ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2314

Mr. MURPHY of Pennsylvania changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 31 OFFERED BY MR. PETERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 241, not voting 7, as follows:

[Roll No. 432]

AYES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Hastings
Jolly
Marino
Poe (TX)
Sanchez, Loretta
Stutzman
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2317

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CALVERT. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) having assumed the chair, Mr. COLLINS 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. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO S. 764, NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015; PROVIDING FOR CONSIDERATION OF S. 304, MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT; AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114–686) on the resolution (H. Res. 822) providing for consideration of the Senate amendment to the House amendment to the bill (S. 764) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; providing for consideration of the bill (S. 304) to improve motor vehicle safety by encouraging the sharing of certain information; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. Pursuant to House Resolution 820 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. 5538.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 2321

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. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 31 printed in House Report 114–683 offered by the gentleman from California (Mr. PETERS) had been disposed of.

AMENDMENT NO. 46 OFFERED BY MR. BRAT

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in House Report 114–683.

Mr. BRAT. 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 enforce contracts or other agreements under the Land and Water Conservation Fund program that were entered into with States or units of local government more than 20 years before the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Virginia (Mr. BRAT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BRAT. Mr. Chairman, I rise to offer an amendment to H.R. 5538, Department of the Interior, Environment, and Related Agencies Appropriations Act.

Mr. Speaker, the Land and Water Conservation Fund requires property acquired and developed with the LWCF assistance to be retained and used for public outdoor recreation. Any property so acquired and/or developed may not be converted to other uses without approval of the National Park Service, NPS, indefinitely.

Federal funding through the LWCF grant shouldn't let the NPS enforce conditions on the use of State and local lands forever. A quid pro quo condition in exchange for funds for some period might be reasonable, but eventually federalism needs to kick in again.

This amendment would prevent the NPS from enforcing the conditions on an LWCF grant for a 20-year period. This allows the State or locality to use its property as it sees fit, without needing permission from the NPF.

After a generation or more, it is only reasonable for State and local governments to reassess land use on behalf of their citizens.

I urge my colleagues to support my amendment to put our constituents back in control of local matters.

I yield back the balance of my time.

Mr. ISRAEL. Mr. Chairman, I rise in opposition to this amendment,

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ISRAEL. Mr. Chairman, this amendment nullifies the terms of the Land and Water Conservation Fund contracts that are more than 20 years old.

When States, counties, and other municipal governments receive funds from the LWCF State assistance grant program, they do so with the understanding that the land acquired with these funds will be used for public recreation purposes in perpetuity. If they no longer need the land for this purpose, there is an established administrative process that allows for a simple conversion.

Since LWCF's establishment over 50 years ago, this conversion process has been successfully executed thousands of times. Under this amendment, however, any parcel acquired more than 20 years ago could be converted to private use or even sold on the open market without any compensation to the American taxpayer. This is a misguided outcome, Mr. Chairman. Our constituents deserve a fair return on their investment, and we shouldn't allow one town's unwillingness to play by the rules to upend 50 years of success.

I urge my colleagues to defend the integrity of the LWCF and reject this amendment.

I yield to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I agree with the comments just made by the gentleman from New York.

The LWCF, these local communities know what they are entering into when they enter into it. And if they choose to do that, they have the right to do that and they have to live by the decisions that they have made.

We have a lot of LWCF projects in communities that I have lived in in Idaho, and they get the benefit of that LWCF.

I will tell you, if there is a local problem that the gentleman would like to deal with, I know that the committee and the chairman of the committee would be more than willing to work with you to try to address that and try to address the concerns that the local community has because there is a way that, yes, with the agreement of the Federal Government, they can get out of the deals that they have made.

I know, in my community, we had an indoor swimming pool that was actually built for our community. It was a great thing. It became very expensive when the price of energy went up. They wanted to take the roof off of the indoor swimming pool so it wasn't indoor anymore, and the Federal Government wouldn't let them. Now, we are glad they didn't. So these decisions are made for a very good reason.

I would oppose the amendment, and I agree with the gentleman from New York.

Mr. ISRAEL. Mr. Chairman, the distinguished leader of the subcommittee, the gentleman from Idaho, and the ranking member from Minnesota agree that this amendment would have a misguided outcome.

I urge my colleagues to oppose the 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. BRAT).

The amendment was rejected.

AMENDMENT NO. 47 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in House Report 114–683.

Mr. BUCK. 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, add the following:

SEC. ____. None of the funds made available under this Act may be used to enter into a cooperative agreements with or make any grant or loan to an entity to establish in any of Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, Prowers, and Pueblo counties, Colorado, a national heritage area, national heritage corridor, national heritage canal way, national heritage tour route, national historic district, or cultural heritage corridor.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I appreciate the opportunity to speak about this important amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act.

This amendment protects private property in southeast Colorado by prohibiting the use of funds for the creation or expansion of environmental or cultural protection areas. These zones, often known as national heritage areas, are just another backdoor method for the government to impose Federal zoning on private property.

The heritage areas amount to a forced conservation agreement for private landowners. An appointed management entity imposes its views and ideas on the property holders, changing the way they can use their property without compensating them.

Private property is an essential element of a free democracy. The citizens of Southeast Colorado have fought this government overreach for years now, desperate to save their farms and ranches that have been passed down for generations.

This amendment will ensure that private property rights are restored in southeast Colorado.

I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ISRAEL. Mr. Chairman, this amendment stops the Department of the Interior from entering into cooperative agreements or providing financial assistance of any kind for the purpose of protecting natural, cultural, or historic resources in several counties in southeast Colorado.

It is my understanding that the sponsor aims to preemptively prevent an expansion of the Federal footprint in his district, specifically due to concerns with the application of Executive Order No. 13287.

I would remind the sponsor that the Preserve America Executive Order was issued by President George W. Bush, a Republican, and emphasizes private-public partnerships that limit, not expand, Federal ownership.

If there are specific concerns about Federal management in the region, the sponsor, I hope, would work with the authorizing committee to make sure they are addressed, not use the appropriations process to wall off a section of the country from partnering with the Federal Government to preserve its historic, cultural, and natural resources. That is why I oppose this amendment.

I reserve the balance of my time.

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

Mr. ISRAEL. Mr. Chairman, again, I would urge opposition to this amendment. There are opportunities for the gentleman to work with the authorizing committee. The Appropriations Committee should not be used as a vehicle to wall off sections of specific areas.

I yield back the balance of my time.

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

The amendment was agreed to.

□ 2330

AMENDMENT NO. 48 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in House Report 114–683.

Mr. BURGESS. 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 new section:

SEC. ___. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I rise this evening to offer an amendment on an issue that I have worked on, as well as the Committee on Energy and Commerce, for the last 6 years.

In 2006, the Committee on Appropriations, without consultation with the Committee on Energy and Commerce, included a provision in the annual Interior-EPA appropriations bill to allow the Environmental Protection Agency to begin using a special pay program that was explicitly and exclusively authorized for use by the Public Health Service Administration under the Department of Health and Human Services.

This special pay mechanism allows a government employee to leave the normal GS pay scale and receive nearly uncapped compensation. This special provision was intended to be used only in unique circumstances for leaders in the healthcare industry who would never leave the private sector to work for the Federal Government but for special higher salaries. This justification can never be used at the EPA.

Indeed, some of the employees that the Environmental Protection Agency pays under title 42, the part of the U.S. Code that allows for this special pay, were previous government workers and were merely moved to the special pay scale because they wanted more money. The Environmental Protection Agency claims that, because the EPA is a health organization, it may use this statute to pay special hires; and the Committee on Appropriations has agreed to let them, despite the authorizing committee's objection.

Originally, the EPA was granted only a handful of slots to fill with title 42 hires. That number has now ballooned to over 50. The cost to the taxpayers for these employees is tens of millions of dollars. That is unconscionable.

This amendment would prevent the Environmental Protection Agency from hiring any new employees under title 42 or transferring any current employees from the GS scale to title 42. It would not affect current employees being paid by this provision. This would give the Committee on Energy and Commerce, the authorizing committee, the time it needs to address whether the EPA truly deserves this special pay consideration.

The General Accountability Office looked into HHS' abuse of title 42 several years ago and found problems with the implementation of the program. That is within the Department of Health and Human Services, where it arguably could be allowed. Why would Congress ever allow the Environmental Protection Agency to implement the same problematic pay structure?

In multiple hearings in the Committee on Energy and Commerce, both Administrator Lisa Jackson and Gina McCarthy refused to give specifics regarding the program. A Freedom of Information Act request by the EPA union, the American Federation of Government Employees, sent to my office showed that title 42 hires at EPA are sowing dissent among the workers, with the union asking the Congress stop this abusive and unfair hiring technique.

Both Chairman Emeritus BARTON and I have introduced legislation further clarifying that the Public Health Services Act, written for HHS, does not permit the EPA to use this language to hire employees under a special pay structure. I urge adoption of the amendment.

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

Mr. ISRAEL. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ISRAEL. Mr. Chairman, title 42 authority is a flexible hiring mechanism that allows agencies to attract and retain staff with outstanding scientific, technical, and clinical skills. It is not always easy for the Federal Government to attract high-level professionals who have invested many years in school and can easily make more in private practice or even in academia, and that is why the Federal Government needs to allow these agencies to provide some additional incentives to recruit these employees.

With our Nation facing so many crises like Zika, we really should be investing in our scientists. This amendment unfairly attacks Federal employees who devote their life to public service. I urge defeat of this amendment.

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

Mr. BURGESS. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. BARTON).

Mr. BARTON. Mr. Chairman, may I inquire as to how much time remains.

The Acting CHAIR. The gentleman from Texas (Mr. BURGESS) has 1½ minutes remaining.

Mr. BARTON. Mr. Chair, I want to thank the gentleman from Tarrant County and Denton County for offering this amendment. I am a cosponsor.

It is unconscionable that we are using a provision in Federal law that was first passed during World War II to give a handful of elite medical professionals the capability to get a little bit more than the average Federal pay scale. This has ballooned over at the EPA, and, as has been pointed out, as far as we know, there are in the neighborhood of 50 people who are now getting this above-average pay.

We ought to be eliminating the program. We ought to be just putting the nail through the coffin in this program at EPA. Instead, because of the generosity of my good friend, Dr. BURGESS, he is just saying don't hire any more. Surely this House of Representatives, with a $500 billion budget deficit, can see it within our heart to accept the Burgess amendment and let us in the

authorizing committee hold hearings and hopefully next year pass a law that puts an end to this program.

I rise in strong support of the Burgess amendment and would ask for its adoption.

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

Mr. ISRAEL. Mr. Chairman, we have such an array of public health and science emergencies: we have Zika; we have Ebola; we have public health emergencies; we have pandemics, epidemics. Now is the time for us to recruit the best and the brightest in the scientific community. Title 42 gives us the ability to do that. This amendment would undermine that ability, and it should be defeated.

Mr. BARTON. Will the gentleman yield?

Mr. ISRAEL. I yield to the gentleman from Texas.

Mr. BARTON. Does the gentleman understand that we are talking about people at EPA? We are not talking about public health in the HHS. We are talking about EPA.

Mr. ISRAEL. Reclaiming my time, the EPA uses scientists engaged in research on pesticides. It uses scientists engaged in other health-related emergencies. We have a difference of opinion as to how to deploy those scientists, where to deploy those scientists. I, as a Member of Congress, don't want to make that decision. I want to make sure that the Federal Government is deploying the scientific community across a broad range of challenges, which is why I 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 Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT NO. 49 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in House Report 114–683.

Mr. BYRNE. 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 propose or develop legislation to redirect funds allocated under section 105(a)(2)(A) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I am pleased to introduce this amendment, along with two of my colleagues, Representatives CHARLES BOUSTANY and GARRET GRAVES, both of Louisiana.

My straightforward amendment would prohibit any effort to redirect funds allocated under the Gulf of Mexico Energy Security Act, also referred to as GOMESA. GOMESA was passed in 2006 and created a revenue-sharing agreement for offshore oil revenue between the Federal Government and four States in the Gulf of Mexico: Texas, Louisiana, Mississippi, and Alabama.

Under GOMESA, a certain percentage of the revenues generated from selected oil and gas lease sales in the Outer Continental Shelf of the Gulf of Mexico are returned to the Gulf States. This money must be used in coastal areas for important purposes like coastal restoration and hurricane preparedness.

There is a reason the law was structured this way. These Gulf States not only provide a significant share of the infrastructure and workforce for the industry in the Gulf, but they also have inherent environmental and economic risks. Unfortunately, in his budget proposal this year, President Obama recommended the money be taken away from the Gulf States and instead be spread around the country to implement his radical climate agenda.

Not only does this proposal directly contradict the current Federal statute, it vastly undermines the purpose of this law: to keep revenues from these lease sales in the States that supply the workforce and have the inherent risk of a potential environmental disaster.

This is not the first time the President has made this proposal, and so far Congress has stood strong in opposition. I hope we will do so again today.

My simple amendment will support our coastal communities on the Gulf Coast while preserving the rule of law. We should not allow the President to turn our revenue-sharing agreements into a slush fund for politically driven climate projects.

I urge my colleagues to support this straightforward amendment.

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

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ISRAEL. Mr. Chairman, this amendment is simply an overreaction to a policy proposal in the administration's fiscal year 2017 budget request. The budget request proposed to redirect funds currently allocated to payments to States and shift them toward Federal programs that serve the Nation more broadly.

□ 2340

The proposal wasn't included in the bill because the Committee on Appropriations rejected it. The appropriation process is just that, it is a process.

The administration submitted a proposal, the committee evaluated it, and the power to accept or reject the proposal lay with the committee.

This amendment would unnecessarily stifle any proposal to amend the current formula, which is unnecessary, because Congress would need to enact legislation before any changes could be made to the formula. The Department of the Interior does not have the authority to change the formula through rulemaking or other administrative action.

Basically, Mr. Chairman, this would prohibit the Department from even suggesting an idea for Congress to consider. I urge my colleagues to preserve the integrity of the appropriations process and the Committee on the Appropriations and oppose this amendment.

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

Mr. BYRNE. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to provide some context here.

Under the Mineral Leasing Act, States shared in 50 percent of the revenues from production of energy on Federal lands—in the State of Alaska, it is actually 90 percent of the revenues—up until 2006, when we reached a bipartisan agreement to share not 50 percent, not 90 percent, but 37½ percent of the revenues associated with offshore energy production. 2006. The revenue sharing, in effect, doesn't actually turn on until next year.

These funds in the State of Louisiana are dedicated by our constitution to restoring the coast, restoring our coastal wetlands, improving the sustainability of our communities that have been pounded by hurricanes in recent years.

Mr. Chairman, this amendment is actually designed to save taxpayers dollars to restore our coastal ecosytem that has been destroyed. And to allow the administration year after year to come in and create this air of uncertainty by attempting to rescind these funds and treating us differently than they treat all the other States that produce onshore is simply bad policy and it creates uncertainty for efforts to restore coastal Louisiana, which has lost 1,900 square miles as a result of Federal actions in the State of Louisiana.

I urge adoption of this amendment.

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

Mr. BYRNE. Mr. Chairman, this administration has been reversed by the United States Supreme Court more than any other administration in the history of the United States of America. There is nothing that this administration won't do to further its radical agenda, including going against the clear statement of a statute of the United States Congress.

So we have to have language that affirmatively tells them they can't spend this money. Otherwise, they will take the radical step of going against a Federal statute and cynically wait on the United States Supreme Court to tell them they can't do it.

So that is why we have to have this. This is very important not just to the Gulf States, but to the rule of law in the United States of America.

I urge my colleagues to support this amendment.

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

Mr. ISRAEL. Mr. Chairman, there is nothing radical about any administration, Democrat or Republican, making a decision, making a rule that would shift funds from specific States to broader national purposes.

I understand the gentleman's and his colleagues' concern for this particular policy, but this is an overreach, Mr. Chairman. This amendment would prohibit the Department from even suggesting an idea for Congress to consider.

This is not worthy of the appropriations process. It ought to be considered as part of a broader approach by the gentleman, not in this bill, and I urge defeat of 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 Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 50 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in House Report 114–683.

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk related to the National Ocean Policy.

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:

LIMITATION ON USE OF FUNDS FOR EXECUTIVE ORDER RELATING TO STEWARDSHIP OF OCEANS, COASTS, AND THE GREAT LAKES

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce Executive Order No. 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes), including the National Ocean Policy developed under such Executive Order.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I am pleased to introduce this amendment with two of my colleagues, Representative BILL FLORES of Texas and Representative JOHN FLEMING of Louisiana.

Mr. Chairman, I represent coastal Alabama, and I have spent my entire life living on the Gulf Coast. Like many of my friends and neighbors, my family has always enjoyed fishing, swimming, boating, and spending time in the Gulf of Mexico. It is safe to say that living on the Gulf becomes a way of life.

For some people, the Gulf also provides for economic well-being, whether through the commercial seafood industry, tourism, or something else.

No one is a better steward of the shores and our waters than those of us who live and work in the Gulf. Since the water provides our way of life and our economic well-being, we are going to do everything we can to protect and preserve our resources. We don't need the Federal Government to tell us what to do.

That is why I am so concerned by the National Ocean Policy, which was created under President Obama's Executive Order No. 13547 in 2010. The policy requires that various bureaucracies work together to ''zone the ocean'' and the sources thereof, largely affecting the ways in which we utilize our ocean resources.

The National Ocean Policy is executive overreach at its very worst. The policy not only restricts ocean and inland activities, but it redirects Federal money away from congressionally directed priorities for over 20 Federal agencies that meet as part of the National Ocean Council, tasked with implementing the National Ocean Policy—a council that has no statutory authority to exist and no congressional appropriation.

Numerous and varied industries will suffer as a result of this well-meaning but ill-conceived policy, including but not limited to agriculture, energy, fisheries, mining, and marine retail enterprises, just to name a few.

Those who are affected most by the policy don't have a say or any representation in the rulemaking process. There is no current system of oversight in place for the regional planning agencies created as an arm of the National Ocean Council.

I urge my colleagues to stand up for our coastal communities, say no to more executive overreach, and support this amendment.

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

Ms. PINGREE. Mr. Chairman, I rise in opposition to the Byrne-Flores amendment.

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

Ms. PINGREE. Mr. Chair, I disagree with my colleague. I think that the National Ocean Policy is a vital tool that we have to help ensure that our coastal communities and their stakeholders work together and coordinate their ideas and make plans to achieve local goals. I think as a Congress we need to recognize the importance of our oceans and ocean planning.

Unfortunately, each year, we come to the floor of this body on various appropriations bills to defend the vital work of the National Ocean Policy. We have debated over 15 riders on this issue in the past two Congresses. Instead, we ought to be talking about the progress that our local communities are making on ocean planning. In New England, we are actually making progress. And this year, we have the New England regional ocean plan to be proud of.

No process is perfect, I will give you that, but at least we have begun the discussion. Fisherman, lobstermen, and other community leaders have been included in the development of these voluntary regional ocean plans.

I urge my colleagues to oppose this misguided attempt to stop the National Ocean Policy and the important work it does.

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

Mr. BYRNE. Mr. Chairman, we have heard the phrase ''land grab.'' This is an ocean grab. There is no cooperation here. This is dictation by the Federal Government to people that live along the coast of the United States of America.

It is time to take our oceans and the water of the United States back, not for the bureaucrats in Washington, but for the people of the United States. That is who actually owns this water, not some faceless bureaucrat in Washington who wants to tell us what to do.

So I urge my colleagues to vote ''yes'' on this amendment and take back control of our oceans for the people of the United States and not allow it to be directed by bureaucrats in Washington who couldn't care less what we feel like on the coast.

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

Ms. PINGREE. Mr. Chair, I yield 1½ minutes to the gentleman from Rhode Island (Mr. LANGEVIN), my good friend and colleague.

□ 2350

Mr. LANGEVIN. Mr. Chairman, I rise in opposition to this amendment, and in support of the National Ocean Policy established by President Obama, an issue also championed by our junior Senator from Rhode Island, Senator SHELDON WHITEHOUSE.

Far from being government overreach, National Ocean Policy is an excellent example of how government engages and partners with our States and local communities.

In the Northeast, we recently celebrated the release of the draft Northeast Ocean plan for management of Federal waters off the coast of New England.

Since 2012, the Regional Planning Body has worked with our constituents to build a plan that will be responsive to our region's needs. This type of collaboration would not have been possible without the implementation of the National Ocean Policy, which requires agencies to work together in a more efficient and collaborative manner.

Due to this important program, we are now moving toward a more effective use of our common ocean resources.

Mr. Chairman, our oceans are enjoyed and utilized by beachgoers, commercial fishermen, boaters, recreational anglers, wind farms, and others. With proper collaboration, these mixed uses can thrive.

So I ask all of my colleagues to oppose this amendment. By supporting National Ocean Policy, we can continue to engage our citizens, effectively use our resources, and ensure that our ocean is sustainable for years to come.

Ms. PINGREE. Mr. Chair, would you please give me a sense of how much time I have remaining?

The Acting CHAIR. The gentlewoman from Maine has 2½ minutes remaining.

Ms. PINGREE. Mr. Chair, I thank my colleague from Rhode Island for once again describing what is a very important policy.

I have to disagree with my colleague from Alabama (Mr. BYRNE). I do not think that this is Federal top-down. In fact, I think this is better decisionmaking, bottoms-up, not top-down. It gives opportunities for local communities to have an input.

I want to unequivocally state that we spend no money on ocean planning. The NOP does not create any Federal regulations or supersede any local or State regulations. But what it does do is it leverages taxpayer dollars to reduce duplication between Federal, State and local agencies, to streamline data collection, and to strengthen public involvement. That is exactly what we want to have happen in our coastal communities.

Our oceans and coasts support 3 million ocean-related jobs, generate $360 billion through tourism, development, commercial fishing, recreational fishing, boating, energy, shipping, and other activities. This is a very effective planning tool to reconcile and coordinate those activities. It does not prevent them.

And just in closing, I will say that my colleague from Alabama may look at this one way, but I represent the State of Maine, which has a tremendous amount of coastline. I represent about half the coastline off the coast of Maine, and I have also represented many coastal communities prior to coming to Congress as a State legislator.

I live on an island. I take a ferry for 1 hour to get home, unlike virtually any other Member of Congress. Everybody in my community is dependent on the ocean. Every island I represent is dependent on the ocean.

Every coastal community has to have a working waterfront, fishermen. It has to have tourism, fishing, all of them working together. I don't think that in the State of Maine we don't understand ocean planning.

We know our oceans are desperately troubled. They are in danger. They need our attention, and Congress has to pay attention to that. We can't do this in a haphazard way. We have to have it coordinated.

So I ask my colleagues to oppose this rider, as we have many, many times, and to support National Ocean Policy.

I yield back the balance of my time.

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

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

Ms. MCCOLLUM. 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 Alabama will be postponed.

AMENDMENT NO. 51 OFFERED BY MR. CRAMER

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in House Report 114–683.

Mr. CRAMER. 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 develop, propose, finalize, implement or enforce the rule entitled ''Management of Non-Federal Oil and Gas Rights'' and published by the United States Fish and Wildlife Service on December 11, 2015 (80 Fed Reg. 77200), or any rule of the same substance.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from North Dakota (Mr. CRAMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Dakota.

Mr. CRAMER. Mr. Chairman, in February of 2014, the United States Fish and Wildlife Service issued an advance notice of proposed rulemaking called—and it is important to know what it is called—Management of Non-Federal Oil and Gas Rights. In December of last year, the proposed rule was posted and comments were due in February of this year.

Mr. Chairman, States—States, not the Federal Government, States—largely regulate oil and gas operations except in circumstances where the Federal Government has ownership of the mineral rights. That obviously is not the case in this rule, given its title.

Where there is Federal ownership, it is the Bureau of Land Management that has regulatory authority. And for an agency that has hundreds of personnel and decades of experience, even they have a hard time keeping up with the workload and maintaining adequate expertise in their agency.

But, Mr. Chairman, not only do States have the authority and the expertise to regulate oil and gas industry, they have the most natural and obvious incentive to do it well. The State regulators live in the States where the minerals reside.

Now, the U.S. Fish and Wildlife Service does not have the personnel or the expertise to regulate oil and gas operations, as demonstrated by GAO recommendations. Concerns outlined by the Fish and Wildlife Service are concerns that are addressed by several other regulatory bodies, including State regulators and, therefore, any attempt by Fish and Wildlife Service to also regulate would be redundant and duplicative. Enough already with redundant and duplicative regulations.

The added regulation will only serve to increase the delays and the costs to U.S. energy producers and, consequently, ultimately to the consumers.

Mr. Chairman, my amendment simply prevents funding to move this jobkilling rule any further, and I encourage my colleagues to support jobs by voting ''yes'' on my amendment.

I reserve the balance of my time.

Mr. KILMER. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. KILMER. Mr. Chairman, this new rule updates 50-year-old regulations that govern the exercise of non-Federal oil and gas rights within refuge units. The objectives of this new rule are to improve the effectiveness of the regulations so that they can protect refuge resources and values, and provide clarity for both operators and for the service.

Updating this regulation avoids regulatory uncertainty, providing more clarity and guidance to oil and gas operators and refuge staff, instituting a simple process for compliance, and incorporating technological improvements in exploration and drilling technology, ensures that non-Federal oil and gas operations are conducted in a manner that avoids or minimizes impacts to refuge resources.

This amendment prohibits the service from making positive advances and allowing non-Federal oil and gas operations to occur on refuge lands, while protecting these natural habitats for the benefit of future generations. I strongly oppose this amendment.

I reserve the balance of my time.

Mr. CRAMER. Mr. Chairman, I would just respond to my colleague's concern by stating that the concerns that he raises, that the Fish and Wildlife Service raises, are legitimate concerns. But they are concerns that are already being addressed by other regulatory bodies, including the States who have both the legal authority and the expertise as well as, as I said earlier, the natural incentive to do it well. It is where they live.

I think it is also important to understand that it is sort of private property law 101, that the minerals are often bifurcated from the surface, and that is the case we are talking about. And in that case, at least in North Dakota, the minerals supersede, actually, the surface rights. So this rule conflicts with not only common sense, but even with basic private property law.

I, again, urge a ''yes'' vote, and assure my colleagues that the concerns raised are being addressed by other regulatory bodies. Duplication is not necessary.

I yield back the balance of my time.

Mr. KILMER. Mr. Chairman, I would just point out that what this rule is

about is non-Federal operators operating on refuge lands, and I think part of our job should be to make sure that the Fish and Wildlife Service can do their job.

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 North Dakota (Mr. CRAMER).

The amendment was agreed to.

AMENDMENT NO. 52 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in House Report 114–683.

Mr. CRAWFORD. 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 by the Administrator of the Environmental Protection Agency to enforce the requirements of part 112 of title 40, Code of Federal Regulations, with respect to any farm (as that term is defined in section 112.2 of such title).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

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Mr. CRAWFORD. Mr. Chairman, I offer this amendment in defense of agricultural producers across the country who continue to face the heavy hand of EPA regulations.

The EPA's Spill Prevention, Control, and Countermeasure rule for on-farm fuel storage requires farmers and ranchers to make costly infrastructure improvements to their oil storage facilities to reduce the possibility of an oil spill.

These regulations fail to take into account, however, the relative risk of oil spills on farms, and they do not recognize the simple fact that family farmers are already careful stewards of the land and water. It is clear that no one has more at stake in the health of their land than those who work on the ground from which they derive their livelihoods. Even if EPA wants to resist common sense, USDA actually studied risk of oil spills on farms. It determined that more than 99 percent of farmers have never experienced a spill.

In the 2014 Water Resources Development Act, we made modifications to the exemption threshold and required EPA to go back to the drawing board and conduct a study to determine how to balance the needs of financial resources of small producers with their assessed spill risk. Instead, the EPA defied Congress' wishes and hastily put together a study without evaluating risk specific to agriculture. It offered the same unsubstantiated conclusions that it found in the original SPCC rule and could not cite a single incident of a spill on a farm.

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

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

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

Mr. KILMER. Mr. Chairman, this amendment prohibits the EPA from enforcing its Spill Prevention, Control, and Countermeasure rule against farms, giving special interest to one industry. The EPA's spill rule is not based upon the type of facility or type of operations, but upon the storage of oil or petroleum products.

If you store greater than 1,320 gallons and if a discharge from aboveground storage would reach waterways, you fall under these regulations and must develop and implement a spill prevention plan. Now, some large farm operations store up to 60,000 gallons of fuel in one location, and it is reckless to not require them to have some sort of spill response plan.

EPA has already made efforts to accommodate farms and made compliance with the rule easier. The Agency amended its rule to provide a self-certification option for the facilities, including farms that store under 10,000 gallons of oil, thereby avoiding the expense of a professional engineer. EPA also provided a template for a spill control plan for farmers to use.

Compliance with this rule is not difficult or costly. In fact, about 95 percent of farms subject to the rule are eligible to self-certify their spill prevention plans.

This amendment could have devastating consequences and harmful impacts on our Nation's waterways. Mr. Chairman, I ask my colleagues to join me in opposing this amendment.

I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, to require that all of our producers make a significant investment to prevent such an unlikely event seems out of touch with reality and disregards the already overwhelming number of safeguards our farmers already employ.

My amendment would restrict the EPA's ability to enforce SPCC regulations on farms so that farmers and ranchers can go about their business of producing America's food and fiber without having to worry about unnecessary compliance costs and red tape.

Let me say that on three separate occasions, the House unanimously passed my bipartisan legislation, the FUELS Act, which rolled back these same SPCC regulations on farms. We passed this same amendment during last year's consideration of the Interior and environmental appropriations bill.

Mr. Chairman, I urge my colleagues to again support our farmers and ranchers and vote ''yes'' on this amendment.

I yield back the balance of my time.

Mr. KILMER. Mr. Chairman, I once again reiterate my opposition to this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 53 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in House Report 114–683.

Mr. CRAWFORD. 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 in contravention of section 1913 of title 18, United States Code.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, first let me start by thanking the gentleman from Washington for joining me as a cosponsor of this amendment.

Our amendment is simple. It prohibits the EPA and other agencies from using funds in violation of a longstanding law, formally known as the Anti-Lobbying Act. Earlier this year, the Government Accountability Office ruled that the EPA violated the law by engaging in grassroots solicitation intended to urge the public to support the waters of the United States rule, a vast expansion of Federal jurisdiction. The GAO found that EPA went to unprecedented lengths using social media and other online tools to manufacture public support for the rule and to sway the opinions of Members of Congress. GAO cited two specific violations by the EPA that occurred during the critical time when the Agency was preparing the final WOTUS rule.

The first violation was an effort through an Internet tool called Thunderclap which enabled the EPA to reach 1.8 million people who simultaneously shared a message supporting the WOTUS rule. Not only did EPA write the message itself, but it disseminated the message covertly, failing to identify itself as the author.

Secondly, the GAO found that EPA violated the law by hyperlinking its own Web site to an outside advocacy group's grassroots campaign effort. The site asked members of the public to take action by contacting their Members of Congress using a form letter written in support of the WOTUS rule.

These unprecedented actions were crafted by the EPA in a deliberate effort to undermine Congress and advance its extremist environmental agenda. Even though the independent, nonpartisan GAO ruled EPA's actions

clearly violated the law, nobody at EPA was ever held accountable, and no appropriate remedial action has been taken to prevent this from happening again.

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, maybe the gentleman is aware, or maybe perhaps you are not aware, that there is an existing prohibition on lobbying that applies to all Federal employees that has been in place since 1919. I can cite it for you. So, in my opinion, this is unnecessary and redundant.

I would also remind my colleagues that Federal employees are not prohibited from providing information to Congress on legislation, policies, or programs. But there must be an open dialogue between legislative and executive branches to ensure laws are being implemented appropriately and that programs achieve their intended goals. We cannot, or we should not, operate in an information vacuum.

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

Mr. CRAWFORD. Mr. Chairman, as I indicated before, the GAO cited two specific violations by the EPA that did, in fact, violate the Anti-Lobbying Act that was mentioned by my colleague from Minnesota. That occurred during a critical time, as I indicated before.

The Anti-Lobbying Act allows agencies to promote their own policies, but it prohibits them from engaging in covert propaganda efforts intended to influence the American public. Our amendment simply reinforces this important law. It will prevent agencies like the EPA from undermining Congress through the use of publicity and propaganda tools that interfere with the lawmaking process. The amendment serves as another important reminder to executive agencies of its proper constitutional role.

Congress, not unaccountable Agency bureaucrats, is responsible for writing the laws that our citizens must live by.

I urge my colleagues to support this amendment.

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

Ms. MCCOLLUM. Mr. Chairman, there is an existing prohibition on lobbying. We have agreed with that. It applies to all Federal employees, and it has been in place since 1919. If a Federal employee breaks that, then a Federal employee needs to be held accountable.

So, in closing, Mr. Chairman, I believe we do not need an extraneous, redundant provision to a bill that is already overburdened with harmful legislative riders. I urge my colleagues to oppose the 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 Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 54 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in House Report 114–683.

Mr. RODNEY DAVIS of Illinois. 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. ____. (a) None of the funds made available by this Act under the heading ''Environmental Programs and Management'' may be used for the Office of Congressional and Intergovernmental Relations of the Environmental Protection Agency.

(b) The amount otherwise provided by this Act for ''Environmental Programs and Management'' is hereby reduced by $4,235,000.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Illinois (Mr. RODNEY DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, it is truly unfortunate that I actually have to offer this amendment. You would think an Office of Congressional Affairs that was set up to specifically deal with Members of Congress, our staff, and the different committees that all of us populate would be able to respond to simple questions.

I had a very eloquent speech put together, but it is getting very late out here in Washington, D.C., so I am going to condense it.

The bottom line is, Mr. Chairman, over 2 years ago, I offered language in the farm bill to create a specific committee on the Science Advisory Board to deal with agriculture to make sure that somebody in a concrete building out here in Washington, D.C., was able to actually be at the table when the EPA came up with a rule to regulate milk spills like oil spills.

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I wish somebody would have raised their hands and said, Which one can you clean up with cats?

Mr. Chairman, since the public comment deadline ended on September 8, 2015, the EPA has failed to appoint one single person. Also, over 30 questions were submitted by Republicans and Democrats from the House Agriculture Committee in February after Gina McCarthy, the Administrator of the EPA, came to testify at a hearing, and we have yet to get a single response.

Time and time again, Mr. Chairman, I have asked the same questions over and over to many people at the EPA in numerous committees that I serve on, and time and time again, we get nothing. We get crickets.

It is an unfortunate situation that we have to go to this extreme, but it is the only way that we can send a message to an office in an agency that is completely unresponsive to this institution and our constitutional responsibilities of oversight. It is wrong. Their lack of responsiveness is not only disrespectful, it is unconstitutional.

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, I want the gentleman to know that I, at times, have shared his frustration with getting answers back from the administration. His amendment, I think, is going to get everybody's attention. Unfortunately, his amendment seeks to restrict the information provided from the EPA by just eliminating the funding for the Office of Congressional/Legislative Affairs.

I use that office quite a bit. Sometimes I agree with them, sometimes I don't, but we have a dialogue going forward. In order to make educated and informed decisions on environmental legislation, I believe Congress should have all of the material available, including from the administration.

What I am hearing from the gentleman is that they are not responding to him in an adequate fashion. I hear his passion in this and, at times, I have shared his frustration.

I would suggest that we work together to figure out ways to improve communication dialogue and hold them accountable when they don't get it—put a bright spotlight on it—but I oppose eliminating it.

I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my colleague. I appreciate her frustration. I hope she would advocate on behalf of not just me, but the entire House Agriculture Committee, that gets zero response. It is not just the House Ag Committee, it is our House T&I Committee. It is individual congressional offices that don't have that interaction. There is such a lack of action that I didn't take this amendment lightly. We came here to the floor tonight this late because there is a lack of respect and constitutional responsibility coming from this agency of the executive branch.

Mr. Chairman, I include in the RECORD a letter to the EPA dated June 14, 2016.

JUNE 14, 2016.

Hon. GINA MCCARTHY,
Administrator, Environmental Protection Agency, Washington, DC.

DEAR ADMINISTRATOR MCCARTHY, We are frustrated and concerned that in over two years, the Environmental Protection Agency (EPA) has failed to create the Agriculture-Related Committee within its Science Advisory Board (SAB). On February 7, 2014, the Agricultural Act of 2014 was signed into law

(Pub.L. 113–79). Section 12307 of the Act directed the EPA to ''establish a standing agriculture-related committee'' to provide farmers a stronger voice in the federal rule making process regarding regulations which impact agriculture.

On December 10, 2014, nearly one year after this provision was signed into law, the EPA released a Federal Register Notice announcing its establishment of the SAB Agricultural Science Committee and set a deadline of January 26, 2015, to nominate members. On January 26, 2015, the EPA extended the nomination deadline to March 30, 2015. Eventually, on August 19, 2015, after creating a list of 88 potential candidates, the EPA invited public comment on the candidates.

Since the public comment deadline on September 8, 2015, the EPA has failed, despite numerous requests, to keep Members, who supported this important provision, informed of meaningful actions or updates regarding the process. Our questions regarding the implementation of the committee have been met with empty responses, which point to a further delayed implementation process.

To our knowledge, all other components of the Act have been successfully implemented. Unfortunately, the EPA's inability to timely execute the creation of the Agriculture Science Committee, pursuant to Section 12307, has only fueled the growing disconnect between the agriculture community in rural America and the EPA.

To bridge this gap, it is vital the EPA establish the Agriculture Science Committee. Please respond to this request providing when you anticipate publishing the final candidate list. Thank you for your consideration of this request and we look forward to your prompt reply.

Sincerely,

Rodney Davis; Suzan DelBene; Mike Conaway; Collin C. Peterson; David Rouzer; Kurt Schrader; Tim Walz; Randy Neugebauer; Mike Bost; Doug LaMalfa; Austin Scott; Vicky Hartzler; Frank Lucas; Dan Newhouse; Trent Kelly; Bob Goodlatte; Scott DesJarlais, M.D.; Brad Ashford; David Scott; Cheri Bustos; Bob Gibbs; Ted S. Yoho, DVM; Steve King; Jackie Walorski; Glenn 'GT' Thompson; Filemon Vela; Ann Kirkpatrick; Mike D. Rogers; Ralph Abraham, MD; Ann McLane Kuster; Richard M. Nolan; Michelle Lujan Grisham; John Moolenaar; Gwen Graham.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I have got 11 people on this letter wondering why they haven't appointed a single person to the Science Advisory Board Committee that is supposed to deal with agricultural issues that was written in the farm bill that passed in 2014.

I hate to do this amendment, but it is the only way we can send a message to the EPA and to the specific office that Congress means business in actually implementing our oversight responsibilities that the Constitution gives us that our Forefathers gave us.

Mr. Chairman, I urge a ''yes'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment Nos. 55 and 56 will not be offered.

AMENDMENT NO. 57 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in House Report 114–683.

Mr. GOODLATTE. 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 by the Environmental Protection Agency to take any of the actions described as a ''backstop'' in the December 29, 2009, letter from EPA's Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation and referred to in enclosure B of such letter.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, this evening, I rise to urge support for my amendment which would reaffirm and preserve the rights of the States to write their own water quality plans.

My amendment simply prohibits the EPA from using its Chesapeake Bay total maximum daily load and the so-called watershed implementation plans to hijack States' water quality strategies.

Over the last several years, the EPA has implemented a total maximum daily load, or TMDL, blueprint for the six States in the Chesapeake Bay watershed, which strictly limits the amount of nutrients that can enter the Chesapeake Bay. Through its implementation, the EPA has basically given every State in the watershed an ultimatum—either the State does exactly what the EPA says, or it faces the threat of an EPA takeover of its water quality programs.

Congress intended that the implementation of the Clean Water Act be a collaborative approach through which the States and the Federal Government work together. This process was not meant to be subject to the whims of politicians and bureaucrats in Washington, D.C. Therefore, my amendment instructs the EPA to respect the important role States play in implementing the Clean Water Act.

I want to make it perfectly clear that my amendment would not stop the EPA from working with the States to restore the Chesapeake Bay, nor would it undermine the cleanup efforts already underway. My language only removes the ability of the EPA to take over a State's plan or to take retaliatory actions against a State if it does not meet EPA-mandated goals. Again, it ensures States' rights remain intact and not usurped by the EPA.

It is important to point out the correlation between the EPA's outrageous waters of the United States rule and the bay TMDL. At the heart of both issues is the EPA's desire to control conservation and water quality improvement efforts throughout the country and to punish all those who dare to oppose them.

Mr. Chairman, the bay is a national treasure, and I want to see it restored. But we know that in order to achieve this goal, the States and the EPA must work together. The EPA cannot be allowed to railroad the States and micromanage the process. With this amendment, we are simply telling the EPA to respect the important role States play in implementing the Clean Water Act and preventing another Federal power grab by the administration.

I reserve the balance of my time.

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

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

Mr. KILMER. Mr. Chairman, this amendment would allow those that pollute the Chesapeake Bay to ignore the Environmental Protection Agency's water quality standards.

We finally have an administration that has made the Chesapeake Bay a priority by establishing mandatory water quality standards and providing financial assistance to help States, localities, and businesses actually meet the new standards.

This amendment also would put the funding in this bill for the Chesapeake at risk. The Federal funding is tied to the requirements for results. So how long do you think the States and localities will meet their obligations that they agreed to this past December in an historic agreement if the Federal financial assistance goes away?

If this amendment were to become law, it would block EPA's ability to enforce the court ordered settlement requiring the farm community and agribusiness to meet watershed specific pollution limits. It would not, however, relieve the farms and agri-businesses from the requirements in this settlement.

In the end, operators should be responsible for controlling the pollution that they dump into our rivers and streams across this country, both for the Chesapeake and elsewhere. The courts have already sided with the EPA on this matter.

Again, I urge defeat of this amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), chairman of the Agriculture Subcommittee.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman for his leadership with this amendment.

This amendment is meant to address the overreach, a punitive approach that the EPA is taking, intervening itself within a process that the States are taking the leadership of cleaning up a treasure—the Chesapeake Bay. We are not talking about taking away funding. As chairman of the Conservation and Forestry Subcommittee, there are significant conservation dollars that go into cleaning watersheds. Watersheds are part of the jurisdiction of the subcommittee that I chair in this House on the Agriculture Committee.

This amendment is identical to one approved by the House last year in consideration of the Interior appropriations bill, Mr. Speaker. I have been hearing since 2009 from my constituents, many of which own farms, about the significant challenges and the costs of the Chesapeake Bay total maximum daily load, or TMDL, mandate.

□ 0020

These significant concerns also extend to the State and local governments because of the billions of dollars in direct costs and new regulatory burdens the TMDL imposes. The Agriculture Committee's Conservation and Forestry Subcommittee, which I have the honor of chairing, has also listened to the concerns of stakeholders over the past few Congresses. While each and every one of these witnesses wholeheartedly supports the restoration of the Chesapeake Bay, there remains great concern over the lack of consistent models, the heavy-handed approach of the TMDL, and the lack of needed flexibility while implementing the watershed implementation plans, or WIPS. This amendment is needed in order to allow for that flexibility at the State and local levels.

Pennsylvania has been very innovative in our efforts to do our part with the bay restoration, and that restoration will continue into the future. However, rather than acting punitive, the EPA must work collaboratively with the States.

I strongly support this amendment, and I urge my colleagues to vote ''yes.''

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

Mr. GOODLATTE. Mr. Chair, I yield myself the balance of my time.

I am going to repeat what I said earlier. My amendment does not remove the TMDL or the watershed implementation plans. It only removes the retaliatory actions threatened by the EPA.

Those who oppose this amendment are right in that the States have made great improvements. The States have made great strides in cleaning up the bay; so why continue to threaten them with an EPA takeover of their water quality plans?

I urge my colleagues to support this amendment.

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

Mr. KILMER. Mr. Chair, in closing, I will say a few things. One, our country has some extraordinary gems, and the Chesapeake Bay is one of them.

This language, as was rightfully pointed out, was part of a bill last year, but that language was removed in conference. Part of the reason it was removed in conference is that this is part of a court-ordered settlement in which water quality standards were established, and financial assistance was tied to results. If this amendment were to pass, I think it would put in jeopardy that funding, and it would put in jeopardy one of our Nation's true gems.

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

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

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

Mr. KILMER. 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. 58 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in House Report 114–683.

Mr. GOSAR. Mr. Chair, 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, administer, or enforce the draft technical report entitled ''Protecting Aquatic Life from Effects of Hydrologic Alteration'' published by the Environmental Protection Agency and the United States Geological Survey on March 1, 2016 (81 Fed. Reg. 10620).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise to offer a simple amendment that will protect private water rights and prohibit the EPA's attempt to expand Clean Water Act regulation beyond what Congress has intended.

This amendment prohibits the use of funds to carry out the draft EPA-USGS technical report, entitled, ''Protecting Aquatic Life from Effects of Hydrologic Alteration,'' which is agency guidance that aims to expand the scope of the Clean Water Act and Federal control over waters currently under the jurisdiction of States.

A March 1, 2016, Scientific Investigations Report from the Environmental Protection Agency argues that the Clean Water Act gives the EPA the authority to regulate not just the quality of waters of the U.S. but also the quantity, or amount, of water in the Nation's river and water systems.

The management of water rights and allocation quantities from all natural streams, lakes, and other collections is an authority that is enshrined in State constitutions and compacts across the West—legal protections that are explicitly designed to exclude interference from the Federal Government. Under the expanded scope of the authority, the EPA suggests in their report that the Federal Government could require an individual private water owner or a local municipality to obtain a Federal permit any time it alters the amount of water available in streams or other water systems.

In their comments on the draft report, the Family Farm Alliance stated, ''The report relies heavily on concepts rather than real science'' and that the legal strategies advocated in the report ''could embolden some regulators and special interest groups to seek flow requirements on water projects, even if doing so has no support in Federal or State law.''

Unfortunately, this is par for the course for the Obama administration to push an economically disastrous agenda at the expense of science, the rule of law, and basic common sense.

In their statement endorsing my amendment, Americans for Tax Reform explained, ''American citizens cannot afford more economic hurdles and the commandeering of State powers over precious water supplies from an overzealous, unaccountable Federal Government. States, local governments, and private water rights holders should not be subjected to such costly and burdensome Federal overreach.''

In addition, the Family Farm Alliance, the Americans for Tax Reform, and dozens of national, regional, and local organizations have endorsed my amendment to rein in this Federal overreach and have expressed serious concerns regarding the EPA's dubious report.

In their comments on the draft report, the U.S. Chamber of Commerce stated, ''The Chamber is concerned that the agencies will use these arguments to further expand Federal jurisdiction over land and water features without proper constitutional authority.''

The National Association of Conservation Districts echoed that very same sentiment, stating, ''NACD believes that the report attempts to expand the Clean Water Act beyond Congress' original intent.''

The American Petroleum Institute stated, ''The draft report constitutes rulemaking in the guise of guidance. The draft report is vague and ambiguous, and owing to these concerns, EPA and USGS should withdraw the draft report and not finalize it.''

In my home State, the Arizona Farm Bureau Federation stated, ''Not only is this Federal overreach, but it becomes a bureaucratic and logistical nightmare for individuals and businesses.''

I think the Mohave Livestock Association summed up the issue best when they stated, ''The last thing our producers need is another layer of costly

and time-consuming permitting. The States understand water use in their respective ecological territories better than any centralized bureaucracy from Washington, D.C.''

I am honored that this amendment is supported by the American Farm Bureau Federation, Americans for Limited Government, the American Public Power Association, Americans for Tax Reform, the Council for Citizens Against Government Waste, the Family Farm Alliance, the National Association of Conservation Districts, the National Water Resources Association, and countless other organizations and individuals throughout the country.

My amendment prohibits the EPA from implementing, administering, or enforcing their misguided attempt to usurp States' rights and control the quantity of water used by individual owners and local municipalities. I ask my colleagues to support this amendment.

I thank the chairman and the ranking member for their good work on this bill.

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

Mr. KILMER. Mr. Chair, I claim the time in opposition.

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

Mr. KILMER. Mr. Chair, this amendment would prohibit funding to implement, administer, or enforce the draft technical report, entitled, ''Protecting Aquatic Life from Effects of Hydrologic Alteration,'' published by the EPA and by the USGS on March 1, 2016.

This draft technical report is not a policy. It is not guidance. It is not a criteria document. It shows no advocacy. It doesn't require States to do anything. This technical document provides information to help States and tribes and territories and water resource managers and other stakeholders actually understand how water flows impact water quality, and it gives examples of what some States have chosen to do to address flow concerns.

The EPA and the USGS collaborated to develop this report in response to State and EPA regional requests. The draft report had a 105-day comment period, which closed on June 17, 2016, and it received more than 100 submissions from Federal and State partners, watershed groups, mining and farming associations, and other highly engaged stakeholders. Now that the comment period has ended, the EPA and the USGS will consider the comments and revise the document and then publish a final document, which will serve as a source of technical information for States, tribes, territories, and other stakeholders.

Why would we prohibit producing a resource document? The EPA is targeting the release date for the final publication as September 30, 2016, which is the end of fiscal year 2016, meaning the final report will supersede the prohibition on the draft technical report in the fiscal year 2017 bill.

This draft technical document received extensive internal and external technical peer review by scientists with expertise in environmental flow. If the report is not finalized, States will not be able to benefit from critical scientific information or from the effective solutions shared by other States.

I urge my colleagues to oppose this amendment.

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

Mr. GOSAR. Mr. Chair, as I have said, it is well-established legal doctrine that the Constitution and the Clean Water Act strictly limit the Federal Government's authority to usurp State water rights and compacts.

I urge my colleagues to join me in protecting State authority, private property rights, and in reining in yet another EPA Federal overreach. I urge a ''yes'' vote on Gosar amendment No. 58.

I yield back the balance of my time.

Mr. KILMER. Mr. Chair, again, I will just say in closing that this is a draft technical report that doesn't set policy, that doesn't set guidance, that doesn't have advocacy, that doesn't require States to do anything. This is a resource document, and I don't know why we would prohibit producing a resource document.

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.

The Acting CHAIR. The Chair understands that amendment Nos. 59 and 60 will not be offered.

It is now in order to consider amendment No. 61 printed in House Report 114–683.

□ 0030

AMENDMENT NO. 62 OFFERED BY MR. JENKINS OF WEST VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in House Report 114–683.

Mr. JENKINS of West Virginia. Mr. Chair, I rise to offer my amendment, No. 62, as printed in the rule.

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 by the Environmental Protection Agency to develop, finalize, promulgate, implement, administer, or enforce any rule under section 112 of the Clean Air Act (42 U.S.C. 7412) that applies to glass manufacturers that do not use continuous furnaces.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from West Virginia (Mr. JENKINS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. JENKINS of West Virginia. Mr. Chairman, my amendment to the bill today is very straightforward. What it would do is preserve our Nation's specialty glass manufacturers from EPA overregulation.

Specialty glass manufacturers, these are the small businesses. These are facilities typically employing less than 50 employees. Yet, they produce the stained glass windows that adorn our churches, decorative vases, commemorative and artisan products.

West Virginia has a proud tradition of specialty glass manufacturing. In fact, one of the oldest companies is Blenko Glass in Milton, West Virginia, which is in my district. Its limited edition pieces are prized by collectors and have been handed down through generations.

Let me give my colleagues a sense of where some of the Blenko Glass is today: Colonial Williamsburg, Westminster Abbey—the replacement glass for antique windows at the White House is from Blenko Glass. Jackie Kennedy actually used Blenko Glass at the White House—the Cadet Chapel at the Air Force Academy in Colorado, St. Patrick's Cathedral in New York City. And that beautiful award from the Country Music Association that is given out to the recipient, it is a piece of Blenko Glass.

This is proud American tradition, and that tradition is now in jeopardy. Blenko, like all other specialty glass manufacturers in the Nation, is facing changes to the standards that would make it harder to make glass. The EPA is considering revising the current regulation to make it harder for these small businesses to simply make glass.

My amendment would simply protect specialty glass manufacturers that use noncontinuous furnaces for their glassmaking. The rules for continuous furnaces for the bigger glass-producing facilities, which produce items like glass bottles, cookware, and windows, would still apply under current regulation.

I urge my colleagues' support for this amendment to protect our Nation's small, specialty, and often family-owned, glass manufacturers.

I reserve the balance of my time.

Mr. KILMER. Mr. Speaker, I claim time in opposition.

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

Mr. KILMER. Mr. Chairman, this amendment would impede the EPA's ability to regulate toxic air pollutants from glass manufacturers. EPA currently requires glass manufacturers to limit their air toxic emissions, which contain carcinogenic heavy metals like arsenic and lead.

My good friend, Mr. JENKINS', amendment seeks to block these requirements from refined glass manufacturers that do not use continuous furnaces or that produce less than 50 tons of glass per year.

I point out at the present time there are no Federal air toxic emission regulations that cover those types of glass

facilities. So this amendment tries to fix a problem that doesn't really exist, and in the process, it would hamstring the EPA's ability to protect public health.

Just this year, we saw that glass manufacturers who do not use a continuous furnace may also pose a significant health risk to neighboring communities in Oregon, just to the south of me. Air monitoring data showed that glass manufacturers using a batch process were emitting high levels of arsenic and chromium. The EPA has been investigating the situation to ensure that other communities are not exposed to these harmful contaminants.

While these manufacturers are only a small portion of the market, reports have shown that these facilities can be alarmingly close to homes and even to schools, having serious implications for the health of nearby families and kids. We should be shielding these communities from these toxic air emissions instead of limiting the EPA's ability to take necessary action to protect public health, as this amendment would do.

This amendment preempts regulation and carves out an exemption for one particular industry. I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, again, let me make reference to what the existing EPA regulations do. There are current regulations, but the exemptions from the current regulation, as it stands right now, are for those glass manufacturers that are noncontinuous furnaces and produce under a certain amount of tonnage of glass each year.

The EPA is looking at changing those regulations. We are not trying to carve-out a new exemption. We are just trying to sustain and contain in the current law the exemptions for the noncontinuous furnaces and those under a certain amount of tonnage. So we are not making any changes. We are simply trying to maintain the current exemption because we see the EPA out looking to make changes to eliminate the current exemptions that exist in the law.

Once again, another step of the EPA overreach that will be jeopardizing the small glass manufacturers that mean so much to not only our employment base, but also our heritage.

I encourage support for my amendment.

I yield back the balance of my time.

Mr. KILMER. Mr. Chairman, I would just say, again, in closing, I have seen much of this glasswork. It is really impressive. But, as impressed and grateful as I am for that artistry, I also care a lot about kids and making sure that they are not exposed to toxic air pollutants. With that, I oppose this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 63 OFFERED BY MS. GRAHAM

The Acting CHAIR. It is now in order to consider amendment No. 63 printed in House Report 114–683.

Ms. GRAHAM. Mr. Chair, as the designee of the gentleman from Florida (Mr. JOLLY), 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 research, investigate, or study offshore drilling in any portion of the Eastern Gulf of Mexico Planning Area of the Outer Continental Shelf that under section 104 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note) may not be offered for leasing, preleasing, or any related activity.

The Acting CHAIR. Pursuant to House Resolution 820, the gentlewoman from Florida (Ms. GRAHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GRAHAM. Mr. Chair, I would like to recognize my colleagues, Mr. JOLLY and Mr. CLAWSON, who are my good friends and cosponsors of this amendment.

Second, I would also like to remind my colleagues that this amendment passed by voice during last year's debate, and I am hopeful we can do the same again this year.

As many of my colleagues know from across the country, who have visited Florida at some point and have enjoyed our beautiful beaches, sunshine, water, white sand—and I don't mean to brag, but we really do live in a paradise. That is why for years we have fought oil drilling off of our beaches, and, thankfully, the Federal Government has listened to the people of Florida and banned drilling in the eastern Gulf of Mexico.

This amendment would strengthen that ban and our commitment to protect Florida's beaches by prohibiting exploration and testing for oil in the eastern Gulf. Our military opposes it, conservationists oppose it, and Florida's tourism industry opposes it.

I am proud to work with Mr. JOLLY and Mr. CLAWSON on this important amendment for Florida, and I hope my colleagues will join us in supporting this amendment to protect Florida's Gulf beaches.

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. I understand this amendment dovetails with the current congressional moratorium that exists through 2022. Therefore, the amendment isn't necessary for this year. I urge a ''no'' vote.

I reserve the balance of my time.

Ms. GRAHAM. Mr. Chair, as I previously said, the purpose of this is to strengthen the ban. And, again, I was on the beaches following the BP oil spill and saw the tar washing up on the shores. I am proud to represent many military installations in the State of Florida and in north Florida, and they don't wish to have this either for training purposes for our military.

□ 0040

I would like to just reiterate this is something that, in a bipartisan nature, has been approved of. It was just approved last year, and I would just like to respectfully request that it be approved again this year by voice vote.

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

Mr. CALVERT. Mr. Chairman, I am in opposition to the amendment. I urge a ''no'' vote. We already have a moratorium in effect.

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

Ms. GRAHAM. Mr. Chairman, I will just close by reminding my colleagues that this has been a longstanding, bipartisan consensus that, for military as well as economic reasons, should be strengthened, and we should not be drilling in the eastern Gulf. I urge my colleagues to support the amendment.

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

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

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

Ms. GRAHAM. 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 Florida will be postponed.

AMENDMENT NO. 64 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 64 printed in House Report 114–683.

Mr. KING of Iowa. 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, including the amendments made by this Act, may be used to implement, administer, or enforce the prevailing rate of wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, my amendment is an amendment that I have brought in past years. What it

does, it says none of the funds made available by this act, including the amendments made by this act, may be used to implement, administer, or enforce a prevailing rate of wage requirements in subchapter 4, which is basically referred to normally as the Davis-Bacon Act.

The Davis-Bacon Act is a bill that was passed back in the early 1930s. The purpose of it was to lock the labor out from Alabama that was going, during the Depression years, up into New York to build Federal buildings and competing with the labor unions up there that happened to be locking Black workers out of the workforce in New York. It was brought to us by a Senator and by a House Member from New York—both Republicans, by the way. It is the remaining Jim Crow law that I know of on the books, and it imposes what is called a prevailing wage on all contractors doing Federal contracts that are $2,000 or more.

King Construction has been in business since 1975. That is 41 years. We have dealt with this Davis-Bacon wage scale for a long time. Not only is it expensive, and it costs the taxpayers extra money on every single project on which it is imposed, but it also brings about inefficiencies that are brought about because of the reporting requirements, the confusion that is there.

We happen to have seen on our jobs people that jump from machine to machine to try to get to the highest paying machine, not the most efficient one. That is just one picture of what Davis-Bacon does. There are many others. Our numbers from our company are someplace between 8 and 35 percent, depending on your project, that the cost of these projects are increased unnecessarily. It does not reflect prevailing wage. It reflects an imposed union scale.

This is something that this Congress has to come to grips with if we are going to ever get to balance and be responsible with the taxpayer dollars. I urge its adoption.

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, over the past few years, we have taken several votes on whether or not we should waive prevailing wage requirements that are contained in Davis-Bacon. In each and every instance, the Congress has rejected these efforts because there is strong bipartisan support for fair labor standards for construction contracts.

Davis-Bacon is a pretty simple contract, and it is a fair one. What the Davis-Bacon Act does is it protects the government as well as workers in carrying out a policy of paying a decent wage on government contracts. Davis-Bacon simply requires workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. I want to stress this again—Federal construction projects to be paid no less than wages paid in communities for similar work.

It requires every contractor for which the government is a party in excess of $2,000 contain a provision defining minimum wages paid to various classes of laborers and mechanics. This law has helped workers in all trades all over the Nation, and there is no need to abandon those workers today. I urge my colleagues to oppose the King amendment.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I would say in response to the gentlewoman from Minnesota that the actual application of the Davis-Bacon wage act is not what we would call a fair labor standard, not when you have some hacks that sit in a room once a year and decide whether and who gets how much of a raise. It is not free enterprise. It is not merit. It is based on backroom deals. It is based on imposing union scale and making the taxpayers pay for that.

If I don't hear that this year, it is the first year I haven't heard it, and that is the argument that the quality of the work isn't there. Well, the honor of our employees for 41 years, and many other merit shop employees, is on the line. We meet plans and specifications. They are Federal projects. They are inspected, and the standard of the work is indiscernible, except that we don't happen to have union squabbles on our jobs, and we pay the wage that is necessary to keep good help, and we have had some of the lowest unemployment rates that anybody has had. In fact, my rates were zero because we kept our people on year round. We take care of our employees. We provide a benefits package. So do the merit shop people I know.

So often I hear from the other side of the aisle that the Federal Government has no business interfering in a relationship between two or more consenting adults, and this is one of those cases. It is a contract of labor between the employer and the employee. The Federal Government needs not be involved in that. When they are, it invariably costs the taxpayers more money.

We can dredge five harbors instead of four. We can repair five locks and dams instead of four if we pass this amendment. Why would we, with the starvation of resources to our interior, why would we deny those resources the most efficient application?

I urge the adoption of my amendment.

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

Ms. MCCOLLUM. Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The gentlewoman from Minnesota has 3½ minutes remaining.

Ms. MCCOLLUM. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. I thank the gentlewoman from Minnesota for yielding.

Mr. Chairman, I oppose this amendment because I support Davis-Bacon. Studies have shown that Davis-Bacon actually doesn't increase the cost to taxpayers, but what happens is that, if this amendment were to pass, you would see a reduction in wages. You would see an increase with these protections from Davis-Bacon being pulled away, an increase in on-the-job injuries. You would have fewer workers with health benefits.

Davis-Bacon is about preventing wage exploitation. It is about preventing, undercutting local wages.

I will tell you this. This is about ensuring that when the Federal Government builds a project with taxpayer money that it is not just about building a road or a bridge or a facility. It is about building the middle class, and it is about building the next generation of workers. It is about providing training and providing a good wage for people to be able to live and earn a good living and live with dignity.

Mr. KING of Iowa. Mr. Chairman, I have to say in contradiction to the gentleman who just spoke, on-the-job injuries, I don't know what would support that, whether or not there is a Davis-Bacon wage scale on that. That has to do with your safety policy on the job. It has to do with the culture of the company, and it has to do, to a degree, with the culture of the projects that you are on.

The fewer benefits side of this thing, I think it goes the other way, because Davis-Bacon requires that you add dollars into this Federal-mandated union scale to pay benefits; and when that happens, you are paying a benefit figure on a dollar figure to the employees rather than, say, a health insurance package that is going to take care of them far better and in the long term.

I point out also today that we had testimony from the Secretary of Transportation from the State of Oklahoma, Secretary Gary Ridley, who said that they run into the inefficiencies driven by Davis-Bacon where you have as many as three or more different pay scales on a single project that might stretch out over 6, 8, or 10 miles. They end up in different wage scales. So the contractors have to keep track of who crosses that line in what machine. The confusion of all that adds to the inefficiencies as well.

The most important thing is this: the taxpayers are paying an unnecessary premium for projects that we could be far ahead of where we are right now if we hadn't had all these years of this Davis-Bacon wage scale. I would reiterate: it is ironic that it is the Democrats who are always on the floor defending the last Jim Crow law on the books.

It is time to get rid of the last Jim Crow law on the books. Let free enterprise prevail. Let the taxpayers be the beneficiaries of this. I urge the adoption of my amendment.

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

□ 0050

Ms. MCCOLLUM. Mr. Chairman, while I would just like to point out that corporate interests and their advocates often claim that Davis-Bacon increases taxpayers costs, there isn't a study that proves that. In fact, a study of school construction costs in the Great Plains States shows that prevailing wage laws did not only not raise constructions costs, but also that repealing such wage laws hurt taxpayers and workers.

After Kansas' prevailing wage law was repealed, wages fell 11 percent, training programs declined by 28 percent, and job site injuries rose 19 percent. Highway construction costs are actually higher when workers are paid less, according to an analysis of the Federal Highway Administration data by the Construction Labor Research Council. The studies showed that the cost to build 1 mile in States average $17.65 per hour, compared with low wages of $9.97 per hour, on average. Money was actually saved, on average, by higher productivity. Better productivity, better wages.

In Wisconsin, a study of the State's prevailing wage laws shows that potential savings from wage cuts were never outweighed by the cost of income to communities. Annual costs of repealing the law has estimated between $123 million in lost income and net tax revenues to a loss of $6.8 million. In Missouri, a similar study showed a loss to the State of $380 million to $384 million. Cost overruns are more likely without prevailing wages.

As a member of the Democratic-Farmer-Labor Party, I urge my colleagues to oppose the King amendment and pay people in the community a prevailing wage under Davis-Bacon.

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

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

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

Ms. MCCOLLUM. 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 Iowa will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 65 printed in House Report 114–683.

AMENDMENT NO. 66 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 66 printed in House Report 114–683.

Mr. LAMBORN. 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, 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).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, the process of hydraulic fracturing, often used in combination with horizontal drilling, has unlocked vast new American energy resources, making the United States the largest energy producer in the world. This creates tens of thousands of good-paying jobs and lower energy prices for consumers.

Despite this technological advancement, the Obama administration, acting through the Bureau of Land Management, has sought to regulate it out of existence by trying to institute new, onerous regulations regarding well construction and water management for hydraulic fracturing operations that take place on Federal and Indian lands.

Thankfully, the U.S. District Court in Wyoming recently struck down BLM's hydraulic fracturing rule, finding that the BLM lacks authority from Congress to regulate the process of fracking, and was acting contrary to law. As expected, the Obama administration has filed an appeal to the Tenth Circuit Court.

Despite being illegal, these burdensome regulations simply do not recognize the extensive work done by the States to regulate hydraulic fracturing within their borders.

The Natural Resources Committee has heard from numerous witnesses from Utah, Wyoming, Colorado, and other States, who have testified to the tireless process these States went through to draft and implement their regulations—regulations that are very successful.

My home State of Colorado has been safely using hydraulic fracturing for over 40 years, and has the toughest Hydraulic Fracturing Disclosure Rule in the Nation. Even our Democratic Governor, John Hickenlooper, who has actually drunk hydraulic fracturing fluid to show that it is safe, believes it is the State's responsibility to regulate industry. And this amendment will do exactly that by ensuring that States like Colorado can continue to safely regulate energy production based on local geology and conditions without unnecessary and unlawful interference from the Federal Government.

One size does not fit all and the States frequently—I think always—know better than the Federal bureaucrats in Washington do what their geology is like, what their water is like, and so son.

So I ask that you support my amendment and allow the current energy renaissance to continue ensuring a stable supply of affordable and reliable energy. This will help drive down prices for gasoline, electricity, and home heating.

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

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

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

Ms. MCCOLLUM. This amendment would prohibit the Bureau of Land Management from implementing a uniform national standard for hydraulic fracking on public lands. This amendment would prohibit the BLM from implementing a uniform national standard for hydraulic fracking on public lands. Public lands only. Such a standard is necessary to ensure that operations on public and tribal lands are safe and environmentally responsible.

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

So BLM continues to offer millions of acres of public land for conventional and renewable energy production, and it is critical that the public have confidence and transparency that effective State and environmental protections are in place.

So, as I said before, there are 32 States, and half of them don't even have anything in place that BLM could use. BLM is looking to have an implementation of a rule in State offices, and they are in the process of meeting with their State counterparts, undertaking State-by-State comparisons and regulatory requirements. I believe what the gentleman has told me about Colorado; it looks like that would be best practices and something BLM would want to look at and maybe model under.

So they are trying to establish memorandums of understanding. Unfortunately, what your amendment does is stop that from going forward. I think that, for right now, BLM needs to come up with a transparent standard so that when people are interacting with BLM State by State and when the taxpayers are looking at what BLM is doing, there is transparency, there is clarity, and there is uniformity.

Unfortunately, I have to oppose the gentleman's amendment.

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

Mr. LAMBORN. Mr. Chairman, the gentlewoman has raised an interesting point. On the surface, there is some merit to what she says. However, there is one big flaw. She wasn't aware because she wasn't in the hearing, but when BLM came and spoke to our committee, I said to them: States like Colorado are doing a good job already.

Why don't you just regulate the States that don't have their own regulation?

Well, they said: No. We want to regulate everybody.

They really didn't care whether States had good regulations in place or not. So I think they gave away the game. They just wanted to put more regulation on industry. What that means is that you have two sets of regulations to have to wade through, and that is going to shut out marginal plays, it is going to shut out jobs of people that would have been in those marginal plays.

So BLM really wasn't interested in listening to the States. They rejected that suggestion, and they just want to regulate everybody.

Let's let the States do what they do best. They know their territory, they know their water, they know their geology. They are doing a great job already. No one ever raised any examples of where the States had not done a good job.

So let's pass this amendment and BLM can manage the land and not do what the States are already doing. That is the way it should be.

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

□ 0100

Ms. MCCOLLUM. I thank the gentleman for an interesting discussion, but here is the challenge I see: 32 States with the potential of oil and gas development on federally managed lands, only slightly more than half have rules in place. So then, if the Federal Government is considering possible development on its own land and it is in a State that doesn't have a rule, they need to have a rule. They need to have transparency. They need to have accountability to the taxpayer, to our constituents.

So they are trying to form rules and regulations, and I am hopeful that BLM—and I will make some inquiries—is in the process of meeting with their State counterparts and taking best practices to develop rules, to develop transparency, to develop accountability in the States where no rules exist.

At this current time, I really have to oppose the gentleman's amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 67 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 67 printed in House Report 114–683.

Mr. LAMBORN. 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 the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by section 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(2) et seq.).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, my amendment is straightforward. It simply ensures that the U.S. Fish and Wildlife Service is following current law, specifically, section 4(c)(2) of the Endangered Species Act, by conducting a review of all threatened and endangered plants and wildlife at least once every 5 years.

Time after time, the Federal Government refuses to follow the Endangered Species Act. The government designates land as critical habitat, despite not meeting the ESA, Endangered Species Act, definition; and the government consistently refuses to remove plants and animals from threatened or endangered status, even when these species are flourishing and are no longer in need of ESA protections.

But you may ask yourself: How does the government know when the species should be removed from the endangered or threatened list? How does the government know if a species is recovering?

The answer can be found in the ESA and its requirement that the Federal Government reviews all plants or species that are currently listed as endangered or threatened every 5 years.

Under the act, the purpose of a 5-year review is to ensure that threatened or endangered species have the appropriate level of protection. The reviews assess each threatened and endangered species to determine whether its status has changed since the time of its listing, or its last status review, and whether it should be removed from the list, delisted; reclassified from endangered to threatened, which is downlisted; reclassified from threatened to endangered, uplisted; or just maintain the species' current classification, the status quo.

And because the act grants extensive protection to a species, including harsh penalties for landowners and other citizens, it makes sense to regularly verify if a plant or animal is being properly classified or should be delisted. Despite this commonsense requirement, the U.S. Fish and Wildlife Service has acknowledged that it has neglected its responsibility to conduct the required reviews for hundreds of listed species.

For example, in Florida alone, it was found that 77 species, out of a total of 124 protected species in the State, were overdue for a 5-year review. In other words, the government had not followed the law for a staggering 62 percent of species in that State.

In California, the U.S. Fish and Wildlife Service acknowledged that it had failed to follow the law for roughly two-thirds of the State species listed under the Endangered Species Act and was forced by the courts to conduct the required reviews of 194 species.

By enforcing the 5-year review, my amendment will ensure that the U.S. Fish and Wildlife Service is using the best available scientific information in implementing its responsibilities under the Endangered Species Act, including incorporating new information through public comment and assessing ongoing conservation efforts.

I encourage my colleagues to join me in ensuring that the U.S. Fish and Wildlife Service follows the Endangered Species Act and that we do not provide money in this bill that would violate current law. I ask you to support my amendment.

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, the service attempts to comply with the statutory mandate to review the status of listed species every 5 years to determine whether or not the classifications of threatened or endangered are still appropriate, and you gave some eloquent answers.

However, the service has a backlog of such reviews due to the funding limitation, such as the 30 percent listing reduction contained in this bill—$3 million less than they had last year. This has been cumulative time and time again.

So if you don't have the resources, if you don't have the staff, if you don't have the wherewithal to get out in the field and do the job, a backlog occurs. The reason why, that they are behind with the backlog on this, is because they don't have the resources to do their job.

And whose responsibility is that?

It is Congress' responsibility to make sure that they have the funding necessary to get up, go to work in the morning, and get rid of this backlog and do their job. We have a responsibility to put the tools in the toolbox for them to be able to do their job properly; and this Congress, and this piece of legislation, fails to give them the tools in the toolbox, and so the backlog will continue.

So I oppose the gentleman's amendment because it is not U.S. Fish and Wildlife's lack of wanting to do their job. It is their lack of ability, through the lack of funding, to do the job the way that they would like to do it.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, depending on how you look at the budget, we are talking about, like, let's say $11 billion, and they just have to do a better job of prioritizing their work. It is not our fault that they are not doing

the required 5-year species review. I think we agree that that should be done.

So sometimes you just have to tell the bureaucracy that they need to get on the ball and do the right thing, and that's all this amendment does. And they just have to have a better set of priorities. If they are not following the current law, they just need to get up and do it.

So let's pass this amendment. Let's make them follow the law. It is better for all the species involved if we know whether they are being conserved and the efforts behind them are working or not. We need to know that.

So let's pass this amendment, make them follow the law.

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

Ms. MCCOLLUM. Once again, I thank the gentleman for being here because I think we have had some discussions about the work that needs to be done on the policy committees and some of the challenges that we have in this bill with our limited resources.

As my grandmother would say, and maybe you had a grandparent who had a similar saying: You can't get water out of a rock.

We keep asking the Fish and Wildlife Service, National Park Service, all kinds of wonderful people who get up every morning wanting to do the best job possible and protecting our natural resources, to do more and more and more and more with less. At some point, they just can't do any more because they don't have the full-time equivalents. They don't have the scientists that they can hire. They don't have the resource managers who can get out and work in the local community. They are hamstrung.

So for only that reason, I oppose the gentleman's amendment. If they were fully funded and I could look them in the eye and say, ''You have all the tools in the toolbox; get the job done,'' I would be with you, sir. But they do not have all the tools in the toolbox, and this Congress has underfunded them repeatedly, and that is why we have the backlog. I urge 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 Colorado (Mr. LAMBORN).

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

Ms. MCCOLLUM. 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.

□ 0110

AMENDMENT NO. 68 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider Amendment No. 68 printed in House Report 114–683.

Mr. LAMBORN. 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 the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, this is my third and last amendment on this bill, and I am hopeful that maybe this is one we can agree on.

Mr. Chairman, the Preble's meadow jumping mouse is a tiny rodent with a body approximately 3 inches long, a 4- to 6-inch long tail, and large hind feet adapted for jumping. This largely nocturnal mouse lives primarily in stream side ecosystems along the foothills of southeastern Wyoming south to Colorado Springs in my district along the eastern ridge of the Front Range of Colorado.

To evade predators, the mouse can jump like a miniature kangaroo up to 18 inches high using its long, whip-like tail as a rudder to switch directions in mid-air. But the little acrobat's most famous feet was its leap onto the Endangered Species list in May, 1998, a move that has hindered development from Colorado Springs, Colorado, to Laramie, Wyoming.

Among projects that have been affected: the Jeffco Parkway southeast of Rocky Flats, an expansion of Chatfield Reservoir, and housing developments in El Paso County along tributaries of Monument Creek. Builders, landowners, and local governments in affected areas have incurred hundreds of millions of dollars in added costs because of this mouse. And protecting the Preble's mouse has even been placed ahead of protecting human life.

On September 11, 2013, Colorado experienced a major flood event that damaged or destroyed thousands of homes, important infrastructure, and public works projects. As a result of the Preble's mouse's listing as an endangered species, many restoration projects were delayed as Colorado sought a waiver. In fact, FEMA was so concerned that they sent out a notice that stated: ''Legally required review may cause some delay in projects undertaken in the Preble's mouse habitat.'' It goes on to warn that ''local officials who proceed with projects without adhering to environmental laws risk fine and could lose Federal funding for their projects.''

While a waiver was eventually granted, the scientific evidence simply does not justify these delays or the millions of taxpayer dollars that go toward protecting a mouse that is actually part of a larger group that roams throughout half of the North American continent.

Scientific studies have concluded that the Preble's mouse does not warrant protection because it isn't a subspecies at all, and is actually related to the Bear Lodge jumping mouse. Even the scientist that originally classified this mouse as a subspecies has since recanted his work. Moreover, the Preble's mouse has a low conservation parity score—meaning the hundreds of millions of dollars already spent on protection efforts could have been better spent on other, more fragile species.

My amendment would correct the injustice that has been caused by the inaccurate listing of the Preble's meadow jumping mouse and refocus the U.S. Fish and Wildlife Service's efforts on species that have been thoroughly scientifically vetted and that should be managed by the Endangered Species Act.

Mr. Chairman, I encourage my colleagues to support the amendment.

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 would prohibit Fish and Wildlife from implementing or enforcing a threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act.

On April 11, 2016, the service announced the availability of a draft recovery plan for the Preble's meadow jumping mouse which the public could review and comment on until June 10, 2016.

Now the service is currently reviewing and considering all the comments that they received, so nothing is final yet. So this is premature. You are predicting an outcome that I don't know whether or not you would agree with. So under this amendment, the service would not be able to continue to recover this species because the Endangered Species Act would still apply. The service would not be able to work with agencies. It would not be able to work with developers. It would not be able to work with landowners in order to abide ESA compliance.

Additionally, the amendment will also limit the service from undertaking required status reviews of the subspecies from being able to implement any rulemaking down-listing or delisting the species if they thought it was appropriate after they were done with their review.

Sadly, the gentleman's amendment would undermine the service's ability to work collaboratively with States, local governments, communities, and landowners to conserve this imperiled species, and the amendment would create uncertainty for landowners and

also make them vulnerable to lawsuits. So I think we should be supporting Fish and Wildlife to finish doing the job that it started and not blocking it from doing the job it is currently getting ready to do when it comes to this species.

So because nothing is final yet, I urge my colleagues to reject this amendment.

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

Mr. LAMBORN. Mr. Chairman, I would just like to point out that this species should have never been listed in the first place. It is highly disputed and contentious science that it was ever even listed at all.

So on the previous amendment I think we discussed how the Fish and Wildlife Service is already too busy in your State and they don't have enough money to do what they need to do right now. Let's free up a lot of their workload and take this one off the table because it shouldn't have been listed in the first place. Then they will have more time to do everything else that they claim to want to do.

Mr. Chairman, I ask for an ''aye'' vote on this amendment.

I yield back the balance of my time.

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

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

Ms. MCCOLLUM. 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.

AMENDMENT NO. 69 OFFERED BY MR. LOUDERMILK

The Acting CHAIR. It is now in order to consider amendment No. 69 printed in House Report 114–683.

Mr. LOUDERMILK. 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 finalize, implement, administer, or enforce the proposed rule entitled ''Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles-Phase 2'' published by the Environmental Protection Agency in the Federal Register on July 13, 2015 (80 Fed. Reg. 40138 et seq.), with respect to trailers.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Georgia (Mr. LOUDERMILK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LOUDERMILK. Mr. Chairman, under the Clean Air Act, Congress directed the EPA to regulate ''any air pollutant from any class or classes of new motor vehicles or new motor vehicle engines, which may be reasonably anticipated to endanger public health or welfare.''

Congress further defined ''motor vehicle'' as a ''self-propelled vehicle designed for transporting persons or property on a street or highway.''

Mr. Chairman, any reasonable person would understand that self-propelled vehicle means a vehicle that can propel itself of its own initiative. One would think of pickup trucks, semis, vans, or cars. One thing that does not come to mind is the back portion of a tractor trailer being the trailer portion which has no way of self-propelling itself.

Unfortunately, the EPA doesn't seem to see it that way. In last year's proposed rules for greenhouse gas emissions and fuel efficiency standards for on-road heavy-duty vehicles and engines, the EPA attempted to regulate truck trailers as self-propelled vehicles.

Furthermore, the EPA has a voluntary program called SmartWay that provides engineering guidelines for aerodynamics and reduced truck weight. SmartWay, which is voluntary, is intended to improve fuel efficiency for combined tractor tailers.

However, SmartWay only improves fuel efficiency when tractor trailers are traveling at highway speeds of more than 50 miles per hour. SmartWay provides no benefits whatsoever when the tractor trailers are traveling at less than 50 miles per hour around towns which are where most of the tractor trailers are used in the United States. But EPA wants to mandate all trailers to be governed by SmartWay, even those that travel less than 50 miles per hour.

In fact, if the government manipulates the weight of trailers, cargo gets displaced which results in more tractor trailers on the road, higher consumer prices, and more greenhouse gas emissions just to meet current freight demands.

Mr. Chairman, the trailers that EPA is proposing to regulate are highly customized to the individual specifications of each customer. Trailer manufacturers should not be forced to comply with a one-size-fits-all standard especially when given that so many trailers do not gain any fuel efficiency benefits from SmartWay.

My amendment would prevent the EPA from using any funds in the bill to regulate trailers under the greenhouse gas rule. Not only should these guidelines remain voluntary because they only benefit some trailers, EPA has no business regulating trailers under the Clean Air Act given that they are not self-propelled.

This proposed regulation by the EPA is another example of a Federal agency overstepping its bounds and attempting to enact a regulation that benefits some parts of the economy but harms others.

□ 0120

If this attempted overreach by the EPA is enforced, it will be costly and counterproductive because the private sector is moving faster to improve fuel efficiency and reduce air pollution than the EPA can move.

Congress would be wise to stop this regulation and keep the SmartWay program voluntary and let trailer manufacturers do what they know is best for their individual customers.

I urge all Members to support this amendment.

I reserve the balance of my time.

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

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

Ms. MCCOLLUM. Mr. Chairman, the fuel standards for the trailers that they are studying were jointly proposed by the EPA and the Department of Transportation.

Does the gentleman have a rider in anything from the Department of Transportation to prohibit their funding?

Mr. LOUDERMILK. We do not at this time.

Ms. MCCOLLUM. That answers part of my question, because even if he was to be successful with his amendment in the way the amendments are going—I am kind of predicting that he might be on a voice vote—it would still be moving forward under the Department of Transportation.

The standards that they are looking at are to help achieve greenhouse gas emissions and reductions. In my opinion, that is a good thing to do. The amendment would prohibit the EPA from finalizing, implementing, or enforcing its greenhouse gas rules by carving out this exemption for trailers.

Now, the other reason why I am opposing the amendment, and I am being consistent with this, is the proposed regulation is still currently open for public comment. We don't know what the final comment is going to be. We don't know what is going to happen in the future, so I don't think we should be interfering with a rulemaking process on an appropriations bill.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Chairman, once again, as we have seen with the agencies, there is a lot of overreach. Quite often, if you give them an inch, they take a mile.

I think it is imperative that we be proactive in this issue to ensure that we protect an industry that has done a good job of regulating itself.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 70 OFFERED BY MRS. LUMMIS

The Acting CHAIR. It is now in order to consider amendment No. 70 printed in House Report 114–683.

Mrs. LUMMIS. 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 finalize, implement, administer, or enforce the proposed rule entitled ''Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings'' published by the Environmental Protection Agency in the Federal Register on January 26, 2015 (80 Fed. Reg. 4156 et seq.), or any rule of the same substance.

The Acting CHAIR. Pursuant to House Resolution 820, the gentlewoman from Wyoming (Mrs. LUMMIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, I would like to observe that I am the third of three daughters, and my father used to always say nothing good ever happens after midnight, which is why he gave us a midnight curfew. I am hoping he was talking about mountain daylight time instead of eastern daylight time, especially with regard to my amendment.

Mr. Chairman, my amendment is intended to prohibit funding to complete EPA's proposed rule for environmental protection standards for uranium and thorium mill tailings.

The rule is intended to protect groundwater from potential future contamination due to in situ uranium production. The intent is not bad, but EPA officials acknowledge there is no evidence in situ uranium recovery, a process that has been used for more than four decades, has ever caused an adverse impact to adjacent, nonexempt aquifers.

Also, the EPA lacks jurisdiction to impose these standards. The EPA has general standard setting authority; but Congress has designated the Nuclear Regulatory Commission, and its agreement states, as the lead when it comes to implementation and enforcement, a concern raised by the NRC's general counsel.

Now, the uranium industry has offered to work with the EPA to review existing data and conduct additional sampling, if warranted. The industry made this offer in May 2015, and the EPA never responded, which is a problem, which has been acknowledged earlier this evening with regard to an amendment about inquiries by stakeholders and Congress regarding the EPA. They are so busy making rules that they forget to respond to stakeholders and Members of Congress.

American uranium production already faces intense competition from overseas production and Federal uranium sales, where our stockpile is being sold onto the market, depressing domestic prices and causing additional importation of uranium into the U.S. The U.S. imports upwards of 90 percent of the uranium we need for our power plants.

The proposed rule's 30-year postproduction monitoring requirements will present a significant burden on already struggling producers in Texas, Wyoming, and the West, and it could lead to more mining bankruptcies. Employment in the industry has already dropped by 21 percent. Why are we putting miners out of work and employing them in other countries where we import the same product?

The EPA recently said the agency planned to finalize this rule before the end of the Obama administration is on track. This amendment may be Congress' last chance to stop the rule and save the domestic uranium industry. For that reason, Mr. Chairman, I offer and support amendment No. 70 to H.R. 5538 and ask for its adoption.

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. Mr. Chairman, once again, my primary reason for getting up and opposing the amendment is it blocks the EPA from finalizing regulations. The amendment would ensure that there are no public health or environmental standards tailored specifically to address the technologies and challenges associated with this most widely used method of uranium recovery.

What the EPA is looking at doing is establishing requirements for leaching, which is a mining process in which boreholes are drilled into a deposit of uranium, and liquid solution is injected into the holes to absolve the uranium deposits to make sure that the aquifers are protected.

I believe that the EPA should be looking at standards that will establish requirements to ensure that groundwater is restored to pre-mine levels, that restoration is stable before a site is abandoned, and that these rules should be, moving forward, being finalized.

To the gentlewoman from Wyoming—and I don't say this on the floor very often, and I think she knows this—who I consider a dear friend and I will miss upon her not running for reelection, I am concerned when I hear my colleagues say that they are not hearing back from people in a timely fashion. So I am going to be looking into that. But right now, at this particular time, because we are in the process of finalizing regulations and we don't know what they are going to look like as of right now, I have to oppose this amendment.

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

Mrs. LUMMIS. Mr. Chairman, with great respect for the gentlewoman from Minnesota with whom I have had the privilege to serve for these past 8 years and whom I admire for her diligence and thoughtful representation of her constituents and our country, I would assert that the Nuclear Regulatory Commission, and its agreement states, are the lead when it comes to implementation and enforcement, and even the NRC's general counsel has raised this issue. The States and the Nuclear Regulatory Commission are in control of this issue. It is adequately regulated. It is appropriately regulated in a manner that protects groundwater. The injection wells and the recovery wells are from nonpotable water sources, and there are no instances where a nonpotable aquifer has contaminated a potable water aquifer.

□ 0130

For those reasons, I believe that this amendment is appropriate, and I encourage its adoption.

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

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

The amendment was agreed to.

AMENDMENT NO. 71 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 71 printed in House Report 114–683.

Mr. WESTERMAN. Mr. Chair, I rise as the designee of the gentleman from New Jersey (Mr. MACARTHUR), and 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 in this Act may be used to enforce permit requirements pursuant to part 14 of title 50, Code of Federal Regulations, with respect to the export of squid, octopus, and cuttlefish products.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Mr. Chair, I rise on behalf of the gentleman from New Jersey (Mr. MACARTHUR).

Prior to 2008, squid, octopus, and cuttlefish exports were permitted exclusively by the FDA as fish intended for human consumption. In 2008, the Fish and Wildlife Service also began regulating these species as protected species even though they are not. This allows them to charge excessive fees to seafood processors and to delay perishable shipments.

This amendment will prohibit funding from going to the Fish and Wildlife Service to inspect squid, octopus, and cuttlefish. The FDA will still regulate these products for food safety, as they do other fishery products that are meant to be consumed as food. It is a simple amendment.

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

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to this amendment.

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

Ms. MCCOLLUM. Mr. Chair, Fish and Wildlife inspections serve an important role for ensuring sustainability in regularly harvested species, which is essential to preserving the economic interests of the industry as well as the ocean ecosystems.

The Interior, Environment, and Related Agencies Subcommittee has been discussing the perishability of ecoderms for many years. Yet it has not had any other in-depth discussions about any other species.

I know the authorizing committee has been looking at this issue, and I would suggest that they are the proper committee to address any changes to permanent requirements that are requested in this amendment—permanent requirements.

Unlike the ecoderms, it is my understanding that these species are frozen seafood products instead of fresh.

Is it true they are frozen seafood products instead of fresh?

I yield to the gentleman from Arkansas so he may answer that question.

Mr. WESTERMAN. I believe these are fresh products.

Ms. MCCOLLUM. Mr. Chair, in reclaiming my time, it is my understanding that they are frozen. Therefore, they are not perishable as are the other ecoderms we had been speaking to.

I would ask that Members oppose this amendment and consider any legislation produced from the House Natural Resources Committee as the appropriate vehicle to resolve this issue.

I asked the gentleman a question about whether they are frozen seafood products or not. That seems to be in doubt. I have it under good information that they are. The gentleman is not sure. Therefore, I think it is really appropriate that this amendment be tabled, or voted down, until the proper committee has had a chance to review it, because what we are about to engage in here is a radical, radical change in what current law is.

I oppose this amendment.

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

Mr. WESTERMAN. Mr. Chair, these harmless seafood products are treated as if they were listed under the Endangered Species Act or listed as injurious under the Lacey Act or in violation of the Convention on International Trade in Endangered Species, which these products are not. They are being regulated by both the Fish and Wildlife and the FDA, and they will still be regulated under the FDA.

I encourage a positive vote on this amendment.

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

Ms. MCCOLLUM. Mr. Chair, without doing inspections, we have no way of knowing whether or not these are potentially endangered species. They are not. They would be exempted from the Lacey Act. That is why I am saying that this amendment is so radical in its nature of changing what current practice is.

I am pretty confident that these are frozen seafood products. What we were looking to address in the report language in the discussions that we have had in the committee is, for example, sea urchins, which are highly perishable, and that you have to have a quick turnaround in working with Fish and Wildlife to make sure that those inspections are taking place like that so that the fishermen and -women aren't put at an economic disadvantage.

I am very strongly in opposition to this amendment. I think the gentleman is going to go forward with it, but I really wish this could be tabled so that we could have a full discussion about what we are talking about. I think, with the best of intentions, the gentleman will go someplace, and I am not sure we will fully understand what the final product will be at the end. I oppose the amendment strongly.

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

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

The amendment was agreed to.

AMENDMENT NO. 72 OFFERED BY MR. MURPHY OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 72 printed in House Report 114–683.

Mr. MURPHY of Florida. Mr. Chair, 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 carry out seismic airgun testing or seismic airgun surveys in the Eastern Gulf of Mexico Outer Continental Shelf Planning Area, the Straits of Florida Outer Continental Shelf Planning Area, or the South Atlantic Outer Continental Shelf Planning Area located within the exclusive economic zone (as defined in section 107 of title 46, United States Code) bordering the State of Florida.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Florida (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Mr. Chair, I thank the chairman and the ranking member for their hard work in staying up so late and doing our business here.

I rise to offer the Murphy-Jolly-Castor-Clawson-Deutch-Graham-Hastings-Posey-Ros-Lehtinen-Wilson amendment to block the use of seismic airgun testing off Florida's coasts.

As you can see from the list of cosponsors, offshore drilling is not a partisan issue. In our State of Florida, the health of our economy relies on clean waters and beaches. Seismic testing puts the health of our environment and, by extension, our economy at risk. Blasting seismic waves into the waters off our coasts is the first step in the wrong direction.

Oil and gas exploration off the coasts of Florida poses too great a risk to our environment and to our economy. Seismic testing can have negative impacts on marine life, including endangered whales and dolphins, by disrupting their ability to communicate and navigate to find food as well as to locate mates and their young. It can also have negative effects on sea turtles, such as the endangered loggerhead, that have key nesting grounds along the Treasure Coast and Palm Beaches in the district I am so proud to represent.

Additionally, this practice has the potential to displace commercial and recreational fishing stocks. Estimates are that this practice can reduce catch rates in Atlantic cod, haddock, rockfish, herring, sand eel, and blue whiting by anywhere between 40 and 80 percent. This is unacceptable for Florida's fishing industry and the very livelihoods it sustains.

Floridians from every political persuasion do not want to risk an oil spill off our coasts, as we are home to more coastline than any other State in the continental United States. That is why 30 cities from both the left-leaning and right-leaning parts of our State have passed resolutions that ban seismic testing. Those closest to the ground know seismic testing is bad for business in a State with over 280,000 jobs that are supported by healthy ocean ecosystems. Protecting our shores is not a Republican or a Democratic issue. It is a Florida issue, both environmentally and economically.

I am proud that our delegation continues to stand strong against efforts to open the door to offshore drilling by working to block seismic testing off our shores. I ask my colleagues on both sides of the aisle to trust our State and our delegation. The Sunshine State is united. We do not want this. Support this bipartisan amendment.

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

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

The Acting CHAIR. The gentleman from California (Mr. CALVERT) is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, this administration has already developed the most restrictive policies for the use of seismic airguns for offshore exploration to date. We do not need to place a moratorium on the use. The gentleman specifies two planning areas off the Florida coasts, but the amendment affects many other States than just his own. As such, I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. MURPHY of Florida. Mr. Chair, I yield such time as she may consume to the gentlewoman from Florida (Ms. GRAHAM), another champion for the environment and a champion for Florida.

□ 0140

Ms. GRAHAM. Mr. Chairman, I thank Mr. MURPHY for yielding. I appreciate this opportunity of speaking for the same purpose I spoke to about an hour ago, but a different amendment.

I would just like to say, living in north Florida, I have seen firsthand the devastation that the BP oil spill created for our coastal communities. There are communities in my district that have still not recovered. I support energy independence, but Florida's beaches add billions of dollars to our economy. Drilling off our coast is not worth the risk to our environment or our economy.

This amendment reaffirms the current drilling ban by preventing seismic testing off Florida's beaches. I am proud to support it with my fellow Floridians in a bipartisan nature, and I hope my colleagues will join us in protecting Florida's beaches.

Mr. CALVERT. Mr. Chair, I urge a ''no'' vote, and I yield back the balance of my time.

Mr. MURPHY of Florida. Mr. Chair, I appreciate the chairman's hard work on this bill, and I hope he will take a moment to consider the united front that we stand in Florida on a bipartisan measure to be against this. But we oppose this practice because of its many impacts on the State and the animals that move around. They are not simply off our shore. They are all over the place. I hope the gentleman considers that.

I yield back the balance of my time.

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

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

Mr. MURPHY of Florida. 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 Florida will be postponed.

AMENDMENT NO. 73 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 73 printed in House Report 114–683.

Mr. NEWHOUSE. 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 by the Secretary of the Interior to treat any gray wolf in any of the 48 contiguous States or the District of Columbia as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) after June 13, 2017.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I rise today to offer an amendment that would prohibit the Department of the Interior and the U.S. Fish and Wildlife Service from using any funds to continue treating the gray wolf under ESA after June 13, 2017—providing these agencies with funding to continue managing the gray wolf for nearly a year—more than half enough time to work with States to develop and implement individual State management plans that would go into effect when Federal management ends.

Mr. Chairman, this is an issue of extreme importance to my home State of Washington where the gray wolf is listed in the western two-thirds of the State but is delisted in the eastern third. This fragmented listing means there are no geographic barriers to prevent wolves from traveling between listed and delisted areas, posing a risk to people's lives, farming, and ranching in the region.

Unfortunately, this issue should already be settled. On June 13, 2013, the Service published a proposed rule to remove the gray wolf from the List of Endangered and Threatened Wildlife. It made this determination after evaluating ''the classification status of gray wolves currently listed in the contiguous U.S.'' and found the ''best available scientific and commercial information indicates that the currently listed entity is not a valid species under the Act.''

The statutory purpose of ESA is to recover a species to the point where it no longer is considered endangered or threatened. The gray wolf is currently found in nearly 50 countries around the world, and the Wolf Specialist Group at the International Union for Conservation Nature has placed the species in the category of ''least concern globally'' for risk of extinction.

Mr. Chairman, the gray wolf population has grown substantially across its range and is now considered to be recovered, and, therefore, it no longer merits protection under ESA. However, my amendment does not delist the gray wolf but encourages the Service to move forward with its proposed delisting rule.

It restricts funding for Federal management after June 13, 2017—4 years after the original delisting rule was first published—providing more than enough time for the Service to finalize the rule, as well as to work with individual States to develop and implement their respective State management plans. This approach will support an orderly transition to State-level management and allow State wildlife officials to more effectively manage wolf populations, which has proven successful in States such as Idaho, Montana, Wyoming, Minnesota, Wisconsin, and Michigan.

My amendment is simple. It provides Interior and the Service with an incentive to move forward with the delisting that the agency itself said is necessary and supported by the best available science evidence and data.

I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

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

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

Ms. MCCOLLUM. Mr. Chair, as the gentleman pointed out, the wolf is an animal which exists in the great State of Minnesota, where I am from. This is not an issue that I am unfamiliar with, having worked on it in the State house when the Federal Government and the State were coming to fruition on how to protect this iconic American species.

But this amendment is an attack on that species. The work of the Keystone species, as we both know, plays a vital role in keeping our ecosystem healthy. Deer populations, the gentleman and I, being familiar with that, know how important they are to the entire ecosystem. It is also an animal to my Native American brothers and sisters in Minnesota and the surrounding area that have a deep kinship and bond with. In fact, at a wolf roundtable I had, I heard directly from many tribal leaders that the protections that are afforded under the Endangered Species Act for gray wolves is the only way in which they have been able to keep wolf hunts away or out of the tribal reservation boundaries.

I understand many of my colleagues have very strong feelings about listing and delisting and the way it affects their States, but currently, this is in the courts right now. We don't know how the courts are going to come down on its ruling, so I think we should not interfere in what is a court process.

The Endangered Species Act also exists to offer necessary protections and ensures species survival, which the majority of my constituents and constituents all across the United States support.

And this is the same law that helped successfully restore another iconic American system: the bald eagle.

This amendment would restrict the Department of the Interior's ability to implement the Endangered Species Act. However, it does not alter the protection for the endangered wolves in the State. Regardless of one's position on species protections, the amendment is problematic.

Its restrictions will ultimately hurt farmers, ranchers, landowners, and business owners because under this amendment the Fish and Wildlife Service would not be able to offer any exemptions or permits for incidental killings of wolves to landowners, ranchers, and other parties who might need them. Right now, the way the law stands, they can do that. If this amendment were to pass, they would not be able to do that.

The prohibition against accidental kills or takes would remain, and it would still be legally enforceable. Constituents in these States would either have to stop any activity that led to the taking of wolves or they would be put in harm's way to lawsuits and heavy penalties.

So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, I do appreciate the gentlewoman's knowledge and work on this issue in her home State of Minnesota.

However, I think it is time that we in this country declare a success, declare a win when it comes to the gray wolf. There are at least 6,000 wolves in the Great Lakes States, the Rocky Mountain States, the Pacific and Northwest States; 14,000 in the whole United States. As I said before, this is no longer an endangered species. It does not fit the criteria for endangered species.

□ 0150

My own State Fish and Wildlife Department 3 years in a row has sent letters to Congress asking and pointing out the reasons why the wolf could be, should be delisted.

You talk about coexisting with other species. If you look at the elk population of Yellowstone, in the 10 years between 1996 and 2006, the population has been decimated by 50 percent. If you look at the Shiras moose population of Utah, it has been decimated by 90 percent because of these healthy populations of wolves. I think there are issues that we are experiencing because of being unable to manage them in ways that States have proven that they are capable of doing.

It does not take away the ability for States to do those kind of things. The Federal Government fully has, until June 30 of 2017, to continue managing the wolf in the way it does now. This just sets a timeline, provides an incentive for the agency to move forward with its own rule and the process that has been in place.

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

Ms. MCCOLLUM. I thank the gentleman. I think we just disagree on the timing of this amendment and what this amendment would actually lead to have happen in our States and our communities. It is in the courts right now. The courts could very well rule in a way that you would be very pleased and very satisfied with, and I think we should let the court procedure take place.

Simply put, in my opinion, this amendment is bad for wolves, bad for our ecosystem, bad for business, and my constituents think it would be a really bad thing to have move forward. I urge my colleagues to oppose the 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 Washington (Mr. NEWHOUSE).

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

Ms. MCCOLLUM. 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 Washington will be postponed.

AMENDMENT NO. 74 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 74 printed in House Report 114–683.

Mr. NEWHOUSE. 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 by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I rise today to offer an amendment that I know the gentlewoman from Minnesota will like on an issue critical to livestock farmers, not just in my State and district, but across the country.

In 2013, the Environmental Protection Agency approached four dairies in Washington State about high nitrate levels in nearby wells, suspecting semi-permeable manure lagoons may be the cause. The dairies entered into a consent decree with EPA to identify and treat the cause if it was, in fact, stemming from the dairies.

Disturbingly, an environmental group FOIA'd the information the dairies provided to EPA and used it to file a citizen suit under the Resource Conservation and Recovery Act of 1976, or RCRA, against the dairies.

Unfortunately, in early 2014 a Federal judge ruled with the environmental group, asserting that dissolved nitrates constituted a solid waste under the law, and high nitrate levels constituted open dumping.

There are a number of problems with this case. However, the biggest one by far is the very law used to file the lawsuit. To be clear, there are a number of laws and regulations both at the State and the Federal level which apply to nutrient management, such as the Safe Drinking Water Act or the Clean Water Act. The problem is, Congress never intended RCRA to be used to regulate agriculture. In fact, EPA expresses that RCRA does not apply to agricultural waste, including manure and crop residue, returned to the soil as fertilizers or soil conditioners.

I don't know how you can get much clearer than nutrient management was not intended to be governed under this law; and, unfortunately, this ruling has left agriculture producers in a legal gray area trying to figure out exactly how to comply with the law that was not intended to regulate them.

All this decision has done is to create a culture of fear and distrust between farmers and regulatory agencies. If you are a good steward and come forward to proactively address problems, all you are doing is making yourself a target for lawsuits. Also, it creates a fear that a judge could capriciously decide that you are subject to a law despite clear intent that the law does not apply to you. Mr. Chairman, farmers rely on the land and water being clean and want to be good environmental stewards, and this self-defeating culture is not one we want to cultivate.

Mr. Chairman, my amendment does nothing to prevent EPA from enforcing current regulations under RCRA. It does nothing to prevent EPA from issuing or enforcing Clean Water Act or Safe Drinking Water Act rules. All my amendment does is prevent EPA from issuing and expanding new regulations under RCRA that would reflect this poor interpretation of current law.

While I am not aware of a desire by EPA to do this, unfortunately, there have been a number of other recent legal precedents directing EPA to take actions they didn't want to take. This amendment will ensure EPA's current regulations stand until Congress has the ability to weigh in and reassert its intent.

Mr. Chairman, no one is saying livestock producers, like all Americans, do not share in the responsibility of good environmental stewardship. They certainly do. But there already exists appropriate laws and regulations intended to govern these activities, and there are ones that are not intended to. We, as Members of Congress, have a responsibility to make that clarification, which is what my amendment takes steps to do.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition.

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

Ms. MCCOLLUM. Mr. Chairman, to my colleague, I think we both would agree that drinking water is critical and limited in some of our rural communities, and we need to work together to address real threats to those sacred and precious resources. We should be protecting those communities from irresponsible factory farms rather than shielding large corporations from liability when their actions do make people sick. I think we probably both agree on that.

But your amendment isn't about drinking water. It is about RCRA. Your amendment prohibits the EPA from, maybe in the future, regulating an animal feed operation under RCRA, which is the Resource Conservation and Recovery Act.

Right now, the EPA does not regulate animal feeding operations, and the Agency has no immediate plans to develop or issue such regulations, so this amendment is unnecessary, and I strongly oppose it because it also gets involved in blocking the EPA Administrator from working on possibly anything else in the future that we might agree that would affect drinking water, which I don't think is part of this.

So the fact that RCRA does not regulate animal feeding operations underneath this statute and the Agency has no immediate plans to do it, and the way that the defunding is happening, I just have to oppose this amendment at this time.

Mr. Chair, if I could just say something about some of these amendments, I understand that sometimes people are fearful of what may or may not happen in the future, and so we have had many amendments that have either interjected before a court has ruled or interjected before a final rulemaking has taken place or interjected before all the public comment has been taken in consideration.

I just think that the authorizing committee needs to be looking at what happens in public comment, and then if the Congress disagrees with a rule that comes out, that is when our role is most appropriate. I don't think we should have a role in predicting the future. I oppose this amendment.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, I do appreciate the gentlewoman's statement that we must work together to protect critical resources, and that is exactly why I am presenting this amendment for our consideration, so that dairies that want to do a good job know which rules they need to follow. Is it the Clean Water Act, is it the Safe Drinking Water Act or is it the RCRA rules? They need to know, and they can't be brought to court, being sued under rules that they didn't realize that they were supposed to be following.

It is like if you are driving down the freeway going 70 miles an hour, and the State patrolman pulls up and says, I am sorry, sir, today the speed limit is only 45. How are you supposed to know that if it is not posted? That is the kind of simplistic direction certainty that we are trying to give farmers across the country, so that is the reason for the amendment.

Certainly, I agree, EPA is not making plans to use RCRA to promulgate new rules, which is exactly why it shouldn't be a problem for us to be able to put that forward, because they are not. It shouldn't be a problem, so we are not going to be standing in their way.

□ 0200

Dairies are being sued by environmental groups, and judges are making rulings using RCRA rules as a basis for the decisions. And so that is why I think it is important for us to reassert Congress' original intention as well as EPA's clear regulations. We have to reassert that to keep clarity and certainty for our farmers and ranchers so that they can better protect our natural resources.

Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 75 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 75 printed in House Report 114–683.

Mr. NEWHOUSE. 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. ____. For ''United States Fish and Wildlife Service–Resource Management'' to reinstate the wolf-livestock loss demonstration program as authorized by Public Law 111–11, there is hereby appropriated, and the amount otherwise provided by this Act for ''Environmental Protection Agency–Environmental Programs and Management'' is hereby reduced by, $1,000,000.

The Acting CHAIR. Pursuant to House Resolution 820, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I rise this morning to offer an amendment that would restore funding for the Wolf Livestock Loss Demonstration Program.

This program assists livestock producers in undertaking proactive, nonlethal activity to reduce the livestock loss from predation by wolves, and addresses livestock losses caused by wolves.

Mr. Chairman, this demonstration program was authorized in 2009 under a Democratic administration, and $1 million in funding was appropriated in the FY 2010 Interior and Environment Appropriations Act.

Since its inception, the Wolf Livestock Demonstration Program has played a critical role in minimizing conflicts with wolves while providing ranchers with much-needed support for non-lethal activities and another tool to minimize their livestock losses from wolves.

Grants provided by this program go to 10 States with significant wolf populations, including my home State of Washington, and support each State's highest priority needs in assisting livestock producers in dealing with predation by wolves. The grants provided by this program are administered by the U.S. Fish and Wildlife Service and stipulates that the Federal cost share not exceed 50 percent.

Mr. Chairman, this program has been funded every year since 2010. My amendment would continue this funding at the 2010 level, respecting our country's current fiscal situation and tight budgetary guidelines.

The Wolf Livestock Loss Demonstration Program encourages the wider use of nonlethal programs by livestock owners and ranchers who frequently rely on lethal control methods to address livestock-wolf conflict.

As wolf populations continue to grow across the Lower 48, it is vital that we continue this demonstration program in order to benefit livestock producers willing to take proactive measures to protect not only their livestock, but wolves as well.

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

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

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

Ms. MCCOLLUM. Mr. Chairman, I want to be very clear. I think people who lose livestock to wolf predation should be reimbursed. I want to be very, very clear about that. I supported that as a State legislator, and I support it now. However, in 2014, this program for recouping farmers and ranchers is in the Agriculture bill. The Agriculture bill hasn't come to the floor yet.

EPA has been cut enough. We aren't doing enough for clean drinking water. You have seen the cuts that have been on the floor to fund other programs today.

We have funded this out of Fish and Wildlife, and now you are taking the funds for the Fish and Wildlife out of the Environmental Protection Agency. This belongs in the Agriculture bill.

And so, in effect, what you are doing—because you continue to fund it out of the Interior bill, we are going to have a significant reduction to the EPA. The EPA was already reduced $164 million below 2016. These deep reductions impact the ability of the EPA to protect human health and the health of our environment. It jeopardizes our ability to ensure that there is clean air and clean water for families today and for future generations.

I just cannot support reducing the EPA any longer. I will join you on an amendment to fund this out of where it belongs—from the 2014 Agriculture bill—but I cannot support it coming out of the EPA. It belongs in the Agriculture bill, where it is authorized.

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

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

Mr. NEWHOUSE. Mr. Chairman, I would just remind the gentlewoman

that the original program, the demonstration program, was authorized in 2009, and then $1 million was appropriated in the 2010 Interior and Environment Appropriations Act. And so it is just being consistent with what we have done as a Congress before I got here.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. NEWHOUSE. I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. In 2009. We passed a law in 2014. The legislation that is in charge of this program now, in 2014, current law, is not in this bill anymore. It is in the Agriculture bill.

And I thank the gentleman for yielding.

Mr. NEWHOUSE. Reclaiming my time, I believe that that is authorizing legislation and this is appropriating legislation. So that would be the only difference that I could see.

I certainly respect the gentlewoman has much more experience than I have, but I would still offer this amendment. It has been a good program in helping livestock producers as well as also being safer for the wolf population.

Mr. Chairman, I ask for support of the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

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. NEWHOUSE) having assumed the chair, Mr. COLLINS 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. 5538) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOLLY (at the request of Mr. MCCARTHY) for today on account of a death in the family.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today until 10 p.m. on account of official business.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 44. Concurrent resolution recognizing the sunflower as the flower for military caregivers; to the committee on Armed Services.

ADJOURNMENT

Mr. COLLINS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 9 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, July 13, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5988. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Rear Admiral (lower half) Timothy G. Szymanski, United States Navy, to wear the insignia of the grade of rear admiral, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5989. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Brigadier General Douglas M. Gabram, United States Army, to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); ; to the Committee on Armed Services.

5990. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter notifying Congress that the report on the inventory of the activities performed during the preceding fiscal year should be submitted by August 2016, pursuant to 10 U.S.C. 2330a(c)(1); Public Law 107-107, Sec. 801(c); (115 Stat. 117); to the Committee on Armed Services.

5991. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2015, pursuant to 32 U.S.C. 509(k); Public Law 105-85, Sec. 1076(a); (111 Stat. 1914); to the Committee on Armed Services.

5992. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's Major final rule — Transition Assistance Program (TAP) for Military Personnel [Docket ID: DOD-2013-OS-0236] (RIN: 0790-AJ17) received July 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5993. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Record Retention Requirements (RIN: 3064-AE25) received July 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5994. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's interim final rule — Rules of Practice and Procedure (RIN: 3064-AE43) received July 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5995. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Treatment of Financial Assets Transferred in Connection With a Securitization or Participation (RIN: 3064-AE38) received July 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5996. A letter from the Regulations Coordinator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting the Department's Major final rule — Medication Assisted Treatment for Opioid Use Disorders (RIN: 0930-AA22) received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5997. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; NC; Fine Particulate Matter National Ambient Air Quality Standards Revision [EPA-R04-OAR-2016-0106; FRL-9948-95-Region 4] received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Spokane Second 10-Year Carbon Monoxide Limited Maintenance Plan [EPA-R10-OAR-2016-0290; FRL-9948-97-Region 10] received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5999. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Iowa's Air Quality Implementation Plans; Polk County Board of Health Rules and Regulations, Chapter V, Revisions [EPA-R07-OAR-2016-0045; FRL-9948-84-Region 7] received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6000. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment; Atlanta, Georgia; 2008 Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2015-0839; FRL-9948-93-Region 4] received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6001. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures [EPA-HQ-OW-2016-0281; FRL-9948-54-OW] received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutant Emissions: Petroleum Refinery Sector Amendments [EPA-HQ-OAR-2010-0682; FRL-9948-92-OAR] (RIN: 2016-AS83) received July 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2010 Sulfur Dioxide (SO2) Primary