

**SEC. 6. POWERS OF COMMISSION.**

(a) **HEARINGS.**—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(c) **OBTAINING OFFICIAL DATA.**—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out its duties under this Act. Upon request of the chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(d) **GIFTS, BEQUESTS, DEVISES.**—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or property, both real and personal, for the purpose of aiding or facilitating its work.

(e) **AVAILABLE SPACE.**—Upon the request of the Commission, the Administrator of General Services shall make available nationwide to the Commission, at a normal rental rate for Federal agencies, such assistance and facilities as may be necessary for the Commission to carry out its duties under this Act.

(f) **CONTRACT AUTHORITY.**—The Commission may enter into contracts with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this Act.

**SEC. 7. REPORTS.**

(a) **ANNUAL REPORTS.**—The Commission shall submit to the President and the Congress annual reports on the revenue and expenditures of the Commission, including a list of each gift, bequest, or devise to the Commission with a value of more than \$250, together with the identity of the donor of each gift, bequest, or devise.

(b) **INTERIM REPORTS.**—The Commission may submit to the President and Congress interim reports as the Commission considers appropriate.

(c) **FINAL REPORT.**—Not later than August 31, 2017, the Commission shall submit a final report to the President and the Congress containing—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission; and

(3) the findings, conclusions, and final recommendations of the Commission.

**SEC. 8. TERMINATION.**

The Commission may terminate on such date as the Commission may determine after it submits its final report pursuant to section 7(c), but not later than September 30, 2017.

**SEC. 9. ANNUAL AUDIT.**

The Inspector General of the Department of the Interior may perform an audit of the Commission, shall make the results of any audit performed available to the public, and shall transmit such results to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

**SEC. 10. PROHIBITION ON OBLIGATION OF FEDERAL FUNDS.**

No Federal funds may be obligated to carry out this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**HOOR OF MEETING ON TOMORROW**

Mr. CHAFFETZ. Mr. Speaker, pursuant to clause 4 of rule XVI, I move that

when the House adjourns today, it adjourn to meet at 9:00 a.m. tomorrow.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah.

The motion was agreed to.

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

**GENERAL LEAVE**

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material for the further consideration of H.R. 5538, and that I may include tabular material on the same.

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

There was no objection.

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 West Virginia (Mr. MOONEY) kindly take the chair.

□ 1824

**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. MOONEY of West Virginia (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. 73 printed in House Report 114-683, offered by the gentleman from Washington (Mr. NEWHOUSE), had been disposed of.

**AMENDMENT NO. 76 OFFERED BY MR. PALMER**

The Acting CHAIR. It is now in order to consider amendment No. 76 printed in House Report 114-683.

Mr. PALMER. 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 carry out the powers granted under section 3063 of title 18, United States Code.

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

The Chair recognizes the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, first, I want to commend my colleague, the gentleman from California (Mr. CALVERT), for his and his colleagues on Appropriations' work on this bill.

Mr. Chairman, the Environmental Protection Agency spends as much as \$50 million per year to employ nearly 200 armed agents at an average cost of \$216,000 per year per agent. In total, over the period from fiscal year 2006 to fiscal year 2015, the EPA spent an estimated \$715 million for its criminal enforcement program.

These 200 agents are equipped with guns and ammunition up to 30 millimeter in caliber, camouflage and other deceptive equipment, night vision, unmanned aircraft, and other military-style equipment.

A 2015 report noted that the EPA spent \$24,700 on ammunition between 75 millimeter and 125 millimeter and \$23,000 on ammunition over 125 millimeter. If this is true, what possible use could the EPA have for purchasing rounds of that size?

The EPA is just one of more than 67 Federal agencies that employ armed personnel, many of whom most Americans would never associate with law enforcement. These include the National Oceanic and Atmospheric Administration, the Federal Reserve Board, and the National Institutes of Health, among others.

Federal agencies should be able to clearly demonstrate their need for armed personnel and, absent such a demonstration, should rely on local law enforcement when there is a need for armed protection.

My amendment would prohibit funding for EPA's armed agents and begin to address the troubling trend of the militarization in our Federal agencies. I urge my colleagues to support it.

I reserve the balance of my time.

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

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

Mr. CALVERT. Mr. Chairman, I understand the gentleman's concerns about sometimes the perception of overreach, and sometimes the real perception of overreach, by agencies of the United States Government.

I have taken a lot of shots at the Environmental Protection Agency, and probably will continue to do so. However, this amendment reaches too far.

We may not always agree on where it is appropriate to draw the line on environmental laws and regulations. Some think some standards are too stringent, and others will say they are not tough enough. That is a fair policy debate to have, and that is what we are doing tonight. However, we know, no matter where the line is ultimately drawn, there are individuals out there who are willingly and knowingly trying to find ways around those laws.

As such, EPA needs the ability to look into criminal activity, whether it is illegal dumping of waste, negligent

dumping of toxics or oil, and the illegal importation of products from other countries by those who would choose to ignore U.S. law. We can debate the laws and what is appropriate, but we can't give criminals a free pass to ignore the laws that are on the books.

Saying that, I would like to continue to work with the gentleman, recognizing that whether or not these agencies are properly using the police powers that they have and the type of organizations that they have to enforce the law, they must enforce the law and they must be able to protect themselves in sometimes very difficult situations.

I reserve the balance of my time.

□ 1830

Mr. PALMER. Mr. Chairman, my amendment would not hinder the EPA's ability to enforce the laws on the books. This amendment only limits their ability to employ armed personnel. The EPA will still be able to investigate and prosecute environmental crimes. They will simply have to rely on local law enforcement—or on Federal law enforcement when Federal law enforcement would be appropriate—and when there is a need for armed protection. They could, again, rely on local law enforcement or on Federal law enforcement when the need applies.

If the EPA believes that it needs armed protection, we should have a full disclosure of all of the EPA's criminal enforcement assets and a public debate about the need for the arms and equipment being used by the EPA. When we are talking about 75-millimeter ammunition, we are basically talking about an anti-tank round. When we are talking about 125-millimeter, we are talking about a tank round. They have amphibious assault vehicles, and they have other equipment that really makes them look like a military operation. It is also an enormous amount of money that has been invested here.

I would be happy—and I really appreciate the gentleman's desire—to have a discussion about this, and I look forward to having that discussion. I agree that we want to make sure that the people who work for our Federal agencies are protected, especially when they are involved in investigations in an enforcement capacity. We don't want any one of them to leave his home in the morning to go to work and be injured or worse and not be able to return home that evening. But we do need to have a serious discussion about how much we are spending, and the militarization of the Federal agencies should be of concern to all of us.

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

Mr. CALVERT. Mr. Chairman, I would share my concern about the growth of the utilization of these types of weapons within various agencies, not just within the EPA, and whether or not the U.S. Marshals office, which was used in the past, shouldn't be brought back to some degree, espe-

cially the SWAT teams and so forth, which are highly trained in sometimes very delicate situations.

Training, of course, as we know, is extremely important, and the folks who work in various agencies may not get the type of training they need in sometimes very difficult situations. I think we need to look at it, but these agents who are working for the Environmental Protection Agency sometimes need to protect themselves. We can debate whether or not they need the type of ammunition and the types of guns that the gentleman is talking about.

I think that, right now, this amendment goes too far. Again, I will work with the gentleman down the road because I do have some concerns about that. It is not just the EPA. We have got a number of agencies that seem to be arming themselves, which I have some concerns about.

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

Mr. PALMER. I thank the gentleman for expressing his concerns and for his willingness to work with us on this.

Mr. Chairman, I would just like to point out that weapons have proliferated among the Federal agencies. As I said, there are 67 agencies. We are spending an enormous amount of money on this, and we are not doing a particularly good job of keeping up with the weapons' inventory. We have had situations in which weapons have been lost or stolen—in one case, with the tragic result of the murder of Kate Steinle, in which the weapon had been stolen from the automobile of a ranger from the Bureau of Land Management.

I just think we have to take a long, hard look at the real need for arming Federal agencies. Some of them make absolutely no sense, like with the National Oceanic and Atmospheric Administration, and particularly with the EPA. The EPA is one of the most feared agencies in the Federal Government. I put them right up there next to the IRS. To think that you have got armed agents with the kind of equipment and weapons that they have is a serious, serious issue that my amendment addresses. It has already, I think, initiated a much-needed debate on this issue.

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

Mr. CALVERT. Mr. Chairman, reluctantly, I oppose this amendment. I would be happy to work with the gentleman in the future to come to some resolution of this problem. I do agree that it is a concern that we should all work together on, on both sides, because the so-called militarization of some of these agencies is concerning, but individuals within these agencies should be able to protect themselves in situations that may arise from time to time. I would urge opposition 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 Alabama (Mr. PALMER).

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

Mr. PALMER. 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 Alabama will be postponed.

AMENDMENT NO. 77 OFFERED BY MRS. LUMMIS

The Acting CHAIR. It is now in order to consider amendment No. 77 printed in House Report 114-683.

Mrs. LUMMIS. Mr. Chair, on behalf of the gentleman from New Mexico (Mr. PEARCE), 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 treat the New Mexico Meadow Jumping Mouse as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

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, the gentleman from New Mexico (Mr. PEARCE) was called away. I am standing in for him and want to join the previous amendment offerer in thanking the Appropriations Committee's Subcommittee on Interior, Environment, and Related Agencies, as well as the staff of that committee, for their hard work on this piece of legislation.

This amendment would affect the New Mexico meadow jumping mouse. As a result of the habitat designations, the U.S. Forest Service has begun to construct electric fences around the New Mexico meadow jumping mouse's habitat, which is located around floodplains and streambeds in New Mexico.

The problem is a number of these critical habitat designations coincide with ranching allotments in New Mexico where ranchers hold what we call territorial water rights. Those are water rights that existed and belonged to these ranchers before New Mexico was even a State. These longstanding water rights provide access that is essential to these ranches. This amendment is needed because the Fish and Wildlife Service and Forest Service are not effectively working with ranchers to maintain their operations.

There is also an issue about the science surrounding this mouse. The mouse has never been seen in a number of the critical habitat areas, and the few mouse sightings on record were made nearly a decade ago. The agencies themselves have admitted that the science used to list the species and designate the critical habitat is seriously

limited. Despite that science gap, farmers and ranchers are being denied their private property rights—their territorial water rights—and are being driven from their allotments all for a mouse that may not even exist in these areas.

Voting for this amendment will send a clear message to the Fish and Wildlife Service that species listings that are not backed by sound science will not stand. We cannot allow unsubstantiated science to destroy the lives of American citizens and the history and heritage of the ranching community and the culture of the ranching community that even predates New Mexico's admission into the Union.

For this reason, I ask that my colleagues support the Pearce amendment to delist this species until legitimate and up-to-date science is available.

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

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

The Acting CHAIR (Mr. PALMER). The gentlewoman from Minnesota (Ms. MCCOLLUM) is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this would prohibit the Fish and Wildlife Service from implementing or enforcing the Endangered Species listing of the New Mexico meadow jumping mouse under the Endangered Species Act, and it would restrict the Service from offering any critical protections to preserve the species.

I heard clearly what my good friend said, and having a grandfather who is a rancher in Montana, I hear what she is saying. However, once a species is listed under the Endangered Species Act, the role of Fish and Wildlife Service is primarily permissive—it is permissive—in helping parties to comply with the act as they carry out their activities.

The majority of the habitat for the New Mexico meadow jumping mouse is on Federal land, and the U.S. Fish and Wildlife Service is working with the Forest Service to develop a conservation measure that will protect the mouse while, clearly, allowing livestock raising on Forest Service lands and ensuring adequate water for the cattle, which they should do.

Since the Endangered Species listing, members of the livestock community have voiced concerns about the impacts to people who recreate and make their livelihoods on Forest Service lands which result from addressing the needs of the meadow jumping mouse. The Fish and Wildlife Service listened clearly to these concerns, and they have established three working groups to address these concerns. They have come up with creative solutions, like establishing the cattle lanes, which I am sure the gentlewoman was referring to, to make sure the cattle can maintain access to the water while protecting the vegetation that is necessary for the survival of the meadow jumping mouse.

Under this amendment, the Service would not be able to continue to recover the species, though all of the Endangered Species Act prohibitions would still apply. The Service would not be able to work collaboratively with these stakeholders to provide ESA compliance. The Service has a statutory requirement to implement the Endangered Species Act. Defunding the agency's ability to fulfill this legal requirement makes everyone more vulnerable to losses, which is an unnecessary cause for the American taxpayer. Additionally, this amendment limits the Service from undertaking required status reviews of the subspecies or from initiating any rulemaking to down list or to delist a species as is appropriate.

I believe that the Fish and Wildlife Service, with the working groups, can come up with a creative solution. We should also allow Fish and Wildlife to be able to down list or to delist the species. If what the gentlewoman is reporting is true, her amendment would not give them the ability to do that. I oppose this amendment, and I urge my colleagues to oppose it as well.

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

Mrs. LUMMIS. Mr. Chairman, this is a water rights issue in addition to an Endangered Species Act issue. This is an instance in which private water rights are being abrogated for the sake of a mouse that we don't even know exists in this area and the science about which makes it so you can't tell one subspecies from the other of this meadow jumping mouse unless you actually kill the mouse and look at its skull. Now, when it is that extreme in figuring out whether a mouse is endangered or not—whether it is a Preble's meadow jumping mouse or a New Mexico meadow jumping mouse or some other subspecies—we have got a problem with the science.

To block people from territorial water rights—using electric fences in a way that is based on science that is this obscure—doesn't sound, to me, like an effective means by which to work with the ranchers, the culture, and the livelihoods of the people involved. Therefore, once again, I urge support of the Pearce amendment.

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

Ms. MCCOLLUM. Mr. Chairman, 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.

□ 1845

AMENDMENT NO. 78 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 78 printed in House Report 114-683.

Mr. GOSAR. Mr. Chairman, as the designee of the gentleman from New Mexico (Mr. PEARCE), I offer amendment No. 78.

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 treat the Mexican wolf (*Canis lupus baileyi*) as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or to implement a recovery plan for such species that applies in any area outside the historic range of such species.

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. Chairman, I rise as the designee of Mr. PEARCE to offer amendment No. 78 to H.R. 5538. The Pearce-Gosar amendment allows for the responsible State management of the Mexican wolf in Arizona and New Mexico. It will also prevent the United States Fish and Wildlife Service from expanding the population for this species outside of its historic range.

One of the main issues for the wolf recovery is an extremely outdated recovery plan being utilized by the Service. The Mexican wolf was first listed as an endangered species in 1976. In 1982, Mexico and the United States signed the Mexican Wolf Recovery Plan, which the Service is still currently utilizing today. As a result, this plan is significantly outdated and is not based on the best available science.

Without an updated plan that includes recovery criteria, the Mexican wolf will remain on the endangered species list in perpetuity. The Service has recently expressed interest in re-drafting its recovery plan. However, the agency has done this in the past but has failed to make any updates and has instead caved to radical environmental groups.

Another major issue arose early last year when the Service expanded the recovery zone for the wolf by four times its previous size without first securing the funding to manage the new acreage. The results have been disastrous for private citizens who face longer wait times for wolf disturbances, as well as the species, whose numbers have also declined under the failed management plan of the Fish and Wildlife Service.

In December 2015, the Service confirmed that the agency was again considering introducing the species into areas outside its historic range. This expansion effort is extremely misguided, as 90 percent of the Mexican wolf's historic range is in Mexico.

The four Governors from the States of Arizona, Colorado, New Mexico, and Utah sent a bipartisan letter to Department of the Interior Secretary Sally Jewell expressing serious concern in opposition to this approach.

On July 8, 2015, the Arizona attorney general and the Arizona Game and Fish

Department filed a lawsuit against the Secretary of the Department of the Interior and the U.S. Fish and Wildlife Service “for failing their statutory duty to develop an updated recovery plan to guide the Mexican wolf recovery.”

In April of 2016, the New Mexico Department of Game and Fish also filed a lawsuit against the Service, claiming that the agency was ignoring the “laws and regulations of New Mexico” by releasing wolves without State permits.

Last month, a Federal judge sided with the New Mexico State government and granted the State a temporary injunction preventing the Service from releasing any more Mexican wolves into the wild.

Adding to this debacle, this week the Department of the Interior’s Office of Inspector General released a scathing report of the Mexican Gray Wolf Recovery Program, which revealed some serious structural issues with the program, including subversive actions taken by the Fish and Wildlife Service staff overseeing the program.

In lieu of the current circumstances, I urge my colleagues to vote for this amendment to allow the respective States to protect and manage the species, not the Washington bureaucrats with a track record of failure.

The amendment is supported by the American Farm Bureau Federation; Americans for Limited Government; the Public Lands Council; the National Cattlemen’s Beef Association; Arizona Cattle Feeders Association; Arizona Farm Bureau Federation; Arizona Liberty; Dona Ana Soil and Water Conservation District; Gila County Cattle Growers Association; Idaho Recreation Council; New Mexico Cattle Growers’ Association; New Mexico Wool Growers, Incorporated; New Mexico Federal Lands Council Wildlife biologist Mary Darling; taxpayers John Fowler, James Goughnour, Gary Kiehne, Therese Griffin Hicks, Becky Nutt, Jim and Sue Chilton; and countless other individuals and organizations.

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

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, I understand and I hear clearly what the gentleman was saying that the plan needs to be updated, refreshed, and people need to be involved in it. I would be happy to work with the gentleman to make sure that the Fish and Wildlife Service lives up to its responsibilities in doing that, but I strongly oppose this amendment.

The Mexican wolf is the most endangered subspecies of wolf in the world. The population is now estimated at approximately 97 wolves in the wild. Biologists believe that, when the Mexican

wolf population returns to a healthy number, that it will restore balance to the Southwest ecosystem by keeping deer, elk, and other prey populations strong by preventing overpopulation and overgrazing of habitat.

The reintroduction of wolves into Yellowstone, for example, demonstrates how top predators like wolves maintain the balance of nature. Elk in Yellowstone are now more wary and avoid standing in the open near streams. Willows and aspens have come back and, with them, birds and beavers. With the beavers came the ponds and more fish. The presence of wolves has also led to fewer coyotes, which boosted the population of pronghorn, antelope, and fox.

I have been in Yellowstone, and I have been out there and have seen the stream recovery and all of these things that I just spoken of. I have actually seen this recovery happen. In the Southwest, scientists expect similar benefits to wildlife, sportsmen, and to everyone who enjoys the outdoors.

This amendment would prohibit the Service from managing wolves in the wild, including the capture and removal of problem wolves and assisting livestock producers to manage wolf-livestock conflicts, such as using radio collars and hazardous techniques.

So I oppose the gentleman’s amendment because it would undermine the Service’s ability to work collaboratively with local communities and ranchers. And I hear you clearly say that they need to do a better job with that, and I agree that we need to do the best job we can.

We need to be able to make sure that the ESA compliance to protect private citizens from taking violations under section 9 of the ESA, a third party could sue them. So, by your amendment, you expose citizens from take violations under section 9 of the ESA, and the third party then, in fact, could be sued.

It would prohibit any efforts to prevent conflicts with wolves or update the recovery plan, as I agree, probably needs to be updated.

So it is clear, as you can see, I think we should be supporting the Fish and Wildlife Service in its efforts to manage this imperiled species and not block the agency from doing its job.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Arizona has 1 minute remaining.

Mr. GOSAR. Mr. Chairman, I would like to inform the gentlewoman that I am from Wyoming. I actually had to endure and watch what the Fish and Wildlife Service actually erroneously did with introducing the nonnative wolves into the Yellowstone Park area. They made superpacks of wolves and actually ended up costing 60 percent of the Shiras moose herd. So I am very, very aware of this.

This amendment will not force the wolf into extinction. They are going extinct because of the Fish and Wildlife Service. States have proven better at species conservation and management than the bloated bureaucracy, and the only way they respond is through frivolous lawsuits.

Again, 90 percent of the Mexican wolf’s historic range is in Mexico. Arizona and New Mexico both want the ability to manage this species in the United States. The Mexican wolf has lingered on the Endangered Species Act for nearly 40 years, and it will go extinct at the rate that the Fish and Wildlife Service is doing. It is time to do something right and return it back to the States.

Again, I urge support of this amendment.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, once again, I would just like to point out that the Mexican wolf is the most endangered subspecies of all wolves in the world. The population is now estimated at approximately 97 wolves in the wild. So I believe we should be supporting the Fish and Wildlife Service in its efforts to manage this imperiled species, not blocking the agency from doing its job.

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 Arizona (Mr. GOSAR).

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 Arizona will be postponed.

AMENDMENT NO. 79 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 79 printed in House Report 114-683.

Mr. PERRY. 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, administer, purchase, acquire, or operate an unmanned aircraft system owned by the Department of Interior or the Environmental Protection Agency to perform surveying, mapping, or collecting remote sensing data.

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

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment prevents the Department of the Interior and the EPA from using

in-house agency assets and, specifically, their agency owned and operated UAS for land surveying, mapping, imaging, and other such remote sensing activities.

Mr. Chairman, you may have heard that last month the Federal Aviation Administration, the FAA, announced that the new small UAS unmanned aerial system—UAS rule, part 107, including all pilot and operating rules—will be effective on August 29 of this year. That is important because that will allow commercial activity in the UAS arena, not just government activity.

Now, perhaps no new technology in history will revolutionize the aerial surveying and mapping community like unmanned aerial systems. The benefits of commercial and private UAS are incalculable. Technology has moved forward rapidly, and what used to be considered toys are quickly becoming powerful commercial tools that provide enormous benefits in terms of safety and efficiency.

When UAS are performing missions connected to surveying and mapping areas for stewardship decisions and public policy, society is only just beginning to realize the full potential of the unmanned aerial system. Indeed, the demand for UAS for business purposes has been far reaching and continues to grow. UAS technology is already bringing substantial benefits to people's daily lives.

The timely acquisition of geospatial data is critical to assessment, realtime decisionmaking, and mitigation during and immediately following both natural and manmade disasters, including earthquakes, tornadoes, blizzards, floods, volcanic eruptions, wildfires, hurricanes, infrastructure disasters, including collapsed buildings, bridges, and dams, ruptured pipelines, various types of terrorists incidents, and in emergency blue tarp surveys to support postdisaster response.

There is a concern that agencies like the USGS and the Bureau of Land Management are acquiring unmanned aerial systems and regularly utilizing them on projects that can be accomplished by the private sector, directly competing with the private sector. The result is a loss of business for the private sector under contract to other Federal mapping agencies.

The government is getting a leg up on the private sector by obtaining certificates of authorization, or COAs, which are required to fly the UAS and performing services with UAS that are otherwise commercial in nature. Currently, there is no effective enforcement and oversight to prevent government abuse of such authority for commercial purposes.

The fact that government agencies can operate a UAS while the private sector cannot as freely or timely gain airspace access has created an uneven playing field. Allowing the Department of the Interior to use UAS in direct competition with the private sector is not only poor stewardship of taxpayer

money, but it is also an inefficient use of resources. It also results in the government duplicating and directly competing with private enterprise, which is something that we don't seek to do.

I reserve the balance of my time.

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

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

Mr. CALVERT. Mr. Chairman, while I agree there are many other implications in this amendment, I am going to speak about how this would affect the ability to fight wildland fires.

So far this year, wildland fires have burned more than 2.3 million acres. Certainly, in my State, in California, we unfortunately have some significant fires going on right now. Right now, throughout the United States, we have 16 active large fires.

Now, we can get in a policy discussion of whether or not we should be contracting out utilization of this new technology to the private sector. I tend to agree with you. I think it is a better use of taxpayer's money overall to contract this out. This is more of an authorizing decision than it is an appropriating decision. I would hope that the authorizers would meet and make the policy on how we should do this.

Right now, as we sit here today, unmanned aircraft systems are being used by fire managers and fire crews, and we need to make sure that we ensure the safety of these fire crews and protect the communities to the best of their ability.

You are right that this technology has moved very rapidly. This is a way that they use to find the hotspots to be able to use communications with aerial vehicles to drop the water or chemical on the fire more effectively and more efficiently. We may be able to do this with private contractors, but right now we don't know who is the best trained and so forth.

Again, we are the appropriating committee. We pay the bills; and I think because of this technology, the authorizing committees need to set policy on this and start working on doing this and start doing that through their regular order.

So right now, I would oppose this amendment. Our fire crews right now need this equipment, and I wouldn't take that away from them.

I reserve the balance of my time.

□ 1900

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

Mr. CALVERT. Mr. Chair, I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, last year I rose in opposition to this amendment because it failed to account for the Department's need to utilize unmanned systems in times of emergency. Let me give you a couple of examples. We had a conversation. I was hoping that when I saw the amendment

this year, you might have made some accommodations for this.

Use of remote sensing via unmanned aircraft makes sense. It allows for rapid collection of data and allows for the Department to get a closer look at natural disasters. The Department and the USGS are using unmanned aircraft to monitor the spread of wildfires, as the chairman pointed out, monitor river bank erosion, detect and locate coal seam fires, conduct waterfowl surveys, and inspect abandoned mines.

I think the chairman said it best, we need to have the authorizing committee look at this because, I think the gentleman would agree, there are times when good things can be done; but this amendment, unfortunately, doesn't allow that to happen.

I thank Chairman CALVERT for yielding me the time.

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

Mr. PERRY. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 2 minutes remaining.

Mr. PERRY. Mr. Chairman, I find a lot in common with the chairman and the gentlewoman from Minnesota. Certainly in times of emergency we would want to use the assets that are available to us immediately. The amendment says it prohibits the Agency to perform surveying, mapping, or collecting remote sensing data. None of those are, generally speaking, an emergency situation; so I find some agreement, but this is what the amendment says.

I just want to let everybody know that this is a \$73 billion market, and while we wait around in the United States and wait on the FAA to promulgate rules beyond the line of sight, et cetera, the market moves further and further away from the United States. It drives more than \$1 trillion in economic activity. More than 500,000 American jobs are related to the collection, storage, and dissemination of imagery and geospatial data. Another 5.3 million workers utilize such data. As much as 90 percent of the government information has a geospatial information component. Up to 80 percent of the information managed by business is connected to a specific location, and it is identified by the Department of Labor as one of just 14 high-gross sectors of the United States workforce.

I find it problematic that we are giving our government a leg up when the private sector is the one that pays for the government, and they are on the cutting edge of this. This amendment is supported by the American Farm Bureau; the Business Coalition for Fair Competition; and MAPPS, the association of mapping and geospatial firms.

I understand the arguments on the other side, but I think it is important that we stay on the cutting edge and we move forward in the private sector and not empower and enrich the government sector in this regard. So with

all due respect, I hope that my colleagues will vote in favor of the amendment.

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

Mr. CALVERT. Mr. Chairman, in closing, based upon the way we read this amendment, it would shut down the Department of the Interior's current operations and eliminate its ability to use unmanned aircraft systems. While that may not be the intent of the amendment, that is what it says and does, according to our folks who have read through it.

Now, hopefully next year, as we go through the authorization process, we can come back here and have a policy because I believe in private contracting for these type of services, but right now I don't want to have the unintended consequence of taking away vital equipment that is being utilized at this time. So I would reluctantly oppose the gentleman's amendment and hope that we could come to a resolution within the next year and not just within the Department of the Interior. There are other departments who use this.

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

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

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

Mr. PERRY. 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 Pennsylvania will be postponed.

AMENDMENT NO. 80 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 80 printed in House Report 114-683.

Mr. PERRY. 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. \_\_\_\_ Appropriations made in this Act for the Environmental Protection Agency are hereby reduced by 17 percent.

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

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. I yield myself such time as I may consume.

Mr. Chairman, this amendment will reduce the funding to the Environmental Protection Agency by 17 percent to ensure the EPA bureaucrats are not immune to the negative impacts of their actions in the form of regulation. You wonder why 17 percent. I am going to get to that.

EPA regulations generally jeopardize our Nation's access to affordable, reliable power and will lead to skyrocketing electricity costs. By their own admission, and by design, unelected, unaccountable bureaucrats in the EPA are pursuing an ideological agenda while imposing real costs in the real world on the economy and on everyday Americans.

An analysis conducted by the National Economic Research Associates, or NERA, in November of 2015 found compliance with the Clean Power Plan would cost consumers and businesses nearly \$300 billion from 2022 to 2033. Now, despite these staggering costs, the Clean Power Plan will have virtually no effect on climate change as it reduces atmospheric CO<sub>2</sub> concentrations by less than one-half of 1 percent. One-half of 1 percent, and that cost \$300 billion in that period of time.

NERA estimates the Clean Power Plan will burden Pennsylvania—the State where I am privileged to represent a district—with an average annual electricity price of 17 percent. That is where I came up with the 17 percent. They are saying that my constituents are going to pay 17 percent more for their power. So it seems to me that the EPA should feel the pain as well. You can see what the estimated burden imposed on each State is by the Clean Power Plan at the Web site [www.americaspower.org/nera](http://www.americaspower.org/nera). You can check it out for yourself. Because you don't live in Pennsylvania, it might be a little more, it might be a lot more.

This amendment will ensure that bureaucrats in the EPA will feel the impact that their ideological agenda has imposed on the American citizen by reducing the appropriations for the EPA by 17 percent. My consumers, my citizens, my voters didn't have any choice in this. They are just going to have to pay 17 percent more for their electricity. This amounts to a funding reduction of about \$1.4 billion. That is what it costs the EPA. It costs every one of my consumers 17 percent every time they pay their electricity bill. It is only fair that the EPA is forced to make hard decisions as to how to divide up its smaller budgets as it has forced to do what the families that I am privileged to represent have to do if this rule is enacted.

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

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

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

Mr. CALVERT. Mr. Chairman, I don't want the gentleman from Pennsylvania to think I am picking on him because I certainly understand and share the gentleman's frustration with EPA and with this administration's overzealous regulatory agenda. In fact, in this bill, as the gentleman well knows, we tried to reverse all of the overreaching agenda that this administration has placed on the American people.

We have gone through this bill line by line for the Agency's budget to identify areas for targeted and strategic cuts. In total, fiscal year 2017 bill cuts EPA by \$164 million, and \$291 million below Obama's budget request. The bill cuts EPA's air regulatory program \$25 million below the enacted level and \$93 million below President Obama's budget request. The bill denies the Obama administration's request for additional staff at EPA and keeps the number of EPA personnel at the lowest level since 1989. That is when George Herbert Walker Bush was President. I am sure you would like to go back to 1976, but I think we have done a pretty good job of cutting it back to 1989.

Unfortunately, the gentleman's amendment would penalize States by cutting the grants they need. It would reduce the funding for the clean water and drinking water grants, which support construction jobs in every district. It would impact the geographic program, such as the Great Lakes, that are important to many Members. It would reduce funding for the clean-up of toxic Superfund sites, and, unfortunately, the gentleman's proposal for a general cut would impact all those important programs.

I would like to remind the gentleman that with the cuts included in this bill, we have already cut EPA funding by \$2.3 billion or 23 percent in this bill since 2011. So we have continuously done this every year. I looked at this bill very carefully and have tried to do everything we could to make sure that we do responsible cuts to the Environmental Protection Agency without damaging the environment.

Mr. Chairman, I reluctantly oppose this amendment. I think I have said everything I need to say about this.

I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, may I inquire as to how much time is remaining?

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

Mr. PERRY. Mr. Chairman, I certainly appreciate the chairman's efforts over these many years, and I support everything he has done. What vexes me is with everything that we have done and he has done, the EPA still has found a way to reach into the pockets of my consumers, the people that I represent and take 17 percent of their power bill. They didn't say: Well, you have to take it out of the food budget or, you know, your kids' Boy Scouts dues. They just said: We are taking it right off the top. That is what they said to the consumers I have to represent.

Apparently, no matter how much we take from them or have taken from them so far, they haven't gotten the message yet. I appreciate your position, but in an effort to stand up for the citizens I represent as strongly as I can and to say we don't want a 17 percent hike in our power bills just because the EPA says so, I am going to



ask that my colleagues support the amendment and heap a little more trouble on the EPA, as they are heaping the trouble on the constituents that I am privileged to represent.

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

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

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

Mr. PERRY. 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 Pennsylvania will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. RATCLIFFE) assumed the chair.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the conference report accompanying the bill (S. 524) "An Act to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the prescription opioid abuse and heroin use crisis, and for other purposes."

The SPEAKER pro tempore. The Committee will resume its sitting.

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

The Committee resumed its sitting.

AMENDMENT NO. 81 OFFERED BY MR. PERRY

The Acting CHAIR (Mr. PALMER). It is now in order to consider amendment No. 81 printed in House Report 114-683.

Mr. PERRY. 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 shall be used to give formal notification under, or prepare, propose, implement, administer, or enforce any rule or recommendation pursuant to, section 115 of the Clean Air Act (42 U.S.C. 7415).

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

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. I yield myself such time as I may consume.

Mr. Chairman, this amendment will prevent funds from being used to expand the EPA authority pursuant to section 115 of the Clean Air Act.

The Clean Air Act, which has served us well since 1973, hasn't needed to be expanded, it has been used over and over again to make sure that we clean up our act.

Section 115 of the Clean Air Act allows the EPA to mandate State emission levels to whatever amount the Agency deems appropriate if they find two things. Listen to that again. The Clean Air Act, section 115, allows the EPA—the Federal Government—to mandate all 50 of our States' emission levels to whatever amount the Agency deems appropriate—whatever amount—if they find two things. This has been there since 1973. It hasn't been relevant, but it is now. If the EPA finds that U.S. emissions endanger a foreign nation and the endangered nation has a reciprocal agreement to prevent or control emissions in their own nation.

□ 1915

Now, where that comes into play is the Paris climate agreement. It was just signed, and even though it is not a treaty, because we have the Clean Air Act and section 115, it is now operative or potentially operative.

Many believe and have argued that the U.N. Paris climate agreement meets these requirements and, once again, would allow the Federal Government to mandate our State emission levels to whatever amount the agency deems appropriate, period.

The President has proven time and time again that he has no problem circumventing Congress and working unilaterally to achieve his policy priorities. I suspect since he is in favor of the Paris climate agreement, that this is one of his policies.

With the Clean Power Plan caught up in the courts as the President's administration comes to an end, there is a serious concern and a legitimate concern that he will act unilaterally to cement his environmental legacy by enforcing section 114 in this way.

This amendment would block this attempt to delegate nearly unlimited power and authority over the energy sector in each one of our States to unelected, unaccountable bureaucrats at the EPA. Such expansive authority of the EPA would be economically devastating and could threaten the reliability and viability of our Nation's energy sector.

I know the President has got 5, 6 months left to go, and he would like to get as many regulations on the books as possible. We simply cannot let this happen, and we cannot leave it to chance.

I would urge my colleagues to an affirmative vote on this amendment.

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

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

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

Ms. MCCOLLUM. Mr. Chair, as has been pointed out, this would block the

EPA from regulating air pollution under section 115 of the Clean Air Act.

Section 115 deals with international pollution and allows the United States to work with other countries in transboundary pollution issues. As we know, pollution doesn't stop at a border. It moves. And it is moving around the planet.

This amendment is a transparent attempt to clearly stop the Paris climate change agreement reached in December 2015. The Paris climate agreement is a milestone in the global effort to combat climate change, something which my constituents feel is very clear, very present, and is a huge problem of which the United States should show leadership in.

More than 190 nations have made commitments to limit their climate-damaging pollution, including all the largest developed and developing countries.

Future U.S. administrations could use section 115 to help ensure that the United States does its part and to provide that other countries do their part too.

The Perry amendment would prohibit the EPA and the White House from even developing a well-considered recommendation or whether or not to use this authority. Congress should not take a tool out of the toolbox for a future administration's climate change mitigation toolbox.

This is a matter of global leadership. The United States needs to meet its Paris climate commitment and, subsequently, any commitment to act in the future.

Congressman PERRY's amendment and similar efforts to thwart the progress on climate change could—I would say "would"—undermine our ability to achieve needed pollution reductions and hit our Paris targets.

This amendment is the latest in a long line of Republican attacks on the Clean Air Act and the EPA's authority to respond to the urgent threat of climate change. A vote for this amendment is another vote, in my opinion, for those who deny climate change is real and to block action to curb the carbon pollution that is driving dangerous climate change.

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

Mr. PERRY. Mr. Chair, how much time is remaining?

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

Mr. PERRY. Mr. Chair, this is not to deny climate change. This is about authority. Whose authority? The United States and the individual States don't need foreign governments through the Federal administration telling us, telling them how to run their railroads and their businesses and how much they regulate their own clean air pursuant to the 1973 Clean Air Act. That is why we have the Federal Government, and that is why it collaborates with the State.