed by House Republicans, I might add—would provide billions of dollars in health benefits and save hundreds of thousands of lives.

A report also out this week from the National Park Service showed that $90 billion of National Park resources are at risk from sea level rise caused by global warming, and we all know about the historic drought in California and the lingering costs of recovery from Superstorm Sandy.

A full assessment of all the costs of inaction would help inform the Congress and the American people about what steps we must take immediately to ensure that climate change does not bring our country to its knees. Unfortunately, this bill does not ask for that assessment.

Instead, Madam Chair, the section my amendment would strike would undertake some kind of witch hunt to root out the meager funding we have in place to respond to this challenge. To support this section is to deny climate change.

I would tell my colleagues, all the constituent services you provide, all the money you can raise, the votes you cast, and the laws you pass will amount to nothing if you are on the wrong side of history on climate change. Climate deniers will join a long list of political figures who failed to respond to the most serious challenge of their time and so are labeled as failures for all time.

Therefore, I urge a ''yes'' vote on this amendment to strike the reporting language in the bill, and I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this provision shouldn't be controversial. The language has been included in our enacted bills on a bipartisan basis since 2010. The language simply requires that programs and activities dedicated to climate change are reported in a transparent way so the American people know what we are spending their tax dollars on.

With so many climate change programs being initiated, it is important to know what is being done across the government to avoid redundancy, and there is certainly a significant amount of redundancy in some of these climate change studies. It is in the bill so the committee can have the information it needs to provide critical oversight.

Madam Chair, I urge my colleagues to join me in opposing this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PROHIBITION ON USE OF FUNDS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available

in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 418. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

RECREATION FEE

SEC. 419. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking ''10 years after the date of the enactment of this Act'' and inserting ''on September 30, 2017''.

MODIFICATION OF AUTHORITIES

SEC. 420. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2016''.

(b) For fiscal year 2016, the authority provided by the provisos under the heading ''Dwight D. Eisenhower Memorial Commission—Capital Construction'' in division E of Public Law 112–74 shall not be in effect.

FUNDING PROHIBITION

SEC. 421. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

WATERS OF THE UNITED STATES

SEC. 422. None of the funds made available in this Act or any other Act for any fiscal year may be used to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to said jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to said jurisdiction.

AMENDMENT NO. 12 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 422.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Madam Chair, I rise today to offer an amendment that would strike section 422 from the underlying bill. In doing so, this amendment would allow the EPA and the Army to implement the waters of the United States rule. This rule will ensure protection for the Nation's public health and aquatic resources and will clarify the scope of the waters of the United States protected under this law.

Unfortunately, Republicans continue to undermine efforts to protect the Great Lakes as well as other critical water bodies around the Nation. We cannot afford to delay years of work by the EPA and the Army Corps of Engineers that would enhance the protection of our Nation's aquatic resources and public health.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

□ 1515

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, it comes as no surprise that I rise in opposition to this amendment.

In 2006, the Supreme Court determined the EPA and the Corps of Engineers did not have the authority to regulate nonnavigable waters under the Clean Water Act.

I am certain the EPA's final rule violates that. From day one, the EPA claimed that they were not expanding the waters under their jurisdiction, but we now know that those permits will be required and that the final rule is worse than proposed.

Twenty-seven States have now filed lawsuits challenging the legality of EPA's rule, so the Agency again finds itself on shaky legal ground, both on process and substance.

The language in the bill protects the authority of the States by preventing the EPA from implementing its regulation and expanding its jurisdiction. The language needs to stay in, so I urge a ''no'' vote on the amendment.

I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Chair, I thank the gentleman for yielding.

I rise in opposition to this amendment.

The language is in there for a very good reason. Everybody assumes that the waters are not covered under the Clean Water Act, that being the navigable waters. That is a definition they came up with somehow—I don't know—but that they are unregulated waters.

They are not unregulated waters. They are regulated by the States. When the court said, ''Navigable waters is kind of an elusive term, so maybe you ought to redefine it,'' the EPA said, ''Okay, we will just regulate all the waters,'' and that is what they did with this. They have gone way beyond whatever the intent of the Clean Water Act was.

I will tell you most resource groups, most agricultural groups, everybody else disagrees with what the EPA has done on this new rule that they are writing. The fact that they have expanded their authority into areas far beyond what was intended in the Clean Water Act, I think, goes beyond the pale and goes beyond what Congress originally intended under the Clean Water Act.

We are not talking about leaving waters unregulated; they are just being regulated by the States, and they need to start over in writing this rule.

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

Mrs. LAWRENCE. Madam Chair, can you tell me how much time I have remaining?

The Acting CHAIR. The gentlewoman from Michigan has 4 minutes remaining.

Mrs. LAWRENCE. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. Madam Chair, I thank my colleague.

I rise to support the Lawrence amendment to strike the section prohibiting the new rule on the Federal jurisdiction of the waters of the United States.

A few weeks ago, the Obama administration issued a final rule that clarifies the limits of Federal authority under the Clean Water Act. It does this by reducing red tape and providing more certainty for the regulated community.

Instead of confusion in case-by-case determinations about where waters are covered, the rule says physical, measurable boundaries for the first time about where clean water coverage begins and ends.

The rule does not expand the waters covered. In fact, it will actually reduce the scope of waters protected by the Clean Water Act.

Additionally, the rule does not create any new permitting requirements for agriculture. It maintains all previous exemptions and exclusions.

The rule ensures that the waters protected under the Clean Water Act are more precisely defined and predictably measured, making permitting less costly, easier, and faster for business and industry.

Prohibiting the EPA from implementing the rule will only perpetrate confusion in the jurisdiction of the water.

This harmful rider should be struck; therefore, I urge my colleagues to support the Lawrence amendment.

Mr. CALVERT. Madam Chair, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Chair, I strongly oppose the gentlewoman's amendment as it seeks to strip a commonsense provision included in the base bill that will protect the American people from the EPA's new waters of the U.S. regulation, commonly referred to as WOTUS.

WOTUS is a terrible Agency proposal that will have disastrous effects and economic consequences for agriculture, small business, property owners, municipalities, and other water users throughout the country.

This job-killing, overreaching water grab being imposed by Washington bureaucrats is a dream killer for future generations and local economies. The EPA claims this new regulation was

shaped by public input; yet we recently learned that the EPA used taxpayer dollars to unleash a propaganda campaign in an attempt to rally comments and support for this WOTUS regulation, despite the Anti-Lobbying Act which bans such actions.

Furthermore, States and local governments that have traditionally managed these waterways and activities were not included in drafting the WOTUS regulation. The Agency failed to comply with the Regulatory Flexibility Act as required by Federal law and consider the new impact that the WOTUS regulations would have on small businesses.

The EPA claims this rule is grounded in law; yet this overreaching regulation contradicts prior Supreme Court decisions by expanding Agency control over 60 percent of our country's streams and millions of acres of wetlands that were previously nonjurisdictional.

Despite claiming the WOTUS rule reduces Agency jurisdiction, the final regulation imposes new regulations for navigable waters and their tributaries, potholes, ditches, bays, and even waters that are next to rivers and lakes.

The new WOTUS regulation has been built on a foundation of pseudoscience, deception, and lawlessness. This overreach is so extreme that 24 Members of the President's own party joined Members in the House in passing legislation in May calling for the formal withdrawal of the new WOTUS regulation.

For these reasons and more, I strongly oppose the gentlewoman's amendment and urge its defeat.

Mr. CALVERT. Madam Chair, I urge opposition to this amendment, and I yield back the balance of my time.

Mrs. LAWRENCE. Madam Chair, I would really urge my colleagues to support this amendment.

The rule does not create any new permitting requirements for the agriculture and maintains all previous exemptions and exclusions. The rule ensures that waters protected under the Clean Water Act are more precisely defined and particularly determine making permitting less costly, easier, and faster for business and industry.

I yield back the balance of my time.

Ms. EDWARDS. Madam Chair, I think the American public must be quite confused about what we are currently debating in this Chamber.

The amendment I rise in strong support of strikes section 422 which prevents funds from being used to ''develop, adopt, implement, administer or enforce any change . . . pertaining to the definition of waters under the jurisdiction'' of the Clean Water Act (CWA).

I would like to remind the other side that, thanks to the Clean Water Act, billions of pounds of pollution have been kept out of our rivers, and the number of waters that now meet clean water goals nationwide has actually doubled with direct benefits for drinking water, public health, recreation, and wildlife.

This is especially true for my home State of Maryland that is within the six-State Chesapeake Bay Watershed.

The Chesapeake Bay Watershed is fed by 110,000 miles of creeks, rivers, and streams; covers 64,000 square miles; includes over 11,500 miles of shorelines; contains 150 major rivers and streams; and is home to over 17 million people.

And this watershed's land-to-water ratio is 14–1, the largest of any coastal water body in the world.

Several of its tributaries, including the Anacostia, the Patuxent, Potomac, and Severn Rivers flow through the Fourth Congressional District. 70 percent of Marylanders get our drinking water from sources that rely on headwater or seasonal streams.

Nationwide, 117 million people, or over a third of the total population, get our water from these waters.

However, due to the two Supreme Court decisions, there is, in fact, widespread confusion as to what falls under the protection of the Clean Water Act.

That is precisely why the Obama administration finalized their rule clarifying the limits of Federal jurisdiction under the Act on May 27, 2015.

The agencies finalized the clean water protection rule after over a year of public outreach on their then proposed rule at a scale unprecedented in the history of the Clean Water Act, as well as countless congressional hearings.

Madam Chair, supporters of this provision have complained about the confusion in the litigation.

That is precisely why we needed to get through the final rulemaking, which has been years in the making.

That is what the Supreme Court instructed the Federal Government to do 14 years ago with the 2001 SWANCC decision and, subsequently, the 2006 Rapanos case.

Along with those Supreme Court decisions, the Bush administration followed the exact same process in issuing two guidance documents in 2003 and 2008.

Up until the final rule issued just over a month ago, they remained in force.

It is, in fact, these two Bush-era guidance documents that have compounded the confusion, uncertainty, and increased compliance costs faced by our constituents—opponents and proponents alike—who all just say they want clarity.

You don't actually have to take my word for it.

In fact, let me quote from the comments made by the American Farm Bureau Federation, something I don't do all that often: ''With no clear regulatory definitions to guide their determinations, what has emerged is a hodgepodge of ad hoc and inconsistent jurisdictional theories.''

Those are the words of the American Farm Bureau Federation.

We all agree that it is confusing.

That is why it was so important that this administration finish what the Bush administration started and failed to do, and that is publish a final rule that gives stakeholders the clarity they have been seeking for 14 years.

Madam Chair, despite nearly universal calls for increased clarity and certainty from certain stakeholders, my colleagues have made it a priority to prohibit the implementation of the final clean water rulemaking entirely.

It is really clear that what they want to do is stop these agencies from doing their jobs at all—no new rules and no clean water, what a shame for our natural resources, our public health, and our environment.

I urge my colleagues to support the Quigley-Edwards amendment to strike this harmful and shameful provision.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

STREAM BUFFER

SEC. 423. None of the funds made available by this Act may be used to develop, carry out, or implement (1) any guidance, policy, or directive to reinterpret or change the historic interpretation of 30 C.F.R. 816.57, which was promulgated on June 30, 1983 by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior (48 Fed. Reg. 30312); or (2) proposed regulations or supporting materials described in the Federal Register notice published on June 18, 2010 (75 Fed. Reg. 34667) by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 122, line 23, strike section 423.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, my amendment would allow the Office of Surface Mining Reclamation and Enforcement to continue to develop regulations designed to protect communities and the environment from the devastating effects of mountaintop removal mining.

If you have seen a picture of a mountaintop removal mining site, you get an idea of how destructive this process is. Companies literally blast the tops off of mountains, scoop out the coal, and dump what used to be the mountaintop into the valley below. The scars on the landscape are unmistakable, as are the piles of rock filling in what used to be mountain valleys and streams.

What you don't see in the picture is the health impacts on the people living nearby, although those are just as real and just as terrible. People who live near mountaintop mining sites have higher rates of lung cancer, heart disease, kidney disease, birth defects, hypertension, and other health related problems.

Despite some confusion in the Natural Resources Committee just last month, these results are statistically corrected for rates of smoking, obesity, and other factors.

A paper in the journal Science a few years ago, one of the preeminent scientific journals in the world, pointed

out that mountaintop removal mining with valley fills ''revealed serious environmental impacts that mitigation practices cannot successfully address,'' that ''water emerges from the base of valley fills containing a variety of solutes toxic and damaging to biota,'' and ''recovery of biodiversity in mining waste-impacted streams has not been documented.''

Under our laws governing surface coal mining, streams are supposed to be protected; but the existing regulations, which are over 30 years old, have done a poor job of doing just that. Over 2,000 miles of streams have been buried by mountaintop removal mining, and countless more have been polluted by toxic mine runoff. Wildlife habitat is destroyed; fish are killed, and the people in the area suffer.

That is why the administration has been working for years on a new rule that would do a better job of protecting streams. It has taken longer than I would like for them to propose this rule, and the process has certainly not gone as smoothly as it could have.

The majority uses the snags in the process to argue that there shouldn't be a rule at all. Never mind that their own partisan investigation delayed this rule for years without uncovering any evidence of political misconduct.

The majority also claims that this rule will cause huge job losses, but the draft rule hasn't even been published yet, so we can't possibly know the impacts, and the Director of the Office of Surface Mining says the job losses will be minor at best.

Even if the majority does not believe him—and I suspect they might not—they should wait until the draft rule comes out and there can be independent analysis of the impacts, not just wild exaggerations that the mining industry will produce, but real, independent analysis.

If they are still not happy with the rule at that point, we can hold hearings. We can try to pass constructive laws that protect the environment and human health and workers all at the same time.

A partisan rider in this bill that completely stops the ability of the administration to work on this stream buffer rule to provide badly needed protections to Appalachian communities is the wrong way to go.

It has nothing to do with managing spending. In fact, it would just result in the waste of all the money that was required to get to this very point.

The rider is bad policy; it is bad for the environment, and it is bad for public health and the health of the people living near these mines.

I urge my colleagues to support my amendment that would allow the stream protection rule to see the light of day.

Madam Chair, I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, in 2008, the Office of Surface Mining finalized revisions to the stream zone buffer rule in an open and transparent manner. After taking office, the Obama administration put a hold on the rule and is currently writing a new rule.

The administration's approach under the new rule has been anything but collaborative and inclusive, and many States feel they have been shut out of the process. When Chairman ROGERS required advanced analysis on job impacts, his request was ignored.

The American people expect more openness and transparency from their government, and that is why this funding prohibition must remain in the base bill.

I strongly urge my colleagues to vote ''no'' and reject this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 424. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

(1) was not prohibited on such Federal land as of January 1, 2013; and

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.

(b) TEMPORARY CLOSURES ALLOWED.—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a period not to exceed 30 days, Federal land managed by the Secretary to hunting, fishing, or recreational shooting if the Secretary determines that the temporary closure is necessary to accommodate a special event or for public safety reasons. The Secretary may extend a temporary closure for one additional 90-day period only if the Secretary determines the extension is necessary because of extraordinary weather conditions or for public safety reasons.

(c) AUTHORITY OF STATES.—Nothing in this section shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations.

LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN POLICY

SEC. 425. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 124, line 17, strike section 425.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Madam Chair, nearly 3 years ago, Superstorm Sandy caught millions of coastal residents by surprise and cost billions of dollars in economic damage. Unfortunately, the weather is not all that has become more extreme over the past several years.

I am disappointed that this misguided and misinformed language to block implementation of the National Ocean Policy keeps coming back, just like the recurrent coastal flooding being caused by sea level rise, and my amendment would strike that language.

□ 1530

It shows a lack of respect for science and a lack of appreciation for the magnitude and complexity of the governance challenges we face.

It seems some Members of Congress do not want to see government succeed even when government's failure to respond to a disaster, to predict a drought, or to properly manage a fishery can devastate the communities they represent.

When you disavow words like ''precaution,'' ''preparedness,'' and ''planning,'' you stop being conservative and start being reckless.

Conservatives always say they want to run government like a business. Well, would you invest in a business with different departments that don't talk to each other? Would you invest in a business that is not responsive to its shareholders? Would you invest in a business with no business plan?

That is essentially what the National Ocean Policy is, a business plan for the oceans that seeks to maximize the benefits for shareholders, all the American people.

The policy is a win-win-win for economic growth, public safety, and environmental protection. I urge you to vote ''yes'' on my amendment to protect the National Ocean Policy.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have operated a business. Ever since this administration created the National Ocean Policy through executive order,

the subcommittee has asked the CEQ, the DOI, and the EPA to provide an estimate of the impact of the Policy on their budgets, and we have yet to receive a substantial answer.

The so-called report we were provided last year was fewer than three pages long. Clearly, this failed to outline expenditures supporting the administration's National Ocean Policy.

Our job here is to pay the bills. When we ask how much does the National Ocean Policy cost, we expect to get an answer. We need an answer so that proper congressional oversight can be conducted.

I want to point out that this language was included in the House fiscal year 2016 Energy and Water Appropriations bill. There are concerns about the costs and all of the unknowns related to this policy in multiple jurisdictions.

The bottom line is, if this administration wants the funds to implement the National Ocean Policy, then tell us how much it is going to cost the taxpayer. I urge my colleagues to join me in opposing this amendment.

Madam Chair, I reserve the balance of my time.

Ms. TSONGAS. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. I thank the gentlewoman.

Madam Chair, Congress has enacted numerous laws that manage the ocean and coastal issues across 11 of the 15 Cabinet-level departments and four independent agencies across the Federal Government. As my colleague from Massachusetts pointed out, why wouldn't we want these folks to be working together?

Clearly, what the President is trying to do is to just have an action that lets the independent bipartisan commission move forward, including the U.S. Commission on Ocean Policy, which was appointed entirely by President George W. Bush.

The National Ocean Policy is a means by which the Federal agencies can sort through all of the tangles of uncoordinated governance and can bring some common sense to the chaos. Wouldn't we want that?

If my colleagues have a problem with what government can do on ocean management, then they have a problem with laws that are enacted by Congress, not with the National Ocean Policy or with the President's executive order, because what the President is doing through the National Ocean Policy is following a well-established Presidential tradition of using an executive order to supervise and guide agencies under the President's charge as they execute existing laws passed by Congress.

Let us let this agency get to work. Let us find out how we could be more effective with our agencies working together.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his work on this bill.

Madam Chair, I want to set the record straight. In the year 2000, Congress did pass a bill during the 106th Congress to create an ocean commission to review and to make recommendations.

Yes, President Bush did appoint persons to that commission. They did make those recommendations, and those recommendations were submitted to Congress.

Since then, those recommendations have been reviewed by the 108th, the 109th, the 110th, and the 111th Congresses, and each of those Congresses decided that no action should be taken.

What happened here is the President decided to go into the Article I powers, which are reserved for Congress, and to do what Congress does not intend to have done, which is to have an ocean zoning commission built from dozens of agencies.

They have never asked for an appropriations for this activity, and there is no lawful basis for the activity to exist. The President's executive order is basically violating the statutes that have been passed by Congress, and it is also violating the Constitution.

The language that is in the appropriations bill should remain as it is. Congress has voted seven times on this language, and it has passed all seven times on a bipartisan basis. The other side is that of basically trying to undo what Congress has said it wants to do seven times on a bipartisan basis.

Ms. TSONGAS. Madam Chair, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. Madam Chair, I rise in support of this amendment, which would allow for the implementation of the National Ocean Policy.

Plain and simple, coordinated ocean planning makes common sense and is a good economic policy for our coastal communities. It allows for a comprehensive mapping of existing ocean uses that helps to identify and resolve conflicts between stakeholders before they play out in specific permitting processes.

In Virginia, this process has been crucial to preserving public access to the ocean, to sustain economic growth, to address marine debris, to create migration corridors for marine mammals, and to support promising new ocean industries, such as wind power and marine aquaculture.

In fact, I am proud to note that Virginia was recently selected by BOEM to be the first State in the Nation to receive a wind energy research lease in Federal waters. This rider would eliminate language that would undermine regional collaborative efforts to manage existing and future ocean policy challenges.

Let's not roll back the valuable work and resources that many States, industries, and communities have already devoted to implementing this policy. I urge my colleagues to support this amendment.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT.

Madam Chair, again, I want to set the record straight. We are not against ocean planning, as it makes perfect sense, but only insofar as Congress has explicitly authorized those activities.

Congress has not allowed the President to do what he is trying to do by executive fiat. There are 67 groups, which include fishing, agricultural, farming, energy, and other industries, that are concerned about the impact of this Federal overreach. Again, it is an unconstitutional Federal overreach, and I would urge my colleagues to vote ''no'' on the amendment.

Ms. TSONGAS. Madam Chair, I do appreciate that my colleague across the aisle has said that it does make perfect sense to have an ocean policy. The ocean policy is a business plan for the oceans that seeks to maximize the benefits for all of its shareholders, the American people.

I certainly know that we in Massachusetts have a great appreciation for the complex task it seeks to undertake in order to protect that which we value most, the ocean off our coast.

I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

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

Ms. TSONGAS. Madam Chair, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

LEAD TEST KIT

SEC. 426. None of the funds made available by this Act may be used to implement or enforce regulations under subpart E of part 745 of title 40, Code of Federal Regulations (commonly referred to as the ''Lead; Renovation, Repair, and Painting Rule''), or any subsequent amendments to such regulations, until the Administrator of the Environmental Protection Agency publicizes Environmental Protection Agency recognition of a commercially available lead test kit that meets both criteria under section 745.88(c) of title 40, Code of Federal Regulations.

FINANCIAL ASSURANCE

SEC. 427. None of the funds made available by this Act may be used to develop, propose, finalize, implement, enforce, or administer any regulation that would establish new financial responsibility requirements pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)).

GHG NSPS

SEC. 428. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce—

(1) any standard of performance under section 111(b) of the Clean Air Act (42 U.S.C.

7411(b)) for any new fossil fuel-fired electricity utility generating unit if the Administrator of the Environmental Protection Agency's determination that a technology is adequately demonstrated includes consideration of one or more facilities for which assistance is provided (including any tax credit) under subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) or section 48A of the Internal Revenue Code of 1986;

(2) any regulation or guidance under section 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) establishing any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(3) any regulation or guidance under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)) that applies to the emission of any greenhouse gas by an existing source that is a fossil fuel-fired electric utility generating unit.

DEFINITION OF FILL MATERIAL

SEC. 429. None of the funds made available in this Act or any other Act may be used by the Environmental Protection Agency to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 429.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Madam Chair, I rise in support of this amendment.

The amendment strikes a rider that would prevent the Environmental Protection Agency from updating regulations pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for purposes of the Clean Water Act.

Presently, the Army Corps of Engineers issues a section 404 permit if the fill material discharged into a water body raises the bottom elevation of that water body or converts the area to dry land.

The current rule allows mining waste to be dumped into the rivers and streams without an appropriate environmental review process.

Given repeated instances of mining activities resulting in lakes and streams devoid of fish or aquatic life, downstream water users are rightly concerned that the section 404 process fails to protect them from the discharge of hazardous substances.

The Clean Water Act section 404 guidelines are not well suited for evaluating the environmental effects of discharging hazardous waste, such as mining refuse and similar materials, into a water body or a wetland.

The rider that this amendment strikes would block the EPA from making necessary modifications to these guidelines. This rider is a preemptive strike against protecting our drinking water, and it allows mining companies' interests to trump the protection of the health of our citizens.

We should not short-circuit regular order through the appropriations process. We should not preclude the Corps or the EPA from considering any regulatory changes to the current definition and permit process. I urge my colleagues to support the amendment to strike this language from the bill.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this language simply maintains the status quo regarding the definition of ''fill material'' for the purposes of the Clean Water Act.

The existing definition was put in place through a rule-making initiated by the Clinton administration and finalized by the Bush administration. That rule harmonized the definitions on the books of the Corps and the EPA so that both agencies were working with the same definition.

Any attempts to redefine this important definition could significantly negatively impact the ability of all earthmoving industries, road and highway construction, and private and commercial enterprises to obtain vital Clean Water Act section 404 permits.

Changing the definition of ''fill material'' could result in the loss of up to 375,000 high-paying mining jobs and jeopardize over 1 million jobs that are dependent upon the economic output generated by these operations.

For these reasons, I support the underlying language and oppose this amendment.

I reserve the balance of my time.

Mr. BEYER. Madam Chair, I respect the chairman's objections to this, but I would like to point out that all that this amendment does in striking the section is allow the EPA to consider future changes to the ''fill'' definitions.

Clearly, the work begun in the Clinton administration and finalized in the George W. Bush administration were the best possible actions at the time.

In the meantime, we have discovered that, unfortunately, much mining waste and refuse are ending up in mining streams and rivers, and it has severely affected the health of those people.

We are not attempting to eliminate mining jobs or to even impact earth moving. It is only reasonable to make sure that our Environmental Protection Agency has the latitude and the freedom to evolve future definitions so as to best protect the health of our citizens.

I yield back the balance of my time.

□ 1545

Mr. CALVERT. I oppose this amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONTRACTING AUTHORITIES

SEC. 430. Section 412 of division E of Public Law 112–74 is amended by striking ''fiscal year 2015,'' and inserting ''fiscal year 2017,''.

CHESAPEAKE BAY INITIATIVE

SEC. 431. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking ''2015'' and inserting ''2017''.

EXTENSION OF GRAZING PERMITS

SEC. 432. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2016.

AVAILABILITY OF VACANT GRAZING ALLOTMENTS

SEC. 433. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I offer an amendment to strike section 433.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 433.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, I offer my amendment to strike section 433 regarding the availability of vacant grazing allotments and waiving one of our key environmental laws.

While grazing on our public lands is an important part of our Nation's culture and economy, this section of the appropriations bill is redundant and unnecessary. The BLM and Forest Service already have the authority to transfer permits when grazing lands are deemed unusable.

Furthermore, this section would have the effect of waiving section 102 of the National Environmental Policy Act, or NEPA. NEPA is one of our Nation's bedrock environmental laws, serving to

establish policies to protect our air, water, and our natural resources. Section 102 of NEPA contains key provisions to make sure that Federal agencies act according to the spirit and letter of the law.

By stating that section 102 shall not apply to agency actions, this bill is, in essence, waiving NEPA and putting our public lands at risk. Our Federal agencies did not ask for a NEPA waiver, and Congress should not be in the business of dictating to professional land managers when they should or should not have the flexibility to use NEPA in making land management decisions.

Allowing section 433 to be included in the appropriations bill could have unintended consequences for our public lands and environment, particularly when conditions on the ground change. In this time of climate change, drought, and wildfire, it is vital that agencies have the tools and the flexibility to conduct adequate environmental reviews.

In the face of these challenges, why should grazers get to jump to the front of the line for new land? What about land for species and recovery and habitat that are displaced by climate change or recreational demands and interests?

Congress has tasked the BLM with managing our public lands for multiple uses. I welcome the belated recognition by my Republican colleagues that climate change is impacting these lands, but this provision would waive the balancing process found in NEPA and mandate that grazing gets to trump other uses when lands are destroyed by fire or drought.

Section 433 benefits one special interest above all others, and I urge my colleagues to join me in supporting to strike this section from the bill.

I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, I rise in opposition to the gentleman's amendment. The amendment would strike a commonsense provision—repeat, commonsense provision—in this bill that allows the Bureau of Land Management and the Forest Service to make available vacant grazing allotments when a rancher is forced off his or her existing allotment due to drought or wildfire.

It is not that they jump to the front of the line and have special provisions because of this. The fact is, if you don't exclude the NEPA process, it can take 3 months, 6 months—guess what? Cows and sheep don't go on a diet for 3 months or 6 months. They actually need to put these cows and sheep somewhere, and vacant allotments is what they look for.

The gentleman says that this is redundant, that they can already do that. Well, if they can already do it, then what the heck? Why is he opposed to this provision?

Unfortunately, drought and catastrophic wildfires are all too common in the West. Ranchers shouldn't be further penalized when they lose their allotments due to natural disasters. The provision provides some flexibility to the Bureau of Land Management and Forest Service to help in these circumstances.

It doesn't say, ''You will provide these vacant allotments.'' It says, ''You may.'' It is not a must. We are trying to give the Bureau of Land Management and the Forest Service the flexibility to use vacant allotments when circumstances are required.

I urge my colleagues to reject this amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Chair, I rise in support of the Grijalva amendment. As has been pointed out, BLM already has the authority to make vacant grazing allotments available for permittees on a discretionary basis where the permittee is adversely impacted by wildfire or drought, but unlike the discretionary basis on which the BLM currently makes these allotments, this rider would exempt the National Environmental Policy Act, a NEPA review.

On page 127, line 25, it reads ''with respect to'' the National Forest System lands, ''shall''—not may—''shall make vacant,'' and so what the BLM currently can do is they can conduct a NEPA review in areas where they think they have concerns and they can ensure that the land, health standards, and resources are not going to be compromised because the BLM has a role to play in protecting these lands for grazing potential in the future so that they are not harmed or overgrazed.

To me, it makes common sense that the rider should not exempt the BLM from a regulatory requirement to issue a decision and conduct an administrative review, which they currently can choose to do or choose not to do based on the information that they have. Any grazing that is mandated by this rider is likely also to find itself caught up by hearings and delays and appeals and judicial review.

I urge my colleagues to support the amendment to strike the unnecessary rider and to leave the discretion in place so it continues to be the National Forest System lands may be made vacant.

Mr. SIMPSON. Madam Chair, I would ask my colleagues just one thing. If you are a rancher and you have had one of these catastrophic wildfires come through—and they come through frequently, unfortunately—and they have wiped out your grazing allotment, what do you tell your cows? What do you tell your sheep? What do they eat for the next several months as you go through the NEPA process? This is giving some flexibility to the Forest Service and to the BLM.

I know we can all say: Oh, gee, they can make arrangements and do it otherwise and so forth.

This is just a commonsense provision, frankly, and we haven't had any problem with it with the time that it has been in existence. I think it should stay in existence, and that is why the chairman has included it in this bill.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, the redundancy comes from the fact that that flexibility has existed in BLM and Forest Service; it has existed for years. The situations of wildfires have occurred, and they have been handled.

It is an unnecessary NEPA waiver. It is a redundant amendment, addition to it. The NEPA waiver in the writing says it is not optional. It says ''shall.''

I urge Members to support my amendment striking section 433.

I yield back the balance of my time.

Mr. SIMPSON. Madam Chair, this language has been in the bill since 2003. It hasn't caused any problems. It has fed a lot of cows. I think it is a good provision in the bill, and we should defeat this amendment. It is a bad amendment. Vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

PROTECTION OF WATER RIGHTS

SEC. 434. None of the funds made available in this or any other Act may be used to condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right, including sole and joint ownership, directly to the United States, or any impairment of title, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact. Additionally, none of the funds made available in this or any other Act may be used to require any water user to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

LIMITATION ON STATUS CHANGES

SEC. 435. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce any regulation or guidance under Section 612 of the Clean Air Act (42 U.S.C. 7671k) that changes the status from acceptable to unacceptable for purposes of the Significant New Alternatives Policy (SNAP) program of any hydrofluorocarbon used as a refrigerant or in foam blowing agents, applications or uses. Nothing in this section shall prevent EPA from approving

new materials, applications or uses as acceptable under the SNAP program.

USE OF AMERICAN IRON AND STEEL

SEC. 436. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel'' products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

SOCIAL COST OF CARBON

SEC. 437. None of the funds made available by this or any other Act shall be used for the social cost of carbon (SCC) to be incorporated into any rulemaking or guidance document until a new Interagency Working Group (IWG) revises the estimates using the discount rates and the domestic-only limitation on benefits estimates in accordance with Executive Order 12866 and OMB Circular A-4 as of January 1, 2015: *Provided*, That such IWG shall provide to the public all documents, models, and assumptions used in developing the SCC and solicit public comment prior to finalizing any revised estimates.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk to strike section 437.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 437.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Speaker, my amendment, which I offer along with Mr. LOWENTHAL and Mr. PETERS, would simply remove one of the so-called policy riders from this bill. It is a particularly dangerous policy rider.

What my amendment would do is it would strip the bill of a harmful and unrelated restriction that actually would prohibit Federal agencies from assessing the social cost of carbon, meaning Federal agencies would not be able to look at the monetized impact, the actual costs of climate change.

They would be forced to deliberately have a blindfold and not be allowed to consider climate change in their planning, just like American businesses do, like States do, like municipalities do, but the Federal Government would be prohibited from even looking at the costs of climate change.

According to a recent poll undertaken by Stanford University, 81 percent of American people have looked at the science and agree that climate change is at least in part caused by humans; 74 percent of Americans believe the Federal Government should be working hard to combat climate change, and 71 percent of the American people expect that they will be hurt personally or impacted by climate change.

Madam Speaker, climate change is not some fallacy. It is not some evil plot by leftwing or rightwing extremists. It is simply science. Climate change is what major corporations like Coca-Cola and Nike have called an economically disruptive force that needs to be addressed.

Acting on climate change is what the most high profile religious leader on the planet has called a moral imperative, an economic imperative, a moral imperative. It is what the Department of Defense has called an ''immediate risk to U.S. national security.''

I would ask my colleagues on the other side to adopt this amendment so that we don't ignore the calls of business, Defense, religious leaders—among thousands of others—to ensure that the Federal Government operates with its eyes wide open and not with ideological blinders, simply because we don't want to see the truth of what is occurring with regard to climate change.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have long been concerned with how EPA conducts its cost-benefit analysis to justify its rulemaking. This is something that the committee has discussed with EPA on a number of occasions, and the Supreme Court recently ruled that EPA's approach to examining costs and their regulation was flawed.

The administration's revised estimates for the social cost of carbon help justify on paper larger benefits from reducing carbon emissions in any proposed rule. If the administration can inflate the price tag so that the benefits always exceed the costs, the administration can goldplate requirement regulations from any department or any agency.

Section 437 says that the administration should convene a working group to revise the estimates in a more transparent manner and to make that information available to the public.

I oppose the gentleman's amendment, and I urge my colleagues to vote ''no.''

I reserve the balance of my time.

□ 1600

Mr. POLIS. Mr. Chairman, what this amendment addresses is not simply the creation of some commission or a nuanced look into how cost-benefit analyses are done. It actually would ensure that the costs of climate change are able to be considered in decisionmaking.

The answer to the concerns that my colleague raised from the other side would be a surgical approach, not to remove the authority to look at the cost of climate change, which is what this language does and what my amendment would fix.

This rider is really about the deep ideologically driven agenda of climate deniers and is a terrible waste of both Federal and taxpayer money to allow its passage because it will lead to poor decisionmaking by the Federal Government.

Companies are planning for climate change. Municipalities and States are planning for climate change. We need to look at the monetized costs with regard to climate change of new rules and regulations.

Instead of spending our time here focusing on how to impact and better understand climate change, we have this opportunity to ensure that that is a factor in future decisionmaking, rather than prohibiting agencies from even considering it in the cost of climate change.

Blocking proposals and silencing discussion isn't indicative of leadership, Mr. Chair. It is indicative of fear of the truth.

I urge my colleagues to consider that and support my and my colleague's amendment.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, just in closing, I would rise in opposition to this amendment.

I would urge my colleagues to vote ''no.''

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

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

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

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

The Clerk will read.

The Clerk read as follows:

LIMITATION ON USE OF FUNDS

SEC. 438. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to propose, promulgate, implement, administer, or enforce a national primary or secondary ambient air quality standard for ozone that is lower than the standard established under section 50.15 of title 40, Code of Federal Regulations (as in effect on July 2, 2014), until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, beginning on line 9, strike ``, until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, I would like to thank Chairman CALVERT, along with the ranking member, for the work he and the committee have done.

My amendment prevents the EPA from using any funds in the bill to change ozone regulations, regardless of whether or not all counties meet the 2008 standards.

As of 2012 and based on the 2008 ozone standards as designated by the EPA, 24 mainland States were in attainment, including my home State of Florida. An additional four States had either partial attainment or whole counties had marginal attainment.

What I find most interesting is the areas of our Nation that have consistently been designated as nonattainment by the EPA. This includes most of California, parts of Texas, and the mid-Atlantic States. These counties have had nearly 20 years to change their policies and abide by the ozone standards.

Under the newly proposed standards, a fair amount of the country would be designated as nonattainment areas. Why should the remainder of the country be subject to new standards when parts of the country have yet to meet the 2008 or even 2009 standards?

Making this change will have serious economic implications on the States and counties that have already proactively worked to reduce their emissions, all at a time when the Nation is still recovering from one of the worst economic recessions of our lifetime.

Furthermore, I would like to remind my colleagues of the recent Supreme Court decision, Michigan, et al., v. Environmental Protection Agency. At the heart of the case was whether or not the EPA took care to include the potential cost to power plants when proposing new regulations, and that estimated cost is $9.6 billion and a burden on the American taxpayers. The Supreme Court held that the EPA interpreted U.S. Code 7412 ''unreasonably when it deemed cost irrelevant to the decision.''

I would like to say that this is the exception and not the rule when it comes to the EPA, but that simply is not the truth. The EPA has made its de facto policy to implement unreasonable regulations with no regard to the larger impact it will have on the economy and taxpayers and the environment.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment would reverse section 438 to block the EPA from making critical updates to its ozone standard. The amendment makes an already bad policy rider in this bill even worse.

This amendment, however, would completely prohibit the EPA from updating the standard, short-circuiting both current law and the judicial process, while putting millions of Americans' health at risk.

Ozone is the main component in smog, and it has been scientifically proven to aggravate lung disease, increase frequency and severity of asthma attacks, and reduce lung function.

We hear about those opportunities all the time that we are given now when the ozone is too high in the air to stay inside. Young children shouldn't be out, and people with heart disease and lung disease should stay indoors.

The Clean Air Act requires the EPA to review its ozone standard every 5 years to reflect the most up-to-date science on ozone and its impacts on public health.

The EPA, in fact, is under a court order to issue its final rules by October of this year. The EPA's update to its ozone standard is based on strong scientific evidence, including over 1,000 scientific studies that show the harmful effect of ozone on human health and the need for higher standards.

The EPA estimates the benefit of updated standards of 70 parts per billion will yield the health benefits of $13 billion each year.

On its merits, this amendment is shortsighted and reactionary, and it is a backdoor amendment to completely gut the Clean Air Act.

Prohibiting the EPA's ability to update ozone standards is reckless, and it is out of touch with what Americans want, and that is clear air. The EPA's update is firmly rooted in science and ensures health and protections for the American people.

I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, ozone comes from many different sources. Yes, it is true that it comes from hydrocarbons. When the UV light hits it, it does do that. It also comes from the oceans. It comes from the swamps. It comes from just nature itself.

Ozone by itself is not always bad because it is used industrially. It disinfects laundry. It disinfects water in place of chlorine. It deodorizes the air. It kills bacteria on food and contact surfaces. It sanitizes swimming pools. The list goes on and on and on.

Yes, there have been reports of it causing respiratory problems, but that is also associated with spores and molds and things like that.

I think ozone, at this time—especially when you look at the rulings from 1997 and 2008, those standards—I don't think we should move forward at this time, with our Nation in the economic recovery, to put new standards on all of the Nation when yet a large portion of the Nation is still not under compliance.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I probably live in the most regulated air quality area in the United States, southern California.

In southern California, our population continues to grow; yet we have been able to make significant air quality improvements within the South Coast Air Quality Management District.

The committee set a level at 85 percent of the communities so that the marginal nonattainment communities could have the opportunity to achieve compliance with the 2008 standards before further updates are considered.

This amendment would prevent EPA from lowering the ozone standard below the 2008 levels. This amendment would prevent further updates to the ozone standard for an indefinite and undetermined timeframe, and that is certainly not the committee's intent.

We need to make progress in clean air in areas that folks want to see cleaner air, but at the same time making sure that technology is there in order to do that. This was, I think, compromise language that the underlying bill has that works to move us forward, but at the same time not stopping us from obtaining cleaner air in the future.

I am in opposition to this amendment.

I thank the gentlewoman for yielding to me.

Ms. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, I would just like to reiterate that ozone is incriminated a lot of times when I think

we ought to look at particulate matter in dusty environments or in urban areas where airflow in apartment buildings may not be like it should be.

Ozone is used as an alternative to chlorine for bleaching wood, paper products, and things like that. Many hospitals around the world use large ozone generators to decontaminate operating rooms between surgeries. It is used in industry all the time.

I just ask people to support this amendment, so we don't have more overreaching regulations from the EPA.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, the EPA's update is firmly rooted in science and ensures the health and protections for the American people. We have a responsibility to protect the millions of Americans affected by ozone pollution.

For that reason, I urge my colleagues to oppose this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

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

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

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

AMENDMENT OFFERED BY MS. EDWARDS

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 438.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Maryland and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I rise to offer an amendment to strike section 438.

Section 438 would prohibit any funds in this Act from being used to even propose a national ozone standard that is less than that currently in law until at least 85 percent of the counties across the country that do not currently meet that standard achieve full compliance.

Now, the current ozone standard under title 40 is 75 parts per billion; but, Mr. Chair, we had a series of hearings in our House Science Committee earlier this year where we heard strong testimony from scientists at State pollution control agencies and physicians at hospitals all telling us that the current standard is not in line with the current science.

The Clean Air Scientific Advisory Committee declared as far back as 2008 that they believe that the current standard of 75 parts per billion is insufficient to protect public health. In fact, right now, the ozone standard can mislead people to believe that the air, in fact, is safe to breathe when it is not.

Studies conducted by the American Lung Association have shown more than 4 out of every 10 people in the United States live in places where ozone levels often make it dangerous to breathe.

The current standard rates, what we now know to be very dangerous air quality, as code yellow or moderate. This can lead those who are particularly at risk of ozone-related illness, such as children and senior citizens, to unwittingly be exposed to harmful levels of ozone. This has the potential to impact millions of people in every State across the Nation.

Just look at my own home State of Maryland. There are 145,000 children with pediatric asthma. Over 430,000 adults have asthma. Mr. Chairman, 246,000 people in my State have chronic obstructive pulmonary disease or COPD, and 367,000 people in our State have cardiovascular disease that is related to ozone.

The Clean Air Scientific Advisory Committee recommends that, in order to protect the public health, the EPA set the primary ozone standard between 60 and 70 parts per billion. In November of last year, the EPA did exactly what it is supposed to do.

It looked at the strong scientific evidence showing the health risks of ozone, and it issued a proposed rule to lower the ozone standard from 75 parts per billion to a standard within the range of 65 to 70 parts per billion.

□ 1615

Setting that standard begins a 2-year process designed to identify areas with too much ozone. Once those areas are identified, State and local governments can craft plans tailored to their areas using cost-effective approaches.

This new standard, based on the most current science, will help to provide a framework for these plans, which, in turn, will help our States continue along the path to clean air. And yet, here we are, and this provision that I am providing to strike would stop the EPA from even proposing a standard of 70 parts per billion.

This is the responsibility of the EPA. This new standard would protect Americans' health and our environment. In addition, an analysis conducted by the EPA shows that, though the annual cost of the proposed standard of 70 parts per billion might be around $3.9 billion, the health benefits are estimated to reach between $6.4 billion and $13 billion annually.

Mr. Chairman, ground level ozone is harmful to the public health. It contributes to asthma attacks, decreased lung function, respiratory infection, and even death. Breathing ozone is dangerous for everyone, but particularly for children, for the elderly and people of all ages who have lung diseases.

We need to allow the EPA—in fact, empower the EPA—to follow the science and create minimum standards necessary to protect public health. I urge my colleagues to protect these vulnerable populations as well as clean air for every American, and vote ''yes'' on this amendment.

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

Mr. JENKINS of West Virginia. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Chairman, I rise in clear opposition to this amendment.

The language that was adopted in the full committee was carefully crafted. It simply allows a majority of nonattainment counties to achieve attainment status before the EPA moves the goalposts.

In nonattainment areas, the EPA's proposed ozone standards would stifle economic growth and cost jobs and revenue. Just last week, the Supreme Court admonished the EPA for ignoring the costs of its regulations. The costs involved would be devastating to our economy. Even the EPA admitted it would cost $15 billion a year. Other studies have estimated that costs could be as high as $140 billion a year.

In West Virginia, in my State, it would mean $2 billion in compliance costs, 10,000 lost jobs, and more fees for residents even to operate their vehicles.

It would have significant impacts on agriculture, manufacturing, and the energy industry. Federal highway funds could be frozen and permits for infrastructure could be held up.

I am hopeful that some of our colleagues across the aisle will recognize the impact this will have on each of our districts.

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

Ms. EDWARDS. Mr. Chairman, here we have heard again the exaggerated claims about implementation, so let's get to the facts.

The first fact, the scientists tell us that this is a standard that we need to protect the public health. The second fact, the EPA estimates that the cost might be around $3.9 billion.

But let's look at the health benefits, because those are costing us currently.

The health benefits are estimated to reach between $6.4 and $13 billion, and that means that there is a ripple effect when we invest in making sure that we implement a standard that protects the public health, and it has a benefit on the public health.

So, Mr. Chairman, there is an argument here for the EPA to simply do its job, the job that it was charged to do by taxpayers, and that is to protect the public health, to give us clean air, and to make sure that we have ozone standards that in fact meet our responsibility.

The EPA is doing its job. Let's stop Congress from keeping the EPA from keeping our air clean.

I yield back the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I thank the gentleman from West Virginia (Mr. JENKINS) for the time and for including commonsense language in the bill that is now being debated.

In 2008, EPA set a strict ozone rule that was stuck in legal limbo for years. From big cities to small towns, over 200 counties are still in nonattainment.

Yet, before we finish that job, EPA wants to move the goalposts. They have issued new ozone rules that are so strict they can't be achieved with our current technology. All of America will be hit hard with job losses.

This bill simply includes a pause button on new EPA rules until we can finish the job and reach our current mandates.

I urge my colleagues to oppose the Edwards amendment and strip this language from this bill.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

As mentioned earlier, I live in one of the most, maybe the most, regulated air districts in the United States, and I am a strong advocate for clean air. My district has achieved some of the largest emission reductions in the country.

However, EPA continues to dig the hole deeper as my district continues to try to work its way out of nonattainment. So EPA and the States need to use the resources we provided in the bill to play catch-up on a statutory obligation to help communities implement the 2008 standard.

Remember, just last April, EPA finalized the rule for the 2008 standards. When 85 percent of the communities can achieve the latest standards, then EPA should consider whether or not revisions are necessary.

I will remind my colleagues that the Clean Air Act only directs EPA to review the standards every 5 years. It does not require that EPA revise the standard.

I urge my colleagues to oppose this amendment, and I thank the gentleman for yielding me time.

Mr. JENKINS of West Virginia. Mr. Chairman, once again, this is a sincere effort to try to set a benchmark and not have the EPA moving the goalposts that will have such economic devastation, billions of dollars in cost, and I encourage a ''no'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

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

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 5, strike ''primary or''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, according to the American Lung Association's 2015 State of the Air Report, the Los Angeles metropolitan area, which includes both my district and also the Appropriations Subcommittee chair's district, that metropolitan area is the number one in the country for ozone pollution.

But ozone pollution is not just a southern California problem. The report shows that more than 40 percent of the United States' population lives in areas with unhealthy levels of ozone. Large cities like Houston and less populated areas like northwest Ohio also make the list.

Power plants, motor vehicles, and chemical solvents contribute to the majority of nitrous oxides and volatile organic compounds, NO_X and VOCs, which react with each other on hot, sunny days to produce ground level ozone.

The American Lung Association has pointed out that because hot, sunny days produce the most ozone, climate change is increasing the number of unhealthy ozone level days. We are all familiar with those ''high ozone level'' warnings that happen on really hot, sunny days, and unfortunately, they are becoming more and more common due to global warming.

Ground level ozone interacts with lung tissue, can cause major problems for children, the elderly, and anyone with lung disease. Ozone is known to aggravate health problems such as asthma, and it is also linked to low birth rates, cardiovascular problems, and premature death.

Given the grave consequences and the widespread problem of ozone pollution, I am glad that EPA is moving forward with updates to its national standards for ozone pollution.

Members of the medical and health communities have been calling for a long time for updates of this standard in order to protect the public health. The current standard of 75 parts per billion is outdated and does not adequately protect public health, which is what the EPA is required to do under the Clean Air Act. Thousands of hospital visits and premature deaths and up to a million missed schooldays can be prevented just by strengthening this standard.

But instead of trusting health professionals, some in Congress have decided to protect the financial interests of the polluters. The reckless legislative rider in section 438 of this appropriations bill blocks the EPA from updating or even proposing scientifically-based standards for ozone to the detriment of the health of at least 40 percent of the U.S. population.

I urge my colleagues to vote to remove this polluter protecting section from the bill, to support the Edwards amendment, and allow the EPA to move forward with doing what they are required to do by law, and that is protect the public health.

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

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, Mr. JENKINS included the language in the full committee bill that, I think, came to a reasonable compromise. As the gentleman is aware, many communities cannot reach the old standard, the 2008 standard, that is now the law, and so this just gives the communities throughout the country that cannot get to attainment additional time to develop the technologies before we go to a new standard.

I would remind the gentleman that it was just last April that we came to a determination on the 2008 standard, and the administration already is talking about a new standard that most of the Nation cannot reach in the short term. So this gives a brief, little bit of time to allow these communities to improve their technologies and to be able to meet a new standard down the road.

So I would oppose the gentleman's amendment and support the underlying bill.

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

Mr. LOWENTHAL. Mr. Chairman, let's just talk about why we need to change the standard.

I understand and appreciate that reaching that standard is going to take some work, but remember, the air, by saying that we don't need to do this because the air is cleaner than it was 30 years ago, for example, does nothing to put current air quality in context. Just because the air is cleaner than it used to be doesn't mean that it is completely healthy.

My district is a great example of this. L.A. County has reduced its ground ozone by 5 days since 2009, and I am proud of that, but it doesn't mean our air is healthy. We still experienced 217 days of unhealthy ozone level days last year.

We need to take into account current pollution levels. We need to use the best science available to determine what standards are needed to get our ozone pollution below those unhealthy

levels. That is why we are doing this, to get the ozone below unhealthy levels. That is what EPA is doing, and we shouldn't block their efforts because we think that the air is cleaner or it is difficult to reach.

□ 1630

The savings in public health will far outweigh the costs to polluting industries. If the EPA would implement a standard of just 70 parts per billion, the cost of implementation is estimated to be about $3.9 billion, but the savings in public health costs are estimated to be anywhere from $6.4 to $13 billion. That is a net savings of $2.5 to $9 billion. If you reduce the standard even lower, to 65 parts per billion, the savings are even greater, from $4 to $23 billion in public health costs.

Ground ozone pollution costs billions of dollars in healthcare expenses around the country. We have a chance to save taxpayers a lot of money.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I appreciate the gentleman's efforts on trying to clean the ozone out of the South Coast Air Quality Management District. We have to suffer the ozone that is being blown from L.A./Long Beach over into the Inland Empire. Certainly the ports of L.A. and Long Beach, the trains emit a lot of ozone and a lot of pollutants that end up in the Inland Empire, so we want to clean that air up.

As you know, we can't meet the 2008 standards at this time. We are doing everything we can to meet those standards, but until these communities can get the technology to meet the existing standard, we shouldn't impose a new standard that could cause grave economic harm to the communities.

With that, I would say ''no'' to this amendment and move on.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HYDRAULIC FRACTURING

SEC. 439. None of the funds made available by this or any other Act may be used to implement, administer, or enforce the final rule entitled ''Hydraulic Fracturing on Federal and Indian Lands'' as published in the Federal Register on March 26, 2015 and March 30, 2015 (80 Fed. Reg. 16127 and 16577, respectively).

AMENDMENT OFFERED BY MR. CARTWRIGHT

Mr. CARTWRIGHT. Mr. Chair, I rise to offer an amendment on behalf of myself and the gentleman from California (Mr. LOWENTHAL), which I do intend to withdraw.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 14, strike ''or any other''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, the Bureau of Land Management is currently working toward implementation of a rule that would modernize horribly outdated oil and gas regulations on Federal land. My amendment would strike a section of this bill that would halt this important work.

What we have to do is to allow the BLM to proceed with them implementing this rule to provide a national baseline to protect our environment, our water, and our Federal lands from hazardous contamination.

Since the 1980s, the scale and impacts associated with the oil and gas industry have grown dramatically, but BLM's fracking regulations have not kept pace. In March of 2015, the BLM finalized a modest, commonsense rule to update its 30-year-old fracking regulations.

With these updates, the BLM is taking responsible steps to improve well integrity, reduce the impact of toxic wastewater, and increase transparency around chemicals used in the fracking process.

Importantly, these new regulations will not impact States that already have robust fracking regulations and will simply offer a regulatory baseline for the States that do not have current fracking regulations.

Notably, in 2013, there were still 19 States with operating fracking wells that had absolutely no hydraulic fracturing regulations in place.

Right now over 90 percent of the more than 2,500 oil and gas wells drilled every year on federally managed lands use hydraulic fracturing.

Just this month the EPA released a draft report that concludes that there are above- and below-ground mechanisms by which hazardous hydraulic fracturing chemicals have the potential to impact drinking water resources.

Because of this, the Federal Government really has to take the necessary steps to ensure that toxic, cancer-causing fracking chemicals do not contaminate America's water supply, America's streams, America's rivers, and America's lakes.

As many of you know, the fracking fluids injected into oil and gas wells contain thousands of chemicals, many of which can harm humans and the environment.

In fact, the EPA identified over 1,000 different chemicals that have been used during the hydraulic fracturing process, with an estimated 9,100 gallons of chemicals used for each well.

Due in large part to fracking loopholes and outdated oil and gas regulations, fracking chemical spills and water contaminations have occurred.

In my home State of Pennsylvania, for example, there were nearly 600 documented cases of wastewater and chemical spills in 2013 alone.

In fact, the EPA estimates that there are as many as 12 chemical spills for every 100 oil and gas wells in the State of Pennsylvania. And I need to remind the House that there are almost 8,000 active gas wells operating in Pennsylvania right now. So that is a lot of spills.

Chemical and wastewater spills associated with fracking operations harm the environment, and it has been found to contaminate surface water. The EPA's draft study found that 8 percent of studied wastewater spills polluted surface or groundwater.

Thankfully, the BLM's rule will help prevent fracking chemicals and wastewater from contaminating water bodies.

It does so by validating the integrity of fracking wells and increasing the standards for storage and recovery of waste fluid. This rule will require companies publicly to disclose the chemicals being pumped into public lands.

While I am concerned that the BLM fracking rule does not go far enough in some areas, simply stopping the rule in its tracks is just irresponsible.

I am not opposed to fracking. I believe we have to utilize our natural resources, but we need to do so in a careful and responsible manner.

There are bad actors in the oil and gas business just like there are some bad actors in every area, actors that cut corners and don't drill and frack properly and safely.

The States, unfortunately, don't have all the expertise and resources to properly manage this exploding industry. The rule will set a relatively low bar but one that ensures a baseline across the country to protect our public lands.

I urge you to support my amendment to allow the BLM to implement a rule that will prevent fracking chemical contamination and keep our Nation's water supply pristine and something Americans can be proud of.

Mr. Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT NO. 13 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 439.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Mr. Chairman, I rise today to offer an amendment that would strike section 439 from the underlying bill. In doing so, this amendment would allow the Bureau of Land Management to implement standards

to support safe and responsible fracking operations on public and Native American lands.

More than 1.5 million public comments were submitted in a transparent process to regulate fracking on 750 million acres of public and Indian lands. More than 100,000 oil and gas wells are situated on these lands.

This amendment will ensure that the BLM's rule is fully implemented so that fracking for oil and gas continues but with full regard to public health and the environment. I urge my colleagues to support this amendment.

And I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. I understand the BLM needed to update its regulation related to fracking on Federal and Indian lands. BLM regulations are 25, 30 years old.

However, the States have been doing the same thing over the last number of years. Unfortunately, BLM's rule is duplicative of existing State regulation.

It forces companies to drill into a double compliance scheme. It also costs them more time, and it significantly lengthens the time in which it takes time to get to a permit.

None of this is necessary, which is why we adopted this provision during the committee's markup of this bill.

I certainly urge my colleagues to oppose this amendment.

I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his hard work on this section of the appropriations bill.

Mr. Chair, I rise in strong opposition to the amendment. American consumers have benefited from low energy prices, thanks to the American energy revolution and technological advancements in hydraulic fracturing and horizontal drilling.

For decades, hydraulic fracturing has been successfully regulated by the States. In 2013, the House passed on a bipartisan basis legislation which I coauthored with the gentleman from Texas (Mr. CUELLAR) from the other side of the aisle, and that legislation would stop the BLM from pursuing duplicative and burdensome hydraulic fracturing regulations.

Unfortunately, the BLM didn't listen to what Congress said, and it continued down a path to impose additional red tape on American energy development and to further drive down energy production on energy lands while State and private production continues to experience record growth in a safe and efficient manner.

This has always been a solution in search of a problem, particularly when the EPA and the Department of Energy have each agreed that hydraulic fracturing is being conducted safely right now.

Even the courts agree that there are problems with the BLM's rules, as evidenced by the recent stay granted by the U.S. District Court of Wyoming to stop the BLM from moving forward with their overreaching regulatory activity.

This amendment is bad for jobs. It would increase energy costs and would limit economic opportunity for hard-working families, particularly those at the bottom end of the income tables. So it hurts those that are struggling to get by today with higher energy costs.

I want to thank the gentleman from Oklahoma (Mr. COLE) for his work on including this provision during markup, as well as Chairman CALVERT for his support on stopping this regulatory overreach.

I strongly urge my colleagues to oppose this amendment.

Mrs. LAWRENCE. Mr. Chair, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, this amendment before us would strike the policy rider that prohibits the Bureau of Land Management from implementing a uniform national standard for hydraulic fracking on public lands, on Federal lands.

Such standards are necessary to ensure the operations on public and tribal lands are safe and that they are conducted in an environmentally responsible way. This only affects Federal lands and tribal lands.

Now, of the 32 States with the potential for oil and gas development on federally managed mineral resources, only slightly more than half of them have rules in place that even address hydraulic fracturing, and those that do have rules in place vary greatly in their requirements.

As you can see, there is no consistency in the rules. There is no guarantee that there are good quality rules put in place. And we are talking about making sure that, on Federal leases, on Federal lands, that we have a national standard.

The BLM continues to offer millions of public lands up for renewable energy production, and that is why it is absolutely critical that they have the confidence and the transparency and the safety and environmental protections that are put in place on these Federal lands.

Prior to the issuance of a hydraulic fracturing rule, the BLM rules on oil and gas operation were updated over 30 years ago, 30 years ago. They had not kept pace with the significant technology advancements in hydraulic fracturing techniques and the tremendous increase of its use.

As part of this implementation rule, the BLM office is in the process of meeting with their State counterparts—they are working with them—undertaking a State-by-State comparison of regulatory requirements in order to identify opportunities for variances and to establish memorandums of understanding between the States that will realize efficiencies and allow for successful implementation of the rule. So we should be allowing BLM to coordinate with the States and ensure that hydraulic fracturing activities are being carried out safely and effectively when Federal leases are involved.

I urge my colleagues to support the amendment.

□ 1645

Mr. CALVERT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, my State of Wyoming is the largest onshore producer of oil and gas from Federal land. The reason our Wyoming court stayed the Federal BLM's rules is because Wyoming has been regulating fracking through its oil and gas commission from the beginning. There has never been one documented case of drinking water being contaminated. Furthermore, the way that BLM land lays with private land and State land is they are all interspersed; yet, underground, because of horizontal drilling, the drilling transcends from State land to private land to Federal land, and back and forth. Those wells are unitized so the production can be allocated among the various owners of private, State, and Federal land. You can't have two layers of surfaces State ownership regulation when the drilling is occurring going back and forth among State, private, and Federal lands.

Wyoming has handled its fracking regulations responsibly. It was the first in the Nation to do so. I strongly urge you leave it in the hands of States who do it best.

Mr. CALVERT. I yield the balance of my time to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Chairman, in response to some of the comments that were never made, I would like to offer five points.

Number one is BLM doesn't have the statutory authority to do the actions that they tried to. The Federal Court was right in granting an injunction. The EPA and the Department of Energy have both said that hydraulic fracturing is safe, and that is evidenced by the safe and efficient production of much more oil and gas on private and State lands while Federal production is going down.

Again, this is a solution in search of a problem. So I would urge all my colleagues to vote ''no.''

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

Mrs. LAWRENCE. Mr. Chairman, I want to say congratulations to the State of Wyoming. That is exactly why we need this amendment. We want those same regulations on a national level. Mr. Chairman, 16 to 17 States have no regulation. Wyoming has gotten it right.

This amendment will ensure that the BLM rule is fully implemented so that

fracking for oil and gas continues, but with full regard to the public health and the environment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

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

Mrs. LAWRENCE. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 440. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT THE REVISED COMPREHENSIVE CONSERVATION PLAN FOR THE ARCTIC NATIONAL WILDLIFE REFUGE, ALASKA

SEC. ____. None of the funds made available by this Act may be used to implement the Revised Comprehensive Conservation Plan for the Arctic National Wildlife Refuge, Alaska published in the Federal Register on January 27, 2015 (80 Fed Reg. 4303).

Mr. YOUNG of Alaska (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alaska and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I rise to offer an amendment.

I want to thank Mr. CALVERT and his committee for the work they have done on this legislation, and I support the underlying bill. The administration has left no alternative to the people of Alaska and to those with an interest in our national energy policy.

This spring, under this President, the Department of the Interior published the management plan for the Arctic National Wildlife Refuge to recommend the entirety of the area be designated as wilderness. This would include the 1002 area that was set aside by Congress for potential development in the future, an area that holds 10 billion barrels of oil, at the minimum, and probably 37 trillion cubic feet of natural gas.

My amendment would ensure that no funding can be spent implementing this recommendation. The impact of this recommendation should not be overlooked, as the recommendation requires immediate management of the entire area as wilderness—unilaterally undermining the role of Congress through a de facto wilderness designation.

This action violates the Statehood Compact, which was founded on ensuring the development of subsurface resources for the economic well-being of this Nation. This action also violates the Alaska National Interest Lands Conservation Act, which established more than 100 million acres of conservation areas. And in recognition of the enormity of the acreage being locked up, the act drew a line guaranteeing that no more conservation areas can be created without an act of Congress—our role.

There is no need for additional wilderness areas in ANWR, given 92 percent of the refuge is already closed to development.

Mr. Chairman, Alaska holds 53 percent of Federal wilderness areas in the Nation, and that is not enough for this administration. You think about that a moment. The administration's plan immediately raises another administrative, bureaucratic wall to oil and gas development. This is a betrayal to the Alaskan people and, I believe, to this Nation and to this Congress. This plan by the administration handcuffs my State from providing for itself and pushes us to be more dependent on Federal funds.

This is not just an assault on Alaska. This is another example of executive overreach by this administration undermining the role of Congress. This is our role, not this administration's. I don't care whose administration it is; when the President oversteps his bounds, we should take and accept our responsibility. And this is the law he cannot do, but he says ''I can do it.''

By the way, Mr. Chairman, this was an example, I think, of this whole Department of the Interior. Between EPA and the Department of the Interior, they are trying to cripple this Nation, trying to cripple my State, against the law. This is very specific in ANILCA. If you don't believe me, go back and read it.

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

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment offered by my friend from Alaska would prohibit any Federal funds from being used to implement the administration's revised comprehensive conservation plan to better sustain and manage the entire Arctic National Wildlife Refuge.

Mr. Chairman, attaching this rider to the Interior Appropriations bill would be a mistake. The coastal plain of the Arctic refuge is one of the few remaining places in our Nation that remains pristine and undisturbed. It provides critical protection for thousands of species—caribou, polar bear, and gray wolves, just to name a few—and they desperately need this important habitat. Roughly 20 million acres managed by U.S. Fish and Wildlife Service are some of the best and last undisturbed natural areas in this Nation.

I understand that the gentleman from Alaska feels strongly about this issue, and he has been a great advocate for his State for decades; but on this important issue, we deeply disagree.

Mr. Chairman, earlier this year, the Interior Department released an updated conservation plan to better manage the Arctic National Wildlife Refuge, and the President took that opportunity to call on Congress to pass legislation designating the coastal plain as a wilderness, an even greater level of protection for this incredible area. The protected area encompasses a wide range of Arctic and subarctic ecosystems. There are unadulterated landforms, and there are native flora and fauna. The refuge has an incredible biological integrity, natural diversity, and environmental health.

I understand that there are differences of opinion how to manage this land and that legislation designated in this area as wilderness may not get very far in this Congress. But I want to commend the President for his leadership on this issue, and I would hope that the legislative process could play out and that we not adopt this rider onto this bill because this issue is just far too important.

Lastly, Mr. Chairman, I would be remiss if I did not point out one more obvious truth: the President will not sign a bill loaded up with antienvironmental riders just like this one. So we only make the path for the bill harder by including it.

Mr. Chairman, I hope my colleagues will join me in opposing it, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I appreciate the comments from the gentlewoman.

I would suggest, respectfully, we should follow the law. We have given up the responsibility in this Congress to the President—not just this President, other Presidents. It is clear in the law nothing more than 5,000 acres can be withdrawn and put in the wilderness, without the okay of the Congress, in Alaska. No more clause. It stands for no more.

Now, we have a President that says ''up yours'' to the Congress. That is not the way to run this business. We have a responsibility as Congressmen to do our job. And when he goes against the law through executive order, that is against this Constitution of America.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman for yielding.

Mr. Chairman, I certainly would urge the adoption of the gentleman's amendment, and I support his amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order 13007, entitled ''Indian Sacred Sites''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment would ensure that cultural and sacred sites of Indian and Alaska Native tribes are protected by mandating that none of the funds in this bill can be used in contravention of Executive Order 13007.

Executive Order 13007, issued by President Clinton in 1996, requires Federal agencies to accommodate access to and ceremonial use of Indian sacred sites and, more importantly, to avoid adversely affecting the physical integrity of such sacred sites.

Far too often, Indian sacred sites are an afterthought during the Federal Government land management process. When negotiating land swaps and when constructing other management decisions, the voice of Indian Country with regard to sacred sites is ignored. But this is not just land to the Native people. These are cultural and spiritual areas that are part of the tribe's history and its living legacy. These are places where their ancestors lived, prayed, hunted, gathered, fought, and died. They are part and parcel of tribal identity, and it is our duty to ensure they are preserved and protected.

Mr. CALVERT. Will the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I am happy to accept the gentleman's amendment.

The Department of the Interior tells me they are already in compliance with the executive order. There is no question that providing Indian tribes with access to their sacred sites is the right thing to do, so I would be more than happy to accept the gentleman's amendment.

Mr. GRIJALVA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the gentleman.

Mr. Chairman, I rise in support of the gentleman's amendment. The gentleman's amendment will ensure that this important executive order is respected in such a way that it has my wholehearted support in protecting the liberty and religious rights of Native American Indians.

Mr. GRIJALVA. Mr. Chairman, I thank the ranking member, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. POLIQUIN

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement or enforce section 63.7570(b)(2) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Maine and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, Maine is home to the most skilled paper makers in the world. Our hardworking men and women manufacture paper products that we use every day. Our paper makers are also some of the best stewards of the environment. They know that we need healthy forests to make the high quality wood products sold around the globe.

□ 1700

When trees are harvested to make paper, the branches and the bark can be left behind to be decomposed; or they can be burned to generate energy to run the machinery to make paper.

Either way, the carbon from this biomass is returned to the environment as part of the natural carbon cycle. What a great idea—instead of ending up in a landfill, this green, renewable energy fuels our economy and creates jobs.

Now, our Sappi paper mill in Skowhegan, Maine, burns biomass to make some of the finest quality paper in the world. In doing so, it directly employs 800 hard-working Mainers. In addition, loggers and truckers who produce and transport this biomass also earn paychecks for their families.

Unfortunately, the Environmental Protection Agency is attacking this renewable method to power our businesses and to create jobs. All of us who have sat around a campfire have seen that wet wood, branches, and grass emit a darker smoke. However, the same carbon is being recycled through the environment. It is just a slightly different color.

The EPA wants to impose stricter emission standards on companies that burn wet wood, branches, and bark instead of dumping them into a landfill. That just doesn't make sense.

Mr. Chairman, the EPA is trying to force our Skowhegan mill to spend millions of additional dollars on special smokestack equipment because wet biomass burns darker. The mill owners have worked diligently with the regional EPA office in Boston and the Maine Department of Environmental Protection to put in place a commonsense emissions monitoring system that reflects the burning of biomass. Sadly, the EPA headquarters right here in Washington rejected their sensible solution.

Mr. Chairman, this is not fair, and this is not right. Those 800 hard-working paper makers at the Sappi mill deserve an EPA that works for them, not against them.

Now, our paper mill in Maine could very well be a different mill in Michigan, Minnesota, or Georgia that also uses green American biomass energy.

America should keep her energy dollars and jobs here at home and not ship them to the Middle East. Our businesses need that energy to keep our manufacturing jobs right here in America and not send them to China. This is a national security issue, as well as a jobs issue, Mr. Chairman.

Mr. Chairman, I ask my House Republicans and Democrats today to support my simple, commonsense bill. Passing it will stop the EPA from unfairly penalizing employers who use green, renewable American biomass energy.

My amendment prohibits the EPA from reaching beyond some of the biomass emission rules already being enforced by the regional EPA offices and the State environmental authorities.

Let's show the American people today that Congress supports a domestic energy source that is good for the environment, creates jobs, and keeps us safer here at home

Mr. CALVERT. Will the gentleman yield?

Mr. POLIQUIN. I yield to the gentleman from California.

Mr. CALVERT. I suspect this issue is not just limited to your State, and I hope this language will help bring EPA to the table so that everyone can find a path forward for this issue that is important for the country.

Certainly, I have no objection to this amendment. In fact, I support it.

Mr. POLIQUIN. Thank you very much, Mr. Chairman. I appreciate it.

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

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, it is a blanket block to the EPA from fully implementing and enforcing air toxic standards for boilers and incinerators.

Among other things, there are boilers that burn natural gas, coal, wood, oil, and other fuel to produce steam, and the steam does produce electricity or provide heat, and incinerators burn waste to dispose of it. These boilers and incinerators have the potential of releasing very toxic pollutants such as mercury, lead, dioxin, and other pollutants that are linked to health effects.

In 2011, after a robust public process, including three public hearings and responding to thousands of public comments, the EPA finalized standards to reduce toxic emissions for existing new boilers and commercial industrial solid waste incinerators and sewage sludge incinerators.

Now, among other things, the rule requires emissions to just meet certain standards. It is a measurement of air pollution based on the degree of which light is blocked by the pollutant from the smokestack.

The rule also allows the EPA to approve alternative opacity limits under certain circumstances, so there is flexibility within the rule.

Now, the local paper mills in the representative State are exceeding or they are expected to exceed the standard in the EPA's final rule, so to better fit their circumstances, they want an alternate opinion. That is the issue that the EPA is looking at right now. The EPA is looking at this right now. They heard the concerns; they are looking at it.

Strangely, this amendment would not really address that issue. Instead, it would block the EPA from ever approving an alternative limit or implementing or enforcing an alternative limit that had already been improved.

I rise because this amendment, unfortunately, just does not make any sense to me that we would not keep the dialogue moving forward. The EPA has the responsibility of making sure that standards of emissions with mercury and lead and other toxic pollutants are not dangerous to public health, especially to children. We know statistically now that up to 8,100 premature deaths, 5,100 heart attacks, and 52 asthma attacks are all worked into reducing the emissions, to lower those numbers.

We need to stand with the EPA air toxic standards and allow them to achieve their intended benefits and to work with industry where it makes sense, and we can have industry move forward but still protect the public health, just not scrap the parts that industry dislikes.

I urge my colleagues to oppose this amendment because it would keep the EPA from doing what it is doing right now, and that is to work with industry, oddly enough, to create a win-win for industry and a win-win for public health.

I yield back the balance of my time.

Mr. POLIQUIN. Mr. Chairman, I would strongly disagree with my colleague on the other side of the aisle.

Those of us or those who have visited our great State know that we have a pristine natural environment. It is part of our brand, Mr. Chairman. It is something that we protect and will continue to protect at all costs.

However, as a freshman legislator, I have been here for 6 months, and what I have learned in those 6 months is that we have almost a fourth branch of government, and that is these regulators that regulate every part of our life, whether we are trying to make paper or what have you and trying to provide work for our families.

Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. POLIQUIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used in contravention of section 102(a)(1) of Public Law 94–579 (43 U.S.C. 1701(a)(1)).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, with this amendment, this body has the opportunity to say loudly and clearly: Let's keep our public lands public.

Public lands are a massive economic generator and are important to our health and welfare as Americans. They are beautiful, and they are healing. I recently got to hear from a veteran in Eagle County, and part of his recovery process is the time he spends outdoors on our public lands. They are also practical. They help ensure for water quality and maintain the critical aspects of rural life like farming, ranching, grazing, and logging.

Public lands are where our hunters and fishermen go to enjoy the outdoors. They are where skiers, hikers, bikers, and motorists experience activities that are impossible in other places and are invaluable to their quality of life.

Outdoor enthusiasts utilize those areas. It is a vast economic driver as well. In fact, over $646 billion is generated economically through our public lands, and visiting our public lands supports over 6 million jobs, including many in my district and many in our great State of Colorado.

When recently polled across six western States, the American people said with 96 percent support—with unheard of levels of support—that protecting public lands for future generations is one of their top priorities and that, above and apart from any other, they see the maintenance for access of outdoor activities on our public lands as a critical focus of our Federal Government.

States don't have the resources or expertise to suddenly take on the responsibilities for our Federal lands, nor do State governments even want that authority, Mr. Chairman.

Selling these lands outright to private owners or purveyors would undoubtedly lead to loss of access to these majestic, treasured spaces and, at the same time, would destroy jobs across the West and other areas that are blessed to have public lands; yet there has been attempt after attempt to transfer our most precious public spaces to the States or to private ownership or to sell them at wholesale.

Mr. Chairman, the sportsmen don't want this. The hikers, bikers, campers, skiers, and motorized activists that make up the areas surrounding those held by the Federal Government do not want their land taken away—our land taken away.

Those concerned with environmental well-being, water quality, and public health that depends on the stewardship of our public lands do not want our public lands taken away.

It is lost to me, Mr. Chairman—and perhaps my colleagues on the other side of the aisle can speak to this—exactly who is impacted by and who does touch and enjoy and rely on our public lands and actually does want to see them taken away.

I would pose this inquiry, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this would just make it difficult and impossible for Federal agencies to dispose or willingly or equitably exchange or convey lands to States, local governments, private landowners, and others.

I just may point out the Federal Government currently can't manage its existing land, which is over 640 million acres or approximately 3 out of every 10 acres in the United States.

I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, all my amendment does is ensure that none of the funds made available to this act can be used in contravention to the law of the land. My amendment wouldn't do anything to undermine current authority of congressionally and administratively driven land exchanges. In fact, I brought several before this body and have seen several signed into law.

My district is 62 percent Federal land, and we always have various exchanges, purchases, and sales. Of course, those are consistent with the law, which allows the funds to be used under this bill.

I am a strong believer in the ability of our Federal Government and Congress to make choices wisely in a thorough public and transparent process, which we do in this body.

What my amendment would do instead is prohibit the use of funds in this bill to pursue any additional extra legal ways to turn our Federal land over to private owners. It would prohibit Federal dollars from being used to support, for instance, a commission around finding avenues to turn all Federal lands over to private ownership.

These kinds of ventures are fiscally wasteful and counterproductive and wholly unwanted by the American people who rely and derive spiritual support, health, and jobs from our public lands.

I urge my colleagues to reflect upon who exactly we are working for and what our goal is with regard to our public lands.

I strongly support ensuring that all the provisions of this appropriations bill are limited to the full pursuit of section 102(a)(1) of Public Law 94–579 with regard to our public lands and that none of this money, which is what this amendment will do, can be diverted to privatize our public lands.

I yield back the balance of my time.

□ 1715

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

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

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

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT THE SONORAN DESERT TORTOISE AS AN ENDANGERED SPECIES OR THREATENED SPECIES

SEC. ____. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to treat the Sonoran desert tortoise as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer a commonsense amendment to the Interior, Environment, and Related Agencies Appropriations Act.

My amendment will protect education, grazing, agriculture, energy, housing interests, as well as assist with preventing dangerous wildfires by blocking the Fish and Wildlife Service from listing the Sonoran desert tortoise as an endangered or threatened species. A listing decision for the Sonoran desert tortoise is expected this fiscal year.

Of the potential 26.8 million acres that will likely be designated for critical habitat due to such a listing, 15 million acres are located in the United States, and nearly 4.5 million acres are State trust land.

State trust land revenues, which are currently enjoyed by 13 beneficiaries, of which K–12 education is the largest proportional share of those moneys, will be severely impacted.

If the Sonoran desert tortoise is listed, these acres of trust land will become less valuable for investment as they are burdened with a federal regulatory nexus. Without this amendment, schools that have already undergone significant budget cuts will see even less money flowing into their educational coffers.

The Sonoran desert tortoise is also of substantial concern to many different types of industry, as its habitat falls within urban development corridors as well as on rural and agricultural landscapes.

Listing the species as threatened or endangered will negatively impact commercial, housing and energy developers as well as the agriculture and grazing industries.

Specifically, a listing would be detrimental for 273 different grazing allotments and would jeopardize nearly 6 million acres used for livestock grazing.

Mining will also suffer, as the BLM listed 9,675 new mining claims from 1990 to 2002, 36 percent of which fall within the Sonoran desert tortoise's habitat.

Any ground and vegetation-disturbing activities, including fire suppression activities and restorative treatments, would also be negatively impacted by a listing decision for the species.

Solar energy would also likely be harmed, as large solar projects on desert floors are considered a potential threat to the Sonoran desert tortoise.

My amendment will also encourage significant voluntary efforts and financial contributions for the Sonoran desert tortoise to continue, many of which are already underway at the local level.

Important local conservation efforts began for the species in 2010, and a Candidate Conservation Agreement was recently signed by 15 different agencies in February.

Should the Sonoran desert tortoise become listed, these voluntary efforts and moneys will dissipate as local property owners, ranchers, and developers will no longer have any incentive to work with the Federal and State wildlife management agencies on conservation efforts for the species.

My amendment is supported by the Public Lands Council, the National Cattlemen's Beef Association, Americans for Limited Government, the Arizona Cattlemen's Association, the Arizona Farm Bureau, the Arizona Mining Association, the Home Builders Association of Central Arizona, and numerous other organizations that are strongly opposed to this listing.

I thank the chair and the ranking member for their tireless efforts to produce this bill.

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

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would do two things. First, it would prohibit the Fish and Wildlife Service from treating the Sonoran desert tortoise as threatened or endangered under the Endangered Species Act. Secondly, it would restrict the Service from offering any of the critical protections to preserve the species.

The Sonoran desert tortoise is an iconic species. It has been part of the Sonoran Desert ecosystem for over 150,000 years. In 2010, the Fish and Wildlife Service found that the listing for the Sonoran desert tortoise was warranted, but it was precluded because it needed to address other higher priorities.

So last December the Service announced that it was working on a proposed listing determination that is expected to be published within the year.

This amendment, if it were to pass, would stop the Fish and Wildlife Service's efforts and block the Service from meeting a court-ordered deadline to make this listing determination. In other words, they would put the U.S. Fish and Wildlife Service at odds with what the court has requested them to do. This amendment has no place in the appropriations process, nor does it have any place in this legislative process.

Let's just think about the Endangered Species Act for a minute. It has been one of our most effective and important environmental laws, and it is supported by over 85 percent of Americans.

There has been no law that has been more important in preventing the extinction of wildlife, but some Members of this body seem determined to undermine the law by placing harmful policy riders on this bill.

From my count, as of right now, there are at least 10 species that are at risk of losing the Endangered Species Act protections in this bill.

What type of conservation legacy are we leaving for future generations? That is why I oppose the amendment, and I urge my colleagues to oppose it as well.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, the Sonoran desert tortoise is part of a

growing problem involving large settlements with the environmental groups who sue the Fish and Wildlife Service's regulatory protections with regard to a large number of different wildlife and plant species.

These multi-district litigation settlements, commonly known as ''sue and settle tactics,'' force the Fish and Wildlife Service to make listing decisions on several hundred species, often with little or no scientific data supporting these listings and without public input to this process.

This possible listing is a result of a lawsuit filed by a few special interest groups aimed at stifling development and has nothing to do with the tortoise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE SPECIFIC SECTIONS

SEC. ____. None of the funds made available by this Act may be used to implement or enforce section 117, 121, or 122 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment, which I offer with Mr. BEYER of Virginia, would strike three policy riders related to the Endangered Species Act from the underlying bill, those concerning the greater sage-grouse, the northern long-eared bat, and the gray wolf. I want to focus my remarks on the greater sage-grouse.

The language in this bill that seeks to block an Endangered Species Act listing of the bird is unnecessary and is completely inappropriate, putting both the species and the historic quintessentially American sagebrush steppe landscape at risk.

In 1901, Mark Twain described the sagebrush steppe as a ''forest in exquisite miniature.'' At one point, as many as 16 million greater sage-grouse called the sagebrush sea home. Settlers traveling west said that flocks of sage-grouse ''blackened the sky.'' Today the population has been reduced to as few as 200,000 birds.

Right now there are unprecedented and proactive partnerships throughout the West which are working to conserve sagebrush habitat, to encourage predictability for economic development, and to prevent the listing of the greater sage-grouse as endangered or threatened under the Endangered Species Act.

Federal agencies, States, sportsmen, ranchers, farmers, and conservationists have all come together in this effort. In fact, the 10 land management plans released by the Interior Department last month are based on plans developed by the States, not one size fits all, but individual plans to suit each State's individual needs. This is all the result of a concerted collaboration.

The Fish and Wildlife Service and the States themselves agree that, as long as these partnerships continue, it is likely that the greater sage-grouse will not be listed as endangered or threatened under the Endangered Species Act.

Rather than helping communities, the rider in this bill creates uncertainty and only undermines the immense coordinated progress already underway. I urge my colleagues to vote ''yes'' on the amendment.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I will talk about the three different provisions to this amendment. Let me first talk about the sage-grouse.

The sage-grouse provision in this bill is meant to give the Fish and Wildlife Service time to make a determination of whether there ought to be a listing or not. The court has ordered them to make a determination by, I think, September 30. We are trying to give them the time necessary.

This is going to affect 11 Western States. It is not going to affect Massachusetts, by the way, but it is going to affect 11 Western States substantially.

They have recently put out their resource management plans to the States. There is a period in which the States have a chance to interact with the Federal agency and raise their complaints and so forth about what the problems are with their resource management plans.

We are trying to give the Fish and Wildlife Service and the States—the 11 Western States, by the way, not Massachusetts—the time to come up with a plan so that we don't list this bird.

The Fish and Wildlife Service and the States—everybody, essentially—agree we don't want sage-grouse listed. The States have made incredible progress and have made incredible sacrifices.

The State of Wyoming has taken, I want to say, millions of acres which have potential resources off the table in order to protect the sage-grouse. So we have taken extraordinary efforts to make sure that we don't list this bird.

As far as the wolves are concerned, the fact is that the Fish and Wildlife Service delisted the wolves. It was not us. We didn't want to go against science. We are not going against science. We aren't trying to make any species become extinct.

It was the Fish and Wildlife Service in their use of science that delisted the wolves. But guess what. Some people weren't happy with that; so, they took them to court. And now we are in a court case. The same thing happened in Idaho and in Montana.

This language doesn't take a species off the endangered species list. Some people think we are trying to delist species, and we are not. We are going back to the decision made by the Fish and Wildlife Service to delist the wolves in the Great Lakes and in the State of Wyoming.

I think, if you want to talk about the cost and if you want to complain about what is going on here, you really ought to complain to the plaintiffs who are causing all of this hassle with wolves when the States have done exactly what they were supposed to do.

The wolf populations in the Great Lakes particularly have exploded. In Idaho and Montana, they have exploded. In Wyoming, they have exploded. That is why the Fish and Wildlife Service delisted them.

This amendment is contrary to every bit of science that there is that deals with endangered species. So I would urge my colleagues to reject this amendment even though it doesn't affect Massachusetts.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would like to first comment that Massachusetts, at one time, was home to the Heath Hen, which is the greater sage-grouse's cousin.

Because at that time we did not have an Endangered Species Act, that Heath Hen is now, unfortunately, extinct. So we have learned an important lesson about the great role the Endangered Species Act does play to protect some of our remarkable species.

I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. I thank the gentlewoman.

Mr. Chairman, despite what you may hear from some Members of Congress, gray wolves have not recovered. In a test by the Fish and Wildlife Service to remove them from the Endangered Species Act, protections for wolves have failed time and again.

Why? It is because scientific experts have shown and the courts have confirmed that the best available science does not justify the removal of all ESA protections for gray wolves at this time.

In fact, the only instance in which wolves have been delisted has been through the unprecedented and unfortunate congressional action in 2011 to remove protections from wolves in the Northern Rocky Mountains.

These wolves are now endlessly persecuted by hunters and ranchers despite the positive effects they have on the ecosystem and the minimal toll they take on livestock.

□ 1730

Wolf-related tourism around Yellowstone generates more than $35 million annually for local economies, and recovery in the Pacific Northwest is only beginning.

This amendment would prevent Congress from directing the Fish and Wildlife Service to reissue the delisting of wolves in the western Great Lakes and Wyoming. Now is not the time for Congress to declare open season on one of America's most iconic wild animals. Science, not politics, should guide these delisting decisions.

By the way, wolves are not in Massachusetts, they are not in Virginia, and they never will be as long as we do not continue our efforts to protect wolves and allow them to occupy the old territories they did a few hundred years ago.

This amendment would also allow the Fish and Wildlife Service to move forward with steps to protect the northern long-eared bat. Over the past decade, populations of the bat have declined 98 percent, mostly because of the deadly effects of white-nose syndrome. As a result, Fish and Wildlife Service recently listed the bat as a threatened species. While scientists and wildlife managers work to fight the spread of white-nose syndrome, it is important to ensure that the remaining bat populations are safe from other threats.

The interim rule currently in effect governing taking of the bat is incredibly flexible and was developed in close coordination with industry stakeholders, particularly the timber industry, to ensure that economic activity is not negatively impacted.

The final rule is expected to be similarly flexible. The language in this bill will only serve as a delay tactic, causing additional uncertainty for businesses and property owners, and this amendment would effectively strike these unnecessary sections from the bill.

Mr. SIMPSON. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 2 minutes remaining.

Mr. SIMPSON. Mr. Chair, I thank the gentleman. I appreciate the gentleman's comments. I do have some gray wolves in Idaho, Montana, Wyoming, and other places that we will be happy to ship to you if you like. In fact, we didn't have any in Idaho until Fish and Wildlife Service decided that they were going to reintroduce them in Idaho.

When you say the minimal take that it has on cattle, wildlife, and other types of things, there were gray wolves in Idaho that one sheep rancher lost over 300 head of sheep in one night to some wolves. That ends his business, essentially. So it is not a minimal take. If you look at the calf-to-cow ratio of elk and deer in Idaho, the numbers have been down substantially, particularly with elk because, guess what, they like elk, even though we were told that they will go after deer and not elk. Wolves, I guess, like elk better than they do deer.

The gentleman says we need to depend on science, not Congress. Congress never delisted a species. We didn't delist the gray wolves in Idaho and Montana. It was the Fish and Wildlife Service using science. When you say the gray wolves have not recovered, where is your science? Where do you get that? Where does that statement come from? Fish and Wildlife Service that has done the investigations said yes, they have. So do we just not trust them?

It is you people proposing this amendment that are going against science. We are just trying to make sure that the science is protected, and politics doesn't enter. We appreciate the people of Virginia and the people of Massachusetts trying to make sure that the wolves are healthy in Idaho. I can guarantee you they are. They are not persecuted, as you said. Yes, they are hunted, but anybody who believed we were going to introduce wolves into Idaho or Montana where they hadn't been for a number of years and you weren't going to have to maintain population controls of them was living in a fantasyland.

Yes, we do have hunting seasons for wolves, as we do almost all species, but we have to maintain a certain population, and if that population isn't maintained, guess what. Fish and Wildlife takes over, and they go back on the endangered list. So it is not Congress that is making these decisions. It is Fish and Wildlife Service.

I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I just want to reiterate that the riders in the underlying bill will do nothing to help our native species but, instead, only serve to cause uncertainty and delay, undermining all the concerted effort by many stakeholders, all seeking to avoid a listing, particularly with the sage-grouse.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

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

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

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

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used for the United Nations Environment Programme.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer one final amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act.

The amendment is simple. It prohibits the EPA from providing funding to the United Nations Environment Programme. The United Nations Environment Programme, or UNEP—I would call it inept—has a history of taking unusual and extreme policy positions, including advocating for population control.

The United Nations is typically funded in the State Department's budget under contributions to international organizations, or CIL. The funds appropriated by this act are meant to be used domestically, not as a slush fund to give to programs at the United Nations.

I will quickly highlight some of the names of the UNEP initiatives that the EPA spent millions of dollars on. One is to promote environmental sound management worldwide. Another one is UNEP Regional Program, Climate Benefits, Asia Pacific. There is even one called Russian Federation Support to the National Program of Action for the Protection of the Arctic. This last one is money that goes specifically to the Russian cause.

I will read from the EPA's own Web site the description of this program:

This project centers on protection of the Arctic environment in Russia.

This work will cover three broad areas:

Number one, implementation of Russia's national plan of action for protection of the Arctic marine environment from anthropogenic pollution;

Number two, hazardous chemical management;

And, three, climate change mitigation adaptation and awareness.

So let me get this straight. In addition to the billions we contribute to the United Nations through the CIO account, the EPA is funneling millions of tax dollars to this United Nations program, which then gives the money to Russia, who then uses it to implement a Russian national plan and for climate change mitigation, adaptation, and awareness.

U.S. taxpayers, do I need to say anything further why we need to stop this? Let's keep the United States Environmental Protection Agency focused on issues within the United States. Our favorite out-of-control agency need not be concerned with the Asia-Pacific region or with Russia.

I urge my colleagues to adopt this commonsense amendment that is endorsed by the Americans for Limited Government, the Eagle Forum, the Taxpayers Protection Alliance, the Council for Citizens Against Government Waste, and the Yavapai County Board of Supervisors.

I thank the chairman and ranking member for their tireless efforts in producing this bill.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment would prohibit any agency from using funds for the United Nations Environment Programme. Funds for the U.N. are primarily provided through the State, Foreign Operations, and Related Programs Subcommittee. The EPA administers about $500,000 of international grants, not the millions or the billions that were referred to in this particular bill. So I strongly oppose the amendment.

I understand, as I said earlier, there is a small amount of funding administered for the U.N. Environment Programme in this bill. The primary source of funding for the international programs, I want to stress again, is in the State, Foreign Operations, and Related Programs bill, not this bill.

So this amendment seeks to solve a problem that really doesn't exist in this bill, but jurisdictional questions aside, we must be an international partner with respect to the environment. Engagement with the international community allows us to share and learn best practices on how to manage toxic substances; international engagement helps set international standards to help our products compete globally; and, more importantly, pollution knows no boundaries. It does not respect international borders.

In the 1970s and 1980s, acid rain was a problem both in the United States and Canada, and through domestic legislation and international work with Canada, we have reduced the amount of acid rain that falls upon the United States and Canada. Now, right now in my home State of Minnesota, we are under a high pollution warning. The culprit is, sadly, a series of forest fires that are raging to the north border of us in Saskatchewan. Now, if we are going to be committed to clean air and clean water on the Canadian-U.S. border, we must be engaged both here at home and abroad.

So as a proud Minnesotan and a proud Member of the United States Congress, I urge my colleagues to reject this amendment and to work together in partnership.

I reserve the balance of my time.

Mr. GOSAR. Let's set the record straight. CRS, hardly a partisan effort, since 2003 reports they spent over $6 million in foreign agencies in this very fund. Imagine that. The facts are only convenient when they help us on our side.

If we are going to have a discussion about this, let's put it in the State Department budget and let's talk about it, but let's not hide it in the EPA. Let's keep the EPA's budget and dealings right here in the United States where they belong. They hardly have a track record of success here in the States.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I would like to stress again that, in this bill, there is $500,000. And I would also like to stress, when it comes to regulating waters in the Great Lakes, our tributary rivers and basins on the northern border—and I am sure the same thing, I can't speak with as much eloquence as to what is happening on our southern border—we need to have these international interlocutors. I would appreciate the opportunity for my State and for the Great Lakes States to be able to continue the strong partnership with our Canadian partners.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, with an over $18 trillion debt, when is enough enough? If we are going to talk about foreign expenditures of dollars, let's put it in the State Department budget and make sure we have an open and honest conversation, but it does not belong here. We have to start concentrating on what is important to the United States, not Russia. I guess that is Putin's kind of game is that we clean up his messes for him.

I ask everybody to adopt this legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS WITH RESPECT TO IVORY

SEC. ___. None of the funds made available by this Act may be used to implement or enforce section 120 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, at the inception of the debate and discussion regarding this appropriations bill, I indicated I would offer an amendment to prevent language in the bill from driving the extinction of the African elephants.

I expect the administration to release its proposed ivory rule this month, and it deserves the support of every Member of this Chamber. This rider that is currently in the language of the bill is another unfounded attack on an endangered species that our Nation's top scientific experts have concluded will go extinct without the protection of the Endangered Species Act, under which this rule is being promulgated.

I mentioned in my previous statement the U.S. Fish and Wildlife Service recently destroyed a one-ton stockpile of illegal elephant ivory, most of it seized in Philadelphia from an antique dealer named Victor Gordon.

Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached, and the ivory was stolen. The ivory was doctored so that it looked old enough to pass through a loophole in the law. All of this ivory is illegal. All of it is nearly impossible to distinguish from antique ivory, and anyone who bought it from Gordon and resells it or buys it from a new owner is contributing to the ongoing slaughter of elephants and the criminal trafficking of ivory that supports organized crime and terrorism.

The only way to keep U.S. citizens from being involved in this elephant poaching and trafficking crisis is to eliminate the commercial import, export, and trade of African elephant ivory in our country. Ending the commercial ivory trade will set an example for China and other countries to follow, but they will not act until we do.

□ 1745

Ending the trade will not take away personal possessions, nor will it bar the movement of musical instruments or museum pieces; but to save elephants, we have to eliminate the value of ivory.

Sadly, this rider is just another example of House Republicans driving the extinction of wildlife one species at a time.

Please join me in voting ''yes'' on this amendment, and I reserve the balance of my time.

Mr. CALVERT. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I appreciate my colleague's thoughtful comments regarding crisis levels of poaching and wildlife trafficking and the need to do something about it. This is a deadly serious matter with national security implications. That is why this bill has increased funding by $15 million since fiscal year 2013 in order to fight wildlife poachers and traffickers.

Without question, Republicans do not want to see elephants go extinct; but when the Fish and Wildlife Service made the unilateral determination to ban the trade and transport of products containing ivory that have been in the United States legally for years, we heard from orchestra musicians, art museums, wildlife conservation organizations, collectors of fine antiques from chess pieces to pool cues to firearms, and nearly everyone in every organization in between.

They are united in support for elephants, but they are also united in their opposition to new Federal restrictions on products that contain ivory legally obtained. The reality is family heirlooms and rare musical instruments didn't cause the problem, and

the Fish and Wildlife Service should be acknowledging as much.

This bill keeps the status quo, allowing for continued legal trade and transport so that collectors, musicians, and others can get on with their lives until the Fish and Wildlife Service writes a rule that reflects the legitimate concerns of law-abiding U.S. citizens.

The administration is rumored to be just days away from publishing a revised rule to address most of these concerns. If that is the case and if the revised rule solves the problem, then there will be no need for this provision in the final conference report later in the year.

In any case, I remain fully committed to working with my colleagues on both sides of the aisle to find a reasonable solution moving forward. In the meantime, I must oppose this amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. I thank the gentleman for yielding, and I also thank the chairman for his comments.

Mr. Chairman, I am proud to speak in support of Mr. GRIJALVA's amendment. The U.S. is the world's second largest market for ivory. Only China has a greater demand.

In February of last year, President Obama announced a ban on the commercial trade of elephant ivory. This ban is the best way to ensure that U.S. markets do not contribute to the further decline of African elephants in the wild.

The African elephant population has declined by an estimated 50 percent over the last 40 years, with approximately 35,000 elephants poached every year. That amounts to one elephant poached every 15 minutes.

The Fish and Wildlife Service has been undertaking a series of administrative actions, including a proposed rule in order to implement the ban. Section 120 would prevent the Fish and Wildlife Service from implementing this rule and other policies necessary to crack down on the domestic illegal ivory market.

I cannot understand why we would not do everything possible to stop the illegal slaughter of African elephants.

I urge my colleagues to support Mr. GRIJALVA's amendment, which would prevent section 120 from being enacted. We must allow the FWS to continue its efforts to prevent the extinction of the African elephant.

Mr. CALVERT. Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, if we are going to stop the slaughter of African elephants, we need to stop the illegal trade in ivory.

This rider has nothing to do with the unprecedented poaching crisis, and it ignores the impact of the illegal ivory trade within the United States and the way that it is impacting the African elephants' survival.

The rider also undermines the United States' ability to push other countries with significant ivory markets—like China, Vietnam, and Thailand—to take stronger actions to restrict ivory trade.

In fact, according to a recent Washington Post article, China has signaled that its actions to further restrict ivory trade were contingent on what the United States does to regulate our domestic trade.

It is in the national interest of the United States to combat wildlife trafficking and to ensure that we don't contribute to the growing global demand for elephant ivory, which is also funding terrorism around the world.

We need to come up with a responsible set of regulations that protect elephants, while making accommodations to allow certain activities to continue that do not pose a threat to elephants.

I urge my colleagues to support the Grijalva amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

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

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

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

SEC. ____. Of the funds provided for ''Environmental Protection Agency—Environmental Programs and Management'', not more than $1,713,500 may be available for the Immediate Office of the Administrator and not more than $3,581,500 may be available for the Office of Congressional and Intergovernmental Relations and the aggregate amount otherwise provided under such heading is reduced by $2,735,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I offer this amendment together with my colleagues and fellow committee chairmen, Mr. CONAWAY from Texas and Mr. CHAFFETZ from Utah.

The amendment addresses the Environmental Protection Agency's continuing pattern of obstruction and delay in response to congressional oversight.

Since January 2014, the EPA has proposed or finalized new, far-reaching rules that impact almost every aspect of the American economy. These rules involve major expansions of Federal authority, massive costs to the economy, and are based on secret science that the EPA keeps hidden from external review or scrutiny.

Congress has a constitutional responsibility to perform rigorous oversight of the executive branch. However, as chairman of the Committee on Science, Space, and Technology, nearly every request for information I make to EPA is greeted with repeated delays, partial responses, or outright refusals to cooperate.

Earlier this year, the committee was forced to issue a subpoena to obtain information related to Administrator Gina McCarthy's deletion of almost 6,000 text messages sent and received on her official Agency mobile device. She claimed that all but one was personal.

Most recently, the committee requested information and documents related to the EPA's development of the waters of the U.S. rule and the Agency's inappropriate lobbying of and collaboration with outside organizations to generate grassroots support.

The EPA again failed to provide the requested documents. The committee was forced to notice its intention to issue a subpoena.

However, producing documents in bits and pieces after months or years of delay are not the actions of an open and transparent administration. They are the actions of an Agency and administration that has something to hide.

It is clear that the EPA does not see its job as facilitating transparency and oversight. It seems to believe its mission is to delay, obstruct, and otherwise attempt to stonewall any attempt by Congress to fulfill its constitutional oversight obligation on behalf of the American people.

Congress should not support such an agency. We are taking further action with this amendment to reduce funding for EPA's offices. The EPA must refocus its efforts on transparency and cooperation with Congress and the American people. At that point, we could consider restoring their funding.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment clearly is a Republican attempt to cut funding from the Environmental Protection Agency. As an agency that protects the air we all breathe, protects the water we drink, the fish we eat, it means that the EPA works every day to protect the health of every American.

This amendment is clearly an attack against the administration for work that they have been doing to enforce those protections.

It is entirely counterproductive to complain about a lack of timely response from the EPA and then turn around and slash the very funding that allows the EPA Administrator and Agency staff to respond to our concerns.

Crippling cuts to the office of congressional relations will not only make it more difficult for Members of Congress to get our questions answered—and those of our constituents—by slashing the office of intergovernmental agency affairs, this amendment would make it harder for State and local officials to gather the information they need to protect their communities.

I don't really believe we want to tell the EPA that they should cut back on meeting and getting recommendations from local government advisory committees or tell our elected officials at a State level that they are going to have even a harder time getting a hold of someone at the EPA to help them form agreements to address their priority needs.

Our States have a responsibility with the EPA for protecting public health and the environment, and this amendment would undermine those partnerships. This amendment would make it more difficult for the people's representatives at the Federal, State, and local level to reach out and get support and answers from the EPA in order to protect the health of their constituents.

I urge my colleagues to join me in opposing these cuts, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. CHAFFETZ), the chairman of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Chairman, I thank Mr. SMITH of Texas and Mr. CONAWAY of Texas for their good work on this.

In the year 2015, five letters were sent to the EPA from the Oversight and Government Reform Committee regarding the waters of the United States rulemaking. All went unanswered until the Science Committee threatened to subpoena.

Probably what is the most egregious and most offensive to us is even when we do bipartisan work—in a bipartisan letter, we asked the EPA to provide a response to a request concerning collections of use of fees and fines—and even when we do it in a bipartisan way, those go unresponded to. They failed to even provide a staff briefing on the collection and use of fines and penalties, despite repeated requests.

We hear on the floor: Well, you can't take away their money, then they won't able to respond.

With the money, they don't respond, so they obviously don't need the money if they are not going to respond—even when we do so in a very professional, bipartisan way, asking legitimate questions about the use of these funds and how this Agency works.

In the year 2013, requests were filed for information regarding actions of a previous Administrator, among other document requests. Responses were inadequate, and a subpoena was filed.

The EPA only began searching for the documents 6 months after a subpoena was issued, 6 months after this happened. This is just not tolerable. There needs to be consequences for this. They obviously don't need these funds if they are going to be so unresponsive even when we do so in a bipartisan way.

I would urge the passage of the Smith amendment. I think it is a good amendment. It is a responsible way to move forward. I appreciate the good work the Appropriations Committee has done in their support and their work. I, again, thank Mr. SMITH for his leadership on this issue.

Mr. SMITH of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

□ 1800

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of a non-educational item that depicts a Confederate flag on it.

Mr. HUFFMAN. Mr. Chair, that is not the revised amendment at the desk.

The Acting CHAIR. Does the gentleman ask unanimous consent to withdraw this amendment?

Mr. HUFFMAN. If it can be substituted with the proper amendment, yes.

Mr. CALVERT. Mr. Chair, I reserve a point of order on this amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Mr. HUFFMAN. Mr. Chair, you should have the proper amendment now.

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of an item with a Confederate flag as a stand-alone feature.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, the tragic shooting in Charleston, South Carolina, has forced a national conversation about symbols like the Confederate battle flag that represent racism, slavery, and division.

Now, like you, I applaud leaders in South Carolina and other Southern States, both Democrat and Republican, who have called on their States to end the display of the Confederate flag on government property, including State houses and license plates. With the consideration of the Interior Appropriations bill, this House now has an opportunity to add its voice by ending the promotion of the cruel, racist legacy of the Confederacy.

The National Park Service has asked its gift shops, bookstores, and other concessionaires to voluntarily end the sale of standalone items, such as flags, pins, and belt buckles that contain imagery of the Confederate flag. While many concessionaires have agreed to do this, I am dismayed by reports that some will continue to sell items with Confederate flag imagery. This amendment to the Interior Appropriations bill would end these sales. It would prevent the National Park Service from allowing the continued promotion of the Confederacy through these symbols.

Major American retailers like Walmart, Amazon, and eBay are already taking their own steps to ban sales of this type of merchandise, and we now have an obligation to ensure that the Federal agencies that we oversee act with the same moral clarity.

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

Mr. CALVERT. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR (Mr. CARTER of Georgia). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. The language now in this amendment is consistent with the National Park Service policy, and I would support this language as you presently have it drafted. I would urge its adoption.

I yield back the balance of my time.

Mr. HUFFMAN. I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the gentleman's amendment.

This amendment, as Chairman CALVERT pointed out, is consistent with

the recent National Park Service actions to further limit the display of the Confederate flag in units of the National Park system.

Previous National Park Service policy had already provided that the Confederate flag would not be flown alone for many park flagpoles.

On June 25, Park Director Jon Jarvis further requested that the Confederate flag sale items be removed from the National Park bookstores and gift shops. This also follows a decision by several large national retailers, including Walmart, Amazon, and Sears, to stop selling items with Confederate flags on them.

I agree with these decisions and commend those involved for their prompt action.

While in certain and very limited instances it may be appropriate in national parks to display an image of the Confederate flag in its historical context, a general display or sale of Confederate flags is inappropriate and divisive.

I support limiting their use, and I rise in support of the amendment.

Mr. HUFFMAN. Mr. Chairman, I respectfully request an ''aye'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to reduce or terminate any of the propagation programs listed in the March, 2013, National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I rise today to offer an amendment that recognizes and supports the important role of fish hatcheries nationwide.

Before I get to the amendment, I want to thank you, Mr. CALVERT, for the hard work of the committee and your recognition of the importance of fish hatcheries already there. I also want to thank my friend from Arkansas (Mr. CRAWFORD) for cosponsoring this amendment.

My amendment prohibits funds in the bill from being used to reduce or terminate any of the existing propagation programs listed in the March 2013 National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

This report raised serious concerns that the Fish and Wildlife Service view hatcheries, and particularly mitigation hatcheries, as a low priority program. Personally, I believe that stocking the tailwaters, streams, lakes, and rivers of America should be a higher priority. Hatcheries provide an important service, including providing our Nation's anglers with the recreational enjoyment and opportunities to catch fish; and they can be particularly vital to economic growth in rural areas, including northeast Georgia.

The importance of our Nation's hatcheries is obvious when you look at the Chattahoochee National Forest Fish Hatchery. This hatchery is located back home in Georgia's Ninth Congressional District. It stocks the tailwaters of multiple projects for the Army Corps of Engineers and the Tennessee Valley Authority with rainbow trout for the enjoyment of 160,000 anglers per year. Without this facility, the tailwaters would be barren.

The Chattahoochee National Fish Hatchery is a critical economic driver in the quiet mountain town of Suches, Georgia, and the surrounding community. This rural town in Fannin County doesn't have any major stores or banks, but it does have the hatchery. The hatchery has generated over $30 million in total economic input on just $740,000 in investment. It has a $40 return on investment for every dollar spent and provides enjoyment to many, many people.

The Chattahoochee National Fish Hatchery plays an integral role in the sustainability of businesses and communities in northeast Georgia. From providing environmental education and public outreach opportunities to visitors, school groups, and various other organizations to facilitating recreational opportunities, northeast Georgia would not be the same without this facility.

The work at the hatchery in Suches is one example of the importance of propagation programs at national fish hatcheries nationwide. These hatcheries are job creators and economic growth engines. They provide critical services to rural America and play an important educational role. They support anglers with recreational services and responsibly stock the rivers to keep the habitats in order. Despite this, however, the Department of Fish and Wildlife places propagation programs, including those in the Chattahoochee National Fish Hatchery, among the lowest of their funding priorities.

My amendment simply ensures that funds to the Fish and Wildlife Service are consistent with the agency's mission and statutory responsibility.

Mr. CALVERT. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I want the gentleman from Georgia to know that I support his amendment and would urge its adoption.

Mr. COLLINS of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS IN CONTRAVENTION OF EXECUTIVE ORDERS REGARDING CLIMATE CHANGE

SEC. ____. None of the funds made available by this Act may be expended in contravention of Executive Order 13514 of October 5, 2009 or Executive Order 13653 of November 1, 2013.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

The sum of the harmful consequences of global climate change is the existential crisis of our generation and, perhaps, of our century.

Global temperature changes are already causing prolonged droughts, extreme weather events, and rising sea levels. Tens of millions of people, especially the poorest and the most vulnerable among us, are at risk unless we act to reverse the disastrous effects of climate change.

Our best scientists and our Pope are warning us that unless carbon emissions are dramatically cut, we will see ever rising sea levels, ever more extreme weather, and ever worsening public health, poor air quality, the spread of tropical diseases, lung and heart and heat stress illnesses, and death.

Several weeks ago, the EPA issued a comprehensive report quantifying the economic costs of a changing climate across 20 sectors of the American economy. Among the findings, the report found that, by 2100, mitigating greenhouse global gas emissions could avoid 12,000 deaths per year that are associated with extreme temperatures in just 49 U.S. cities compared to a future with no emission reductions.

The estimated damages to coastal property from sea level rise and storm surge in the contiguous U.S. are $5 trillion through the year 2100 in a future without carbon emissions.

The Department of the Interior also recently released a report revealing that over $40 billion of National Park infrastructure and historic and cultural resources could be at risk due to sea level rise caused by climate change.

Taking acts to address climate change is particularly crucial in urban districts that border waterways, like

mine, where we are already seeing environmental effects. Now is the time when the U.S. should be deepening its commitment to reducing climate change pollution.

Federal agency actions, including those of the agencies named in this bill, have major impacts on our contributions and reactions to global warning. It is imperative, then, that these agencies maintain mindfulness of those impacts and that they seek to avoid actions that add significant amounts of carbon pollution to the atmosphere or actions that put people and property in the vulnerable position with respect to climate change.

For that reason, Mr. Chairman, I am offering an amendment to ensure that no funds are spent on activities that are not in compliance with the President's 2009 executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to take global warming into account when making decisions and will save taxpayer dollars while making our communities safer and cleaner.

Our agencies need to be climate smart, because making our Federal investments and actions climate smart reduces our fiscal exposure to the impacts of climate change.

It is the right thing to do to run an efficient and effective government. It is the right thing to do to return the highest value to the American taxpayer.

It is simple: smarter investments up front mean we can reduce future costs. Communities across the Nation are thinking this way. We need to ensure that the same is true for the Federal Government.

I urge a ''yes'' vote on this amendment to ensure that Federal agencies are operating in the manner that accounts for climate change.

I urge my colleagues to vote ''yes'' on the amendment.

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

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, earlier, we debated whether or not to continue a bipartisan reporting requirement in the bill on climate change expenditures. My colleague on the other side of the aisle wanted to remove the requirements, which would have reduced transparency. Now he wants to ensure that funds are being expended on climate and efficiency executive orders issued by the President. So I am left to wonder whether my colleagues would prefer to know if funds are spent on these programs or not.

Regardless, this amendment is simply unnecessary. The President did not consult Congress on these executive orders, so, if anything, we should defund the programs until Congress can have an appropriate policy debate.

I see no reason to include this language, and I urge my colleagues to vote ''no.''

With that, I reserve the balance of my time.

Mr. BEYER. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. BEYER. Mr. Chair, I yield 2 minutes to my colleague from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, I support this amendment which will ensure that no funds are spent on activities that are not in compliance with the President's executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to simply take global warming into account when making decisions. This will save taxpayers lots of money while making our communities safer and cleaner.

Fighting climate change has to be regarded as the biggest imperative of our time.

□ 1815

My State of California has stepped up to this issue and taken important bold steps to confront it, including passing Assembly Bill 32, the world's most aggressive greenhouse gas reduction policy. At the Federal level, President Obama's efforts, through these orders, are critical steps toward reducing greenhouse gas emissions and addressing climate change.

Ensuring compliance with these measures is the least we can do on this critical issue; and, frankly, we should be doing much more. So I urge my colleagues to support the gentleman from Virginia's (Mr. BEYER) amendment and continue this effort to combat climate change.

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

Mr. CALVERT. Mr. Chair, I ask my colleagues to oppose this amendment

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

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

Mr. BEYER. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

ACROSS-THE-BOARD REDUCTION

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I want to begin by thanking the committee for the excellent job that they have done under Chairman CALVERT's leadership with bringing this appropriations bill in under budget. It is $3 billion below the President's request. There is still $30.17 billion in proposed funding in this bill.

I come before you today to offer an amendment that I regularly offer to these appropriations bills, which is a 1 percent across-the-board spending cut. Let's go in and let's take one more penny out of every dollar and use that to bolster the good work that our committee has done.

You know, one of the things that I like about this bill is there is a 9 percent reduction in the EPA budget compared to last year. We all know we need to rein in the EPA. We are all for clean air, clean water, clean environment. We have different ways of getting there.

The burdensome regulations that are out there negatively impact—they negatively impact our communities. But we know there is more work that we have to do on this $30 billion budget.

My amendment would reduce the discretionary budget authority by $292 million and would reduce outlays by $193 million.

Now, I know that this is not a popular amendment with a lot of those who feel like we have cut, cut, cut and we can't cut any more.

I disagree with that. I think that you can look at the GAO reports and the inspector general reports and see there is plenty of room to cut. We just recently went into the last 4 years of inspector general reports. Guess what. We found $165 million of identified waste in the Department of the Interior.

It is time to engage our rank-and-file employees in our Federal Government, to make them a team and a partner with us as we work on this issue of getting our budget right-sized.

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

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. While I commend my colleague for her consistent work to protect taxpayer dollars, this is not an approach I can support.

While the President may have proposed a budget that exceeds this bill, the increases were paid for with proposals and gimmicks that would never be enacted. This bill makes tough choices within an allocation that adheres to current law.

While difficult trade-offs had to be made, the bill in its current form balances our needs. These trade-offs were carefully weighed for their respective impacts and are responsible.

We prioritize funding for fire suppression, PILT, and meeting our moral obligations in Indian Country, yet the gentlewoman's amendment proposes an across-the-board cut on every one of those programs.

This amendment makes no distinction between where we need to be spending to invest in energy independence and where we need to limit spending to meet our deficit reduction goals.

And, I may point out, the spending problem is not within these discretionary appropriation bills, which we are debating at the present time. It exists primarily in entitlement spending.

So I hope we can spend as much energy on the entitlement side of the budget as we are on the discretionary side of the budget. If so, we would fix our budget problems.

I urge my colleagues to vote ''no'' on this amendment.

I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the chairman for yielding me the time.

Mr. Chair, this amendment I strongly oppose. It institutes a 1 percent across-the-board cut.

A few interesting things about the Interior bill. This bill before us today is $2 billion, $2 billion below 2010-enacted levels. And when you adjust this bill for inflation, it is at 2005 levels.

This amendment indiscriminately cuts programs without any thought to the merit of the program that is contained in this bill.

For instance, this would result in fewer patients being able to be seen at the Indian Health Service; fewer safety inspectors ensuring accidents do not occur; deferred maintenance on our Nation's drinking water and sanitation infrastructure, which is already underfunded in this bill.

More generally, investments in our environmental infrastructure and public lands will just be halted, and associated jobs would be lost with it.

As I said earlier, this bill is already underfunded, underfunded. When adjusted for inflation, it is at 2005 levels. This amendment would not encourage agencies to do more with less. It would simply force agencies and our constituents to do less with less.

So I urge Members to oppose this amendment.

Mrs. BLACKBURN. Mr. Chairman, just a couple of comments.

Underfunded? No. We are overspent in this town. We have $18 trillion worth of debt, and it is time to get a handle on that.

Moral obligations? How about the moral obligation to our children and grandchildren?

Admiral Mullen has said the greatest threat to our Nation's security is our Nation's debt.

Let's put the focus on our priorities: keeping our sovereignty and keeping our Nation safe and secure.

This is something we do for our children. It is something we can do for our national security. A penny on a dollar to get this spending under control.

Our approach? Guess what. State and local government use this all the time. They can't go print money and run up debt.

When I was in the State Senate in Tennessee, what did we do? We didn't go home until we balanced the budget because we had an obligation to get it done right the first time, before we walked out the door.

And I do hope that we will put attention on our entitlements. But that is no excuse for not addressing what is in front of us today. To not address what is in front of us today is to kick the can down the road.

I have a lot of constituents who aren't making and taking home as much as they were in 2005. They think we should reduce Federal spending even more, reduce the Federal workforce even more, because government is getting too expensive to afford.

Let's engage Federal employees in this process. It has worked for the States. It will work for the Federal Government. Let's get our fiscal house in order. A good place to start is right here with this amendment that would save another $193 million in outlays and $292 million in discretionary budget authority.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, the last point. I appreciate the gentlewoman's concern about the deficit that we have.

When I came here 24 years ago, 40 percent of our expenditures were on the entitlement side of the budget. Today it is over 60 percent, over 60 percent. So we need to attack that side of the budget line.

If we placed as much energy on entitlement spending as we have on discretionary, not only would the budget be balanced, but we would be moving toward paying off our national debt.

With that, I reluctantly oppose the gentlewoman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

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

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HECK of Nevada) having assumed the chair, Mr. CARTER of Georgia, Acting 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. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

MOTION TO PERMIT CLOSED CONFERENCE MEETINGS ON H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. THORNBERRY. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and Senate on H.R. 1735 may be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to authorize closure of conference meetings will be followed by a 5-minute vote on the motion to suspend the rules and concur in the Senate amendment to H.R. 91.

The vote was taken by electronic device, and there were—yeas 402, nays 12, not voting 19, as follows:

[Roll No. 390]

YEAS—402

Abraham	Capuano	DelBene
Adams	Cárdenas	Denham
Aderholt	Carney	Dent
Aguilar	Carson (IN)	DeSantis
Allen	Carter (GA)	DeSaulnier
Amodei	Carter (TX)	DesJarlais
Ashford	Cartwright	Diaz-Balart
Babin	Castor (FL)	Dingell
Barletta	Castro (TX)	Doggett
Barr	Chabot	Dold
Barton	Chaffetz	Donovan
Bass	Chu, Judy	Doyle, Michael F.
Beatty	Cicilline	Duckworth
Becerra	Clark (MA)	Duffy
Benishek	Clawson (FL)	Duncan (SC)
Bera	Clay	Duncan (TN)
Beyer	Cleaver	Edwards
Bilirakis	Clyburn	Ellmers (NC)
Bishop (GA)	Coffman	Emmer (MN)
Bishop (MI)	Cohen	Engel
Bishop (UT)	Cole	Eshoo
Black	Collins (GA)	Esty
Blackburn	Collins (NY)	Farenthold
Blum	Comstock	Farr
Bonamici	Conaway	Fattah
Bost	Connolly	Fincher
Boustany	Conyers	Fitzpatrick
Boyle, Brendan F.	Cook	Fleischmann
Brady (PA)	Cooper	Fleming
Brady (TX)	Costa	Flores
Brat	Costello (PA)	Forbes
Bridenstine	Courtney	Fortenberry
Brooks (AL)	Cramer	Foster
Brooks (IN)	Crawford	Foxx
Brownley (CA)	Crenshaw	Frankel (FL)
Buchanan	Crowley	Franks (AZ)
Buck	Cuellar	Frelinghuysen
Burgess	Cummings	Fudge
Bustos	Curbelo (FL)	Gabbard
Butterfield	Davis (CA)	Gallego
Byrne	Davis, Rodney	Garamendi
Calvert	DeGette	Garrett
Capps	Delaney	Gibbs
	DeLauro	