

him. I don't think that there is any desire on his part to militarize the Environmental Protection Agency, and I think that he will see this new Administrator wanting to do the right thing.

Mr. Chair, I oppose this amendment and urge my colleagues to oppose the amendment.

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

Mr. PALMER. Mr. Chair, again, I appreciate the response of the chairman, who, I again want to reiterate, has done a fine job in the appropriations process, and I appreciate his concerns about this.

I intend to meet with Secretary Pruitt. I have known him for quite some time and have full confidence in his ability to lead the EPA in a much better direction than it has been over the last few years.

He inherited this problem. This is not an effort by the EPA to militarize. They already are militarized. This example I gave you from the State of Alabama is just one example of other instances in the State of Alabama, other instances around the country.

We depend on law enforcement to handle confrontational situations. I don't think anyone expects a Federal agency to have people who are trained to the degree that our law enforcement is to handle situations where someone might get injured or killed.

So it is, I think, totally appropriate for us at this point to redirect this funding, to remove this funding for armed agents, who, by the way, as I said early on, and if you want to see this report from Open the Books, we are purchasing 75-millimeter ammunition, 30-millimeter ammunition. It is hard to imagine what purpose they have for ammunition of that size.

Mr. Chairman, I appreciate the opportunity to speak on this amendment, and I urge my colleagues to vote "yes."

Mr. Chair, 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 ayes appeared to have it.

Mr. CALVERT. 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.

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. LAMBORN) having assumed the chair, Mr. BERGMAN, 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. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30,

2018, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 601, REINFORCING EDUCATION ACCOUNTABILITY IN DEVELOPMENT ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-299) on the resolution (H. Res. 509) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 601) to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 504 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. 3354.

Will the gentleman from Michigan (Mr. BERGMAN) kindly resume the chair.

□ 2224

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. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, with Mr. BERGMAN (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, a request for a recorded vote on amendment No. 56 printed in House Report 115-297 offered by the gentleman from Alabama (Mr. PALMER) had been postponed.

AMENDMENT NO. 57 OFFERED BY MR. CARBAJAL

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in House Report 115-297.

Mr. CARBAJAL. 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 division A (before the short title) insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to process any application under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a permit to drill or a permit to modify that would authorize use of hydraulic fracturing or acid well stimulation treatment in the Pacific Outer Continental Shelf.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from California (Mr. CARBAJAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARBAJAL. Mr. Chairman, I am offering my amendment on behalf of my constituents on the central coast of California. It simply prevents the Bureau of Ocean Energy Management from issuing any new permits that would allow companies to use hydraulic fracturing or acid well stimulation, otherwise known as fracking, in Federal waters off the West Coast. It will prohibit the use of fiscal year 2018 funds to process any new applications for this purpose. This would provide us more time to study whether offshore fracking is safe for the environment and public health.

In 2013, we learned that offshore fracking had been occurring off California's coast for more than two decades. In the Santa Barbara Channel alone, there have been more than a dozen documented instances of offshore fracking, yet we know very little about the environmental and health impacts this has had on our communities.

Already, the United States Geological Survey has concluded that the practice of injecting pressurized water into deep rock formations causes earthquakes. My constituents deserve to know the risks associated with offshore fracking on our environment, marine life, and public health.

My constituents have seen the devastating impacts of some of the largest oil spills in California's history, like the 1969 Santa Barbara oil spill. My amendment echoes my constituents' concern surrounding the impacts of offshore fracking and prohibits the use of funds to process any new applications for this purpose.

This is a commonsense measure that we should implement until we know all the facts and risks associated with this practice.

Mr. Chair, I urge passage of my amendment, and 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 is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, last year, May of 2016, in the previous administration, the Department of the Interior issued a finding of no significant impact with respect to these operations; thus followed a review of 23 oil and gas platforms currently operating offshore in the State of California. The review drew upon the best available science and reaffirms that these operations are operating safely, as they should.

This amendment is nothing more than another attempt to restrict offshore development, and I oppose the amendment and encourage my colleagues to vote “no.”

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

Mr. CARBAJAL. Mr. Chairman, I will note that oil platforms off California's coast are already permitted to dump 9 billion gallons of wastewater, including fracking chemicals, into the ocean each year.

Fracking increases air pollution and can expose coastal communities to air pollutants that cause cancer and other illnesses.

Most offshore fracking jobs have occurred within 3 miles of the coast. Injecting fracking wastewater underground can induce earthquakes, and all of southern California's offshore injection wells are within 3 miles of an active fault.

These are just a few reasons why it is important to pass this amendment.

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

Mr. CALVERT. Mr. Chair, I oppose the amendment, and I yield back the balance of my time.

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

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

Mr. CARBAJAL. 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 California will be postponed.

□ 2230

AMENDMENT NO. 59 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 59 printed in House Report 115-297.

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 division A (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 504, 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, I yield myself such time as I may consume.

This amendment would prevent funds from being used to expand EPA authority pursuant to section 115 of the Clean Air Act.

Now, this isn't an amendment to assail the Clean Air Act, but there is a flaw with it, which is section 115. That section of the Clean Air Act allows the EPA to mandate State emissions levels to whatever amount the agency deems appropriate if they find two things. They have to find 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.

Now, it was previously argued that the Paris climate agreement met those requirements. When they wrote the Clean Air Act back in the 1970s, they never foresaw the Paris Agreement. And the Paris Agreement is not a treaty. It is an agreement.

Fortunately, President Trump's decision to withdraw from the agreement has alleviated those prior concerns. Whether you agree with this President or the last one or the future President is immaterial. The point is that this portion of the law shouldn't exist. That authority shouldn't exist at the executive level, especially when we don't do treaties anymore.

Despite the temporary relief, the fact remains that section 115 of the Clean Air Act is just simply bad policy. Section 115 delegates an incredible amount of authority to the executive branch without any safeguards, without any oversight by the legislative branch.

This amendment would block the use of section 115 to delegate this power over the energy sector, over our States, to the unelected, unaccountable bureaucrats at the EPA.

In the future, such expansive authority at the EPA could be economically devastating and could threaten the reliability and viability of our Nation's energy sector without any checks and balances.

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

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

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

Ms. MCCOLLUM. So the gentleman was talking about the Paris climate agreement, which the Trump administration withdrew from?

Mr. PERRY. Will the gentleman yield?

Ms. MCCOLLUM. I yield to the gentleman from Pennsylvania.

Mr. PERRY. Yes, ma'am.

Ms. MCCOLLUM. And then you said you were worried about the administration using section 115 of the Clean Air Act to impose regulations.

It has been my experience, from my point of view, representing my constituents, we were disappointed about the withdrawal from the Paris climate agreement, and we haven't seen this administration be aggressive on clean air.

So could you please explain to me your concerns about the Trump administration and section 115 of the Clean Air Act? Because, if they are doing

things that you are concerned about, maybe I need to take a fresher look at what the Trump administration is doing, because I have seen them do nothing but block, cut back, and deny the ability to move forward on the clean air agreement. So I am confused to the point of your amendment.

The Obama administration is gone, and the Trump administration has removed almost everything I care passionately about with clean air.

Mr. PERRY. If the gentlewoman will continue to yield, what I am concerned about is not necessarily the Trump administration or the Obama administration. Any administration with the unbridled power that section 115 gives the administration, without any checks or balances, to make an agreement with another nation and then enforce—have their agency enforce their regulations at whatever they deem appropriate on every single State in the United States, without any ability of Congress to intervene whatsoever.

It is not particular to this administration, the last administration, or any future administration. It is particular to all of them. The authority, in my opinion, should not exist for them to do that without any checks and balances from the legislative branch.

Ms. MCCOLLUM. Reclaiming my time, the Perry amendment would only be in effect for 1 year because this is not a policy bill. This is an appropriations bill. So the gentleman's concerns about having long-term consequences of a future President in the future would not be addressed by this particular amendment.

So I oppose the amendment. It is a long line of Republican amendments on the attack of the clean air and the EPA's authority. But I think this really makes it crystal clear the point that we shouldn't be doing deep policy that you want to discuss on an appropriations bill because it only lasts for a year.

As far as I know, the Trump administration has nothing up its sleeve to improve air quality over the next year, so I urge my colleagues to oppose this amendment. And I urge my colleagues who care about these policy situations: You control the House, you control the Senate. Please go to the committees of jurisdiction.

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

Mr. PERRY. Mr. Chair, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, this amendment was adopted on the floor last year. I believe it is a good amendment. I encourage my colleagues to support it.

Mr. PERRY. Mr. Chair, 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 amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 60 printed in House Report 115-297.

It is now in order to consider amendment No. 61 printed in House Report 115-297.

AMENDMENT NO. 62 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in House Report 115-297.

Mr. PEARCE. 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 division A (before the short title) insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to finalize, implement, or enforce the rule submitted by the Bureau of Land Management relating to "Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Site Security", published at 81 Fed. Reg. 81356 (November 17, 2016).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I might consume.

Onshore Order 3, put in place by the last administration, creates a number of unnecessary and duplicative burdens that cause energy production to be much more difficult.

Now, many people visualize that oil wells are drilled into the ground and then they just produce oil on their own; that it flows to the surface magically, and it remains unabated through the life of the oil well. It is not true at all.

What actually happens is that there is a pool of oil at the bottom of the well, and as it is produced, the production gets smaller each day until eventually the small production is classified as stripper well production.

Now, the Saudi Arabians, about every 10 years, come in and kill the stripper wells because that would be approximately 2 to 3 billion barrels of oil a year they could produce that would be shut down here.

In my home county of Lee County, New Mexico, we hunker down when we see these economic attacks coming, and we simply make it through; not because it is economic, not because it is productive, but because it is one of the few economic drivers of New Mexico. Oil and gas provides about 40 percent of our teachers' pay, 40 percent of police pay. So it is just our way of life.

But the stripper wells are not extremely economic. So when this Onshore Order 3 came into place, it actually is assisting the Saudi Arabians to try to drive stripper wells out of existence because it is the small producers, it is the guys who will stay there and produce the wells when nobody has economic interest in them. They like sweeping up the crumbs off of the energy table.

So Onshore Order 3 puts in processes that require monitoring that is already

provided at the point of sale. So it is not as if somehow the government's being cheated. It just is trying to squeeze more out of these uneconomic wells.

The estimates are that we have shut down a great number of those wells, affecting teachers' pay, affecting the economy of New Mexico, killing jobs.

So my amendment is very simple. It would prevent funds from being used to fund the BLM Onshore Order Rule No. 3.

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

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

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

Ms. MCCOLLUM. Mr. Chairman, once again, there might be some very legitimate points that can be worked on out of these stripper wells that are at the end of their life, and we might find some common ground on some of your issues, but this is the appropriations bills and this isn't the place to do it. It should be done in the Policy Committee.

Mr. Chair, we should be going to the Policy Committee, and we should be asking the Policy Committee to take up and have hearings on these issues that are very important to some of the Members here in this House.

So when I look at this amendment on an Appropriations Committee bill, what it says to me is that it is continuing the administration's agenda that favors oil and gas industry ahead of other uses of our public lands. It says to me that the administration has rolled back and abolished a lot of rules that have been made over many years that are contained and outlined in the Administrative Procedure Act, which includes a consideration of public and travel comments so you can go and register your comment and your concern on it.

The whole point of the site security rule is to protect against the theft of oil and to make sure that the oil and gas production is properly accounted for.

So this rule that we are talking about today also streamlines the process for companies to get new measurement technologies to make sure that they are using the most innovative technology. I think, after 25 years, most businesses, most people who want to make sure that they are paying for product, want to make sure that it is being measured and accounted for right.

This rule was also recommended by the GAO and the Department of the Interior's IG, the Royalty Policy Committee regarding the BLM's production of verification efforts. And those are things that, quite often, we do to safeguard and to protect to make sure that the taxpayer, when involved on public lands, is receiving fair value for the royalty.

So there is a rulemaking process that is comprehensive. There is a rule-

making process that is transparent. And there is also a way to change the rule that is comprehensive, transparent, and allows the public to have their voice, and that is to address these issues in the Policy Committee.

So the main reason—and I want to be really clear about this—for opposing many of these amendments is they are properly done in the Policy Committee, a committee which I served on when I first came here. Mr. Chair, I think that is where these amendments need to start being direct so that we can do the real work and make sure that when Members come to the floor, that they know that we have had a full vetting and full transparency.

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

□ 2245

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the chairman of the committee and subcommittee.

Mr. CALVERT. Mr. Chair, I rise in support of the amendment. I appreciate my colleague for bringing the Bureau of Land Management's Onshore Order No. 3 to the House's attention. Mr. Chair, I urge my colleagues to support the amendment.

Ms. MCCOLLUM. Mr. Chair, again, I appreciate what my chairman of the subcommittee is saying in helping Members here, but we have a lot of work to do just doing the oversight on how money is spent and appropriated to make sure that we are doing our due diligence when we appropriate funds, that they are used in the way that this Congress has asked for them to be used. There is a Policy Committee to look at what is happening with policy and to make sure that we move policy forward.

Mr. Chair, sometimes when amendments like this come to the floor, I just think we are failing totally as a Congress to do our due diligence in the Policy Committee, and then there is so much time spent on policy in the Appropriations Committee, we fail to do our due diligence on what has to happen for oversight for the tax dollars that we do appropriate in these bills.

It is my hope that the Policy Committee will step up, speak out, and start requesting that these bills be heard in the committee of jurisdiction and not just put on as riders on our bills.

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

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I thank Mr. PEARCE for his leadership on this issue.

Mr. Chairman, this rule by the BLM is a classic example of agency overregulation at its finest. Should the new regulations take effect, lessees and operators will be forced to maintain original gas charts, measurement tickets, calibrations, verifications, prover

and configuration reports, pumper and gauger field logs, volume statements, event logs, seal records, and gas analysis.

Most of these documents have nothing to do with determining the amount of production at a lease and will force businesses to hire more staff just to keep records.

This will also likely result in more Federal employees to oversee the bureaucracy. This makes zero sense and is simply creating work and overregulation for no reason. I urge a “yes” vote.

Mr. PEARCE. Mr. Chairman, I think it is clear that what is at stake is 2.6 billion barrels of oil a day made from wells that make maybe one or two barrels, three barrels a day. They are not extremely economic, but those businesses are located in New Mexico. Those businesses keep their headquarters there. They are just small mom-and-pop operators that care enough about the energy business to stay out there, and so when the government does things that says we are not going to let you operate, that we are going to shut you down, it accomplishes what the Saudi Arabians have never been able to accomplish, and that is defeat the spirit that says we can survive any attacks.

Mr. Chair, again, I urge people to support this amendment and the underlying bill, H.R. 3354, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

AMENDMENT NO. 63 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 63 printed in House Report 115-297.

Mr. PEARCE. 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 division A (before the short title) insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to finalize, implement, or enforce the rule submitted by the Bureau of Land Management relating to “Waste Prevention, Production Subject to Royalties, and Resource Conservation”, published at 81 Fed. Reg. 83008 (November 18, 2016).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico for 5 minutes.

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

Mr. Chairman, the venting and flaring rule was, again, put in place by the last administration, intending for BLM to regulate methane. Historically, that had been regulated by the EPA.

Now, keep in mind that methane production from oil wells is down 21 per-

cent since 1990, while production is going up. Production is going up, methane production is down. So we wonder why the administration came at the last second to put this rule into place.

Basically, the argument is exactly the same for opposing that venting and flaring rule that what is at stake are not the good wells. Those wells are going to produce in their economic with whatever burdens are placed on them. What is at stake are the stripper wells which, again, make up 2.6 billion barrels of production in the U.S. every day, 145 million barrels of production in the State of New Mexico. So you can imagine the economic catastrophe if that 145 million barrels weren’t available to the State to both tax and to provide jobs.

Again, 40 percent of New Mexico’s pay, roughly the teachers’ pay, the police pay, roughly that much comes from oil and gas production. You can do the math and see how much New Mexico would be affected if this venting and flaring rule continues to place the burden on the well.

The estimates are for each well that a cost of \$60,000 is going to be required to come into compliance. Again, keep in mind that this rule comes after the methane is more carefully controlled today under greater production than it ever has been. The estimates are that we will lose thousands of wells if this venting and flaring rule continues.

Again, it is the stripper wells which are most at harm. If we lose the 2.6 billion barrels of stripper well production every year because of the high cost of implementation of the venting and flaring rule, that is going to mean we are less energy independent, that we rely more on outside sources. It is going to drive the price of gasoline up. The people who can afford it least are the people at the bottom of the economic ladder. They will be the ones penalized most by rising prices of gasoline and decreasing supplies of oil.

Mr. Chair, again, I would urge people to support this amendment, the underlying bill, and I reserve the balance of my time.

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

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 2 minutes.

Ms. MCCOLLUM. Mr. Chair, I yield 2 minutes to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, I want to thank my colleague for yielding me time.

Mr. Chair, yesterday the House passed a \$7.9 billion downpayment to address the destruction caused by Hurricane Harvey, which is projected now to cost as much as \$180 billion—by far, today, the costliest hurricane to hit the United States.

Today, we are considering an amendment which would prohibit BLM from implementing a rule to address the

wasteful venting, flaring, and leaking of methane, which is a climate change-causing emission 30 times more powerful than carbon dioxide.

New Mexico is currently home to the largest methane hot spot in the world. Not only is methane a powerful greenhouse gas, but every cubic foot of gas that is wasted into the atmosphere cheats hardworking New Mexican taxpayers out of precious royalty and tax payments which go toward public education, infrastructure, and community development programs.

Our State desperately needs these investments, and we cannot afford to let money disappear into thin air. BLM, in fact, should work with stakeholders, especially small independent producers who have low-producing wells to make this workable. But taking a sledgehammer to our Nation’s energy policy is a shortsighted and counterproductive effort.

Mr. Chair, I urge my colleagues to oppose this amendment and to collaborate to make this rule effective for producers and taxpayers alike.

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

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the chairman of the subcommittee.

Mr. CALVERT. Mr. Chair, the House has spoken several times on the Bureau of Land Management’s methane regulation in the past 2 years. I understand the administration is reviewing the regulation and that litigation is ongoing.

In the meantime, I think action is needed, and so I support this amendment and urge my colleagues to do the same.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise in support of this amendment. The BLM venting and flaring rule, or the BLM methane rule, represents one of the Obama administration’s most egregious abuses of executive power designed to destroy responsible energy production on Federal land.

BLM exceeded statutory authority by attempting to regulate air quality; authority that is vested solely with the EPA. Methane emissions from oil and natural gas have significantly declined in recent decades without duplicative Federal regulations in a time when oil and gas production in the U.S. has surged.

It is frustrating that this rule is somehow cloaked under the idea that it will benefit taxpayers. It won’t. It is an onerous rule with no connection to the reality of the physics and chemistry of energy production. It will reduce American energy production on Federal land and, therefore, reduce royalties due to the U.S. Treasury.

This amendment brings accountability to executive rulemaking. I thank Congressman PEARCE and applaud him, as well as Congressmen

Westerman and Cramer for their similar amendments crippling other Obama rules.

Mr. Chair, I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman from New Mexico (Mr. PEARCE) has expired.

Ms. MCCOLLUM. Mr. Chair, as I said, I rise in opposition to this amendment, as clearly this amendment would prohibit BLM from regulating flaring, venting, and leaking of methane from Federal onshore oil and gas operations. In 2016, the BLM finalized its rule which updated regulations that were almost over 30 years old. We have learned a lot about how we have to be more diligent about capturing energy and making America more energy secure, because this rule would prevent the waste of an estimated 65 billion cubic feet of natural gas a year and save taxpayers \$330 million annually.

BLM has a responsibility to the taxpayers, and that means capturing what is flared off, what is burnt off, which is potential energy. We have developed technologies in the past 30 years to capture this and make it work even more effectively for the taxpayers when we lease out these leases and royalties.

Just for a fact, I share that the Bakken oil field, when it was at its height, flared more—I am from the Twin Cities—flared more and brighter than the metropolitan area in St. Paul and Minneapolis. That is how bright the flare was that the satellites captured at night. That was burning energy, energy consumption that should have been captured because we owe it to future generations to get it right when it comes to our energy production.

Mr. Chairman, the amendment is bad for public health, it shortchanges the American taxpayers, and I urge my colleagues to oppose it. I don't think we are going to change each other's minds on this because the bottom line is, and I have been consistent with this, this belongs in the Policy Committee. This only would change something for a year. You would have to come back year after year after year. If there is something where we can find common ground on, we can find it in the Policy Committee. We can't find it on an Appropriations Committee where it expires every year.

I ride the elevator with the gentleman, Mr. Chair, and I am sure he is going to enlighten me some more.

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

□ 2300

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

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 pro-

ceedings on the amendment offered by the gentleman from New Mexico will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 64 will not be offered.

AMENDMENT NO. 65 OFFERED BY MR. MCEACHIN

The Acting CHAIR. It is now in order to consider amendment No. 65 printed in House Report 115-297.

Mr. MCEACHIN. 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 division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR DEVELOPING  
A NEW 5-YEAR-OFFSHORE-PLAN

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to prepare a five-year offshore oil and gas leasing program that would schedule any Outer Continental Shelf oil and gas lease sale before 2022.

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Virginia (Mr. MCEACHIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, my amendment is simple. It would prevent the Department of the Interior from preparing a new 5-year offshore oil and gas leasing program that schedules leases before the year 2022.

Mr. Chairman, offshore drilling carries real consequences, from the industrialization of our coasts to the inescapable risk of another BP Deepwater Horizon-like disaster. Those risks can not be eliminated.

As Deepwater Horizon made clear, accidents can inflict damage of an almost unimaginable scale. BP has spent billions of dollars responding to that disaster.

That figure reflects liabilities that arose from massive and irreparable damage to our environment, permanent harm to economically essential industries, and countless other impacts on the Gulf Coast residents' quality of life. We have to make sure that other regions are never exposed to those kind of harms. That is why my amendment is important.

In the event of a drilling accident, thriving coastal economies could be decimated. Industries that rely upon a healthy marine environment—everything from the tourist trade to our fisheries—could disappear overnight.

If a spill were big enough—and we have seen that they can be enormous—the economic consequences would ripple throughout the national economy, hurting millions of Americans who live many miles from the sea. Again, we cannot afford such economic risks.

It is equally foolish to risk the natural beauty, fragile habitats, and irreplaceable species for the benefit of a few massive oil and gas companies.

Our coasts are home to some of our most iconic and unique wildlife. Healthy oceans are critical to traditional ways of life, having provided subsistence resources for many generations.

Those places, those species, those customs are part of why we live in the greatest country on Earth. No other place could match the richness and diversity of the United States of America. We must not endanger the incredible heritage in a quest for dirty energy, especially the kind of fuels that can drive catastrophic changes to our climate, with grave and permanent consequences for our society.

It is important to note that prohibiting the preparation of a new leasing program does not stop any of the currently scheduled lease sales until 2022 from happening. My amendment just puts us back on the regular schedule for writing the next plan.

Prohibiting the preparation of a new leasing program, however, does ensure that millions of taxpayer dollars are not spent reworking a plan that was just completed this year.

Restarting a new 5-year leasing process would throw away 2½ years and tens of millions of dollars of effort, ignore overwhelming bipartisan opposition from millions of people up and down our coasts, and eliminate the protections that President Obama provided for the fragile Arctic.

Mr. Chairman, the risk of a new 5-year offshore oil and gas leasing program are simply too high and the consequences are too severe.

Mr. Chairman, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I certainly sympathize with many of the comments that the sponsor of this amendment has brought up. Certainly, none of us have any intention of trashing the environment, of causing environmental degradation in any of our coastal areas in the United States.

But the thing is that this amendment doesn't cut production. It would not result in any reduction in oil and gas exploration and production activities. And if it were to do that, then all that would happen is it would increase our dependence upon foreign imports of oil.

The reality and statistics are very clear. You are less safe transporting energy than you are producing it. The statistics are very clear. Putting it into a ship is less safe. Putting it into a pipeline is less safe than actually producing it. So you are not doing anything to benefit the environment.

The next thing is that, within approximately 1 month of the Obama administration's being sworn into office in 2009—as I recall, I believe it was on February 10—Secretary Salazar stood

up and said: We are rewriting the 5-year offshore leasing plan of the previous administration.

They walked right in and said: We are throwing this out.

Which the amendment's sponsor said was billions of dollars in implications and much planning.

It is exactly what the Obama administration did. So if the Trump administration chooses to take a fresh look at these resources and these resources, then I want to quote the Obama administration saying that these are offshore energy resources that belong to all Americans.

Mr. Chairman, I want to make one other note. If you read the amendment, it says that none of the funds made available in this act may be used to repair a 5-year offshore oil and gas leasing program that would schedule any Outer Continental Shelf oil and gas lease sale before 2022. This wouldn't just prohibit making changes to it, such as, perhaps, the idea of expanding it if public comments and other input found that that was the best thing to do, but it also would prevent slowing down the lease sale schedule.

Mr. Chairman, I urge opposition to this amendment. While I certainly support the gentleman's intent to prevent any type of environmental harm and degradation, I just want to say in closing that I was the lead trustee for the State of Louisiana in the Deepwater Horizon spill.

When you look at Outer Continental Shelf energy production, we had produced trillions of cubic feet of natural gas. We had produced billions of barrels of oil. What the courts found in the BP incident was that there was gross negligence and willful misconduct.

They didn't find that there were problems with the rules and other things. That is why, as the gentleman correctly stated, that they had to spend tens of billions of dollars paying for their gross negligence and willful misconduct, which is very different than the trillions of cubic feet of natural gas, and billions of barrels of oil that we have produced safely; we produced them in the United States; and we have not put them in pipelines and tankers in other less safe mechanisms of transportation.

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

Mr. MCEACHIN. Mr. Chairman, what is the balance of my time?

The Acting CHAIR. The gentleman from Virginia has 1½ minutes remaining.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT), the distinguished chairman of the subcommittee.

Mr. CALVERT. Mr. Chair, this amendment would prevent the Department of the Interior from performing a necessary and thorough review of the existing 5-year plan. Meanwhile, the

committee encouraged a review of the 5-year plan in the 2017 omnibus, which we just enacted just a few months ago. For these reasons and others, I certainly urge a "no" vote on this amendment.

Mr. GRAVES of Louisiana. Mr. Chairman, in closing, I just want to say that, once again, while I understand the gentleman's intent to prevent any type of environmental degradation—I think everyone shares that objective—the reality is that this amendment doesn't do anything to advance that objective. And potentially, should there be some type of emergent situation where you would want to slow down lease sales, this amendment would actually prohibit that from happening.

We should take a fresh look with public input and with the best science to determine where we produce, how we produce, to maximize domestic energy production, to maximize or to reduce dependence upon foreign energy, to maximize economic opportunities and employment opportunities in the United States.

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

Mr. MCEACHIN. Mr. Chairman, just briefly, of course, I was not here at the time, but it was my understanding that this is nothing unlike what the other side of the aisle did during the Obama administration. So what this amendment seeks to do, in many cases, is not that unusual.

And while the gentleman is correct, the size of the payments that BP had to make were because of a certain type of conduct: What we want to do is just freeze things where they are.

While I acknowledge that there is a possibility that somehow someone wanted to slow down the process, I don't believe that this administration would do just that.

Again, millions of dollars have been spent. Much time has been spent in developing this plan. I think we just need to leave it in place.

Mr. Chair, I ask my colleagues to support the amendment, and I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 66 OFFERED BY MR. GROTHMAN

The Acting CHAIR. It is now in order to consider amendment No. 66 printed in House Report 115-297.

Mr. GROTHMAN. 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 division A (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 rule entitled "National Ambient Air Quality Standards for Ozone" published by the Environmental Pro-

tection Agency in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

The Acting CHAIR. Pursuant to House Resolution 504, the gentleman from Wisconsin (Mr. GROTHMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Chair, I rise in support of my amendment to H.R. 3354. The purpose of my amendment is to prohibit use of funds made available by this act to implement, administer, and enforce the EPA's National Ambient Air Quality Standards for Ozone rule, which was originally published on October 26, 2015.

This rule will make the standards more stringent in other places, in the State of Wisconsin, up and down Lake Michigan, including counties such as Sheboygan County. As you make these standards more stringent—first of all, it makes no sense because they don't take in the fact that there are areas like mine in which the ozone is coming from outside my district.

For example, Sheboygan County, whatever they do, I don't think they could ever meet those standards because there is so much ozone coming up from the Chicago area. But there is an effect to these standards as well.

The standards make it more difficult for industry along Lake Michigan to operate, to comply with the standards, putting us at a competitive disadvantage not only with other parts around the country, but a competitive disadvantage compared to other areas around the world with much more pollution than we have. Right now our ozone is much less than it was when I was a child. Quite frankly, when I was a child, nobody complained anyway.

Another thing about these ozone standards, it is something that people who are looking out for that not particularly wealthy people should pay attention to. When you aren't meeting the standards, it creates a situation in which your owners of automobiles have to have their cars tested every year. And sometimes these cars have to go through very expensive repairs to meet the standards.

Now, there are people who are going to think that is no big deal because they are maybe wealthy Congressmen and they need to buy a car every 3 or 4 years and they don't have a problem. But if you are somebody who has a 10- or 15-year-old car, maybe you can only afford to spend \$500, \$1,000 on a car, and then once a year you have to get the car tested. You flunk the test and you have to put \$1,000 or \$1,500 into it. No wonder we have some people in this country who can't get ahead as long as the environmental extremists are running the EPA.

So, in any event, I think it would be good if we don't spend any more money implementing this new rule. Give the EPA more time to reconsider this rule and come up with something a little bit more reasonable.

Mr. Chairman, I encourage my colleagues to support this amendment, and I yield back 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, while I understand the gentleman's intent, I share his concern with the 2015 ozone standards, the bill's language in the amendment goes a little too far. It ties this new administration's hands with respect to reconsideration or flexibility efforts that they are trying to build in at the present time.

Meanwhile, the ozone language in the underlying bill provides the necessary administrative relief for communities to comply with the overlapping 2008 and 2015 requirements. I think that this administration understands the complexities that are being imposed by this 2015 requirement. They are trying to deal with it. Mr. Pruitt has indicated that publicly.

Mr. Chairman, I would urge my colleagues to oppose this amendment, and I yield back the balance of my time.

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

The amendment was rejected.

□ 2315

AMENDMENT NO. 67 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 67 printed in House Report 115-297.

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 division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

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)).

The Acting CHAIR. Pursuant to House Resolution 504, 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 original in-

tent of the Endangered Species Act. The government designates land as critical habitat despite not meeting the ESA 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 review 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 its status should be changed or maintained.

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.

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

Now, I am sure you will hear the ranking member say that the problem is that there is simply not enough money to comply with the law, but the reality is that megasettlements and overzealous regulators have caused the number of species listed under the endangered species list to balloon to unmanageable levels. For the recovery of a threatened or endangered species or plant to be successful, we must prioritize our limited resources to where they are most critically needed.

I encourage my colleagues to join me in ensuring that the U.S. Fish and Wildlife Service complies with the ESA and that we do not provide money in this bill that would violate current law. This exact amendment was added to the fiscal year '16 Interior Appropriations bill by voice vote and was added to the fiscal year '17 bill by a bipartisan rollcall vote.

Mr. Chairman, I ask Members to support this amendment for the third time, and 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 gentleman from Colorado is right. We have had this conversation in this Chamber, Mr. Chair, before. The Service does attempt to comply with the statutory mandate and to review the status of listed species every 5 years to determine whether or not it is classified as threatened or endangered.

It is correct. The Service has a backlog in reviews due to funding limitations. This year it is a 17 percent listing reduction contained in this bill so that they have been working on the backlog. But the Service still has only been able to complete 100 to 120 reviews per year, which is half of what is needed.

So in this bill, you and I might agree that there are things that could happen and that money isn't always the solution to a problem, but in this bill you might be surprised to know that it has cost another \$3.4 million, so that only builds up the backlog all the more.

That is not necessarily the fault of the chairman of the subcommittee, Mr. Chair. It is just the fact that the allocation that our subcommittee had to work with, tough choices had to be made. I know that the chairman was trying to balance a lot of things.

The gentleman talked about the court and the environment. I would love to have a conversation with the gentleman more about that, because it is my understanding—and I want to make sure I have it correct before we go into depth about it because, as the gentleman knows, we have a good relationship, and I want to make sure that I am correct when I say things—that actually some of the things that have been happening in court have actually helped to reduce some of the costs that the gentleman is thinking about because it is in place.

I will get the information, Mr. Chair, and share it with the gentleman later.

But the fact is that this amendment would not remove species without review from the list of species protected by the ESA so that the ESA's prohibition, again, would still remain, and it still would be the ability of citizens to sue or force compliance even with what the gentleman is proposing. So funding cannot be used to enforce the ESA for species with late reviews; it is going to leave the species unprotected.

Proposed language would prohibit the Service from working with the agencies. It would prohibit working with developers and landowners to comply, compliance to section 7 consultations or section 10 permits for Federal and private projects that could potentially affect the species. So as you can see, the other thing it doesn't do is the proposed language would not affect the ability of third parties to sue those agencies or landowners.

So I agree with the gentleman that we need to do a better job of making sure that these reviews are done in a timely fashion. I agree that, when a species has attained a classification where it is no longer threatened or it is no longer endangered, it should come off. So I think we have a lot in common.

But I think that the challenge with this amendment is that, without the funding, in order for the Service to do the job that it has to do, it just kind of puts the Service in a box in which we are saying you are not doing a good job and, therefore, we are going to start changing the way in which we proceed.

So I, right now, have to oppose this amendment. But as I said, in the policy committee I think that there is room for some of us to come together and to make improvement, but legislating this rider for 1 year at a time on this appropriations bill doesn't allow us to have the deep, transparent, and open discussion that we need to have to resolve your issue.

So at this time I oppose the amendment, and I yield back the balance of my time.

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

Mr. CALVERT. Mr. Chairman, I appreciate the gentlewoman's comments.

If we get additional resources in the future, I would love to make sure that Fish and Wildlife has the resources to make sure they meet their mandates, and they should meet them now.

One of the mandates they have is review the status of every listed species every 5 years and a corresponding change in the status if it is called for by those reviews. Instead of doing those reviews, in many cases, the Service chooses to spend the money to list more species.

If the government isn't willing to shoulder the responsibilities that come with listing species under the ESA, perhaps it shouldn't be listing those species in the first place. So I think they need to meet their obligations under the law.

I certainly support this amendment, and I encourage Members to support the amendment and vote for it.

Mr. LAMBORN. Mr. Chairman, I thank the gentleman for that statement.

I will say to the gentlewoman from Minnesota that I would love to work with her on this. I know that, in the Natural Resources Committee, we are going to be looking at some of the different facets of the Endangered Species Act, and I hope we can continue this dialogue.

This amendment seeks to make the agency comply with the law. That provision is in there for a reason, so let's enforce what Congress, in its wisdom, put into the law many years ago.

Mr. Chairman, I ask for support of the amendment, and 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. 68 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 68 printed in House Report 115-297.

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 division A (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

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 504, 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 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 streamside 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. In 1998, it leaped onto the Endangered Species list, a move that has hindered development from Colorado Springs, Colorado, to 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.

Protecting the Preble's mouse has even been placed ahead of protecting human life and property.

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 being listed 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 went on to warn that "local of-

officials who proceed with projects without adhering to environmental laws risk fine and could lose Federal funding for their projects."

While a waiver was essentially granted, the scientific evidence simply does not justify these delays or the millions of dollars in taxpayer money 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 and agrees that the Preble's mouse subspecies designation is no longer defensible.

Moreover, the Preble's mouse has a low conservation parity score. What that means is that hundreds of millions of dollars have already been spent on protection efforts that could have and should have been spent on other more sensitive species.

My amendment would correct this injustice that has been caused by the inaccurate listing of the Preble's meadow jumping mouse. It would refocus 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.

This exact amendment was added to the fiscal year '16 Interior Appropriations bill by voice vote and was added to the fiscal year '17 bill by a bipartisan rollcall vote. Mr. Chairman, I urge my colleagues to support this amendment for a third time.

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.

□ 2330

Ms. MCCOLLUM. Mr. Chairman, clearly, what this amendment does—and it is different from the other amendment—is prohibit the Fish and Wildlife Service from implementing or enforcing the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act. It full-out restricts the Service from offering any critical protections to preserve the species.

Once a species like this is listed under the Endangered Species Act, the role of the Fish and Wildlife Service is fairly permissive. They can help parties comply with the act as they carry out their other activities.

The Service right now is reviewing and considering all the comments that they received during the public comment period, and a draft recovery plan is being worked through to develop a final recovery plan. But with this

amendment, the Service would not be able to continue to recover the species. All the Endangered Species Act prohibitions would still apply.

So, in other words, we would stop them from moving forward, but they would still be under jurisdiction to comply. They wouldn't be able to comply by working with agencies and land developers and landowners to provide the ESA compliance.

The U.S. Fish and Wildlife Service would be barred from issuing permits or from offering exemptions. That means landowners, industry, and other parties who might need to take the Preble's meadow jumping mouse incidental to otherwise lawful activities, such as urban development, are vulnerable to third-party lawsuits.

Another limitation that the Service would have would be undertaking the required status reviews of subspecies or initiating any rulemaking or downlisting or delisting species.

So now we are talking about deep dives into what the U.S. Fish and Wildlife may or may not be impacted by doing or helping landowners or developers on an appropriations bill.

Quite frankly, as I have been saying all night—and I understand people have the right to come here with these amendments—the Service has a responsibility to implement the Endangered Species Act. They are charged with fulfilling their legal requirements. When they don't fulfill their legal requirements, it makes them more vulnerable to lawsuits, which I know is not the goal of the author of this amendment, Mr. Chair. But when there are lawsuits incurred, it creates more costs for American taxpayers.

The gentleman's amendment would just undermine the Service's ability to work collaboratively with States and local communities. It opens the Service up for lawsuits and it would create even more uncertainty for landowners and make them vulnerable, as I said, to lawsuits.

I think we should be working to support the Fish and Wildlife efforts, not blocking the agency from doing its job and going back to what we discussed earlier, that is working through the committees of authorization, and then the authorizing committees having conversations with the Appropriations Committee on how they can achieve their goals, this being one of them.

Because of those reasons, I do not support this amendment. I thank the gentleman for bringing this forward, but at this time I cannot support it.

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

Mr. LAMBORN. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CALVERT) to weigh in on this issue.

Mr. CALVERT. Mr. Chairman, I wanted to jump up and support this amendment. Obviously, the agency has not leaped fast enough and problems persist. So I encourage my colleagues to vote "yes" on this amendment, and

I know it will squeak by with a large margin.

Mr. LAMBORN. Mr. Chairman, I will conclude by saying there is one other sort of a temporary element in this whole episode. And that is when you go from Colorado into Wyoming, the mouse is no longer threatened or endangered. There is a political boundary line between the two States.

In its wisdom, the Fish and Wildlife Service says that if you go north far enough across the State line, it is no longer threatened or endangered. There is an element of arbitrariness that I think also calls into question why this was ever done in the first place.

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

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

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. LAMBORN) having assumed the chair, Mr. BERGMAN, 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. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARRETT (at the request of Mr. MCCARTHY) for today.

#### SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 597. An act to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Education and the workforce; in addition, to the Committee on the Judiciary; and to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 652. An act to amend the Public Health Services Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children; to the Committee on Energy and Commerce.

S. 849. An act to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

S. 1165. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center; to the Committee on Veterans' Affairs.

S. Con. Res. 23. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Filipino Veterans of World War II; to the Committee on House Administration.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 624. An act to restrict the inclusion of social security account numbers on Federal documents sent by mail, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1616. An act to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman.

#### ADJOURNMENT

Mr. CALVERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 37 minutes p.m.), the House adjourned until tomorrow, Friday, September 8, 2017, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2397. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Twenty-fourth Report to Congress on Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523; Public Law 109-58, Sec. 1810; (119 Stat. 1126); to the Committee on Energy and Commerce.

2398. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements, pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Public Law 107-188, Sec. 143; (116 Stat. 628); to the Committee on Energy and Commerce.

2399. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a notification of a federal vacancy, nomination, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2400. A letter from the Archivist of the U.S., National Archives and Records Administration, transmitting the Administration's FY 2017 Commercial and Inherently Governmental Activities Inventory, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.