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No. 22

Senate

The Senate was not in session today. Its next meeting will be held on Thursday, February 6, 2014, at 9:30 a.m.

House of Representatives

WEDNESDAY, FEBRUARY 5, 2014

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIBBLE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 5, 2014.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, yesterday the Senate passed the farm bill

conference report, something the House did almost 2 weeks ago. I want to thank my House and Senate colleagues who stood firm and voted against the conference report because of the egregious cuts to SNAP, formerly known as food stamps. I am especially proud and thankful that none of my Massachusetts colleagues voted for the bill. Unfortunately, I think many of those who voted for this bill will ultimately come to regret their vote.

Now that the fight over SNAP funding and the farm bill is over, it is time to look forward and once again refocus on how we can end hunger now. Despite the attacks on the poor that come from the Republican leadership in this Congress, there are good things that are happening among the antihunger community, and there are opportunities out there that we can take advantage of as we work to end hunger now.

Every day, millions of hungry kids are able to eat a nutritious meal because of the school lunch program. In fact, 29 million children in more than 98,000 schools and residential child care institutions participate in the school lunch program on a typical day. Nearly 20 million kids receive their lunch at either a reduced price or free.

The school lunch program is a lifeline for these kids who come from poor families. It is not their fault that their parents don't earn enough for them to put food on the table. For most of these kids, this is the only nutritious meal, and in some cases, the only meal they will eat on a weekday. That is why this program is so important.

Imagine what happens to a child who goes to school hungry. It is harder for that child to pay attention in class, leading to difficulty learning and also leading to challenges in terms of their development, mentally and physically. Kids who go without food are literally at a disadvantage to those who are eating healthy meals. They are starting from a much worse position, and it is because America decides not to help.

That is changing. Participation in the school lunch program is strong, and the good news is that participation in the school breakfast program is rising.

I want to highlight a recent report from the Food Research and Action Center, or FRAC, as they are commonly known. FRAC reports that 311,000 more kids received school breakfast than the previous year.

We all know how important breakfast is. Our parents all told us to eat a healthy breakfast so we can learn and grow. I tell my kids the same thing every day, even though they don't always pay attention. The school breakfast program is a critical part of ensuring that kids from poor families are able to start the day off right; that they don't start the school day off hungry, so they can learn properly and they can develop.

Unlike the school lunch program, where the meal is served during the school day when kids are already in school, many of these school breakfast programs take place before school starts. Because of that starting time, millions of kids don't participate in the school breakfast program. That is

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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why this report from FRAC is so encouraging. Schools are starting to offer breakfast free of charge to all children, not just kids who qualify based on income. Schools are moving breakfast out of the cafeteria and into the classroom after school starts, something that is known as Breakfast After the Bell.

I am pleased that a new Federal program called Community Eligibility, a program in seven States that allows high-poverty schools to provide free breakfast and lunch to all students without the need for an application, is increasing daily breakfast participation. FRAC found that daily breakfast participation rose by 5 percent in these seven States compared to 2½ percent in nonparticipating States.

We can do better, but this is encouraging. Kids who eat healthy, nutritious meals do better in school and have fewer problems as they grow up. School meals are a critical part of ensuring that kids eat properly. School breakfasts are a big part of the equation. FRAC found that if all States increased participation so they reached 70 poor kids with breakfast for every 100 that ate lunch, 3.8 million children would have been added to the breakfast program, and States would have received more than \$964 million in added Federal nutrition funding in 2012 and 2013.

We should be proud of the work that USDA and States and localities are doing to increase breakfast participation. As we move towards a reauthorization of the Child Nutrition Act, we must remember these important programs and build on them. We must do everything we can to end hunger now, and improving on the school breakfast program is just one way to do it.

All of us, Mr. Speaker, both Democrats and Republicans, need to step it up in our battle to end hunger. We should all be ashamed that so many in our country, including millions of our children, go hungry. Sadly, Mr. Speaker, many of the actions that have been taken by this Congress have made hunger worse in this country. We are the richest country in the history of the world. Surely we can do better. Surely we can end hunger now.

EIGHTIETH ANNIVERSARY OF THE TENNESSEE VALLEY AUTHORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. NUNNELEE) for 5 minutes.

Mr. NUNNELEE. Mr. Speaker, Tupelo, Mississippi, the town of my birth and my hometown, is known for a lot of things: the birthplace of Elvis Presley; we are the headquarters of the Natchez Trace Parkway. One of the things we are also very proud of is we are the very first TVA city.

Many people around America think of the difference between rural America and city as the difference between whether you have a shopping mall, a lot of nice restaurants, things like

that. Eighty years ago, the differences between rural and urban America were even more stark. That is why today it is my privilege to rise as we celebrate the 80th anniversary of the Tennessee Valley Authority. In the 1930s, rural America did not have many of the basic things of life like electricity, running water, and a lot of the things that we consider frills today, like radio, music, and news.

As a result, many Americans, particularly younger generations of Americans, were migrating from the small towns and the farms across rural America and moving to the larger cities. Seeing this shift, a couple of visionary members of the Congress, including my predecessor, Mississippi Representative John Rankin, and Senator George Norris from Nebraska, made it their mission to bring electricity to rural America.

On May 18, 1933, the Tennessee Valley Authority was created by this Congress in an effort to improve the living conditions and the economic conditions for seven southern States, including Mississippi. In 1934, President Roosevelt came to Tupelo, Mississippi, and literally flipped the switch to turn on the lights. Shortly after that, north Mississippi became one of the Nation's earliest regions to begin to adopt rural electrification.

Over the past 80 years, the Tennessee Valley Authority has been committed not only to providing reliable, cleaner, and low-cost energy, but also committed to the economic well-being of our region across the Tennessee Valley.

They have worked with local power companies, directly served customers and regional, State, and community development organizations. TVA works to create economic development opportunities around our region, collaboratively focusing on attracting and retaining jobs, capital investment, and helping our communities prepare for growth.

I was once told by my friend and former TVA Chairman Glenn McCollough that the mission of TVA could be summed up in three phrases: keep the lights glowing; the economy going; and the river flowing. Well, for 80 years, TVA has done just that. With current leadership like Richard Howorth from Oxford, who is currently on the TVA board of directors, TVA is helping our region achieve success.

The electricity provided by TVA has helped attract opportunity and success for thousands of people in Mississippi and throughout the valley, allowing them to show the world that we are a friendly, reliable and competitive workforce.

So on this day of commemoration, I say happy 80th anniversary, TVA, and my wish for you is a prosperous and successful future.

IRAN SANCTIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, there is no area of foreign policy that produces greater concern amongst American citizens than the prospect of a nuclear-armed Iran. Whether Democrat, Independent, or Republican, there is remarkable unity across the ideological spectrum that we must do everything in our power to prevent that outcome.

We have heard the steady drumbeat over the years that Iran is moving closer and closer to achieving nuclear capability. We have seen the regime engage in dangerous provocations and offer support to Hezbollah and other militant groups that have threatened the stability of the region and caused significant concerns for our allies and friends.

The Obama administration worked with our international partners to impose crippling sanctions on Iran. Those sanctions covered Iran's banking, energy, shipping, shipbuilding, insurance, and broadcasting sectors, and even gold and precious metals.

Now, after decades of tension between the United States and Iran and the escalating international pressure of sanctions and isolation, we have seen positive steps in relatively quick succession. After the election of Iranian President Hassan Rouhani in 2013, I joined over 130 of my colleagues calling on President Obama to "utilize all diplomatic tools to reinvigorate ongoing nuclear talks," including the potential that "bilateral and multilateral sanctions be calibrated in a way that they induce significant and verifiable concessions."

Those diplomatic overtures, coupled with the debilitating sanctions on Iran's energy and banking sectors, yielded the historic phone call between President Obama and President Rouhani, the first direct contact between leaders of our two nations in 34 years, and, ultimately, the signing of the Joint Plan of Action representing real progress towards a nuclear agreement.

There remain ample reasons to question the prospects of a long-term agreement with Iran. We have heard the President 1 week ago in this very room speak of the challenges for negotiators, cautioning "they may not succeed. We are clear-eyed about Iran's support for terrorist organizations like Hezbollah, which threaten our allies, and the mistrust between our nations cannot be simply wished away."

Now, Members of Congress in both Chambers are discussing legislation for new and expanded sanctions. Our constituents, deeply concerned with the Middle East and strongly in favor of peace, are asking us what we think, how we would vote, and what we should do as a Congress and as a nation.

I have had the honor of serving on the House Permanent Select Committee on Intelligence and as a Member have regular access to the classified assessments of the professionals in our intelligence community, who provide a much fuller and clearer picture

of the situation in Iran. I cannot tell you what the information is here or anywhere else because it is appropriately classified, but based on the classified briefings I have received on the situation in Iran and the Joint Plan of Action, I am very reluctant to support any additional sanctions at this time.

Mr. Speaker, given the importance of this issue to all Members and the stakes involved in preventing a nuclear-armed Iran, I think many of my colleagues would be in a much better position to evaluate the options before us if they also had access to the very classified briefing from which I regularly benefit. That is why I wrote a letter to the Speaker of the House, JOHN BOEHNER, and Democratic Leader NANCY PELOSI last week asking them to convene a classified briefing for Members of the House of Representatives.

All of us could have had access to classified materials or request a briefing if we wanted one on a case-by-case basis, but the point is that we are facing a crossroads as a nation, and we are facing a crossroads as a Congress, and I want us to be as informed as possible.

I understand the mistrust between the United States and Iran, and the desire of some in this body to seek additional sanctions, even as we are implementing the terms of the 6-month agreement.

□ 1015

We need clear-eyed, apolitical, informed decisionmaking so we can make the best possible choices on behalf of our constituents and the Nation.

I believe my colleagues would find great value in the classified briefing and come away with greater confidence in the work of the administration and our international partners.

I have been convinced that now is not the time to consider additional sanctions, but I want my colleagues to make up their own minds and to do so with as much information as possible, so I renew my request for classified briefings as soon as they can be arranged.

I have every confidence that if talks falter or we have evidence that Iran is not abiding by the terms of the Joint Plan of Action, the Congress will not hesitate to take appropriate actions, including imposing new sanctions on Iran. But with Iran at the negotiating table, taking steps to halt enrichment and submit to enhanced inspections and monitoring, it is worth giving diplomacy the chance to succeed.

AFFORDABLE CARE ACT WILL SLOW ECONOMIC GROWTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday the non-partisan Congressional Budget Office,

CBO, issued a report stating the Affordable Care Act, otherwise known as ObamaCare, will slow economic growth over the next decade substantially more than previously predicted. According to yesterday's report, the Affordable Care Act could lead to 2 million fewer workers in the workforce between now and 2017, which is nearly three times as high as CBO's earlier predictions. What is even worse, this number is supposed to rise in later years to the equivalent of 2.5 million jobs by 2024.

According to The Hill newspaper:

The agency, CBO, also said employer penalties in the law would decrease wages, and part-year workers would be slower to return to the workforce because they would seek to retain ObamaCare insurance subsidies.

We cannot afford more blows to jobs. We cannot afford more blows to the American workforce. We cannot afford more blows to our economy. We as policymakers should be focused on breaking down barriers to employment in order to increase wages.

Mr. Speaker, the administration better get better at explaining this law to the American people or start working with this body to repeal and fix it. The American people deserve better. The American people deserve jobs.

NUCLEAR WEAPONS PROGRAM SCANDAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, before turning to the subject at hand, I really hope that people look at the CBO report that was referenced by my good friend from Pennsylvania, and you will find that the 2 million people who would no longer be working, are not going to increase unemployment. The unemployment rate will be lower. There are people who are trapped in the workforce now because they can't afford health care. The Affordable Care Act will actually enable some people to retire who want to retire or stop working a second job. Read the report and find out that this is actually a very positive signal.

But, Mr. Speaker, I am here today to reference something else that was in the newspapers. The papers are filled with scandal about the nuclear weapons program. The real scandal is not the cheating or drug use by people with their finger on the nuclear button. The scandal is that these people are there on the job at all, with these nuclear weapons; jobs and nuclear weapons that should no longer exist.

Don't get me wrong. The alleged drug use by the people who stand watch daily with a finger on the nuclear trigger, or that were cheating on their proficiency exams, is outrageous, but it is scandalous that we are frozen in time linked to a nuclear Cold War past and committed to wildly wasteful spending.

These are weapons that have never been used in 69 years, that did not

deter the 9/11 attackers, and cannot help us in our major strategic challenges today. They have never been used in battle since World War II, but they have almost been used by miscalculation and mistake.

In Eric Schlosser's recent book called "Command and Control," there are terrifying examples of what were termed "broken arrows," nuclear mishaps.

A nuclear bomb was accidentally released over South Carolina, landing in Walter Greg's backyard, leaving a 75-foot wide, 30-foot crater, leveling his home. Luckily, it failed to trigger the nuclear explosion.

In North Carolina, a B-52 fell into a tailspin carrying two hydrogen bombs, each 250 times more powerful than Hiroshima.

There were numerous instances when our bomber fleet, which used to be on the runway idling, on alert 24/7, was prone to catching on fire while packed with nuclear bombs.

A few years ago, there was a B-52 which flew across the country unknowingly carrying six nuclear-armed air-launched missiles.

By no stretch of the imagination, do we need these 450 intercontinental ballistic missiles on alert, plus nuclear armed bombers, all on top of our nuclear submarine-based missiles? We don't need a fraction of this weaponry. At most, we need perhaps one scaled-down system. There is nobody left to deter. We are competing in Russia in the Winter Olympics right now.

A small portion of one of these delivery systems is all the nuclear deterrence we could ever possibly need. The larger and more complex the infrastructure is not just more expensive, but more prone to mistake.

We are talking about upwards of \$700 billion over the next 10 years in operations, modernization, new systems, new nuclear submarines. It is outrageous. It is dangerous. Let me put that in context. \$750 billion is more than the Federal Government will spend on education in its entirety in the next 5 years.

It is time for Congress and the American people to put an end to this.

STOP OUTSOURCING AMERICAN JOBS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today in opposition to the further outsourcing of American jobs through more unfair trade agreements. The Obama administration is currently working on the next executive branch job-killing so-called "free trade" agreement. They are calling it the Trans-Pacific Partnership, or TPP.

The contents of this agreement have been kept secret from the American people and Members of Congress and, as well, the general public wherever they might live. The administration is using the same old failed trade model

called “fast track” to negotiate this, which means whatever they negotiate, we don’t get to see, and then they bring it up here under a fast track procedure. That process ties our hands. They bring it up in one lump-sum vote, with no amendments allowed. And they usually do it in a lame-duck session of Congress after election and just try to ram it through, usually very late in the evening, often in the early morning hours.

Since fast track was first used, the United States has accumulated red ink—trade deficits, more imports coming in here than exports going out—for nearly three decades. We have accumulated over \$9 trillion in trade deficits. If you want to know why we have a budget deficit, it is because we have a trade deficit. We have outsourced too many jobs to low-wage havens. Go out and try to buy anything made in America; right? The American people know this inherently. More than 7 million good-paying American manufacturing jobs have been lost since fast track was first passed.

Every poll of U.S. opinion tells this Congress: What do the American people care about? Jobs and the economy. Jobs and the economy. They care about economic recovery. So why is this administration using the same old model that goes back to 1975? Now they are looking at the Pacific, the Pacific region, as if we haven’t had relations with some of those countries before. But every other agreement has resulted in red ink. The American people want job creation, not job outsourcing. Actually, if this President were to refurbish this failed trade model and really fix it, it would be the first time in modern history that our trade policy would yield job creation in this country, net job creation in this country and real income growth for the American people.

Now, let’s look at a couple dimensions of this.

The trade deficit in 2012, the last year for which we have confirmed numbers, was half a trillion dollars, \$534 billion. That alone resulted in over 2 million lost jobs in this country. That number has just been getting worse with each passing decade, more and more jobs lost.

Let’s look at some of the countries. Let’s take China. The trade deficit in 2000 with China was about \$83 billion. It has increased four fold. It has quadrupled. In 2012, for which we have confirmed numbers, we had over \$315 billion in trade deficit with China. Every billion equals 4,000 lost jobs in this country. So we are net negative with China—a job loss of over 1,200,000 more U.S. jobs.

With Japan, we have been solidly negative for decades. In 2012, our trade deficit with Japan was \$76 billion.

With Mexico, they said after NAFTA, oh, it is going to be great for America; there are going to be millions of jobs in the United States. Wrong. Our jobs were outsourced. In fact, in the year

2000, we had a \$24 billion deficit with Mexico. By 2012, that had gone up three times more to \$61 billion in the red—in the red—our jobs going there, their exports coming here, not the reverse. That’s 244,000 more lost jobs. The numbers don’t lie.

In Korea, we had a discussion with some of the President’s advisers. They said, well, you know, that was supposed to be the new trade model, the Korean trade deal that this President proposed was going to change everything. Well, guess what? We are in the red with Korea, too. In 2000, we already had a \$12 billion trade deficit. Yes, more red ink. After the new Korean free trade deal, in 2012, it has nearly doubled. It is \$16.6 billion. And in 2013, just through November, it is nearly \$20 billion. That is a doubling of the trade deficit with Korea and 80,000 more lost U.S. jobs.

So if this fast track free trade is such a great trade model, how is it working for the American people? It isn’t. None of these trade deals are working. It might be working for certain transnational corporations who can pay their investors more because of the profits they are making off of cheap labor in low wage haven and the lack of environmental regulations in these other countries, but it is not working for the benefit of the American economy, the American people. It is time to change the trade model.

Let me just put two other numbers on the record here. We have over 1.5 million Americans over 45 years of age who still are unemployed. These are people who have worked their whole lives. We can’t even get them unemployment benefits and their jobs have been shipped out someplace else.

Mr. Speaker, later in the week I will talk about the cost of environment degradation in this country because of imports that are not properly regulated by the Department of Agriculture coming over our border and doing harm from coast to coast. It’s long, long overdue for a new trade model that benefits our nation and creates jobs here at home.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o’clock and 27 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Andrew Chaney, First and Calvary Presbyterian Church, Springfield, Missouri, offered the following prayer:

Almighty God, You equipped the Founders with great resilience as they sought Your wisdom in establishing our Nation. With that same power that inspired our patriots, bless these Members of Congress today. Lift them up, O God.

When they feel discouraged, when negative thoughts seem to dominate, when the winds are against them, strengthen their minds and spirits with an inner faith that only You can provide.

As we are now united in prayer, unite their efforts. Help them leave bitterness by the wayside. May their decisions consider the hopeful faces of parents, children, elderly, soldiers, veterans; that each person in every district will be blessed by the strong leadership of this Congress.

As many voices compete for their attention, create a sanctuary for them to pause, reflect, and hear Your voice. Equip them with a courage that constantly reminds them that “with God, all things are possible.”

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker’s approval of the Journal.

The SPEAKER. The question is on the Speaker’s approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. ANDREW CHANEY

The SPEAKER. Without objection, the gentleman from Missouri (Mr. LONG) is recognized for 1 minute.

There was no objection.

Mr. LONG. Mr. Speaker, today I have the honor of introducing my friend, Reverend Dr. Andrew Chaney.

Reverend Chaney is a third-generation minister. He serves as the senior minister at the historic First and Calvary Presbyterian Church in Springfield, Missouri, a church that is a special place to me and my family. Reverend Chaney serves as an important spiritual voice for me and the Springfield community.

Congress has a longstanding tradition of beginning each session day with a prayer. I am privileged and honored to have the opportunity today to welcome Reverend Dr. Andrew Chaney to the people's House as he opened today's session with a prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MESSER). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

FAIR AND REASONABLE FLOOD INSURANCE RATES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, my home State of Florida has been an overly responsible—and even generous—partner in the National Flood Insurance Program.

In the last 20 years, Floridians have paid four times in premiums than we have seen returned in claims. Yet FEMA is raising thousands upon thousands of policy premiums to absurd levels, easily doubling, tripling, or quadrupling them, and in some cases far higher.

These radical changes are counter-intuitive and are forcing hard-working, diligent, and responsible families from their homes. It is time to take a step back and rein in this agency and its harmful belief that this is a potential path forward.

Families in our communities need and deserve relief from these ridiculously high premiums. I will continue to work with my colleagues on trying to find a reasonable solution to this crisis, one that will address the immediate needs of local homeowners.

WE CANNOT AFFORD BAD TRADE DEALS

(Mr. ELLISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ELLISON. Mr. Speaker, trade of course can be good for Americans and our economy, but we cannot afford bad trade deals. Bad trade deals exacerbate inequality. It makes the ladder of opportunity harder to climb for working people.

Twenty years ago, Washington passed NAFTA, and the results have been devastating to our economy for

working people. Over 850,000 U.S. jobs left for Mexico, and our trade deficit skyrocketed from \$100 billion to \$700 billion. Before fast track authority, the U.S. had a trade surplus.

Fast track and the Trans-Pacific Partnership are not right for the American people. We must have more transparency. We must have more disclosure. We must have good trade deals that reflect the fact that the United States workers produce great services and products.

The trade deals need to reflect that, not have a race to the bottom for which we go to the cheapest markets around the world to compete with good American workers who make fair pay. It is not the right thing. I am for trade, but not bad trade agreements that are conducted in secret.

PRESIDENT OBAMA'S AMERICA

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Madam Speaker, welcome to President Obama's America: where labor force participation rates are the lowest since 1978; where good-paying jobs are scarce; where many health insurance premiums are skyrocketing or being canceled; where jobs bills sent to the Senate collect dust on HARRY REID's desk; where the State Department concluded that the job-creating Keystone XL pipeline poses little environmental risk, yet the President has not approved it; where yesterday the non-partisan Congressional Budget Office released a report stating that ObamaCare will have substantially larger negative effects on the economy than anticipated.

The CBO projects the number of full-time workers to fall by 2.3 million, while increasing financial burdens on our children and grandchildren.

I urge the President: use that pen to approve House-passed jobs bills; use that phone to work with Congress, and let's work together to relieve the burden that so many of your policies have placed on the backs of the American people.

PROTECTING AND PRESERVING THE GREAT LAKES

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, this afternoon I look forward to addressing the Great Lakes Environmental Summit.

The history of Buffalo is deeply rooted in the Great Lakes, as easy access to Lake Erie fueled a thriving manufacturing industry. Our future is also bright thanks to growing public and private investment in the waterfront.

Moreover, the Great Lakes support 1.5 million jobs and \$62 billion in wages per year. A report by The Brookings

Institution found that every \$1 invested in restoration generates \$2 in economic benefit and up to \$4 in economic activity through jobs, development, and increased property values.

But in order to realize these benefits, we must protect from outside threats, like nutrient runoff, invasive species, and harmful algae blooms.

I commend the work of advocates like the Great Lakes Restoration Initiative, the Environmental Protection Agency, Buffalo Niagara Riverkeepers, Citizens Campaign for the Environment, and my colleagues on the Congressional Great Lakes Task Force for taking action on protecting and preserving this vital natural resource.

PRESIDENT'S BROKEN PROMISE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Madam Speaker and my colleagues, too many middle class Americans are out of work or worried about losing their job, and the House has passed dozens of bills to help them. More are in the works as we speak, including important legislation that fosters more trade and opportunities for growth. In Washington, it is often referred to as TPA, trade promotion authority.

But around the country from our farms to our factories, this means jobs. It means making it easier for our workers—including the 1.4 million in Ohio whose jobs depend on trade—to be able to compete with China and the world's growing economies.

This initiative has support from Members of both parties, including President Obama himself. Unfortunately, like many of our jobs bills, his party's leaders in the Senate are standing in the way. The President needs to use his bully pulpit as only an American President can and change their minds. He can do that today when he addresses Senate Democrats.

I certainly hope and expect he will help us move this bill forward on behalf of American workers. Otherwise, all the talk about a "year of action" would appear to be just another broken promise.

APPLAUDING CVS CAREMARK

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, I rise today to applaud CVS Caremark's decision to stop selling cigarettes and other tobacco products in its more than 7,600 stores across the United States. CVS, which is headquartered in my district in Woonsocket, Rhode Island, is leading the way in promoting public health and wellness, and I hope other pharmacies will follow their example.

I would particularly like to thank Larry Merlo, the president and CEO of CVS Caremark; Helena Foulkes, the

president of CVS Pharmacy; and their board and their staffs for their commitment to putting people over profits. As one of the Nation's largest retail and pharmacy chains, CVS Pharmacy has helped countless Rhode Islanders and people all across this country better manage their health.

The negative impacts of tobacco are well known—lung cancer, diabetes, emphysema, and chronic bronchitis—and cigarette smoking is the leading preventable cause of death in the United States.

Taking this product off their shelves continues CVS Caremark's long tradition of helping people improve their health and wellness, and it undermines Big Tobacco's active marketing to future generations of Americans to persuade them to take up this deadly habit. I salute CVS Caremark in their efforts to help Americans live longer, healthier lives, and I am so proud of their decision and their corporate leadership.

SCHOLARSHIPS FOR KIDS ACT

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Madam Speaker, lots of kids in America go to a great school, but too many kids don't, and that is not okay. The simple truth is that too many families live in neighborhoods with bad schools. They can't afford to move, and they can't afford tuition to go to a better school either.

There is another way. Imagine a system not limited by ZIP Code, where education dollars follow the child and every family in America can afford to send their child to the school of their choice. This dream could become reality under the Scholarships for Kids Act. We filed the bill today. It gives States the option to use Federal education funds for scholarships to lower-income families, empowering these families to choose the best opportunities for their kids.

Let's stop defending the indefensible and start imagining a great future for every child in America.

□ 1215

NATIONAL FOREST SYSTEM LANDS FOR SNOWMOBILES IN MICHIGAN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Madam Speaker, I want to thank the House of Representatives for passing my amendment yesterday, which will help preserve access to the National Forest System lands for snowmobiles in Michigan and across the Nation, the same access that has long been granted for responsible snowmobilers.

In Michigan, snowmobiling has long been an important part of our State's

heritage. Half of my home State's 6,300 miles of snowmobile trails are on public land. Each year, families in my district head into the woods to partake in this winter recreational activity.

Snowmobiling supports our economy, particularly in northern Michigan. Each year, snowmobiling pumps over \$200 million into my State's economy, supporting thousands and thousands of jobs. Nationally, it is even greater: \$26 billion in economic activity annually, and over 100,000 jobs directly related to the snowmobile industry and the over 225,000 miles of groomed trails that people ride on.

My amendment supports these jobs, promotes conservation, and ensures snowmobilers that they will be able to continue to enjoy our incredible winters while preserving the natural beauty of our national forests.

CBO'S LATEST ECONOMIC REPORT ON OBAMACARE

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Madam Speaker, I come before my colleagues today as someone who comes from a family that at times did not have health care. I think we can do a much better job, and we should do a much better job, helping people get health care.

Like some predicted on both sides of the aisle, they said that the way ObamaCare was crafted it could result in a train wreck. We didn't really know, but now we do know. The facts are out. Everyone has seen the rollout, which was a disaster.

Every American should be stunned to see the Congressional Budget Office report today. You should read that: 2.5 million people will lose their jobs. That doesn't even consider the ones who have already been put to part-time status when they are trying to feed their families, make a living, and put gas in the car.

Here we have more people losing jobs because of this. Look at this, how many people will see a smaller amount in their paycheck thanks to ObamaCare.

This isn't a partisan document. This is something that is put out that has analyzed the impact, and it could be devastating.

PRESIDENT OBAMA'S PROPOSALS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Madam Speaker, last week, President Obama laid out a series of proposals: "build new ladders of opportunity into the middle class" and revive and sustain a core tenet of our American system—as he put it: "the notion that if you work hard and take responsibility, you can get ahead."

I could not agree more with many of the President's proposals. Increasing

the minimum wage, supporting job training and education, and ensuring equal pay for equal work are all necessary to meet the serious economic challenges of our time: stagnant wages and the lack of upward mobility.

But the President's push for fast track authority for the Trans-Pacific Partnership trade agreement, or TPP, flies in the face of these reforms. Twenty years after the NAFTA agreement involving Mexico and its \$10 a day wages, we know that the Trans-Pacific Partnership, which includes Vietnam and its 28 cents per hour minimum wage, will depress wages. It will lead to the offshoring and the loss of American jobs.

Raising American's living standards, restoring the middle class, creating American jobs, and increasing wages—those are our economic goals. That is what we should achieve as a society. The Trans-Pacific Partnership fails on all of these goals, and we should defeat fast track.

THANKING THE CLEVELAND/BRADLEY COUNTY CHAMBER OF COMMERCE

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Madam Speaker, last week, I had the honor of attending the Cleveland/Bradley County Chamber of Commerce annual meeting, where Mrs. Margaret Schenck and Mr. Bob Card Both received awards for their devotion to free market values and dedication to our community.

I want to thank these individuals, along with the entire Cleveland/Bradley County Chamber of Commerce, for their ongoing fight to grow and support local businesses.

Organizations like this Chamber of Commerce show that American small business owners and entrepreneurs are doing their part in growing jobs and strengthening our economy.

Now it is time for Washington to live up to its end of the bargain. We must eliminate the numerous regulatory roadblocks that are being imposed upon businesses and holding them back from reaching their full potential. We know the path to prosperity will not be paved by Washington bureaucrats. Rather, a brighter future will be secured by groups like the Cleveland/Bradley County Chamber of Commerce who seek to foster innovation and empower local businesses.

IMMIGRATION REFORM

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Madam Speaker, today, I rise in support of comprehensive immigration reform.

Our borders remain vulnerable, employers game the system by hiring undocumented workers, and millions of individuals are living in the shadows.

This status quo fails to meet the needs of businesses, is unfair to workers, and is holding back economic growth and opportunity in New Hampshire and all across this country.

Congress must prioritize the consideration of bipartisan legislation to comprehensively reform and modernize our immigration system: H.R. 15, the Border Security, Economic Opportunity, and Immigration Modernization Act.

It has been over 200 days since the Senate passed similar reform legislation, and it is long past time for the House of Representatives to do the same.

Republicans and Democrats must work together to take this common step to better secure our country and to reward those who work hard and are strengthening our economy.

Comprehensive immigration reform would strengthen our borders, combat illegal immigration, and create new opportunities for individual achievement and the pursuit of the American Dream.

Madam Speaker, I implore you: bring this important bill to the floor.

PRESIDENT SHOULD ACT ON KEYSTONE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, for more than 1,960 days, the President has refused to approve the construction of the Keystone pipeline. The President has incorrectly blamed the delay on harmful environmental impacts, but last week, the State Department released a study confirming what House Republicans have been saying for years: the Keystone pipeline will not harm the environment.

The President is placing politics over job creation. On Monday, former Energy Secretary Steven Chu acknowledged that the administration's decision is strictly political and has no scientific backing.

The President says he wants to create jobs, but his inconsistent actions have prevented over 120,000 immediate shovel-ready jobs. The President has said these are temporary jobs, but he is wrong. These are permanent jobs at MTU of Graniteville and Michelin of Lexington, producing engines and earthmover tires for oil sands recovery in Alberta, Canada.

The most environmentally secure method of transportation is by pipeline, and the President should join Congress in developing Keystone for jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

FLOOD INSURANCE RATES

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Madam Speaker, I rise today to call on the House of Representatives to take action to prevent enormous flood insurance rate hikes from going into effect for homeowners all across this country. This is about the basic principle of housing affordability.

Recently, I met with Realtors, homeowners, insurance agents, and mortgage brokers in my neck of the woods. They shared with me just how dramatic the impact has already been in our region.

One perspective home buyer in Grays Harbor County was shocked to find that their flood insurance quote came out to a whopping \$13,000 per year. After paying \$600 to show that the property was elevated, the insurance quote was still more than the monthly mortgage payment would have been, and the deal fell through.

This policy has already led to a rapid and substantial decline in property values in a part of my district that already struggles with double-digit unemployment and can't afford another round of congressional disfunction.

Madam Speaker, the Senate has already acted. Let's do the same and immediately take up the Homeowner Flood Insurance Affordability Act.

TRIUMPH OF FLIGHT MONUMENT

(Mr. TURNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TURNER. Madam Speaker, my hometown of Dayton, Ohio, is the birthplace of aviation. At the turn of the 20th century, Orville and Wilbur Wright, bicycle repair shop owners in Dayton, invented the first airplane, ushering in the era of modern aviation.

From their efforts, America led the development of an entire new industry. It revolutionized commerce, communication, travel, and our national defense.

Today, Ohio continues to help the Nation reach new heights in aviation and in the aerospace industry.

For example, in Dayton, the field where the Wright brothers developed and flew "the world's first practical aeroplane" is now part of Wright-Patterson Air Force Base, the largest Air Force base in the world and home to the Air Force Research Laboratory, dedicated to advancing aerospace technologies.

That is why I am here today to congratulate the efforts of the Wright Image Group, a team of resolute individuals who are preparing to construct a new monument for America to promote our Nation's accomplishments in air and space.

Calling it the "Triumph of Flight," seen here, they will place a massive replica of the 1905 Wright flyer 250 feet in the air above the crossroads intersection of Interstates 70 and 75.

Madam Speaker, this monument's innovative design will remind us of the

Wright brothers' achievements and excite and inspire future generations.

This monument site will honor the great achievements of Ohio aviation and aerospace leaders, including the Wright brothers, John Glenn, and Neil Armstrong.

I congratulate them again on the innovative design, and we look forward to this monument rising between Interstates 70 and 75.

DEBT CEILING

(Mr. HONDA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HONDA. Madam Speaker, Treasury Secretary Jack Lew has been urging Congress to act before Friday's debt ceiling deadline, but here we are again with no signs of legislative progress, with rumors of a ransom that Republicans will demand before Congress will be allowed to do its job.

The Treasury Department is once again being forced to resort to extraordinary measures to continue financing the government.

These games of chicken are dangerous. They are irresponsible, they have led to turmoil in the markets, and they have cost our economy billions. We have avoided disaster in the past and I believe will avoid it this time. In any game of chicken, one side always must blink. But what happens when neither side blinks? Disaster.

I ask my colleagues to help me install a permanent fix that would end the brinkmanship surrounding the debt limit.

My H.R. 233 allows the debt limit to be raised unless a supermajority of Congress votes to block such action. This would permanently shift the role of Congress to disapproving debt ceiling increases instead of being forced to approve them.

My approach has been introduced by Senators SCHUMER, BOXER, and HIRONO in the Senate, and has been endorsed by a growing chorus of economists and outside thought leaders.

I urge my colleagues to join me in pursuing these permanent, necessary reforms.

ADDICTION AND MENTAL HEALTH

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Madam Speaker, Philip Seymour Hoffman, a gifted and talented actor, didn't have to die. His death is all too common. In the past 6 years, heroin use has doubled, with 1 million ER visits and several thousand deaths that will occur this year from an overdose.

This is not just a law enforcement issue but a public health issue because addiction is a mental disease.

Many treatments for addiction are modeled on peer support like Alcoholics Anonymous and Narcotics Anonymous, valuable and important organizations that provide a pathway to helping a person overcome an addiction through peer support, but peer support is only support. It is not the whole treatment.

In *Time* magazine, a parent whose son died of a drug overdose said:

I did everything I could, but I failed him. Everything included eight residential treatment programs and four outpatient programs.

Addiction programs don't always do everything right. Ninety percent of those who enter treatment programs don't receive evidence-based treatment. The fact is there is a lack of mental health professionals, broken Federal policies, and a severe shortage of acute care facilities.

I encourage my colleagues to join me in sponsoring the Helping Families in Mental Health Crisis Act, H.R. 3717. Let's get people the help they need.

□ 1230

CORPORAL G. ROBERT SMITH

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute.)

Mr. WENSTRUP. Mr. Speaker, from 1942 to 1949, the African American marines who trained at Montford Point Camp, North Carolina, fought intolerance and segregation, yet they continued to serve their Nation proudly.

I am honored to have one of these men, World War II veteran Corporal G. Robert Smith, amongst the ranks of constituents in Ohio's Second District.

I am personally grateful for Corporal Smith's service and dedication to our Nation, and I would like to offer my sincere congratulations for being recognized with the Congressional Gold Medal. Corporal Smith lives up to the high standards that characterize the United States Marine Corps. The statement "once a marine, always a marine" is a reminder that these standards carry on long after the uniform has been put away.

Corporal Smith, your fellow Americans take pride in your military service and your contributions to your community after that service.

The freedom and liberty that we enjoy today is due, in large part, to the sacrifices made by individuals like Corporal G. Robert Smith.

Corporal Smith, Semper Fi.

THE FOUR CHAPLAINS

(Mr. STIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STIVERS. Mr. Speaker, this week marks the 71st anniversary of a dramatic sacrifice made by four U.S. Army chaplains during World War II on February 3, 1943. On that day, the USS

Dorchester was torpedoed by a German submarine, and it sunk. Out of that tragedy came the story of the four chaplains.

Four U.S. Army chaplains of different faiths—one rabbi, one Roman Catholic priest, one Methodist, and one Baptist minister, Clark Poling, who was born in Columbus, Ohio—came together on that day on the *Dorchester*. As the *Dorchester* began sinking, they began to calm the men and organized an orderly evacuation, but it quickly became clear that there weren't enough life jackets.

In a true display of heroism and bravery, the four chaplains removed their own life jackets and gave them to others. They helped as many men as they could on lifeboats, and then they linked arms, recited prayers, and sung hymns as the ship went down. These heroic actions must never be forgotten.

I would like to thank the Wilmington, Ohio, American Legion post and the many American Legion posts and VFW posts across the country that helped tell this story this week. We must never forget.

BUREAUCRACY STANDING IN THE WAY OF PROGRESS

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, Americans want us to work together to help our economy grow, to support job creation, and to create opportunity for every American to succeed, but far too often our own government gets in the way of American job opportunities—stifling innovation and hindering job creation.

The construction of the Keystone pipeline means thousands of jobs to Americans who are looking to get back to work—it means engineering, construction, energy, transportation, and manufacturing jobs—but our own government continues to stand in the way.

The Congressional Budget Office now says the administration's health care mandates will damage economic growth and will lead to as many as 2.3 million American workers losing their jobs because of what this government has decided to do to them. These are real consequences for real families.

Mr. Speaker, our economy isn't struggling because of the efforts of the American people. No. Our economy struggles because of bloated, expensive, and destructive bureaucracy that stands in the doorway of progress. As this government grows, opportunity shrinks. It is time that this Congress removes the weight of this government off the backs of the American people.

PROVIDING FOR CONSIDERATION OF H.R. 2954, PUBLIC ACCESS AND LANDS IMPROVEMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 3964, SACRAMENTO-SAN JOAQUIN VALLEY EMERGENCY WATER DELIVERY ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 472 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 472

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2954) to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-35. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute shall be considered as waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3964) to address certain water-related concerns in the Sacramento-San Joaquin Valley, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-34. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. GARDNER). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, the resolution provides a structured rule for the consideration of two separate bills: H.R. 2954, which is the Public Access and Lands Improvement Act, and H.R. 3964, which is the Sacramento-San Joaquin Valley Emergency Water Delivery Act.

It provides for an hour of general debate, each measure equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule makes in order five amendments to H.R. 2954 and eight to H.R. 3964, and of those amendments made in order, nine are Democrat amendments. So this is a fair and generous rule. It will provide

for a balanced and open debate on the merits of both of these important pieces of legislation.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I thank my friend, the gentleman from Utah (Mr. BISHOP), for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, we have real problems facing our Nation. The measures before us today are partisan and have no chance of becoming law. My friends across the aisle would rather pick political battles than propose real solutions. We worked together on the farm bill, on the budget, and on the omnibus appropriations bill, and I hope that soon we will pass a bipartisan Water Resources Development Act conference report. Instead of continuing in a bipartisan manner, however, we are here once again considering partisan bills that will not become law. For example, H.R. 3964 is a far-reaching measure of drastic and immediate consequences for its chosen winners, yet the bill was introduced only a week ago and with only Republican cosponsors.

California is in the middle of a terrible drought. Some Californians are already reporting that no water comes out when they turn on their taps. They need a real solution. We have got our water issues in Florida. There is not enough of it in places that need it and too much of it where it is not needed. Yet my friends across the aisle have decided to handpick when states' rights don't matter and to take the opportunity to blast California's prerogative.

California has a plan—the Bay Delta Conservation Plan—that has been worked on in a unanimously important way. Instead, this legislation has turned a legitimate crisis into a justification for a power grab, prioritizing junior water rights holders over those with senior rights. I respect my colleagues from California, but the Governor is responsible for the entire State, and he expressly rejects the measure before us today.

Mr. Speaker, Californians already have, as I have said, a water use plan in place. The plan is a result of long, detailed discussions and carefully crafted policy. Yet this bill would substitute—indeed, preempt—the will of the people with a reactionary Federal policy. Specifically, the bill preempts California law, eliminates Endangered Species Act protections for salmon and other fisheries, overturns existing Federal law, as well as undermines existing agreements and court orders related to water use in California.

Moreover, this bill will not fix the problem, which is simple—there is not enough water. H.R. 3964 will not end the drought. It will not create more water. Simply put, it will only decide who will go thirsty.

California's secretary for natural resources, John Laird, wrote to the relevant committees:

The bill falsely holds the promise of water relief that cannot be delivered because, in

this drought, the water simply does not exist.

How and when to direct water is very similar to problems we face in the Everglades. Without an ongoing flush of water into the ocean, seawater intrudes upon the delta. You then wind up with saltwater inland, and then you might as well not have any water at all.

I didn't have to deliberate long to decide against this bill. California, the State the bill supposedly helps, is strongly opposed to it. Let me be very clear. That means the Governor and those who are critical to it are opposed. I understand that there are members of the California delegation who do support this matter, and I respect that. I can't say it any better myself. The only way we are going to help California is to realize that you can't play politics with a person's drinking water.

Turning now to the other piece of legislation, H.R. 2954 is no better either substantively or procedurally. My friends across the aisle continue to play fast and loose with their pledge to address one issue at a time. That is what they said. H.R. 2954 is 10 unrelated bills stitched together. Some of the provisions we are looking at today are not controversial, but rather than pass noncontroversial provisions through less contentious means, my friends have packaged them together with partisan measures for rank political purposes.

□ 1245

It is Frankenstein's parliamentary monster.

The other day at the Rules Committee, my friends across the aisle talked about how much they love national parks, and shared their experiences hiking and visiting the parks with their families. Yet they are still bringing H.R. 2954 to the floor, a bill that would greatly hamstring the National Park Service, Bureau of Land Management, and the United States Forest Service in their capabilities to protect public land and endangered species.

These 10 bills are designed to influence or dictate management decisions about the conveyance or disposal of Federal lands. They tie the hands of public land managers and give away millions of dollars worth of Federal land to local governments without ensuring the land is used in the public's best interest.

They include drastic changes to regulations related to grazing policy and waive or undermine existing environmental law. Some of these provisions would be significantly less controversial were it not for the unnecessary provisions waiving environmental protections. It is no secret my friends across the aisle look to undermine, if not eliminate, the National Environmental Policy Act at every chance they can.

These are the kinds of policies that leave 300,000 West Virginians without

water to drink or bathe. We don't know the effects of the chemicals that spilled into the drinking water for 300,000 West Virginians. We don't know yet how much or even specifically what was spilled. The lasting damage to West Virginia's water supply can't be predicted. That is why it should be an exemplar for why we need to have careful environmental regulations everywhere.

Mr. Speaker, week after week, my Republican colleagues continue to bring up partisan bills that offer no relief to hardworking Americans. I believe that this institution is better than that and must change course.

I am astounded that we haven't authorized unemployment insurance.

Let me repeat that. I am astounded that we have not reauthorized unemployment insurance for now what is 1.6 million Americans. With each passing day, more families face the threat of losing their homes. With each passing day, our roads, bridges, schools, parks, ports, airports, and railways continue to degrade due to lack of adequate investment. With each passing day, Americans burdened by long-term unemployment see little, if any, action in the House of Representatives to give them hope.

With so many Americans and their families enduring difficult times, we cannot afford to wait any longer. Americans deserve peace of mind and a government that functions.

I reserve the balance of my time.

Mr. BISHOP of Utah. My good friend from Florida was correct in at least one aspect. There are two bills that are involved in this particular rule, one which involves 10 different sections dealing with land issues that are critical to 10 States chagrined that they have to come to Congress for redressing their grievances. The other one deals with water issues.

To explain that water issue, I yield 5 minutes to the gentleman from California (Mr. VALADAO), the sponsor of that particular bill.

Mr. VALADAO. Mr. Speaker, as a farmer in the Central Valley, I grew up there—born and raised—on my own personal farm with my family. We have struggled with this water fight for years, even before I was born. This isn't a new issue. It is something that has been talked about for years. The problem is we have talked about it long enough. We have got to do something. We have got to make a difference for these people.

When they talk about unemployment benefits, these people in my district would rather have a job. You turn on that water and they will be back to work. We have got farmers in my district that are literally laying people off today, putting more people on the unemployment line, because of environmental regulations.

Yes, there is a drought going on. That has been going on. It has happened in the past. We have got at least 10 in our recorded history in California.

When you look at what our forefathers have done, they created an in-

frastructure to allow us to prepare for those droughts, and what these regulations have done is allowed water to go out into the ocean and not be in place to prevent us from this disastrous situation we face today.

That is what we are fighting over today. We want to make sure that that infrastructure is used and our taxpayer money is put in place so that when those projects are there, we have water to supply our farms and our communities.

Over the last year, as a Member of Congress, and the 2 years before that as a member of the State house, and before that as a farmer, I have always dealt with and talked with my locals—and especially my local elected officials. My city councils, my city managers, my board of supervisors all come to me with the same issue:

What are we going to do? We have got 40 percent of our water this year for our city; we have got 50 percent of our water for our city; we have got 20 percent of our water for our farmers. How are we going to take care of our communities? How are we going to take care of these people. How are we going to allow them to be successful?

This is one of the solutions.

When we talk about solutions, I am fine and happy to work with Members on long-term solutions like the Bay Delta Conservation Plan, as long as it delivers water. I am fine talking about the water bond, as long as it delivers water infrastructure for our Valley.

We have to make sure that the crisis that we are facing today is addressed. Because it is a crisis; it is affecting people today. We are seeing people being laid off. Yes, that is putting a huge dent in our resources because we have to pay these people because they are not working because of a program, because of regulations that were put into place that allowed that water to go out into the ocean for absolutely no good reason.

So this has had an impact on my district. We are going to continue to fight, and yes, this is a solution. If the other side has a solution to bring to the table and be part of the conversation, I am happy to hear it and happy to negotiate. Until then, we are going to continue to fight on our side and push this forward.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to the distinguished gentlewoman from California (Ms. MATSUI), a former member of the Rules Committee.

Ms. MATSUI. I wish to thank the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in strong opposition to H.R. 3964.

California is currently experiencing a record drought. Up until just last Thursday, it had been 54 days without rain in my district of Sacramento. That is almost 2 months. To put this in context, Sacramento is experiencing a 130-year record for low rainfall, a record that dates back to 1884.

With 2013 being the driest year on record since the Gold Rush, and 2014 being the third year of a drought cycle, we are being pushed to make do with less water than ever before.

A statewide drought emergency has been declared, and my district of Sacramento is doing its part by instituting a mandatory reduction in water use. My constituents are required by law now to reduce their water use 20 to 30 percent. Fines for multiple offenders will reach \$1,000.

Moreover, in the Sacramento region, the Folsom Reservoir is at dangerously low levels and is currently only at 17 percent of capacity.

Unfortunately, there is no silver bullet to solving California's water issues. The issue of water in California has been debated for so many decades because it is such a critical issue for the State. As a daughter of a Central Valley farmer who grew up on a farm, I deeply understand the value of and the controversy over water.

In northern California, we have done our best to balance our watershed to provide water for our farms, cities, and habitat.

To say this bill will help the drought is grossly misleading and, frankly, irresponsible.

Mr. Speaker, even if we pumped as much water south as possible, it still wouldn't be enough. The problem is a lack of rain. There is simply no more water to pump from the Delta.

Mr. Speaker, instead of working together, this bill only further divides our State. My district, the city of Sacramento, the Sacramento region, and northern California as a whole, strongly oppose this bill. Some of the concerns include the loss of the State's right to manage its own water, the decimation of environmental protections for our Sacramento-San Joaquin Delta, the ability to manage Folsom Reservoir for the benefit of the Sacramento metropolitan area and, most importantly, the overall instability that this bill would create in California.

We cannot afford to give up California's right to control its own water future. The stakes are much too high. I urge my colleagues to strongly oppose this legislation.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to the distinguished gentleman from California (Mr. MCNERNEY), a member of the Energy and Commerce Committee.

Mr. MCNERNEY. I thank the gentleman for yielding.

Mr. Speaker, I want to start by stating that I am strongly opposed to H.R. 3964, for a variety of reasons, but primarily because it does nothing to address California's drought. However, I would like to raise two points about the bill's process and debate.

I offered an amendment that would sunset provisions of this bill in the 2015

water year. I did this because the bill's authors stated that the bill is intended to be a short-term measure. Yet my amendment to limit the duration of the bill was prevented from coming to the floor for a debate.

I offered another amendment, which was actually proposed by the bill's authors. A few weeks ago, the Speaker, the majority whip, and the bill's authors held a press conference in California, where they bemoaned the fact that the Senate would not come to the negotiating table to address long-term water shortage issues.

I agree with them that a bipartisan discussion in both Houses of Congress is appropriate. That is why I offered an amendment, using their own suggestions, to establish a joint select committee to address drought issues in the West. It would be comprised of 10 Members, just as the bill's author recommended, and would work out a comprehensive solution.

That proposal, too, was rejected, as was a similar amendment by my California Valley colleague, Mr. COSTA. We wanted to bring the House and the Senate to the table but are being denied the tools we need to do just that. How can the bill's authors claim they want a bicameral discussion, yet deny a vote on this issue—one which they just advocated for?

I am trying to establish a set of guidelines with what the bill's authors say they want, but they won't even allow it.

Mr. BISHOP of Utah. I appreciate the gentleman's frustration. Those very proposals were offered by Chairman LUCAS in the farm bill and rejected by the Senate.

I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from California (Ms. ESHOO), with whom I served previously on the Intelligence Committee and who is as a member of the Energy and Commerce Committee.

Ms. ESHOO. I thank the gentleman.

Mr. Speaker, I rise in fierce opposition to the bill that is being considered because it throws decades of State and Federal water law out the window, and, in the process, it would kill thousands of jobs in the Bay area and elsewhere on the west coast, while pitting water users against one another.

Salmon fishing is one of California's oldest industries. Today, the Bay-Delta salmon fishery is not nearly as healthy as it once was, but it still supports thousands of jobs up and down the entire west coast. This bill would dry up what is left of the once legendary salmon fishery industry.

Here are some of the laws that this bill would gut or override. I think everyone should fasten their seatbelts:

The California Constitution;

The Reclamation Act of 1902;

The Central Valley Project Improvement Act;

The State and Federal Endangered Species Act;

The National Environmental Policy Act;

The San Joaquin River Settlement Act;

The Wild & Scenic River Act protections for the Merced River.

If that is not enough for everyone in the House to know, then there isn't anything else to know.

Vote against this bill. It is horrible.

Mr. BISHOP of Utah. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. HUFFMAN), a member of the Natural Resources Committee.

Mr. HUFFMAN. Mr. Speaker, the last time California had a severe multiyear drought, something very different happened. Democrats and Republicans, people from the northern part of the State, the southern part, and inland came together around a historic bipartisan set of water reforms.

I was fortunate to help author some of that. I chaired the Water Committee in the State legislature. National newspapers like The New York Times called it the most important thing California had done for water in 60 years.

This bill repeals it. Full stop.

□ 1300

To offer this as a solution would be laughable if it weren't such a serious offense to real solutions in California water.

The Bay Delta Conservation Plan which my friend referenced is over if this bill passes because the premise of that plan is coequal goals for the environment and water supply reliability; and when you preempt that and repeal it, there is no basis for that plan to move forward at all.

You had better include, in fact, some funding for the Federal courts if this bill passes because, instead of a solution, you are going to be unleashing a wave of litigation unlike anything the State of California has ever seen.

It is going to hurt the San Joaquin Valley, and it is going to hurt every other part of the State that needs constructive solutions, not a new water war.

We have over 100 years, Mr. Speaker, of deference by the Federal Government to the State of California and to all other Western States in administering our water rights system. That was made very clear by Chief Justice Rehnquist in *California v. The United States* in the 1970s.

The principle of State administration of water rights under the public trust doctrine is part of the California Constitution, and the California Supreme Court has made it clear that that is a bedrock of California water law.

The California Legislature, in that historic 2009 package, called that the fundamental principle of California water, and it is repealed by this vastly

overreaching expansion of Federal authority offered cynically today as a solution.

I know some people across the aisle like to talk about the 10th Amendment. They like to rail against expansion of Federal authority and Federal overreach. Well, we are living in a very glass house here today, Mr. Speaker, because this is the most overreaching expansion of Federal authority that I could ever imagine on something as basic as water rights in the Western United States.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from California (Mr. GEORGE MILLER), who is a member of the Education and Workforce Committee and a former chair of the relevant committee having to do with the environment.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding. I thank my colleagues who have spoken out against this legislation.

This legislation is in no way a solution to the problems that we have in California with the continuing drought. This legislation is simply a legislative temper tantrum.

They don't want to nuance what has to be nuanced. They don't want to have each area of origin be taken into consideration. They don't want to balance urban/rural. They don't want to balance agriculture/technology.

This is what the Governor is having to do. This is what the resource agency is having to do. This is what the entire State legislature is focusing on, trying to figure out how all of California survives the drought.

This one just says what we will do is we will kick over the barn upstate there. We will take their water and we will be okay.

Well, why doesn't San Diego look up north and say, you know what? We will kick over the barn. We will take their water, and we will be okay.

This is the greatest intrusion into State water rights that we have seen in this legislature, and that is why Governors of other Western States understand the principles that are engaged here are an absolute attack on their States also. That is why Representatives from those States opposed this legislation last time it was presented, and they will oppose it again this time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. I thank the gentleman.

So you have a bipartisan coalition in the States trying to work this out, from every economic sector, from every environmental sector, for the benefit of the State of California.

This drought doesn't have to end in this rainy season. It can go on another year and another year.

This legislation is destructive, destructive of our trying to make sure that every facet of the California society and its economy survive, and that is why this bill should be rejected. It is an assault on fundamental states' rights that every other Western Governor recognized the moment this bill was introduced, and that is why they oppose it. They join the Governor of California, the resource agency of California, in opposition to this bill.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, yesterday, we gave the House an opportunity to consider flood insurance reform which the Senate has already adopted, but unfortunately it was denied. As incongruous as it might be, we consider it such an important issue, while we are here talking about an equally important issue, drought, to bring up this measure having to do with flood insurance. It is an important issue for families across the Nation, so today we will provide that opportunity again.

If we defeat the previous question, I am going to offer an amendment to this rule to bring up a bill that will delay flood insurance premium hikes and provide financial relief to thousands of American families and, specifically, families in Florida.

To discuss our proposal, I yield 1 minute to the gentleman from Nevada (Mr. HORSFORD), my good friend.

Mr. HORSFORD. I thank the gentleman from Florida for yielding.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and allow us to vote on legislation to address the Nation's concerns about flood insurance and to come up with a comprehensive water plan to address our drought.

Last month, the Senate voted overwhelmingly to approve the Homeowner Flood Insurance Affordability Act. And the headline of the American Banker article says it all: "House GOP Blocks Vote on Senate-Passed Flood Insurance Bill."

"Florida Governor Scott Urges Speaker Boehner to Take Up Flood Insurance Fix," by the Palm Beach Post.

This bipartisan legislation provides a 4-year timeout on rate increases triggered by a property's sale or a flood map update for a property with previously grandfathered rates. The bill also creates a flood insurance advocate to investigate homeowner complaints of rate quotes.

During a recent trip back to my home State in Nevada, my constituents told me that these increases can be excessive and unfair. It is a problem that they want addressed now.

I urge my colleagues to vote "no" and to allow us to bring up this previous question and offer an alternative.

Mr. BISHOP of Utah. Mr. Speaker, before I go into complete pivot to non-germane issues, I yield 5 minutes to the gentleman from California (Mr. NUNES) to talk about how the first bill

deals with water diversions, not water consumption.

Mr. NUNES. I want to thank the chairman for allowing me to speak on this important bill.

Mr. Speaker, today we are going to hear, Mr. Speaker, a lot of falsehoods. But we need to get to the bottom of why are we hearing those falsehoods, because, for 40 years in this body, people have made a career of using water as a weapon.

Why? Because they never liked the fact that farmers and farm workers were making what was once a dry area of the State the Garden of Eden of this world. They never liked that.

Why? Because they don't want to have to admit to themselves, when they live in their beautiful cities of Hollywood and San Francisco and all these great cities that are on the coast of California, beautiful areas, it is a desert. They don't have any water either.

So they wanted to keep our area, where I grew up, they wanted to keep it as a desert because they feel bad about the destruction that they have done on the coast of California. So if they can keep inland California in its original state, they would be happy with that.

But for the farmers and the farmworkers that are losing their farms, farmworkers are out of jobs. We are going to lose 30,000 jobs probably this year. It is an inconvenient truth that for 40 years this body has been preempting State law and taking water away from one region and dumping it and wasting it out to the ocean.

You started with the Endangered Species Act, State preemption. In 1992, a lot of talk about how we are gutting the Central Valley Project Improvement Act. That bill was a State preemption. We have no way to fix the problems in California because of all the State preemptions that have been done by the left in this body over four decades.

So I found it fascinating the Members of Congress that were getting up to speak about how we are going to kill the fish, and this water is so important for these fish; and the little Delta smelt, we have got to keep them and keep the habitat.

Well, there is a little more truth to that, Mr. Speaker. Let me tell you what they are really hiding.

And I apologize to the viewers at home. This is what they are hiding: sewer discharge into the delta, killing their precious little fish. Every one of the cities in the San Francisco Bay, Sacramento, the delta, sewage runs right into the waterway, kills the little fish.

It is pretty startling, isn't it?

They don't talk about that, do they?

The other little thing that they don't talk about is, where does their water come from? Because they live in a desert, too. People don't realize that. You go visit San Francisco, visit Silicon Valley, people think, oh, that is a

beautiful area. Green lawns, people water their lawns. They don't have any water, Mr. Speaker, either, because, conveniently, this body preempted State law, took water from our area in the Sierra Nevadas, which is about 200 miles away. But worse than that, they went into a national park to take the water.

What national park? Yosemite National Park. They went to Yosemite, one of the treasures of our national park system, and they took this valley, and they put a dam so that they could create this lake.

Now, look, I want the people of San Francisco and the bay area to have water. I don't want them to be like our communities and not have any water. But we have to tell the truth, Mr. Speaker. They dammed up this valley to create this water, but then it doesn't go to the delta to protect their little fish that they care so much about. No, Mr. Speaker. It gets piped over to San Francisco. Here is the pipe. This is the Sierra Nevadas. They catch the water. They pipe it all over the bay area, Silicon Valley, San Francisco, discharge their sewer into the bay, take pristine water from our area to feed their families, grow their grass.

I don't see any of them up here saying that they are going to tear down this system, dump this water into the bay to protect their stupid little fish, their little delta smelt that they care about. We don't see that, Mr. Speaker, because they don't want to tell the truth. This isn't about truth telling. This is about money and power, millions of dollars.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman an additional 1 minute.

Mr. NUNES. So all of the radical environmental groups that were created in this country started where? In that little epicenter of Hollywood and San Francisco on the west coast of California.

Lawsuits, lawsuit after lawsuit after lawsuit, millions of dollars went to trial lawyers. But you know what, Mr. Speaker? Those millions of dollars that came from my community to pay off these rich lawyers, we don't know how many millions it was because it is hidden from the taxpayer. It is hidden from the American people, sealed by court order. Why don't they come out and tell us how much money they made?

Millionaires off of government, used the government to make millions. Used the government to dump sewage into the water to kill the fish; dam up Yosemite to bring the water from Yosemite for fresh water while our people, farmers and farmworkers, lose their jobs.

It is an inconvenient truth, Mr. Speaker.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 1 minute to the distinguished gentleman from Connecticut (Mr. COURTNEY), my good friend.

Mr. COURTNEY. Mr. Speaker, anyone watching this debate, I think, understands why the American public is so turned off by this Congress. This is a bill which was brought to the floor in a hyperpartisan process, bypassing the committee, hyperdivisive, and it is going absolutely nowhere. In the meantime, we have an economy which needs this Congress to act.

A few days ago, the Senate did act on a bipartisan basis to pass the Menendez-Isakson Homeowner Flood Insurance Affordability Act, which will help coastal properties that are now locking up because of skyrocketing flood insurance premiums which the Senate bill will fix.

Again, 182 cosponsors in the House, bipartisan. We have the support of the Bankers Association, Realtors, housing advocates, a broad consensus, broad bipartisan support. It will help the real estate market, which will drive this recovery in a positive direction.

Let's act on that, amend the rule. Let's bring up the flood insurance relief program and put this underlying bill back to committee where it belongs, where many of these thorny issues can be worked out by Members on both sides of the aisle and both sides of the State of California.

Pass the flood insurance.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. COURTNEY. Let's pass this flood insurance measure. In southeastern Connecticut, coastal properties, again, if you talk to the Realtors, you talk to the bankers, these properties are locking up because of the increase in flood insurance premiums.

We can change that today, right now. Get this bill to the President for signature. Let's get this recovery moving. Let's listen to the American people who want to see bipartisan action that is focused on the number one issue facing this country, which is getting a strong economic recovery.

□ 1315

Mr. BISHOP of Utah. If the Speaker would forgive me for trying to get us back on the subject matter of the bill in front of us, I yield 3 minutes to the gentleman from California (Mr. McCLINTOCK) to talk about the water bill.

Mr. McCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, the opposition has erupted into a veritable Mount Vesuvius of misinformation on the California water bill, and I would like to address a couple of the major points that they have raised.

This does not preempt State water rights. It specifically invokes and protects the water rights against infringement by any bureaucracy—local, State, or Federal. This is a legitimate constitutional function of the Federal Government that dates back to the 14th Amendment, and it is made essen-

tial by the unique relationship between the Federal and State governments with respect to California water policy, the mixture of both the Central Valley project and the State water project.

To the ridiculous comment that this is a theft of northern California water and that northern California is united in its opposition, nothing could be further from the truth. On the contrary, this bill protects the north from any attempt to override established California water rights law in reallocating water from the north.

Just to illustrate this, I would point out that it was these provisions in the last session of Congress that the California Association of Water Agencies specifically pointed to in support. They said this: The bill, if enacted, now contains provisions that would not only protect the interests of senior water rights holders in the Sacramento Valley but would also provide significant material water policy improvements to current Federal law. The bill, if enacted, would provide an unprecedented Federal statutory express recognition of and commitment to California's State water rights priority system and area of origin protections.

Finally, to the argument that we cannot make it rain, there is not enough water to go around. Well, that is true. One of the reasons is because in this third year of drought, we have dumped a total of 1.6 million acre-feet of water into the Pacific Ocean that was desperately needed to support the threatened human population of California.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 1½ minutes to the gentleman from Rhode Island (Mr. LANGEVIN), my good friend.

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I rise to urge a "no" vote on the previous question so that we may immediately consider H.R. 3370, the Homeowner Flood Insurance Affordability Act.

Mr. Speaker, communities in my home State say, We cannot wait for relief from steep flood insurance rate increases. Rhode Island families have told me that they are facing flood insurance rates upwards of \$35,000, and they are scared of losing their homes. If these rates fully go into effect, in many cases, families are going to be paying more for flood insurance than they are for their mortgage. Unless we act, we could potentially see whole middle class neighborhoods wiped out because they will drown not because of a flood but because they will drown under the weight of the cost of flood insurance. This is simply unconscionable.

Implementing a delay in rate increases, Mr. Speaker, will give FEMA time to complete an affordability study and develop recommendations to help homeowners afford their pre-

miums. Without it, thousands of middle class homeowners will continue to suffer from the uncertainty of not knowing whether the cost of flood insurance will make homeownership unaffordable.

This legislation passed the Senate Thursday with a strong bipartisan vote. The House companion has 182 bipartisan cosponsors. I urge my colleagues to support consideration of the Homeowner Flood Insurance Affordability Act to provide immediate relief for our families and our communities.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, at this time, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS), who is the ranking member of the Committee on Financial Services.

I wish to make clear to my friend on the other side who continues to say that he wants to bring us back to the subject matter of this underlying bill that the minority has been granted a motion to recommit, and that motion to recommit is just as relevant as the underlying bill.

To speak to this issue, then, I yield 2 minutes to the gentlewoman from California.

Ms. WATERS. I thank the gentleman from Florida for allowing me to take some time to be on this floor to plead with my colleagues on the opposite side of the aisle to join with us in support of our middle class citizens who now have their homes at risk.

Mr. Speaker, I plead with the opposite side of the aisle to join with what is a bipartisan piece of legislation, a bicameral piece of legislation, legislation that was passed out by the Senate that would correct the unintended consequences of the Biggert-Waters Act.

Why am I so passionate about this? First of all, I was a coauthor of the Biggert-Waters Act. It was a bill that we got together on where we tried to reduce the debt that we are confronted with, providing assistance and subsidies to our homeowners.

Many of our homeowners, as you know, across this country are put at risk. Their homes are destroyed through natural disasters. We have to be available to them through this kind of insurance program, the National Flood Insurance Program.

So we have the Senate, we have Republicans, we have Democrats who have all joined in with us to do something very simple: delay this for a time period. Delay this for 4 years so we can get on FEMA, and FEMA can get it right.

FEMA messed up the Biggert-Waters bill. We said, You have to do an affordability study. They did not do that. We said, You have to get your mapping and your remapping right. They have not done that. We said, Get a credible database. They have not done that.

We have got to correct FEMA. There is no reason why people should be having their premiums increased by 500

percent. This is wrong. We can do something about it. Don't stand in the way of coming to the assistance of American citizens who depend on us in their time of trouble.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the gentleman from Florida (Mr. GARCIA) who is a dear personal friend of mine. He and I share concerns about issues related to Florida as well as this Nation, as it pertains to flood insurance.

Mr. GARCIA. I would like to thank my colleague from Florida for yielding.

Mr. Speaker, I want to echo the words of the previous speaker. Like the gentleman, though, I urge my colleagues to vote "no" on the previous question so that we can take up a more important vote, so we can take up the strongly bipartisan Homeowner Flood Insurance Affordability Act.

During this Congress, we have spent far, far too much time on issues that divide us rather than on bipartisan issues that unite us. The Homeowner Flood Insurance Affordability Act is just that kind of bipartisan legislation that should be at the top of the House's agenda. It would relieve homeowners of crushing premium rate increases, strengthen our housing market, and support economic recovery. That is why this legislation has such strong bipartisan support.

The Senate passed this bill by a 67-32 margin. The House companion bill has 182 cosponsors, including 56 Republican cosponsors.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 15 seconds.

Mr. GARCIA. Mr. Speaker, I ask that my colleagues join me in voting to take up the Homeowner Flood Insurance Affordability Act today. It just can't wait. It is time to make a difference. For this reason, I urge my colleagues to defeat the previous question so we can take up this bipartisan legislation.

Mr. Speaker, because of rising flood insurance rates, people are literally walking away from their homes. I recently heard from Robin and Derek, a South Florida couple whose landlord had increased their rent to cover the property's rising flood insurance rates. The rent increase made staying in their home too expensive for Robin and Derek. Despite searching, they were unable to find another affordable house in the area. After nine years of calling South Florida home, they were forced to leave Florida and move north to Pennsylvania. The couple had to find new jobs in a new town. Their young daughter had to be pulled from her childhood home, her school, and all of her friends.

Mr. Speaker, this is not right. I ask that my colleagues join me in recognizing that by voting to take up the Homeowners Flood Insurance Affordability Act today. This can't wait. We have to act to protect hardworking Americans from these exorbitant rate increases before anyone else is forced to walk away from their home.

For this reason, I urge my colleagues to defeat the previous question so we can pass this bipartisan, commonsense solution and provide much-needed relief for homeowners in South Florida and across America.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 30 seconds to my good friend from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. I thank the gentleman for yielding.

Mr. Speaker, I will be very brief. There is great concern in the real estate community. It is very difficult to acquire flood insurance at some of the prices that are being quoted.

I think it is exceedingly important that we adhere to the words of Ranking Member WATERS: What is the rush? Why not get the study? Why not do that which we intended to do before we arrived at this position in our history?

My hope is that we will heed her words.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. HASTINGS of Florida. I yield myself the balance of my time.

Mr. Speaker, I am surprised that my friends across the aisle have failed to recognize the irony in bringing these bills together to the floor at the same time.

The California water bill is an acknowledgement of how important clean water is, while the public lands bill undermines our ability keep that water clean. It would be funny if it weren't the absolute truth of the matter.

Finally, Mr. Speaker, meteorologists are calling the high-pressure zone at the root of the drought in California "the ridiculously resilient ridge." In that spirit, one could say that the Republicans' resistance to extending unemployment insurance, fixing our aging infrastructure, raising the debt ceiling, fixing flood insurance, and passing comprehensive immigration reform is also a resilience worthy of the same adverb.

I believe that it is time for Congress to get serious about moving our country forward. The motion to recommit is particularly relevant to all of us in this Nation as it pertains to flood insurance, and this underlying bill, as the gentlewoman from California (Ms. ESHOO) said earlier, is horrible.

I ask unanimous consent, Mr. Speaker, to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I have appreciated the tone and the tenor of today's discussion and all the words that have been said on all the bills that are before us.

We have the opportunity of making the desert bloom if we do things in the appropriate way. We have done it in the past. We can do it in the future.

I recognize that most of the debate has been on the one bill in this particular issue which deals with the issue of water in California. Totally ignored was the other issue that is equally significant, especially to the 10 States that have an interest in that, dealing with land policy.

You see, there is a role for government if government is efficient and effective and compassionate and uses common sense. As I have worked with individuals, both on the ground from the Forest Service and the BLM, who live in the communities and know those people, they are usually fair, efficient, and effective people. They get it. But the further they ascend or are removed from the people and go up into the hierarchy of the administration, as they tend towards Washington, D.C., they tend to forget people and the importance of helping people, and they become hamstrung, as agencies, with a blind obedience to policy and to regulation so that the agencies become inefficient and ineffective. They lack compassion, and they are certainly devoid of common sense.

For example, we have one of the titles here that deals with islands off the coast of Florida, in 1946, given to those counties. They were told, as they had done that, that they could not sell the land, they could only lease it, which means that homeowners and businesses on this island that had been Federal property can now pay no property tax that helps the entire community to defend not only those areas but also keep the public lands open. It is an unfair situation.

Now think of this: This is property the Federal Government does not own, they do not need, they do not use, and yet they still control, by policy, what they are doing on that land which, I am sorry, is a silly policy that simply hurts the people.

□ 1330

We have the same thing across the country in Alaska. In Anchorage, there are 3 acres—3 measly acres—in the middle of the city, a city surrounded by Federal land, and you have to come to Congress because the rules and policy of the administration—the agencies—hurt people and lack common sense by denying Anchorage the ability to use that land efficiently, as they wish. Once again, this is land the Federal Government does not own, they don't need, and they don't use, but they still control what the local government can do with that particular piece of property.

In Nevada, Fernley, Nevada, they are willing to pay the government just to leave them alone. All the land they

want is within the city boundaries of Fernley. Once again, in this case, the Federal Government does not need this property, and they don't use this property. They simply insist on controlling it. What we need to do is simply get them out of the way so we can help the community to move forward.

It seems amazing that at many of our land agencies we simply have a gridlock as we have a highly centralized bureaucracy that values power over the principle of actually helping people. If Congress has to be involved in moving 3 acres in the middle of one community, that is a preposterous situation which we find.

I recently read a book that dealt with my church members living in Communist East Germany who had a very difficult time finding places in which they could build chapels so they could worship. If they found an area, simply a vacant space, they had to find equivalent private property to give to the state because the state government in East Germany insisted there was no net loss of property by the state. What I find amazing is we in America, with these land agencies, have that exact same philosophy: there can be no net loss of property to the government. That means either we are wrong today or Communist East Germany was correct back then, and I really don't think it is the latter.

We have another piece of property in North Carolina. In 2007, the government came up with a management plan. It was agreed to by the community, not happily, but they agreed to it. They did a biological survey and they found out that this plan does nothing to impede or harm any of the species available at Cape Hatteras. Yet the next year there was a lawsuit, and the land agencies, instead of fighting for what they knew was right and they had agreed to, caved, in a sue-and-settle settlement, which harmed the people living in that area. It hurt those people who were making their livelihood after the tourism going to Cape Hatteras.

Yes, in this case, the Federal Government owns the property and uses the property, but their control of the property is a total lack of common sense and a total lack of compassion and hurts the people who live there.

During the Clinton administration, the Clinton administration identified land in the Federal Government control that was not needed and that was useless. However, trying to find what those lands are requires you to go to 150 different sites to look in 150 different books. Why would they not put that on a computerized system so that anyone can have access to it and there is transparency in what we do and do not have? Yet the agency simply says that, even though that is a good idea, they are simply quite too busy to actually accomplish that task. In a response that makes the rollout of ObamaCare look well-managed, why do we need to understand where these lands are?

I will take a simple example. The Forest Service had land in one of my communities that they had owned for 40 years and did not know they actually had; and when the community wanted to expand their cemetery and did the title search, we finally found out this actually was Forest Service land. Needless to say, even though the locals wanted this land transferred and they didn't need it and they hadn't used it in decades, it still took 4 years to try and get this Congress to actually authorize it to take place, and then the Forest Service still charged the community \$6,000 to do the paperwork to transfer the land over.

We have, in the middle of one of our National Guard units, BLM land that they don't need and they don't use, and yet we are still trying to get them to transfer the land over to the State of Utah so they can build needed infrastructure on a National Guard base that is still owned technically by the BLM.

That is why we need to understand what this is. We have a simple system, but we have bureaucratic lethargy in this country.

We have a mountain lookout, a historical site in Washington that was historic before wilderness was created in that particular area, and to try to shore up that lookout so it doesn't collapse, they were then sued by an agency. And some judge back on the west coast decided you have to send helicopters in there to tear it down because you couldn't actually make those kinds of improvements in a wilderness area on a piece of property that is revered by that community and they want to keep it there. Even the environmental community uses that as a staging point for their hikes and trails in that area. But this is a decision that is silly, and we have to make that decision by this summer to save that historic site.

In Yosemite National Park in California, a horrific fire destroyed both public and private lands. We now look at the fact that most of the private lands are now 60 percent recovered. They have gone through to take out the dead wood and the dead timber. They are starting the reforestation process. But on the public side of that land, we are still going through an evaluation process that even under an expedited system simply means that it will be until late summer before they can actually finish that, and then the lawsuits get to start.

Now, look, if you don't remove that dead timber, that burned timber within a year, it is totally useless, and all it does is become infested and becomes a source and a fuel for a future fire in a State that we have already heard is in their third year of drought and desperately needs the water for other things rather than fighting a fire.

These bills in this section of land try and solve these problems so we finally force the agencies to do that which helps people instead of hindering peo-

ple's process. We find a situation where the agencies, today, of our government are inefficient, they are ineffective, and they lack compassion, which actually hurts constituents, hurts people, and they do not have common sense. That is why this package is so important, and it is important to do it now to help people.

It is simply sad that we are in a situation where Congress has to push the agencies to do the right thing. We should be better than that. We can do better than that, and that is what these bills attempt to do.

Mr. Speaker, in closing, I want to reiterate that this rule is fair, it is appropriate, as appropriate and as fair as are the underlying measures that are being presented to Congress in this rule.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 472 OFFERED BY
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

Sec. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3370.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT
REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 196, not voting 9, as follows:

[Roll No. 36]

YEAS—226

Aderholt	Graves (MO)	Petri
Amash	Griffin (AR)	Pittenger
Bachmann	Griffith (VA)	Pitts
Bachus	Grimm	Poe (TX)
Barletta	Guthrie	Pompeo
Barr	Hall	Posey
Barton	Hanna	Price (GA)
Benishek	Harper	Reed
Bentivolio	Harris	Reichert
Bilirakis	Hartzler	Renacci
Bishop (UT)	Hastings (WA)	Ribble
Black	Heck (NV)	Rice (SC)
Blackburn	Hensarling	Rigell
Blumenauer	Herrera Beutler	Roby
Boustany	Holding	Roe (TN)
Brady (TX)	Hudson	Rogers (AL)
Bridenstine	Huelskamp	Rogers (KY)
Brooks (AL)	Huizenga (MI)	Rogers (MI)
Brooks (IN)	Hultgren	Rohrabacher
Broun (GA)	Hunter	Rokita
Buchanan	Hurt	Rooney
Bucshon	Issa	Ros-Lehtinen
Burgess	Jenkins	Roskam
Byrne	Johnson (OH)	Ross
Calvert	Johnson, Sam	Rothfus
Camp	Jordan	Royce
Campbell	Joyce	Runyan
Cantor	Kelly (PA)	Ryan (WI)
Capito	King (IA)	Salmon
Carter	King (NY)	Sanford
Chabot	Kingston	Scalise
Coble	Kinzinger (IL)	Schock
Coffman	Kline	Schweikert
Cole	Labrador	Scott, Austin
Collins (GA)	LaMalfa	Sensenbrenner
Collins (NY)	Lamborn	Sessions
Conaway	Lance	Shimkus
Cook	Lankford	Shuster
Costa	Latham	Simpson
Cotton	Latta	Smith (MO)
Cramer	LoBiondo	Smith (NE)
Crawford	Long	Smith (NJ)
Crenshaw	Lucas	Smith (TX)
Culberson	Luetkemeyer	Southerland
Daines	Lummis	Stewart
Davis, Rodney	Marchant	Stivers
Denham	Marino	Stockman
Dent	Masse	Stutzman
DeSantis	McAllister	Terry
DeJarlais	McCarthy (CA)	Thompson (PA)
Diaz-Balart	McCaul	Thornberry
Duffy	McClintock	Tiberi
Duncan (SC)	McHenry	Tipton
Duncan (TN)	McKeon	Turner
Ellmers	McKinley	Upton
Farenthold	McMorris	Valadao
Fitzpatrick	Rodgers	Wagner
Fleischmann	Meadows	Walberg
Fleming	Meehan	Walden
Flores	Messer	Walorski
Forbes	Mica	Weber (TX)
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Wenstrup
Franks (AZ)	Mullin	Westmoreland
Frelinghuysen	Mulvaney	Whitfield
Gardner	Murphy (PA)	Williams
Garrett	Neugebauer	Wilson (SC)
Gerlach	Noem	Wittman
Gerlach	Noem	Wolf
Gibbs	Nugent	Womack
Gibson	Nunes	Woodall
Gingrey (GA)	Nunnelee	Yoder
Gohmert	Olson	Yoho
Goodlatte	Palazzo	Young (AK)
Gowdy	Paulsen	Young (IN)
Granger	Pearce	
Graves (GA)	Perry	

NAYS—196

Andrews	Cárdenas	Crowley
Barber	Carney	Cuellar
Barrow (GA)	Carson (IN)	Cummings
Bass	Cartwright	Davis (CA)
Beatty	Cassidy	Davis, Danny
Becerra	Castor (FL)	DeFazio
Bera (CA)	Chu	DeGette
Bishop (GA)	Cicilline	Delaney
Bishop (NY)	Clark (MA)	DeLauro
Bonamici	Clarke (NY)	DelBene
Brady (PA)	Clay	Deuch
Braley (IA)	Cleaver	Dingell
Brown (FL)	Clyburn	Doggett
Brownley (CA)	Cohen	Doyle
Bustos	Connolly	Duckworth
Butterfield	Conyers	Edwards
Capps	Cooper	Ellison
Capuano	Courtney	Engel

Enyart	Lewis	Quigley
Eshoo	Lipinski	Rahall
Esty	Loeb	Rangel
Farr	Lofgren	Richmond
Fattah	Lowenthal	Royal-Allard
Foster	Lowey	Ruiz
Frankel (FL)	Lujan Grisham (NM)	Ruppersberger
Fudge	Luján, Ben Ray (NM)	Ryan (OH)
Gabbard	Maloney, Sean	Sánchez, Linda T.
Gallego	Malone, Carolyn	Sanchez, Loretta
Garamendi	Maloney, Sean	Sarbanes
Garcia	Matheson	Schakowsky
Grayson	Matsui	Schiff
Green, Al	McCollum	Schneider
Green, Gene	McDermott	Schrader
Grijalva	McGovern	Scott (VA)
Gutiérrez	McIntyre	Scott, David
Hahn	McNerney	Serrano
Hanabusa	Meeks	Sewell (AL)
Hastings (FL)	Meng	Shea-Porter
Heck (WA)	Michaud	Sherman
Higgins	Miller, George	Sinema
Himes	Moore	Sires
Hinojosa	Moran	Slaughter
Holt	Murphy (FL)	Smith (WA)
Honda	Nadler	Speier
Horsford	Napolitano	Swalwell (CA)
Hoyer	Neal	Takano
Huffman	Negrete McLeod	Thompson (CA)
Israel	Nolan	Thompson (MS)
Jackson Lee	O'Rourke	Tierney
Jeffries	Owens	Titus
Johnson (GA)	Pallone	Tonko
Johnson, E. B.	Pascrell	Tsongas
Jones	Pastor (AZ)	Van Hollen
Kaptur	Payne	Vargas
Keating	Pelosi	Veasey
Kelly (IL)	Perlmutter	Vela
Kennedy	Peters (CA)	Velázquez
Kildee	Peters (MI)	Vislosky
Kilmer	Peterson	Walz
Kind	Pingree (ME)	Wasserman
Kirkpatrick	Pocan	Schultz
Kuster	Polis	Waters
Langevin	Price (NC)	Waxman
Larsen (WA)		Welch
Larsen (CT)		Wilson (FL)
Lee (CA)		Yarmuth
Levin		

NOT VOTING—9

Amodei	Fincher	Miller, Gary
Castro (TX)	Gosar	Rush
Chaffetz	McCarthy (NY)	Schwartz

□ 1405

Messrs. FARR and DANNY K. DAVIS of Illinois changed their vote from “yea” to “nay.”

Mrs. MILLER of Michigan and Mr. BLUMENAUER changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 190, not voting 12, as follows:

[Roll No. 37]

AYES—229

Aderholt	Bishop (UT)	Bucshon
Amash	Black	Burgess
Bachmann	Blackburn	Byrne
Bachus	Boustany	Calvert
Barletta	Brady (TX)	Camp
Barr	Bridenstine	Campbell
Barton	Brooks (AL)	Cantor
Benishek	Brooks (IN)	Capito
Bentivolio	Broun (GA)	Carter
Bilirakis	Buchanan	Cassidy

Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter

NOES—190

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver

Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert

Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Long
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George

Amodei
Castro (TX)
Chaffetz
Cohen

Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

NOT VOTING—12

Gosar
McCarthy (NY)
Meng
Miller, Gary
Nugent
Pingree (ME)
Rush
Schwartz

□ 1413

So the resolution was agreed to.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2013

The SPEAKER pro tempore. Pursuant to House Resolution 470 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. 3590.

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

□ 1415

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. 3590) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.
The Acting CHAIR. When the Committee of the Whole rose on Tuesday, February 4, 2013, amendment No. 11 printed in House Report 113-339, offered by the gentleman from Colorado (Mr. POLIS), had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113-339 on which further proceedings were postponed, in the following order:

Amendment No. 6 by Mr. DEFAZIO of Oregon.

Amendment No. 10 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for each electronic vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. DEFAZIO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 237, not voting 9, as follows:

[Roll No. 38]

AYES—185

Andrews	Garamendi	Meng
Barber	Garcia	Michaud
Bass	Grayson	Miller, George
Beatty	Green, Al	Moore
Becerra	Green, Gene	Moran
Bera (CA)	Grijalva	Murphy (FL)
Bishop (NY)	Gutiérrez	Nadler
Blumenauer	Hahn	Napolitano
Bonamici	Hanabusa	Neal
Brady (PA)	Hastings (FL)	Negrete McLeod
Braley (IA)	Heck (WA)	Nolan
Brown (FL)	Higgins	O'Rourke
Brownley (CA)	Himes	Pallone
Bustos	Hinojosa	Pascrell
Butterfield	Holt	Pastor (AZ)
Capps	Honda	Payne
Capuano	Horsford	Pelosi
Cárdenas	Hoyer	Perlmutter
Carney	Huffman	Peters (CA)
Carson (IN)	Israel	Peters (MI)
Cartwright	Jackson Lee	Pingree (ME)
Castor (FL)	Jeffries	Pocan
Chu	Johnson (GA)	Polis
Cicilline	Johnson, E. B.	Price (NC)
Clark (MA)	Kaptur	Quigley
Clarke (NY)	Keating	Rangel
Clay	Kelly (IL)	Richmond
Cleaver	Kellyburn	Roybal-Allard
	Kildee	Ruiz
	Kilmer	Ruppersberger
	Kind	Salmon
	Kuster	Sánchez, Linda
	Langevin	T.
	Larsen (WA)	Sanchez, Loretta
	Larson (CT)	Sarbanes
	Lee (CA)	Schakowsky
	Levin	Schiff
	Lewis	Schneider
	Lipinski	Scott (VA)
	Loeb sack	Scott, David
	Lofgren	Serrano
	Lowenthal	Sewell (AL)
	Lowe y	Shea-Porter
	Lujan Grisham	Sherman
	(NM)	Sinema
	Luján, Ben Ray	Sires
	(NM)	Slaughter
	Duffy	Smith (WA)
	Lynch	Speier
	Maffei	Stewart
	Maloney,	Swalwell (CA)
	Carolyn	Takano
	Eshoo	Thompson (CA)
	Matsui	Thompson (MS)
	McCaul	Thompson (MS)
	Foster	Tierney
	McCollum	Titus
	McDermott	Tonko
	Fudge	Tsongas
	Gabbard	Valadao
	Gallego	

Van Hollen
Vargas
Veasey
Vela
Velázquez

Visclosky
Wasserman
Schultz
Waters
Waxman

Welch
Wilson (FL)
Yarmuth

NOES—237

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Eilmers
Enyart
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Fox (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen

Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sanford
Scalise
Schock
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson

NOT VOTING—9

Amodei
Castro (TX)
Chaffetz

Gosar
McCarthy (NY)
Miller, Gary

Rush
Schwartz
Woodall

□ 1419

So the amendment was rejected.
The result of the vote was announced as above recorded.

Mr. WOODALL. Mr. Chair, On rollcall No. 38, I was unavoidably detained (the DeFazio Amendment No. 6). Had I been present, I would have voted “no.”

AMENDMENT NO. 10 OFFERED BY MR. HOLT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 242, not voting 8, as follows:

[Roll No. 39]

AYES—181

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson

Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Kush
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler

Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—242

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Eilmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Fox (AZ)
Frelinghuysen
Gallo
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger

Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCauley
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce

Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—8

Amodei
Castro (TX)
Chaffetz

Gosar
McCarthy (NY)
Miller, Gary

Rush
Schwartz

□ 1426

Ms. SINEMA changed her vote from “no” to “aye.”

So the amendment was rejected.
The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATHAM) having assumed the chair, Ms. ROS-LEHTINEN, 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. 3590) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, and, pursuant to House Resolution 470, she reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1430

MOTION TO RECOMMIT

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SEAN PATRICK MALONEY of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Sean Patrick Maloney of New York moves to recommit the bill H.R. 3590 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, after line 24, insert the following:
SEC. 103. PROTECTING WATER SUPPLY FOR PUBLIC RECREATION AND SAFE DRINKING.

Section 4 of the Toxic Substances Control Act (15 U.S.C. 2603) is amended by adding at the end the following:

“(h) PROTECTING WATER SUPPLY FOR PUBLIC RECREATION AND SAFE DRINKING.—Not later than one year after the enactment of this subsection, any manufacturer or processor of a chemical or mixture that has the potential to contaminate water supplies used for public recreation or drinking water provided by a public water system shall generate and provide to regulatory agencies data sufficient to understand the risks such chemical or mixture would present to human health and the environment as appropriate, including studies of the chemical or mixture’s cancer-causing effects, reproductive toxicity and neurotoxicity. Exposing the public or the environment to such chemical or mixture without generating such studies shall be considered a prohibited act under this Act.”

At the end of the bill, add the following:

SEC. 805. JOBS TO REBUILD AMERICA.

Subject to appropriations, the text of H.R. 2428, as introduced on June 19, 2013, (the “SAFE Bridges Act”), is hereby enacted into law.

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask

unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, this is the final amendment to the bill. If adopted, it won’t kill the bill. If adopted, the bill will proceed to final passage immediately, as amended.

Mr. Speaker, I agree with many of those on the other side on much of the underlying bill. Let’s open our public lands to recreational hunting, fishing, and shooting. Let’s make it easier to maintain public shooting ranges. No argument from me. But we can and should make this bill better, and my amendment will do just that.

Preserving our public lands and common spaces also means investing in the critical infrastructure that allows us to bring our families there safely. That is why the bipartisan SAFE Bridges Act should be in this bill to ensure that our Nation’s highways and bridges are safe.

But the biggest omission in this bill is the failure to protect our citizens from toxic spills that would threaten our water supplies.

A few weeks ago, we all woke up to learn that 300,000 people in West Virginia couldn’t drink their water. A mother trying to put her child in the bathtub couldn’t turn on the faucet. A father mixing baby formula for an infant couldn’t trust what came out of the tap.

For more than a week, families couldn’t do things that each of us do every day. Hundreds were hospitalized. Because businesses had to lock their doors, even people making the meager Federal minimum wage of \$7.25 couldn’t go to work. Businesses were shut down, and they couldn’t provide for their families.

Schools shut down. Anxious and worried residents by the thousands lined up every day for National Guard troops to supply them with safe water.

This happened right here in America, and not in some foreign country. It happened for a reason. It happened because one greedy operator thought it made sense not to inspect and maintain a storage tank with thousands of gallons of a toxic chemical right next to the water supply.

You can’t tell me that the free market took care of that problem. Tell that to the hundreds of thousands of West Virginians who can’t drink their water.

Mr. Speaker, my amendment ensures companies making chemicals with the potential to contaminate water supplies are simply required to report the hazards of these chemicals. It is pretty simple.

In my neck of the woods, the New York City watershed delivers approximately 1.4 billion gallons of water to

my district, supplying it to millions of people every day. If this spill on the Elk River had happened on the Hudson River, we would be talking about a different problem in the order of magnitude that would affect millions and millions of people.

Have we lost so much faith in ourselves acting together that we can’t protect the American people from this kind of toxic spill? If this House isn’t doing this and if we aren’t protecting a mom or dad trying to give baby formula to their child, what are we doing here?

Again, I join many of you in supporting the underlying emphasis of this bill. Let’s get government out of the way for our hunters, anglers, and sportsmen. A dad should be able to share that first marksmanship experience with his son or daughter, like my dad did with me and my brothers.

To preserve these freedoms, government needs to get out of the way at times, but surely it must also protect us at times from those who would destroy these treasures for profit.

It was Teddy Roosevelt, after all, who said:

Here is your country. Cherish these natural wonders, cherish the natural resources, cherish the history and romance as a sacred heritage, for your children and your children’s children. Do not let selfish men or greedy interests skin your country of its beauty, its riches or its romance.

If we really want to protect the national beauty of our country, it starts with protecting something as fundamental as our water.

Mr. Speaker, if we don’t do this, we are doing nothing, and if those on the other side will not use that gavel in this House to protect the American people, then some of us on this side would like to borrow it for a while—because we will.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I probably said this before, but I will say it again:

Here we go again.

The underlying bill before us is a bipartisan bill, with bipartisan sponsors from the Sportsmen’s Caucus, to allow access to our public lands for people to enjoy hunting and fishing. That is what the underlying bill is.

Furthermore, during the debate on the bill and its amendments yesterday, we adopted some three or four Democrat amendments because they added to the bill. This is a bipartisan bill.

So what happens in a motion to recommit? Here we go again.

The essence of this motion to recommit would be to broadly expand the powers of the Environmental Protection Agency.

I urge my colleagues to vote “no” on the MTR and “yes” on the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 231, not voting 13, as follows:

[Roll No. 40]

AYES—187

Andrews	Garcia	Nadler
Barber	Grayson	Napolitano
Bass	Green, Al	Neal
Beatty	Green, Gene	Negrete McLeod
Becerra	Grijalva	Nolan
Bera (CA)	Gutiérrez	O'Rourke
Bishop (NY)	Hahn	Pallone
Blumenauer	Hanabusa	Pascarell
Bonamici	Hastings (FL)	Pastor (AZ)
Brady (PA)	Heck (WA)	Payne
Bralley (IA)	Higgins	Pelosi
Brown (FL)	Himes	Perlmutter
Brownley (CA)	Hinojosa	Peters (CA)
Bustos	Holt	Peters (MI)
Butterfield	Honda	Pingree (ME)
Capito	Horsford	Pocan
Capps	Hoyer	Polis
Capuano	Israel	Price (NC)
Cárdenas	Jackson Lee	Quigley
Carney	Jeffries	Rahall
Carson (IN)	Johnson (GA)	Rangel
Cartwright	Johnson, E. B.	Richmond
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Chu	Kelly (IL)	Ruppersberger
Ciциlline	Kennedy	Ryan (OH)
Clark (MA)	Kildee	Sánchez, Linda
Clarke (NY)	Kilmer	T.
Clay	Kind	Sanchez, Loretta
Cleaver	Kirkpatrick	Sarbanes
Clyburn	Kuster	Schakowsky
Cohen	Langevin	Schiff
Connolly	Larsen (WA)	Schneider
Conyers	Larson (CT)	Scott (VA)
Cooper	Lee (CA)	Scott, David
Costa	Levin	Serrano
Courtney	Lewis	Shea-Porter
Crowley	Lipinski	Sherman
Cuellar	Loeb sack	Sinema
Cummings	Lofgren	Sires
Davis (CA)	Lowenthal	Slaughter
Davis, Danny	Lowey	Smith (WA)
DeFazio	Lujan Grisham	Speier
DeGette	(NM)	Swalwell (CA)
Delaney	Luján, Ben Ray	Takano
DeLauro	(NM)	Thompson (CA)
DelBene	Lynch	Thompson (MS)
Deutch	Maffei	Tierney
Dingell	Maloney,	Titus
Doggett	Carolyn	Tonko
Doyle	Maloney, Sean	Tsongas
Duckworth	Matheson	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCollum	Veasey
Engel	McDermott	Vela
Eshoo	McGovern	Velázquez
Esty	McKinley	Vislosky
Farr	McNerney	Wasserman
Fattah	Meeks	Schultz
Frankel (FL)	Meng	Waters
Fudge	Michaud	Waxman
Gabbard	Moore	Welch
Gallego	Moran	Wilson (FL)
Garamendi	Murphy (FL)	Yarmuth

NOES—231

Aderholt	Graves (GA)
Amash	Graves (MO)
Bachmann	Griffith (VA)
Bachus	Grimm
Barletta	Guthrie
Barr	Hall
Barrow (GA)	Hanna
Barton	Harper
Benishek	Harris
Bentivolio	Hartzler
Bilirakis	Hastings (WA)
Bishop (GA)	Heck (NV)
Bishop (UT)	Hensarling
Black	Herrera Beutler
Blackburn	Holding
Boustany	Hudson
Brady (TX)	Huelskamp
Bridenstine	Huizenga (MI)
Brooks (AL)	Hultgren
Brooks (IN)	Hunter
Broun (GA)	Hurt
Buchanan	Issa
Bucshon	Jenkins
Burgess	Johnson (OH)
Byrne	Johnson, Sam
Calvert	Jones
Camp	Jordan
Campbell	Joyce
Cantor	Kelly (PA)
Carter	King (IA)
Cassidy	King (NY)
Chabot	Kingston
Coble	Kinzinger (IL)
Coffman	Kline
Cole	Labrador
Collins (GA)	LaMalfa
Collins (NY)	Lamborn
Conaway	Lance
Cook	Lankford
Cotton	Latham
Cramer	Latta
Crawford	LoBiondo
Crenshaw	Long
Culberson	Lucas
Daines	Luetkemeyer
Davis, Rodney	Lummis
Denham	Marchant
Dent	Marino
DeSantis	Massie
DesJarlais	McAllister
Diaz-Balart	McCarthy (CA)
Duffy	McCaul
Duncan (SC)	McClintock
Duncan (TN)	McHenry
Ellmers	McIntyre
Elmors	McKeon
Enyart	McMorris
Farenthold	McMorris
Fincher	Rodgers
Fitzpatrick	Meadows
Fleischmann	Meehan
Fleming	Messer
Flores	Mica
Forbes	Miller (FL)
Fortenberry	Miller (MI)
Foster	Mulvaney
Fox	Murphy (PA)
Franks (AZ)	Neugebauer
Frelinghuysen	Noem
Gardner	Nugent
Garrett	Nunnelee
Gerlach	Olson
Gibbs	Owens
Gibson	Palazzo
Gingrey (GA)	Paulsen
Gohmert	Pearce
Goodlatte	Perry
Goody	Peterson
Granger	Petri

NOT VOTING—13

Amodei	McCarthy (NY)
Maffei	Miller, Gary
Gosar	Miller, George
Griffin (AR)	Mullin
Huffman	Nunes

□ 1444

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 268, nays 154, not voting 9, as follows:

[Roll No. 41]

YEAS—268

Aderholt	Gerlach	Miller (FL)
Amash	Gibbs	Miller (MI)
Bachmann	Gibson	Mullin
Bachus	Gingrey (GA)	Mulvaney
Barber	Gohmert	Murphy (FL)
Barletta	Goodlatte	Murphy (PA)
Barr	Goody	Neugebauer
Barrow (GA)	Granger	Noem
Barton	Graves (GA)	Nolan
Benishek	Graves (MO)	Nugent
Bentivolio	Green, Gene	Nunes
Bilirakis	Griffin (AR)	Nunnelee
Bishop (GA)	Griffith (VA)	Olson
Bishop (UT)	Grimm	Owens
Black	Guthrie	Palazzo
Blackburn	Hall	Paulsen
Boustany	Hanna	Pearce
Brady (TX)	Harper	Perlmutter
Bridenstine	Harris	Perry
Brooks (AL)	Hartzler	Peterson
Brooks (IN)	Hastings (WA)	Petri
Broun (GA)	Heck (NV)	Pittenger
Brown (FL)	Hensarling	Pitts
Buchanan	Herrera Beutler	Poe (TX)
Bucshon	Holding	Polis
Burgess	Horsford	Pompeo
Bustos	Hudson	Posey
Byrne	Huelskamp	Price (GA)
Calvert	Huizenga (MI)	Rahall
Camp	Hultgren	Reed
Campbell	Hunter	Reichert
Cantor	Hurt	Renacci
Capito	Issa	Ribble
Carter	Jenkins	Rice (SC)
Cassidy	Johnson (OH)	Richmond
Castor (FL)	Johnson, Sam	Rigell
Chabot	Jones	Roby
Clay	Jordan	Roe (TN)
Cleaver	Joyce	Rogers (AL)
Coble	Kelly (PA)	Rogers (KY)
Coffman	Kilmer	Rogers (MI)
Cole	Kind	Rohrabacher
Collins (GA)	King (IA)	Rokita
Collins (NY)	King (NY)	Rooney
Conaway	Kingston	Ros-Lehtinen
Cook	Kinzinger (IL)	Roskam
Cooper	Kirkpatrick	Ross
Costa	Kline	Rothfus
Cotton	Labrador	Royce
Cramer	LaMalfa	Runyan
Crawford	Lamborn	Ryan (OH)
Crenshaw	Lance	Ryan (WI)
Cuellar	Lankford	Salmon
Culberson	Latham	Sanford
Daines	Latta	Scalise
Davis, Rodney	Lipinski	Schock
Denham	LoBiondo	Schrader
Dent	Loeb sack	Schweikert
DeSantis	Long	Scott, Austin
DesJarlais	Lucas	Sensenbrenner
Diaz-Balart	Luetkemeyer	Sessions
Duffy	Lummis	Sewell (AL)
Duncan (SC)	Maloney, Sean	Shimkus
Duncan (TN)	Marchant	Shuster
Ellmers	Marino	Simpson
Enyart	Massie	Sinema
Farenthold	Matheson	Smith (MO)
Fincher	McAllister	Smith (NE)
Fitzpatrick	McCarthy (CA)	Smith (NJ)
Fleischmann	McCaul	Smith (TX)
Fleming	McClintock	Southerland
Flores	McHenry	Stewart
Forbes	McIntyre	Stivers
Fortenberry	McKeon	Stockman
Fox	McKinley	Stutzman
Franks (AZ)	McMorris	Terry
Frelinghuysen	Rodgers	Thompson (CA)
Gallego	Meadows	Thompson (MS)
Garamendi	Meehan	Thompson (PA)
Gardner	Messer	Thornberry
Garrett	Mica	Tiberi

Tipton	Walz	Wittman
Turner	Weber (TX)	Wolf
Upton	Webster (FL)	Womack
Valadao	Welch	Woodall
Vela	Wenstrup	Yoder
Wagner	Westmoreland	Yoho
Walberg	Whitfield	Young (AK)
Walden	Williams	Young (IN)
Walorski	Wilson (SC)	

NAYS—154

Andrews	Garcia	Nadler
Bass	Grayson	Napolitano
Beatty	Green, Al	Neal
Becerra	Grijalva	Negrete McLeod
Bera (CA)	Gutiérrez	O'Rourke
Bishop (NY)	Hahn	Pallone
Blumenauer	Hanabusa	Pascarell
Bonamici	Hastings (FL)	Pastor (AZ)
Brady (PA)	Heck (WA)	Payne
Bralley (IA)	Higgins	Pelosi
Brownley (CA)	Himes	Peters (CA)
Butterfield	Hinojosa	Peters (MI)
Capps	Holt	Pingree (ME)
Capuano	Honda	Pocan
Cárdenas	Hoyer	Price (NC)
Carney	Israel	Quigley
Carson (IN)	Jackson Lee	Rangel
Cartwright	Jeffries	Roybal-Allard
Castro (TX)	Johnson (GA)	Ruiz
Chu	Johnson, E. B.	Ruppersberger
Cicilline	Kaptur	Sánchez, Linda
Clark (MA)	Keating	T.
Clarke (NY)	Kelly (IL)	Sanchez, Loretta
Clyburn	Kennedy	Sarbanes
Cohen	Kildee	Schakowsky
Connolly	Kuster	Schiff
Conyers	Langevin	Schneider
Courtney	Larsen (WA)	Scott (VA)
Crowley	Larson (CT)	Scott, David
Cummings	Lee (CA)	Serrano
Davis (CA)	Levin	Shea-Porter
Davis, Danny	Lewis	Sherman
DeFazio	Loftgren	Sires
DeGette	Lowenthal	Slaughter
Delaney	Lowe	Smith (WA)
DeLauro	Lujan Grisham	Speier
DelBene	(NM)	Swalwell (CA)
Deutch	Luján, Ben Ray	Takano
Dingell	(NM)	Tierney
Doggett	Lynch	Titus
Doyle	Maffei	Tonko
Duckworth	Maloney,	Tsongas
Edwards	Carolyn	Van Hollen
Ellison	Matsui	Vargas
Engel	McCollum	Veasey
Eshoo	McDermott	Velázquez
Esty	McGovern	Vislосky
Farr	McNerney	Wasserman
Fattah	Meeks	Schultz
Foster	Meng	Waters
Frankel (FL)	Michaud	Waxman
Fudge	Moore	Wilson (FL)
Gabbard	Moran	Yarmuth

NOT VOTING—9

Amodei	Huffman	Miller, George
Chaffetz	McCarthy (NY)	Rush
Gosar	Miller, Gary	Schwartz

□ 1450

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HUFFMAN. Mr. Speaker, on February, 5 2014, I was absent for rollcall votes 40 and 41.

Had I been present for rollcall vote 40 I would have voted "yes." And had I been present for rollcall vote 41 I would have voted "no."

SACRAMENTO-SAN JOAQUIN VALLEY EMERGENCY WATER DELIVERY ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative

days in which to revise and extend their remarks and include extraneous material on H.R. 3964.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 472 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3964.

The Chair appoints the gentleman from Texas (Mr. POE) to preside over the Committee of the Whole.

□ 1454

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 consideration of the bill (H.R. 3964) to address certain water-related concerns in the Sacramento-San Joaquin Valley, and for other purposes, with Mr. POE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, the House today is considering H.R. 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act.

Like California, my central Washington district is heavily dependent on irrigated water to support our local economic and agriculture industry. I understand the importance of having a stable, reliable water supply, and I also understand the economic devastation that is caused when the water supply is shut off, particularly when the shutoff is avoidable.

California is facing an emergency situation. For years, San Joaquin Valley farmers have been fighting against Federal regulations and environmental lawsuits that have diverted water supplies in order to help a 3-inch fish. In 2009, there was a deliberate diversion of over 300 billion—that is "billion," Mr. Chairman—gallons of water away from farmers. As a result, thousands of farmworkers lost their jobs, unemployment in some areas reached 40 percent, and thousands of acres of fertile farmland simply dried up.

As chairman of the House Natural Resources Committee, I have traveled to Fresno, California, and seen the effects of natural and manmade drought firsthand. We have held multiple hearings and heard the pleas of communities that simply want the water turned back on and their livelihood restored.

We have seen farmers, Mr. Chairman, who normally help feed the Nation

being sent to wait in line at food banks and, in some cases, being served carrots that are normally grown in this area that are from China.

That is why, last Congress, the House of Representatives passed bipartisan legislation to restore the flow of water to avoid future droughts. In fact, the Senate did not take up a single water bill in this last Congress, even after we had passed our legislation.

So, once again, we are back here on the floor of the House with legislation to help California communities once again facing water shutoffs. But now, Mr. Chairman, the situation is much more dire.

The lack of rainfall has exacerbated the manmade drought, and last month, the California Governor declared a state of emergency. A manmade drought coupled with a natural drought equals disaster and requires immediate action. Of course, these conditions could have been partially avoided if only the Senate had acted on the House-passed legislation last year.

This comprehensive solution before us today, almost identical to what the House passed the last Congress, would restore some water deliveries that will be cut off due to Federal regulations and environmental lawsuits, ensure a reliable water source for people and fish, secure water rights, and save taxpayer money by ending unnecessary and dubious government projects.

Mr. Chairman, I want to stress that this crisis does not just impact California, but it has rippling effects across the entire Nation. California's San Joaquin Valley is the salad bowl for the world and provides a significant share of the fruits and vegetables for our country.

Food grows where water flows. When there is no water, our food supply suffers, resulting in higher food prices across the country and increased reliance on foreign food sources.

This bill is a chance to right the regulatory wrongs of the past, to end future manmade droughts, and to protect the jobs and economic livelihoods of farm families and their workers.

The people of the San Joaquin Valley cannot wait any longer, Mr. Chairman, for Congress to act. As the title of this bill suggests, it is truly an emergency for many, and time is running out. I sincerely hope that, unlike the last Congress, our Senate colleagues will take up this bill or propose a meaningful alternative to it, then we can come together and figure out where we disagree and then agree on a final package. These communities facing massive unemployment deserve nothing less.

This bill is supported, Mr. Chairman, by the entire Republican California delegation, and I commend my colleagues from California for their hard work in getting this bill to the floor today. So I urge my colleagues to support the bill.

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

□ 1500

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

Mr. Chairman, I would invite my colleague to visit southern California to check with the rest of California on how we are handling the drought.

Ninety-eight percent of California, as shown by this map, is in drought. We are entering the third year of drought, the driest on record in California.

This bill, H.R. 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act, targets California's Central Valley only and was introduced 1 week ago with no hearing, no markup, no conversation, nothing, a partisan bill, introduced only by California Republicans, with no meaningful conversation or cooperation with the rest of the California Members, who are all facing similar drought impacts. It is similar to H.R. 1837 from 2011 in the last Congress, and it died in the Senate, as was pointed out.

According to the California Department of Water Resources, the snowpack in the Sierras, the largest reservoir in the Central Valley Project System, was 6 percent of normal. Last week, the National Drought Monitor found that 98 percent of the State is experiencing moderate to severe drought—so dry in California that in the first 18 days of January, the State saw 289 fires that burned 721 acres, including the Colby fire partly in my district.

The State has hired nearly 100 more firefighters and used a super water scooper airplane, at a time when California should be experiencing its wettest month.

California Natural Resources Secretary Laird said it best in a letter: "This bill falsely holds the promise of water relief that cannot be delivered because, in this drought, the water simply does not exist."

This legislation, instead, reallocates water in a way that erroneously elevates junior water rights uses above all other water needs, including municipal, fisheries and environmental uses.

It repeals existing State law for water use in California, establishing a very harmful precedent for other States. It repeals sections 104, 107, 108, 110, 204, and 401 that explicitly waive State law or reclamation law. It repeals historic California water rights and decades of carefully balanced water compromises. It undermines California and other States' abilities to manage its own resources. It overturns nearly 20 years of environmental and conservation protections under the Central Valley Project Improvement Act, CVPIA, and the Endangered Species Act, and ignores the best available science demonstrating the negative effects on species. We are, in fact, a species too, the human species.

It repeals the Federal and State agreement on the court-ordered San Joaquin Restoration Settlement Act. It prohibits Federal or State govern-

ments from exercising valid water rights in order to conserve, enhance, recover, or otherwise protect any species that is affected by operations of the CVP or State Water Project. It also reallocates water for junior water rights holders in the Central Valley and ignores the needs of southern California and other water users while privatizing a public resource for a select few.

It does not—I repeat—does not create any new water to solve the drought. It completely eliminates the coequal goal of protecting the environment and allowing water deliveries. It eliminates that coequal code. It puts jobs at risk, not only for fishermen but also the economy. It would revert contract renewal terms to 40 years instead of the current 25.

Mr. Chairman, the severity of this legislation benefits a very small group. It does not benefit all of drought-impacted California. It needs the cooperation of a bipartisan solution for all of the State, including southern California.

Water bonds in the past have favored northern California. The levee funding favored the Bay Delta, and H.R. 3964 favors Central Valley farmers only.

Southern California wants and needs to be included in a dialogue and be part of the solution. We are currently in dialogue with the Senators on a drought bill.

Title XVI, which is recycled water, WaterSMART, Republicans have been stonewalling ideas. They are not allowing bills to be given the courtesy of a hearing in the subcommittee or full committee.

The Bureau of Reclamation is working with WaterSMART project funding of only \$27.5 million and water recycling project funding, Title XVI, of \$21.5 million, with a backlog of \$400 million in congressionally approved projects.

Mr. Chairman, I will submit letters in opposition: from the White House, a statement and a veto threat; from the Governor of California, Governor Brown; from the California Department of Natural Resources Secretary John Laird; from California Attorney General Kamala Harris; and from 34 diverse California environmental groups.

The Western States Water Council indicates their opposition has not changed to the provisions that preempt states' rights. The bill will just create more litigation over water and not solve anything. We need to work on a bipartisan basis on putting that forth. H.R. 3964 is not such an attempt. I urge all my colleagues to vote "no" on H.R. 3964.

I reserve the balance of my time.

OFFICE OF THE GOVERNOR,

February 3, 2014.

Re Opposition to H.R. 3964.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.

Hon. PETER DEFAZIO,
Ranking Member, Committee on Natural Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN AND REPRESENTATIVE DEFAZIO: California is currently experiencing the worst water crisis in our modern history. We are in our third consecutive year of extremely dry weather, and our most recent snow survey found that the Sierra snowpack—a source of water supply for 25 million Californians—is 12 percent of the normal average, the lowest ever recorded. Since declaring a drought state of emergency on January 17th, state agencies have been working closely with federal, local, and municipal agencies and others, to respond quickly. We have taken unprecedented actions to deal with the crisis, including allocating zero water deliveries to water contractors from the State Water Project for the first time in the project's history. Last week, California also released a comprehensive plan for future water management, including storage, conservation, recycling, water transfers and other actions.

H.R. 3964 is an unwelcome and divisive intrusion into California's efforts to manage this severe crisis. It would override state laws and protections, and mandate that certain water interests come out ahead of others. It falsely suggests the promise of water relief when that is simply not possible given the scarcity of water supplies. H.R. 3964 would interfere with our ability to respond effectively and flexibly to the current emergency, and would re-open old water wounds undermining years of progress toward reaching a collaborative long-term solution to our water needs.

I urge you to oppose H.R. 3964.

Sincerely,

EDMUND G. BROWN, JR.

STATE OF CALIFORNIA,
OFFICE OF THE ATTORNEY GENERAL,
February 4, 2014.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
House Minority Leader, Washington, DC.

DEAR HOUSE SPEAKER BOEHNER AND HOUSE MINORITY LEADER PELOSI: I am writing to express my opposition to H.R. 3964, the Sacramento San Joaquin Valley Emergency Water Delivery Act. Like its 2012 predecessor, H.R. 1873, H.R. 3964 would abrogate long-standing provisions of California law designed to protect the State's natural resources and violate settled constitutional principles of state sovereignty. Furthermore, the legislation would imperil the State's traditional authority to manage its natural resources without providing any meaningful emergency drought relief for the people of California.

After two dry years, Californians are facing potentially the driest year in the State's history. The Sierra Nevada snow pack is 12 percent of normal. Storage levels at Shasta, Folsom, and Oroville reservoirs are below the 1977 drought levels. The California State Water Resources Control Board (SWRCB) and the Department of Fish and Wildlife (DFW) have responded to this drought emergency by agreeing to relax certain water quality standards to ensure that the federal Central Valley Project (CVP) and the State Water Project (SWP) can meet health and human safety requirements and can reasonably protect all beneficial uses of water.

Notwithstanding the prompt and laudable efforts of California's natural resources agencies to address the drought emergency, H.R. 3964 would remove key water resources management powers from these agencies. The legislation would transgress the principles of state sovereignty in at least three important respects. First, the legislation would mandate that the CVP and the SWP operate to fixed water quality standards for the Sacramento-San Joaquin Delta developed almost twenty years ago, and would preclude state authorities from altering such standards. Second, the legislation would prohibit the SWRCB and the DFW from exercising their state law responsibilities to protect fishery resources and public trust values, not only as to CVP and SWP operations, but as to all holders of appropriative water rights in California. Third, the legislation would overturn settled principles of cooperative federalism by vacating the San Joaquin River Restoration Settlement Act and banning the application of State fishery protections to the San Joaquin River operations of the Friant Unit of the CVP.

These proposed constraints on California's ability to manage its natural resources contravene long-standing principles of western water law. In *California v. United States* (1978) 438 U.S. 645, 653 the U.S. Supreme Court affirmed California's ability to impose state law terms and conditions on federal reclamation projects, and declared that, "[t]he history of the relationship between the Federal government and the States in the reclamation of the arid lands of the Western States is both long and involved, but though it runs the consistent thread of purposeful and continued deference to state water law by Congress."

California law grants the SWRCB the continuing authority to review and reconsider all water rights for the purpose of determining whether their exercise would violate the reasonable use requirement of Article X, Section 2 of the California constitution and California's common law doctrine of the public trust. According to the California Supreme Court, "[t]he state has an affirmative duty to take the public trust into account in the planning and allocation of water resources, and to protect public trust uses whenever feasible." (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419, 446.) The California Legislature has expressly adopted these principles as "the foundation of state water management policy." (*Cal. Wat. Code, §85023.*) By abrogating the State's ability to apply these principles to water users, H.R. 3964 contravenes the long-standing history of deference to state water law.

Moreover, H.R. 3964 takes these steps in violation of settled constitutional principles of state sovereignty. Relying upon separation of powers principles set forth in the Tenth Amendment and elsewhere in the U.S. Constitution, the U.S. Supreme Court in *New York v. United States* has held that "congress may not simply 'commandeer[r] the legislative processes of the States by directly compelling them to enact and enforce a federal regulatory program.'" (*New York v. United States* (1992) 505 U.S. 144, 161, citing *Hodel v. Virginia Surface Mining & Reclamation Assn., Inc.* (1981) 452 U.S. 263, 288.) In *Printz v. United States*, the U.S. Supreme Court expanded its ruling in *New York* and declared that "[t]oday we hold that Congress cannot circumvent that prohibition by conscripting the States' officers directly." (*Printz v. United States* (1997) 521 U.S. 898, 935.) According to the court, the constitutional system of dual sovereignty demands that "[t]he Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political

subdivisions, to administer or enforce a federal regulatory program." (Id.)

By compelling the SWP, a state funded and managed water project, to operate based upon congressionally mandated Delta water quality standards, rather than allowing California to develop standards that reflect the most recent scientific information regarding the Delta, H.R. 3964 violates the U.S. Supreme Court's state sovereignty principles. By prohibiting the SWRCB, the DFW or other state agencies from taking action to protect fishery and public trust values other than those mandated by Congress, the legislation further violates these state sovereignty principles. Congressional passage of H.R. 3964 would have, in effect, unconstitutionally "dragooned" state officers "into administering federal law." (Id at p. 928.)

I urge you to reject H.R. 3964. Consistent with the principles of state sovereignty, California's natural resource agencies have timely and responsibly taken measures to address the present drought emergency within the context of California law. It is important that the present legal framework of dual sovereignty for water resources issues be strengthened and preserved, rather than dismantled.

Sincerely,

KAMALA D. HARRIS,
Attorney General.

CALIFORNIA NATURAL
RESOURCES AGENCY,
January 30, 2014.

Re Opposition to H.R. 3964.

Hon. DOC HASTINGS,
Chairman, House Natural Resources Committee,
Washington, DC.

Hon. PETER DEFAZIO,
Ranking Member, House Natural Resources
Committee, Washington, DC.

DEAR CHAIRMAN HASTINGS, RANKING MEMBER DEFAZIO AND MEMBERS OF THE COMMITTEE: California is experiencing the worst water crisis in our modern history. We are in our third consecutive year of below normal precipitation and, this year's snowpack—on which 25 million Californians depend as the source of their water supply—currently is only 10 percent of what it should be. In Sacramento and Redding, we have broken all records for consecutive dry days in the middle of the rainy season. The California Department of Public Health reports that 17 communities across the state are at risk of running out of drinking water within 60–120 days. Just days ago, the California Department of Fish and Wildlife announced the closure of several fisheries and CAL FIRE has already responded to over 400 fires in the month of January, a startling fact when you consider they responded to zero during the same time last year. As you know, California's climate is such that it is generally dry for almost half the year—and we rely on rain and snow during the winter season to carry us through the year. Conditions—in terms of both water supply and water quality—are unprecedented and serious. Simply put, we face the driest year on record, after two dry years, which is why Governor Brown proclaimed a drought State of Emergency on January 17, 2014.

California is a huge state, in which its 38 million residents depend on a large and unique series of dams, canals, and waterways administered by hundreds of different water agencies. It is a complex system—and legislation that alters it in favor of some interests over others in a different part of the state, in the middle of this great water emergency when water managers have tried to plan and act on current realities—is not helpful.

I write today to express California's strong opposition to H.R. 3964, which seeks to un-

dermine California's own ability to address serious water challenges and to erase years of progress toward a collaborative long-solution to address our long-term water needs. The bill falsely holds the promise of water relief that cannot be delivered because in this drought, the water simply does not exist. It would be much more prudent to help educate California residents and members of Congress how dire this situation is, and that we must work together on the limited items that might be helpful in such an emergency situation.

The state of California is also focused on finding long-term solutions that unite us during this challenging time. State law, enacted in 2009, requires us to achieve the co-equal goals of both water supply reliability and ecosystem restoration through the use of sound science. In fact, earlier this week the state finalized an action plan on storage, conservation, recycling, water transfers, and all actions that we can take to make California's water system more robust. We ask for your help in those constructive, long-term efforts—where we are trying to bring people together around solutions.

The choices we face in this drought are extraordinary. Rarely are we forced to simultaneously confront water allocations this critically low, Delta salinity conditions this uniquely challenging, and the difficulty of moving water around the state due to low reservoir levels.

For these reasons, we strongly urge you to oppose H.R. 3964 and instead ask Congress to join us in supporting consensus-based water solutions that are truly responsive to California's drought and long-term water needs.

Sincerely,

JOHN LAIRD,
Secretary for Natural Resources.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

February 5, 2014, Washington, DC.

STATEMENT OF ADMINISTRATION POLICY
H.R. 3964—SACRAMENTO-SAN JOAQUIN VALLEY
EMERGENCY WATER DELIVERY ACT
(Rep. Valadao, R-California, and 14
cosponsors)

The Administration strongly opposes H.R. 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act, because it would not alleviate the effects of California's current drought and would disrupt decades of work that supports building consensus, solutions, and settlements that equitably address some of California's most complex water challenges. California is experiencing severe drought conditions and low reservoir storage. The urgency and seriousness of the situation requires a balanced approach that promotes water reliability and ecosystem restoration.

Specifically, H.R. 3964 would undermine years of collaboration between local, State, and Federal stakeholders to develop a sound water quality control plan for the Bay-Delta. And, contrary to current and past Federal reclamation law that defers to State water law, the bill would preempt California water law. Moreover, much of what the bill purports to do could be accomplished through flexibilities in existing law.

The bill also would reject the long-standing principle that beneficiaries should pay both the cost of developing water supplies and of mitigating resulting development impacts, and would exacerbate current water shortages by repealing water pricing reforms that provide incentives for contractors to conserve water supplies.

Finally, H.R. 3964 would repeal the San Joaquin River Settlement Agreement, which the Congress enacted to resolve 18 years of

contentious litigation. Full repeal of the settlement agreement would likely result in the resumption of costly litigation, creating an uncertain future for river restoration and water delivery operations for water users on the San Joaquin River.

Californians are facing significant drought-related challenges. This is why the President has directed the Federal agencies to work together to help California and other impacted States prepare for and lessen the impact of the drought. Further, it is why the Administration strongly supports efforts to provide a more reliable water supply for California and to protect, restore, and enhance the overall quality of the Bay-Delta environment. The Administration has taken great strides toward achieving these goals through a coordinated Federal Action Plan, which has strengthened collaboration between Federal agencies and the State of California while achieving results. Unfortunately, H.R. 3964 would undermine these efforts and the progress that has been made.

The Administration looks forward to working with Congress on legislation to address the drought in California and supports efforts that provide water supplies consistent with existing law in the most expeditious manner to address the conditions. These efforts would include reauthorization of the CALFED Bay-Delta Act, the Secure Water Act, and Reclamation States Emergency Drought Relief Act.

For these reasons, if the President were presented with H.R. 3964, his senior advisors would recommend that he veto the bill.

34 CALIFORNIAN ENVIRONMENTAL GROUPS
AGAINST H.R. 3964—2-FEB-14

AquAlliance, Butte Environmental Council, CA Save Our Streams Council, California Coastkeeper Alliance, California Rural Legal Assistance Foundation, California Sportfishing Protection Alliance, California Striped Bass Association, California Water Impact Network, Center for Biological Diversity, Citizens Water Watch of Northern California, Clean Water Action, Desal Response Group, Earth Law Center, Environmental Justice—Coalition For Water, Epic Wild California, Food & Water Watch, Foothill Conservancy, Friends of the River.

Greatest of the Karuk Tribe, Institute for Fisheries and Resources, Klamath Riverkeeper, Klower Sherman Island Duck Hunters Association, Northern California Council Federation of Fly Fishers, Pacific Coast Federation of Fisherman's Associations, Planning and Conservation League, Restore the Delta, Sacramento River Preservation Trust, Santa Clarita Organization for Planning and the Environment, Sierra Club California, Sierra Nevada Alliance, Southern California Watershed Alliance, The Fish Sniffer, Tuolumne River Trust, Winnemem Wintu Tribe—Middle River People.

TESTIMONY OF ANTHONY WILLARDSON, EXECUTIVE DIRECTOR, WESTERN STATES WATER COUNCIL, BEFORE THE HOUSE COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON WATER AND POWER

LEGISLATIVE HEARING ON H.R. 1837—THE SAN JOAQUIN VALLEY WATER RELIABILITY ACT, JUNE 13, 2010

INTRODUCTION

Mr. Chairman and members of the subcommittee, my name is Tony Willardson and I am the Executive Director of the Western States Water Council (WSWC). Our members are appointed by the Governors of eighteen western states. We are a nonpartisan government entity serving as an advisory body on water policy issues, and are very closely affiliated with the Western Governors' Association (WGA). We appreciate the opportunity to testify.

Since H.R. 1837 was only recently introduced, the Council has not had an opportunity to adopt a specifically position on the legislation. However, I will address general principles related to federal-state relations that are useful in evaluating specific legislation—including H.R. 1837—and other actions addressing the serious water-related challenges facing the West and the Nation. During the Council's regular meetings next month, we will have an opportunity to more fully consider H.R. 1837 and will share any further comments thereafter.

My testimony today is based specifically on a July 2010 Council policy position entitled, "A Shared Vision for Water Planning and Policy," as well as a June 2006 WGA Water Report entitled, Water Needs and Strategies for a Sustainable Future, the 2008 WGA "Next Steps" Water Report, and ongoing policy discussions. Our 2010 position and the WGA Water Reports include a number of policy statements and recommendations related to federal programs and projects under this Subcommittee's jurisdiction, and which we would hope would be carefully considered as you evaluate H.R. 1837.

With regard to provisions related to pre-emption of state law, the last paragraph of the Council's position related to A Shared Vision for Water Planning and Policy, states: ". . . Nothing in any act of Congress should be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to: (a) water or watershed planning; (b) the control, appropriation, use, or distribution of water used in irrigation or for municipal or any other purposes, or any vested right acquired therein; or (c) intending to affect or in any way to interfere with any interstate compact, decree or negotiated water rights agreement."

This language was intentionally patterned after Section 8 of the Reclamation Act of 1902 (and similar Congressional directives). Any weakening of the deference to state water law as now expressed in Section 8 is of concern to the Council—including Section 202 of H.R. 1837. Provisions of this nature are inconsistent with the policy of cooperative federalism that has guided Reclamation Law for over a century, and are a threat to water right and water right administration in all the Western States.

Recognizing that the "future growth and prosperity of the western states depend upon the availability of adequate quantities of water of suitable quality," western governors created the Council in 1965 to address the need for an accurate and unbiased appraisal of present and future [water] requirements . . . and the most equitable means of providing for . . . such requirements. . . ." On a west-wide regional level, the governors charged the Council ". . . to accomplish effective cooperation among western states in planning for programs leading to integrated development by state, federal and other agencies of their water resources." Since its creation, the Council has served as a unified voice on behalf of western governors on water policy issues.

Over the years, the Council has continually sought to develop a regional consensus on westwide water policy and planning issues, including many federal initiatives and legislation. The Council strives to collectively protect western states' interests in water, while at the same time serving to coordinate and facilitate efforts to improve western water management. With respect to the latter, the Council and eleven federal agencies have signed a Declaration of Cooperation creating what we call our Western Federal Agency Support Team (WestFAST), to increase collaboration on water issues of mutual concern.

The Council has long recognized the importance of planning and policy in protecting and wisely managing our water resources for the benefit of our present and future generations, including our environment. The water development, management and protection challenges in the Sacramento-San Joaquin Bay-Delta System are not unique to California, but are reflected across the West and the Nation. Similarly, any solution to California's water and environmental needs (and compliance with state and federal mandates) affects the rest of the West to a greater or lesser extent. Perhaps this is best illustrated by California's physical dependence not only on the waters of northern and central California, but also the Colorado River Basin, shared by six other basin states.

In recent years there has been a growing debate over national water policy and the need to elevate water issues as a national priority. The Council has been and continues to be actively involved in those policy discussions.

The States are primarily responsible for allocating and administering rights to the use of water for myriad uses; and are in the best position to identify, evaluate and prioritize their needs. States and their political subdivisions share primary responsibility for planning and managing our Nation's water resources, both surface and ground water, both quantity and quality.

2006/2008 WESTERN GOVERNORS' ASSOCIATION
WATER REPORTS

The WGA's 2006 Water Report declared: "States have the primary responsibility for water allocation and management. They have jurisdiction to sanction both new appropriations and transfers of existing uses. They also have the primary responsibility for integrating water quantity allocation and water quality protection. As a result, states can play a critical role relating to growth in the West where water is a scarce resource and competing demands vie for rights to its use." (p. 4)

The WGA's 2008 Next Steps Report reiterated: "States have the pivotal role in water planning, as well as allocating and protecting the resources. But in the West, where the federal government is a substantial landowner and has a significant regulatory presence, the federal role is also critical. Cooperation among the states and the federal government continues to be vital. To support the state leadership role, the federal government should help by providing a rational federal regulatory framework, together with technical and appropriate financial assistance. . . . Developing optimal solutions to the challenges . . . will require an integrated approach and greater partnerships among state, local and federal agencies. This approach should consider all needs together, develop effective solutions which are complementary rather than conflicting, and provide direction for selecting the most appropriate . . . solutions. (p. I)

2011 WSWC SHARED WATER VISION POLICY
POSITION

The following WSWC recommendations are presented as a guide for evaluating actions related to federal-state relations and water resources, including H.R. 1837.

Any vision for any water policy, water plan or planning process must recognize, defer to and support State, tribal and local government water plans and planning processes.

Federal legislation should explicitly recognize and provide support for ongoing watershed efforts in and between the states, tribes and local entities and closely consult with the states in the implementation of any new federal program(s).

Any federal legislation should avoid strategies that increase mandates on state, tribal and local governments.

Comprehensive plans developed under state or tribal leadership with federal assistance should: (a) reduce inefficiencies caused by project-specific responses to competing demands; (b) reduce contradictory actions by multiple state, local and federal agencies; and (c) minimize hastily conceived reactions to the latest real or perceived crisis.

Federal agencies should use state water plans: (a) to help determine water policy and planning priorities that best align federal agency support to states; (b) to inform decision making regarding regional water issues; and (c) to coordinate investment in water infrastructure.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. VALADAO), the author of this legislation, whose district has been heavily impacted by this manmade drought.

Mr. VALADAO. Mr. Chairman, the reason we are here today is we have heard talk for long enough. We have seen negotiation after negotiation, and the last one that we are asking to go back to happened in the mid-nineties. There was an agreement made that allowed water to go for the environment and for agriculture, and now we are not even getting that.

What we are asking for is for a little attention. Many of the viewers probably don't find this interesting. It is just a bunch of trees, but these trees are dead. They have been pulled out of the ground.

That probably doesn't mean a lot to the Chair or to a lot of other people in this room, but these are trees that grow crops. Those crops create jobs. The people that do those jobs are these people right here.

We hear so many people talk about unemployment insurance. These people want to work. They want to earn a paycheck. They want to go home at the end of the day with their money in their pocket and be able to buy food that is grown around them, natural, good, wholesome American food. These people do not like standing in line and do not like waiting for government handouts. They want to work and be productive members of today's society.

I know that a lot of people watching today will think, well, this is just a California problem, but this is the food grown in California: 99 percent of the almonds; 99 percent of the artichokes; 99 percent of the figs; 99 percent of the olives; 99 percent of the pistachios.

So when we talk about helping the people who need help and giving them the resources to feed their families, if we cut off water to California, it has a direct impact on the money that they do receive from the government. Because they aren't working because of the drought, it makes food more expensive. It limits what they can buy to feed their families.

Anybody that claims to be helpful to those who need our help the most and votes against this bill is literally saying, I want to raise the cost of food for everybody in the United States.

Mrs. NAPOLITANO. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the committee.

Mr. DEFAZIO. Mr. Chairman, here we are, day two of the House Committee on Natural Resources' measures on the floor. Yesterday we spent the entire afternoon debating, among other things, whether 435 Members of the House were better suited to make decisions about individual Forest Service ranger District Wildlife Management programs or units of the National Park Service's motorized recreation regulations, overturning local managers.

We were told that significant amendments, real amendments about real issues, like the reauthorization of the Land and Water Conservation Fund, they couldn't be offered because we need to respect the legislative process.

Are we respecting the legislative process here today? This bill was introduced last week. No hearings have been held in the committee. No action was taken by the committee. It was written, introduced, and brought directly to the floor of the House of Representatives. That is respect for the legislative process?

Now despite everyone here knowing that we are going to face the worst drought the American West has seen in a century, the committee of jurisdiction has failed to hold even one hearing on current conditions.

In case you have missed the news, here it is: California, driest conditions in over 500 years, extreme drought in 70 percent of the State. Nevada and Oregon, my home State, severe to extreme drought in 80 percent of the State. Idaho, severe to extreme drought in nearly half the State.

To be thinking about how we are going to mitigate this, how we are going to fight the fires, what are we going to do for disaster relief, shouldn't we be looking at reality as opposed to this piece of legislative theater? No.

A number of us on the committee have asked for a hearing, a comprehensive hearing on all the aspects of this drought, and the majority has yet to respond.

Now, this isn't a joke. It is not something we should be playing political games with. Seriously. We have empty reservoirs, unemployed people, yes, tinderbox forests, fallowed fields, and failing fisheries. That calls on us to be bigger and better than playing these stupid partisan games. That is what this is.

Just like the bill yesterday, this bill is not a serious effort to legislate. It is going nowhere. The Governor of California opposes it. Senator FEINSTEIN opposes it. Colorado, Montana, Wyoming, New Mexico, and Oregon are all opposed to the provisions overturning State water law. The party of states' rights overturning State water law? The nonpartisan 18 Governor-appointed Western States Water Council has opposed provisions in this bill overturning State water law.

This bill is a chimera, in the real sense of the word. It is a mythical beast that is part lion, goat, serpent, all in one with the breath of burning flames. Here it comes. It is ugly, it is

scary, but it is a fiction. It is not something real. In Greek mythology, the chimera was defeated by a guy named Bellerophon, a great hero—mythical, but a slayer of beasts. In this case, the U.S. Senate is going to replace Bellerophon.

This is going nowhere. We are fiddling while our forests are going to burn this summer.

The only way out of the current drought conditions is to make the skies open and rain. We aren't making rain today with this bill. We aren't even making law today with this bill. This is cynical. This is embarrassing. We should pull this bill from consideration and actually work on something that will help not only those in California but all of us impacted in the West by this drought.

Let's hold a hearing on this drought. Let's form a task force and come up with real bipartisan solutions.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK), a member of the committee who has worked very hard on this legislation in the last Congress and in this Congress.

Mr. MCCLINTOCK. Mr. Chairman, California's drought is nature's fault, but our failure to prepare for it is our fault.

In California, the ruling Democrats have not only obstructed the construction of new dams for the past 35 years but they have also actively sought to tear down existing ones. They have substituted conservation for desperately needed storage, and now that we face drought, we find that our few reservoirs are empty, and our conservation options are already exhausted.

Worse, in the first years of this drought, 1.6 million acre-feet of water was dumped into the Pacific Ocean for the care and amusement of the delta smelt. Mr. Chairman, 800,000 acre-feet—enough for 4 million Californians—was deliberately drained from our now empty reservoirs just several months ago, knowing that that water was desperately needed to support the threatened human population. Part of that water was taken from Central Valley farmers, who now face economic extinction. This bill corrects these tragic policies.

It is true, we cannot make it rain, but we can take measures to stop this lunacy, increase storage capacity, reinforce existing water rights, and ensure that we never again must face a crisis of this magnitude.

This bill allows for the expansion of Lake McClure by 70,000 acre-feet. It gives local water agencies the ability to store additional water at New Melones. It sets deadlines for additional storage. It authorizes local water districts to partner with the Federal Government to expedite expansion of existing reservoirs and construction of new ones, and it reverses

the policies that put the delta smelt ahead of the needs of thousands of farmworkers and millions of consumers.

Now, the people responsible for these policies say that this steals water from northern California. It does not. This is only water that would otherwise be lost to the Pacific Ocean. This bill restores the bipartisan Bay Delta Accord that guarantees the delta the water that it needs and grants a portion of any excess to the Central Valley. This historic accord was broken when Central Valley water was expropriated for the delta smelt. This bill restores that accord while making provisions to increase the overall supply.

The other outlandish charge is that this measure overrides State water rights. It does exactly the opposite. It specifically protects State water rights against infringement by any bureaucracy—local, State, or Federal.

We have listened to the environmental left for 40 years, and this is where it has gotten us. It is time to reject these voices and return to the commonsense and proven policies of abundance that produced the prosperity that we once enjoyed.

□ 1515

Mrs. NAPOLITANO. I now yield 3 minutes to the gentleman from northern California (Mr. COSTA).

Mr. COSTA. I want to thank the ranking member of the subcommittee for giving me an opportunity to speak on this measure.

Mr. Chairman, I rise today in support of this bill despite my reservations about the bill's prospects in the Senate. Over the years, I have supported a number of the provisions and goals within this legislation, but many of them will not offer much, if any, immediate relief unless we see Biblical proportions of rainfall taking place in California during the next 6 weeks.

As California is in the midst of the worst drought on record, reservoirs are at record lows, and we have 13 percent of our average snow pack, people in my district deserve an effort that deals with the current realities that can offer help.

No one has done more over 30 years working in Sacramento and in Washington than I have to provide water not only for our valley but for the entire State, and to ensure that we have a long-term supply. Unfortunately, too many folks on both sides of the aisle have kicked this can down the road.

As much as I think a number of reforms in this bill are long overdue and some of the policy decisions have increased, frankly, the damage of the current drought conditions, we all have to recognize that in California and in Western States today, we are in a triage situation.

There are many things that we must do in the long term to increase our water supply and fix our broken water system in California. But, immediately, we have to figure out how we

can move water, the scarce resource where it is, if, in fact, we do get some additional rainfall.

This is not about political points. It is about mitigating the human impact of people—people—living in 17 water districts that in 30 to 60 days will no longer be able to provide drinking water for themselves. New ideas, new and immediate relief should be offered, not a rehashing of the old political battles.

Last week, we saw what can happen in California when the entire valley delegation, working together on a bipartisan basis with Senators FEINSTEIN and BOXER, asked the Bureau of Reclamation to honor the carryover water that had been provided by those farmers who saved it last year. In fact, we were able to maintain that water this year. It is a lifeline. The Bureau and the administration heard our united calls loud and clear, and they made a fair decision to allow farmers in the valley to keep water that otherwise would have been confiscated.

We need more of these kinds of efforts, which is why I offered an amendment yesterday to create a joint committee to bring us together to deal with these short and long-term challenges. This effort is important since right now we seem to be talking past one another and feuding in editorial pages across the State rather than finding the common ground that we need.

Although leadership chose not to bring my amendment up for a vote, I think we have to be open to getting down to brass tacks at some point in time, because it is the only way we are going to solve these problems—on a bipartisan basis. Solutions to our water problems are not and should not be partisan. Traditionally, they have been regional, and I can tell you where all the political fault lines lie. They are deep, and they are historic. It is time for cooler heads to prevail.

The CHAIR. The time of the gentleman has expired.

Mrs. NAPOLITANO. I yield the gentleman an additional 30 seconds.

Mr. COSTA. This is not about political points. It is about people who could lose their jobs in the drought. It is about the dairy producer who might soon have to consider selling the dairy their grandfather started. It is about farmworkers who might soon find themselves in food lines instead of helping produce some of the most productive crops in the world. It is about the children of migrant workers who might soon have to leave their school because their parents have to look for work elsewhere.

In the coming days, we will be introducing legislation. I hope we can engender some bipartisan support. At the end of the day, that is what it is going to take to solve the water problems in California.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Cali-

fornia (Mr. LAMALFA), another member of the Natural Resources Committee and a Californian.

Mr. LAMALFA. Thank you, Mr. Chairman.

I am pleased to be able to rise in support of Mr. VALADAO's bill, a bipartisan measure it appears, and I am glad for that. We are able to work together as neighbors, northern California and central California, to overcome the overreaching environmental restrictions that this bill seeks to do. It has diverted so much water away from San Joaquin Valley families for their farms, away from agriculture, away from productive use, in favor of a 3-inch fish.

Title IV of this measure ensures that northern California's cities and farmers maintain their first right to water from the area of origin, the river in its area, which runs through their communities.

I am open to working with anyone at any time who has a realistic plan to address our historic droughts. The minority has offered amendments that would do nothing to address this crisis. Indeed, their proposals would only put more roadblocks and more red tape between Californians and the water they need.

We see plenty of potential for projects that could happen, such as Sites Reservoir in my neighborhood in northern California; possibly the raising of Shasta Dam and other projects would be very viable. Indeed, if you look at the graph here, there is much potential that could be realized when 76 percent of the water that comes into the delta flows straight out the Pacific. Only 24 percent actually either stays in the delta or goes south of the massive amount of water that comes into the delta initially.

The potential there for storing more water to have more available for everybody, whether it is farms, cities or environmental use, can be realized by building projects and by removing the roadblocks that are unnecessarily put there by bureaucracy or politics. We need to have a much better atmosphere of cooperating in this time of drought and putting our efforts forward to truly help Californians.

Indeed, Mr. Chairman, we need to pass this bill today to take that step. Moses parted the Red Sea. I think we need to have somebody that can part the red tape that has held California up for so many years for building the water supply it needs.

Mrs. NAPOLITANO. Mr. Chairman, I now yield 3 minutes to the gentleman from California, Congressman THOMPSON.

Mr. THOMPSON of California. Thank you, Madam Chair.

Mr. Chairman, I rise in strong opposition to this bill, a bill that would destroy jobs, does nothing to address the real problem, the drought, and ignores more than 20 years of established science.

What does the bill do? Will this bill help alleviate the drought? No. Even if

we pumped as much water as possible, Central Valley farmers still wouldn't have enough. There simply isn't enough water to go around.

We are in an extreme drought, the worst in the last century. You can look at these photographs and see the snow pack last year versus the snow pack this year. We are in bad straits, and it is a drought. It is not a manmade problem, it is a drought.

Will this bill kill jobs? Yes. The delta supports thousands of jobs in farming, fishing and tourism and has an economic output of more than \$4 billion a year. This bill puts those jobs in jeopardy. Will this bill harm drinking water that millions of people rely on? Yes. When clean water is pumped south, the level of saltwater in the delta increases. People can't drink seawater.

The entire State of California is in a drought. You saw it in today's USA Today. There are towns without water. There are more towns in line to lose all the water they have, and it is not due to a lack of pumping because of a "little fish." It is due to the lack of snow and the lack of rain.

Now, I know this is personal for many of my colleagues. It is personal for me, too. Many of the towns that I represent are running out of water. My home town is rationing water—65 gallons per person per day. It is a real, real serious problem.

I understand the concerns of the Central Valley farmers. Ag is big in my district, too, and this drought is hurting my constituents, as well. Because of these dry conditions, grapevines will experience an early bud this year, and without water to protect the early bud from the frost, we have no crops—out of business.

It is a drought that is causing the problem. Proponents of this bill say those who oppose it care more about fish than people. These comments cheapen the debate. They insult the intelligence of Californians and are not based on facts. As UC-Berkeley professor of agriculture and resource economics stated in the paper today, Michael Hanemann, he said that you can kill every fish in the delta and you still would have a real problem.

Simply put, this bill is nothing more than a thinly veiled attempt to use this drought as an excuse to pump water from other users and to do so with zero regard for the people who depend on that water for their livelihoods. It would be more productive for this body to join in a rain dance on the floor today than to pass this bill. Our people—our constituents—deserve better than this politically driven bill. They deserve solutions. I ask for a "no" vote on the bill.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to another gentleman from California (Mr. CALVERT), a former member of the Natural Resources Committee.

Mr. CALVERT. Mr. Chairman, I rise today in strong support of the Sac-

ramento-San Joaquin Valley Emergency Water Delivery Act.

Albert Einstein is quoted as saying:

The definition of insanity is doing the same thing over and over again and expecting different results.

That just about sums up California's water policy today. Time and time again, we have let Californians down by diverting water away from our communities because of Federal practices based on unfair priorities.

California is headed toward an economic calamity unless meaningful action is taken. Ongoing drought conditions combined with regulatory restrictions have placed a tremendous strain on California water supplies. Today, we are offering a first step to a solution to the devastating drought that California is facing.

This is not just a California problem. The Central Valley of California produces a significant amount of our Nation's crops. The devastation caused by this drought will reverberate through the country in the form of soaring food prices.

Water officials across the State are taking responsible steps to ramp up conservation efforts and stretch every drop of water that we do have. Unfortunately, Congress and our Federal regulatory agencies have failed to take a similar approach during these trying times. With our State facing an unprecedented water shortage, it is time for Congress to end the regulatory restrictions that are outdated and ineffective.

Like many Californians, I am tired of seeing millions and millions of gallons of water that could go to the people of California instead being dumped in the Pacific Ocean because of Federal regulations that punish families, farmers and the economy. It has been mentioned here just last year that 800,000 acre feet of water was flushed in the ocean during unprecedented rains. We should never be wasting that amount of water when people are suffering from a drought.

Today, the House can change that equation, restore balance between protecting the environment and provide water to the people who need it.

I want to thank and commend my colleague, DAVID VALADAO, for his passion and leadership on this issue. He has been here only a short time, but he is already making a tremendous impact on the Central Valley.

I urge all my colleagues to support this bill.

Mrs. NAPOLITANO. May I inquire the length of time remaining on both sides, please.

The CHAIR. The gentlewoman from California has 15 minutes remaining. The gentleman from Washington has 16½ minutes remaining.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3 minutes to the gentleman from California, Congressman AMI BERA.

Mr. BERA of California. Mr. Chairman, I rise today to speak against this bill, and here is why. This bill does

nothing to create additional water supplies. The water that we have already lost, we can't get that back. What we need to do is look at ways to better manage the water we have and look at ways to better conserve that water.

We are ready to do this. We are ready to work with our colleagues on the other side of the aisle as Californians. This isn't about Democrats versus Republicans. We can't pit one community against another. You are talking about families.

This is a picture of Folsom Lake in my district; 500,000 residents in our community rely on water from Folsom Lake for drinking water.

It is not about a little fish. It is about when a child goes to turn on their tap they get clean water coming out of it.

This should be under water, and if you want to understand how bad it is, let's look at this picture. This is the wet side of Folsom dam. Where is the water? This bill takes water where it doesn't exist. You can't move water if it doesn't exist.

So we stand ready to work with our colleagues in both Houses and across the aisle to look at better ways for us to manage water, better ways for us to predict and forecast weather, if you are going to have a dry season, to protect that water, and better ways to serve all of California's communities.

It can't be northern California versus southern California versus central California. It has got to be Californians working together. Let's solve this. Let's work together, and let's create a brighter future for California by managing our water together.

□ 1530

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from California (Mr. DENHAM), another former member of the Natural Resources Committee.

Mr. DENHAM. Mr. Chairman, I rise today in support of the bill to ensure again that the House takes the lead in taking action about this big crisis that we are having in California's Central Valley.

This measure puts a number of commonsense ideas on the table to alleviate the severity of today's drought. There is need for a Federal response, because California has a crosscutting network of both State and Federal water projects. With the passage of this bill, I hope the Senate will finally come to the table. If you don't like our idea, come up with one of your own.

We have to have storage. We have to have conveyance. We need to plan for the future. There are times when we have wet years, but if we don't store the water, we don't have it for drought years. It is common sense, and it should be bipartisan and it should be bicameral.

What I am most proud about on this bill is that you actually have Members from different regions of the State that

have come together and said the time is now to finally come together on a solution for what we have and what we are facing today in California's Central Valley.

I am thankful to Mr. VALADAO for not only bringing this bill up, but for also including my provisions which will create some more water storage, including Los Vaqueros and Exchequer and streamlining construction projects.

This bill also includes two of my bills: H.R. 2705, seeking to protect native salmon and steelhead on the Stanislaus River; and H.R. 2554, which would allow 100,000 new acre-feet of storage on New Melones reservoir.

We can do simple things to conserve more water. These two measures produce more water and alleviate pressure on supplies, and at no cost to the taxpayer.

Yesterday the Senate passed the farm bill, which we passed here last week. Without water, in California, having a farm bill doesn't matter a whole lot if you can't plant the crops that feed the rest of the Nation.

I urge my colleagues to pass this bill. The time is now to have a real water solution. Again, if you don't like this one, then come up with one of your own. Let's have some water storage. Let's actually have a dialogue, but let's not shut down residents of the Central Valley or drinking water across the State.

Mrs. NAPOLITANO. Mr. Chairman, I now yield 5 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, I don't know if it is proper to ask you a question, but is this February 2? I am reminded of the movie "Groundhog Day." We continue to repeat what happened yesterday and the year before. This is a repetition of a bill that came to the floor 2 years ago. It was a bill that had a lot of different pieces to it but was very, very simple in what it accomplished, or attempted to accomplish, and that was to take water from someone—the environment, fish, and the delta, farmers, communities, Contra Costa County, the East Bay of San Francisco—and deliver it to someone else. That would be the San Luis Unit of the Central Valley Project. That was 2 years ago. It must be February 2. It must be Groundhog Day because we are doing it all over again. Whatever little whistles and bells and bows you want to put on it, this is essentially a theft of water from someone to give to somebody else. Plain and simple, that is what it is about.

In this case, the water is going to be stolen—and I use that word because that is accurate—from the delta, from the environment, San Francisco Bay, from the salmon, which is a huge industry in California, all the way up the coast to Oregon, to be given to the largest single-water district in the Nation. A district that, by its contract with the Federal Government, is specifically set to take shortages in their

water when there is a drought. If this bill becomes law, that won't be the case. They will get the water and someone else won't.

Okay. We have seen this show before. We also saw before that this type of legislation, as does this bill, overturns the California constitution, pushes it out of the way, and all this is done by folks who normally call themselves State righters.

Well, this is the biggest grab of power by the Federal Government on water anywhere in the history of reclamation law dating back to 1904. Never before has the Federal Government made such an attempt to grab the water rightfully belonging to a State and saying, in this case, California, you are going to use that water as seen fit by the farm bill.

Current water law and current law and practices for a century and more have been the opposite. This doesn't solve the problem. We have got a real problem. These have been seen before and they are going to have to be seen over and over, because that was a year ago. We turn it upside right. Whatever, it is a lot of snow; right? That was a year ago, snow in the Sierras. That is this year, no snow.

And by the way, the Central Valley looks pretty much like a desert—not just the San Joaquin Valley, but the whole valley.

We have got a problem. We have a very real problem. We really need a real solution. This bill isn't a solution. This bill is a call to arms. This bill is the clarion call of yet one more battle in the great California water war, and we are all veterans of that war. My colleagues over here on the Republican aisle, my colleagues over here on the Democratic aisle, we are veterans of the water war.

Unfortunately, this bill doesn't solve the problem of California. There are solutions available. We really need to get to them. We really need to sit down and work with a bill that passed the House and the Senate and was signed by the President less than 2 weeks ago, the omnibus bill.

In that omnibus bill there is a restoration, a reauthorization of the Federal drought emergency program that has some 16, 17 different provisions that provide for specific things that we should be funding. There's no money in this bill for funding. We are going to have to fund this. This is a Westwide problem, a problem that reaches across many, many States, and it is going to take all of us working together to help each individual State, each community, and every water district deal with a very real problem. It is a battle. It is a call to arms. Get to your barricades. Pull out the old weapons. We really need a sensible solution here, and, unfortunately, this bill simply doesn't do it.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from California (Mr. NUNES), the author of the legislation that passed this House in a

bipartisan way last time, which this bill emulates.

Mr. NUNES. Mr. Chairman, this is about 40 years of policies that passed out of this body that took water from our region and sent it out to the ocean. That is what this debate is about. So the inconvenient truth for the folks on the left is that their 40 years of policies have resulted in people running out of water.

One of the times they stole water was in 1992. After that, we had what were called the Bay-Delta Accord, State-Federal partnership. That was the last time we were supposed to give up water. It codified into law that agreement.

So the gentleman was talking about stealing water, they are very good at stealing water. At the time they stole water last time, they said the accord was going to be the last time we were going to have water stolen from us. That was in 1994. But water continues to be stolen.

Now there seems to be this misunderstanding about how the system works. L.A., Hollywood, San Francisco, it is a desert. They don't have water. They conveniently get their water from the Colorado River or from the Yosemite Valley. They ignore all environmental rules, but they make our people who live in the San Joaquin Valley live by the rules that they don't want to live by. That is the reality.

So we have these projects that are built for 5 years of storage and movement of water. So you can see when we had a drought in 1997 and 1991 and 2009, these were the allotments at those times. Last year, we actually didn't have a real bad drought. Look at the allocation. So the system simply isn't being used. All the aqueducts and all the dams that were constructed—led by Democrats, of all people, Franklin Roosevelt, John F. Kennedy.

John F. Kennedy said this:

This is a fast trip, but if it had no other benefit than to permit us to look at this valley and others like it across the country, where we can see the greenest and richest earth, producing the greatest and richest crops in the country, and then a mile away, see the same earth and see it brown and dusty and useless, and all because there is water in one place and there isn't in another.

President Kennedy had the foresight to construct these projects that now, after 40 years of bad policies by the left, they have run the State out of water. They have run the State out of water.

Meanwhile, they talk about killing the fish. Well, why are they killing the fish? Because all of these cities that most on the left represent dump their sewage into the delta. That kills the fish. So stop dumping the sewer water in the delta if you care about the fish. If you care about the fish, give up your water in Yosemite National Park and let that water go out to the delta to save the fish.

Mr. Chairman, the time for stealing water has ended, and that is what this bill does.

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

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

This debate, Mr. Chairman, is very interesting. And what we are presenting here today and what is being presented by my California colleagues is, from their point of view, a solution to a problem caused by a drought and caused by regulatory action in the State of California.

I have heard my colleagues on the other side of the aisle stand up—virtually everybody has said this. I know my colleague, Mr. GARAMENDI, said something that I will allude to in a moment. Mr. COSTA said something about that. The ranking member of the Natural Resources Committee said something about what I am going to say, and, I dare say, the gentlelady from California (Mrs. NAPOLITANO) said the same thing.

The thread of what they all said is that there are solutions, and we need to work together. We need to find these solutions, to which our side says fine, this is our solution. We recognize you may not like it. We recognize that. But we also have one other point that we need to recognize, and that is the genius of our Founding Fathers. They created two branches of the legislative branch, the Congress: the House, in which we have the privilege of serving, and the Senate.

I made the observation in my opening statement that the Senate has not acted on any water bill laws at all. Well, finally somebody in this area is catching that message, because the Fresno Bee in California, which is right in the epicenter, if you will, of the San Joaquin Valley, editorialized last week that Senator FEINSTEIN must step up and lead on the drought. What that means, of course, is step up and write a piece of legislation. I have heard my colleagues say we are working on a piece of legislation, maybe by next week.

Mr. Chairman, I want to make this point. This is very specific. Introducing a piece of legislation is not legislating. Legislating is when you pass a piece of legislation out of your respective House, and I think that is what the Fresno Bee is saying right here when they tell Senator FEINSTEIN and others that they need to step up on this and pass some legislation.

Listen, I am sure that legislation will be different than this. We have heard from my colleagues on the other side of the aisle. That is fine. I can take it, and, I dare say, my California colleagues can take it, too, and then we can work out the difference. But we don't know what your position is.

□ 1545

Mr. Chairman, I think this is a good piece of legislation. The last Congress acted on it, and it should act on it again.

I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time is remaining on both sides.

The CHAIR. The gentlewoman from California has 8-½ minutes remaining. The gentleman from Washington has 9 minutes remaining.

Mrs. NAPOLITANO. Thank you, Mr. Chairman.

I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I thank the gentlewoman for yielding.

I rise again to express my strong opposition to H.R. 3964. This legislation will do tremendous harm to the Sacramento-San Joaquin Delta, an area that I am privileged to represent.

Let's start with the facts. California is in a drought and is experiencing its driest year on record. Snowpacks are at about 13 percent of what they should be. Regions have set new records for consecutive dry days during the rainy season. Seventeen communities are at risk of running out of drinking water within 60 days. The National Drought Mitigation Center upgraded about 9 percent of California to an "exceptional drought," the organization's most intense level of drought severity.

Yet, here we are again, spending time on a bill which, according to its authors, is only a short-term fix for a few communities and does nothing to help California in its water crisis. California's Natural Resources Secretary John Laird said that H.R. 3964 "falsely holds the promise of water relief that cannot be delivered because in this drought, the water simply does not exist." Let me repeat that: "the water simply does not exist."

I know that the other side is going to vote unanimously for this bill, so I ask them to look and see what is inside of it. It is not in your interest. This takes away states' rights. This doesn't weigh a state's protections.

I ask people that live in the Great Lakes area and people that live in the Florida Everglades area: pay attention. This is a Federal precedent. It allows the Federal Government to come and take your water. Is that what you want? I don't think so.

So I ask the Members of the other side of the aisle, please consider what this bill contains, please vote the right way. We should be addressing water efficiency, storage, reuse and recycling, water management, innovative water projects, and a long-term approach to water shortages.

All H.R. 3964 ensures is that more water is shipped out of the delta, turning this precious estuary into a salty, stagnant marsh, devastating local economies, and costing the delta region thousands of jobs.

We should stand united in preventing this legislation from ever becoming law. I urge my colleagues to oppose H.R. 3964.

The CHAIR. Members are advised to address their comments to the Chair and not to others in the second person.

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

Mr. Chairman, I just want to respond to remarks that the previous speaker from California made about the potential danger in this bill as they relate to water rights in other States.

What the gentleman was alluding to is absolutely incorrect because the language in this bill is very specific; it is very specific as it relates to California.

We went through this process in the last Congress when we went through hearings because other States—my State included—was very, very concerned that whatever preemption had to do with water here would affect other States. Last year in this bill, the language is very, very specific: it does not apply to other States; it is California-centric only.

So I want to make that point, Mr. Chairman.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, if I could inquire of my friend if she has any more speakers; and, if not, if she is prepared to close, her side is prepared to close, I am prepared to close.

Mrs. NAPOLITANO. We have no more speakers, and I am prepared to close.

Mr. HASTINGS of Washington. In that case, I reserve the balance of my time so you can close, and we will have one final speaker.

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

In closing, we have heard a lot of conversation about what is good and what is not good for my great State of California.

We continue to stress we need to work together. Mr. BERA said that. Mr. DENHAM says create your own.

Well, I thought this was the House of the people and that we are supposed to be working together. That is why we have such a low ranking in the view of the American public—we continually fight against each other.

We need to sit in dialogue and be able to converse—at least agree on things that are necessary—to be able to help our country back on its feet instead of fighting over what is not necessarily fightable about.

Mr. HASTINGS, the chairman, talked about the resolutions of past legislation. Like anything else, we don't get information about many of the bills until last minute. I cannot get any hearings on some of my bills, and neither can some of my members get hearings in the subcommittee or the full committee for being able to address some of these issues that have come up on water.

In summary, we have, of course, this bill that repeals historic California water rights; overturns 20 years of environmental and conservation protections; ignores best available science; repeals the court ordered San Joaquin

Restoration Settlement Act; preempts California State law; and creates no new water.

Mr. Chairman, I would like to enter a Statement of Administration Policy:

The administration strongly opposes H.R. 3964, the Emergency Water Delivery Act, because it would not alleviate the effects of California's current drought and would disrupt decades of work that supports building consensus, solutions, and settlements that equitably address some of California's most complex water challenges. California is experiencing severe drought conditions and low reservoir storage. The urgency and seriousness of the situation requires a balanced approach that promotes water reliability and ecosystem restoration.

It ends with:

For these reasons, if the President were presented with H.R. 3964, his senior advisors would recommend that he veto the bill.

Mr. Chairman, I urge my colleagues to vote "no" on this very dangerous precedent for not only my State of California but for the rest of the Nation.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield the balance of my time to the gentleman from California (Mr. MCCARTHY), the majority whip.

Mr. MCCARTHY of California. Mr. Chairman, I want to thank Congressman VALADAO, Congressman NUNES, and all of the delegation for their work when it comes to water.

The news from California is not bright. The current news: our drought is the worst in a century. Governor Brown has declared a state of emergency because of the drought. Our water storage is at near empty. Farmland is going fallow. Drinking water is threatened. The State actually says in its latest report that 17 communities can go dry in 4 months. In the absence of God our options are limited to ease this pain. It didn't have to be this way. But why are we here today and why are we debating this bill?

Well, without action farms are going to go fallow. So what does that mean for the rest of the Nation? A lot of people don't look at what happens throughout California and the Central Valley. Most of the produce is produced there for the Nation and the world. If you just look at a few: 94 percent of all tomatoes, 93 percent of all broccoli, 89 percent of all carrots, 78 percent of all lettuce. So that means prices will go up.

It also means you are going to buy that produce somewhere else. You are going to buy it overseas: maybe China, maybe Mexico. What about the food safety? More importantly, what about those jobs? What about those workers?

Just a few short years ago, unemployment in some of these cities were 40 percent. It is already more than 10. The worst part of all this is it didn't have to be this way. We could plan for it.

I have heard colleagues talk about this, Mr. Chairman, that back in 1994 we actually had a bipartisan agree-

ment: the Bay-Delta Accord. It was more than just Republicans and Democrats agreeing. It was environmentalists, farmers, water users. Everybody came to an agreement. But that bond was broken.

The reason we debate this is water is so precious. Most of the snowpack comes from the north and travels down to the south. We have a State water project that—which is a little ironic—Governor Brown, when his father was Governor built more than 50 years ago. There have always been allocations to send it down south. This year they made history. In the history of the water project, the allocation is zero—zero.

When you are growing up you study history. There are always those Aesop's Fables. Do you remember Aesop? He was that slave in ancient Greece that would tell these tales to teach about a moral lesson.

One of those fables talked about the ant and the grasshopper, where the ant during summertime, because he knew winter would come, would go out and work hard and store food for the winter. Not the grasshopper. He would be idle out there in the summer enjoying life, and hopefully nothing bad ever happened.

Well, over the years, government regulation has made it harder. Government regulation has changed the Bay-Delta Accord. It is safe to say, environmentalists have sued. Environmentalists have decided that fish are more important than those who are unemployed; that maybe they come before the individual.

What does that mean? Since 2007, the State Water Project has lost 2.6 million acre feet because of these policies. Now, what does that mean, 2.6 million acre feet? That means that is enough for the annual water needs of every resident in Los Angeles, New York, and Chicago combined.

Where did that water go? Out to the ocean. Why would we send it out to the ocean when we could store it for the drought that we knew would happen?

There is nothing that illustrates this broken system more than just 3 years ago. You have all seen those photos that people have shown down here on TV of California when it had a snowpack and California today when it is all dry. Just 3 years ago, do you know what that snowpack was? More than 170 percent. Boy, that would be a good year to be an ant, that would be a good year to send it down, that would be a good year to store for today so those communities would not go dry or that land would not go fallow. That wasn't the case. Do you know what the allocation was when we had 170 percent of snowpack? Eighty percent.

Do you know what is unjust in all of this? This year when we get zero percent, or when we got 80 percent of allocation, the bill was always the same: you paid 100 percent, regardless of what allocation you got.

What about property rights? What about responsibility? What about a broken system?

So what does this bill actually do? Well, first and foremost, it puts families before fish. It goes back to an agreement that everybody agreed upon, and it moves us in a place where we can prepare.

Standing defenselessly in the face of future droughts is not a noble gesture. It is actually insanity.

Today, this House will act again, because we would not be in the dryer place that we are today had the Senate taken up the bill we acted on in the last Congress. Why? Because this House believes and understood and learned the lessons of the fables before—that we prepare. But the Senate, in the grasshopper style, stood idly by.

Our Senators—California is pretty powerful in the Senate. Mr. Chairman, I will say California has two Senators that are chairs of committees. There was an opportunity to act.

What is unique in this form of government and what we have, the greatest in the world, we have two Houses. It doesn't mean both Houses have to agree at the very beginning. It does mean that you take action and show where you stand, just like the House did 2 years ago. The Senate took no stance, so how do we know where they stand?

Well, we will act again. The Senate needs to act, show us where they stand, go to conference, and stand up for the families of California. This has gone on too long. We do not have to be in the situation we stand in today. There are families that did not have to be unemployed had we acted in the Senate, based upon what we did. There are communities that would not have had to go dry had we acted before.

So enough of rhetoric, enough of the fights; the time is now. As the Sun sets today, a bill will be out of this House, but still nothing is even introduced in the Senate.

Mr. Chairman, I implore, don't make California hurt anymore.

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

□ 1600

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-34. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Sacramento-San Joaquin Valley Emergency Water Delivery Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

Sec. 101. Amendment to purposes.

Sec. 102. Amendment to definition.

Sec. 103. Contracts.

Sec. 104. Water transfers, improved water management, and conservation.

Sec. 105. Fish, wildlife, and habitat restoration.

Sec. 106. Restoration fund.

Sec. 107. Additional authorities.

Sec. 108. Bay-Delta Accord.

Sec. 109. Natural and artificially spawned species.

Sec. 110. Authorized service area.

Sec. 111. Regulatory streamlining.

Sec. 112. Warren Act contracts.

Sec. 113. Additional Warren Act contracts.

Sec. 114. Pilot Program to Protect Native Anadromous Fish in the Stanislaus River.

Sec. 115. San Luis Reservoir.

TITLE II—SAN JOAQUIN RIVER RESTORATION

Sec. 201. Repeal of the San Joaquin River settlement.

Sec. 202. Purpose.

Sec. 203. Definitions.

Sec. 204. Implementation of restoration.

Sec. 205. Disposal of property; title to facilities.

Sec. 206. Compliance with applicable law.

Sec. 207. Compliance with Central Valley Project Improvement Act.

Sec. 208. No private right of action.

Sec. 209. Implementation.

Sec. 210. Repayment contracts and acceleration of repayment of construction costs.

Sec. 211. Repeal.

Sec. 212. Water supply mitigation.

Sec. 213. Additional Authorities.

TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS

Sec. 301. Repayment contracts and acceleration of repayment of construction costs.

TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION

Sec. 401. Water rights and area-of-origin protections.

Sec. 402. Sacramento River settlement contracts.

Sec. 403. Sacramento River Watershed Water Service Contractors.

Sec. 404. No redirected adverse impacts.

TITLE V—MISCELLANEOUS

Sec. 501. Precedent.

Sec. 502. No effect on Proclamation of State of Emergency.

Sec. 503. Wild and Scenic Rivers Act.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

SEC. 101. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

“(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

“(h) to facilitate and expedite water transfers in accordance with this Act.”

SEC. 102. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

“(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;”;

(2) in subsection (l), by striking “and,”

(3) in subsection (m), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(n) the term ‘reasonable flows’ means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.”

SEC. 103. CONTRACTS.

Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

(1) in the heading, by striking “LIMITATION ON CONTRACTING AND CONTRACT REFORM” and inserting “CONTRACTS”; and

(2) by striking the language of the section and by adding:

“(a) **RENEWAL OF EXISTING LONG-TERM CONTRACTS.**—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years.

“(b) **ADMINISTRATION OF CONTRACTS.**—Except as expressly provided by this Act, any existing long-term repayment or water service contract for the delivery of water from the Central Valley Project shall be administered pursuant to the Act of July 2, 1956 (70 Stat. 483).

“(c) **DELIVERY CHARGE.**—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.”

SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.

Section 3405 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) In subsection (a)—

(A) by inserting before “Except as provided herein” the following: “The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969.”;

(B) in paragraph (1)(A), by striking “to combination” and inserting “or combination”;

(C) in paragraph (2), by adding at the end the following:

“(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added to or revised in order for such proposal to be complete.

“(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements on a proposed transfer, but the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed transfer.”; and

(D) by adding at the end the following:

“(4) Notwithstanding any other provision of Federal reclamation law—

“(A) the authority to make transfers or exchanges of, or banking or recharge arrangements using, Central Valley Project water that could have been conducted before October 30,

1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and

“(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.”

(2) In subsection (b)—

(A) in the heading, by striking “METERING” and inserting “MEASUREMENT”; and

(B) by inserting after the first sentence the following: “The contracting district or agency, not including contracting districts serving multiple agencies with separate governing boards, shall ensure that all contractor-owned water delivery systems within its boundaries measure surface water at the district or agency’s facilities up to the point the surface water is commingled with other water supplies.”

(3) By striking subsection (d).

(4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(5) By amending subsection (e) (as redesignated by paragraph (4))—

(A) by striking “as a result of the increased repayment” and inserting “that exceed the cost-of-service”; and

(B) by inserting “the delivery of” after “rates applicable to”; and

(C) by striking “, and all increased revenues received by the Secretary as a result of the increased water prices established under subsection 3405(d) of this section,”.

SEC. 105. FISH, WILDLIFE, AND HABITAT RESTORATION.

Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking “is authorized and directed to” and inserting “may”; and

(ii) by inserting “reasonable water” after “to provide”; and

(iii) by striking “anadromous fish, except that such” and inserting “anadromous fish. Such”;

(iv) by striking “Instream flow” and inserting “Reasonable instream flow”; and

(v) by inserting “and the National Marine Fisheries Service” after “United States Fish and Wildlife Service”; and

(vi) by striking “California Department of Fish and Game” and inserting “United States Geological Survey”; and

(B) in paragraph (2)—

(i) by striking “primary purpose” and inserting “purposes”; and

(ii) by striking “but not limited to” before “additional obligations”; and

(iii) by adding after the period the following:

“All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after fishery, water quality, and other flow and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to this paragraph shall be reused to fulfill the Secretary’s remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial purposes.”;

(C) by amending paragraph (2)(C) to read:

“(C) If by March 15th of any year the quantity of Central Valley Project water forecasted to be made available to water service or repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available

under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.”

(2) By adding at the end the following:

“(i) SATISFACTION OF PURPOSES.—By pursuing the activities described in this section, the Secretary shall be deemed to have met the mitigation, protection, restoration, and enhancement purposes of this title.”

SEC. 106. RESTORATION FUND.

(a) IN GENERAL.—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting “(1) IN GENERAL.—” before “There is hereby”.

(2) By striking “Not less than 67 percent” and all that follows through “Monies” and inserting “Monies”.

(3) By adding at the end the following:

“(2) PROHIBITIONS.—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund—

“(A) or environmental restoration or mitigation fees not otherwise provided by law, as a condition to—

“(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or

“(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97–293; 96 Stat. 1270); or

“(B) for any water that is delivered with the sole intent of groundwater recharge.”

(b) CERTAIN PAYMENTS.—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking “mitigation and restoration”;

(2) by striking “provided for or”; and

(3) by striking “of fish, wildlife” and all that follows through the period and inserting “of carrying out all activities described in this title.”

(c) ADJUSTMENT AND ASSESSMENT OF MITIGATION AND RESTORATION PAYMENTS.—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting “, or after October 1, 2015, \$4 per megawatt-hour for Central Valley Project power sold to power contractors (October 2015 price levels)” after “\$12 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project”.

(d) COMPLETION OF ACTIONS.—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting “no later than December 31, 2020,” after “That upon the completion of the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of this title.”

(e) REPORT; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended by adding at the end the following:

“(g) REPORT ON EXPENDITURE OF FUNDS.—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

“(h) ADVISORY BOARD.—

“(1) ESTABLISHMENT.—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the ‘Advisory Board’) composed of 12 members selected by the Secretary, each for four-year terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected so as to represent the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power contractors, and two at the discretion of the Secretary. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

“(2) DUTIES.—The duties of the Advisory Board are as follows:

“(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.

“(B) To ensure that any advice or recommendation made by the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.

“(C) Not later than December 31, 2015, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).

“(D) Not later than December 31, 2015, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406 of this title.

“(3) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.”

SEC. 107. ADDITIONAL AUTHORITIES.

(a) AUTHORITY FOR CERTAIN ACTIVITIES.—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4728) is amended to read as follows:

“(c) CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.—

“(1) IN GENERAL.—The Secretary is authorized to enter into contracts pursuant to Federal reclamation law and this title with any Federal agency, California water user or water agency, State agency, or private organization for the exchange, impoundment, storage, carriage, and delivery of nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose.

“(2) LIMITATION.—Nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99–546 (100 Stat. 3051).

“(3) AUTHORITY FOR CERTAIN ACTIVITIES.—The Secretary shall use the authority granted by this subsection in connection with requests to exchange, impound, store, carry, or deliver nonproject water using Central Valley Project facilities for any beneficial purpose.

“(4) RATES.—The Secretary shall develop rates not to exceed the amount required to recover the reasonable costs incurred by the Secretary in connection with a beneficial purpose under this subsection. Such rates shall be charged to a party using Central Valley Project facilities for such purpose. Such costs shall not include any donation or other payment to the Restoration Fund.

“(5) CONSTRUCTION.—This subsection shall be construed and implemented to facilitate and encourage the use of Central Valley Project facilities to exchange, impound, store, carry, or deliver nonproject water for any beneficial purpose.”

(b) REPORTING REQUIREMENTS.—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking “Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries” and inserting “Natural Resources”;

(2) in the second sentence, by inserting before the period at the end the following: “, including progress on the plan required by subsection (j)”; and

(3) by adding at the end the following: “The filing and adequacy of such report shall be personally certified to the Committees referenced above by the Regional Director of the Mid-Pacific Region of the Bureau of Reclamation.”

(c) PROJECT YIELD INCREASE.—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) By redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking “In order to minimize adverse effects, if any, upon” and inserting “(1) IN GEN-

ERAL.—In order to minimize adverse effects upon”.

(3) By striking “needs, the Secretary,” and all that follows through “submit to the Congress, a” and inserting “needs, the Secretary, on a priority basis and not later than September 30, 2015, shall submit to Congress a”.

(4) By striking “increase,” and all that follows through “options:” and inserting “increase, as soon as possible but not later than September 30, 2018 (except for the construction of new facilities which shall not be limited by that deadline), the water of the Central Valley Project by the amount dedicated and managed for fish and wildlife purposes under this title and otherwise required to meet the purposes of the Central Valley Project including satisfying contractual obligations. The plan required by this subsection shall include recommendations on appropriate cost-sharing arrangements and authorizing legislation or other measures needed to implement the intent, purposes, and provisions of this subsection and a description of how the Secretary intends to use the following options—”.

(5) In subparagraph (A), by inserting “and construction of new water storage facilities” before the semicolon.

(6) In subparagraph (F), by striking “and” at the end.

(7) In subparagraph (G), by striking the period and all that follows through the end of the subsection and inserting “; and”.

(8) By inserting after subparagraph (G) the following:

“(H) Water banking and recharge.”

(9) By adding at the end the following:

“(2) IMPLEMENTATION OF PLAN.—The Secretary shall implement the plan required by paragraph (1) commencing on October 1, 2015. In order to carry out this subsection, the Secretary shall coordinate with the State of California in implementing measures for the long-term resolution of problems in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.

“(3) FAILURE OF THE PLAN.—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2018, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet, implementation of any non-mandatory action under section 3406(b)(2) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.”

(d) TECHNICAL CORRECTION.—Section 3408(h) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) in paragraph (1), by striking “paragraph (h)(2)” and inserting “paragraph (2)”; and

(2) in paragraph (2), by striking “paragraph (h)(i)” and inserting “paragraph (1)”.

(e) WATER STORAGE PROJECT CONSTRUCTION.—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance these projects. No additional Federal funds are authorized for the activities authorized in sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108–361. However, each water storage project under sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108–361 is authorized for construction if non-Federal funds are used for financing and constructing the project.

SEC. 108. BAY-DELTA ACCORD.

(a) CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT AND CALIFORNIA

STATE WATER PROJECT OPERATIONS.—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standards and operational constraints described in the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994.

(b) **APPLICATION OF LAWS TO OTHERS.**—Neither a Federal department nor the State of California, including any agency or board of the State of California, shall impose on any water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition that restricts the exercise of that water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) **COSTS.**—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) **NATIVE SPECIES PROTECTION.**—California law is preempted with respect to any restriction on the quantity or size of nonnative fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

SEC. 110. AUTHORIZED SERVICE AREA.

The authorized service area of the Central Valley Project shall include the area within the boundaries of the Kettleman City Community Services District, California, as those boundaries exist on the date of the enactment of this title. Notwithstanding the provisions of the Act of October 30, 1992 (Public Law 102-575, 106 Stat. 4600 et seq.), upon enactment of this title, the Secretary is authorized and directed to enter into a long-term contract in accordance with the reclamation laws with the Kettleman City Community Services District, California, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use. The Secretary may temporarily reduce deliveries of the quantity of water made available pursuant to up to 25 percent of such total whenever reductions due to hydrologic circumstances are

imposed upon agricultural deliveries of Central Valley Project water. If any additional infrastructure or related-costs are needed to implement this section, such costs shall be the responsibility of the non-Federal entity.

SEC. 111. REGULATORY STREAMLINING.

(a) **APPLICABILITY OF CERTAIN LAWS.**—Filing of a Notice of Determination or a Notice of Exemption for any project, including the issuance of a permit under State law, related to any project of the CVP or the delivery of water therefrom in accordance with the California Environmental Quality Act shall be deemed to meet the requirements of section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)) for that project or permit.

(b) **CONTINUATION OF PROJECT.**—The Bureau of Reclamation shall not be required to cease or modify any major Federal action or other activity related to any project of the CVP or the delivery of water there from pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) **PROJECT DEFINED.**—For the purposes of this section:

(1) **CVP.**—The term “CVP” means the Central Valley Project.

(2) **PROJECT.**—The term “project”—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act in section 21065 of the California Public Resource Code.

SEC. 112. WARREN ACT CONTRACTS.

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Interior shall offer to the Oakdale Irrigation District and the South San Joaquin Irrigation District (hereafter in this section referred to as the “districts”) a contract enabling the districts to collectively impound and store up to 200,000 acre-feet of their Stanislaus River water rights in the New Melones Reservoir in accordance with the terms and conditions of sections 1 through 3 of the Act of February 21, 1911 (43 U.S.C. 523-525; commonly known as the “Warren Act”); provided that before offering any such contract, the Secretary has determined that the amount of water to be impounded and stored under the contract will not directly or indirectly result in any redirected adverse water supply or fiscal impacts to any Central Valley Project contractor related to the Secretary’s operation of the Central Valley Project to meet legal obligations imposed by or through any State or Federal agency, including but not limited to those legal obligations emanating from the Endangered Species Act of 1973 (16 U.S.C. 1531, et seq.), the Water Pollution Control Act (33 U.S.C. 1251, et seq., commonly known as the “Clean Water Act” pursuant to the 1977 amendments, Public Law 95-217), and the Porter-Cologne Water Quality Control Act (Cal. Water Code 13000, et seq.).

(b) **TERMS AND CONDITIONS.**—The terms and conditions of any contract entered into under subsection (a) shall—

(1) be for a term of not less than 10 years; and

(2) expressly provide that—

(A) the districts may use any water impounded and stored in the New Melones Reservoir for any legal purpose under California law, including use within the boundaries of either district, transfer to and reasonable and beneficial use by a person or entity not located within the boundaries of either district, and for

instream use in the Stanislaus River, the San Joaquin River, or the Sacramento-San Joaquin River Delta; and

(B) any water impounded and stored by either district shall not be released or withdrawn if the end of month September storage level for New Melones Reservoir is projected to be equal to or below 300,000 acre-feet, but in such event the impounded and stored water shall be retained in the New Melones Reservoir for use by the districts in the following year, subject to the same 300,000 acre-foot minimum storage requirement, and without additional payment being required.

(c) **CONSERVATION ACCOUNT.**—Any water impounded and stored in the New Melones Reservoir by either district under the contract shall not be considered or accounted as water placed in the districts’ conservation account, as that account is defined and explained in the August 30, 1988 Stipulation and Agreement entered into by and between the Bureau of Reclamation and the districts.

SEC. 113. ADDITIONAL WARREN ACT CONTRACTS.

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Interior shall develop and offer to the Calaveras County Water District (hereafter in this section referred to as the “CCWD”) a contract enabling the CCWD to impound and store up to 100,000 acre-feet of their Stanislaus River water rights in the New Melones Reservoir in accordance with the terms and conditions of sections 1 through 3 of the Act of February 21, 1911 (43 U.S.C. 523-525; commonly known as the “Warren Act”). This stored water may be obtained for use by CCWD at a point, or points determined convenient to the District.

(b) **TERMS AND CONDITIONS.**—The terms and conditions of any contract entered into under subsection (a) shall—

(1) be for a term of not less than 10 years; and

(2) expressly provide that—

(A) the CCWD may use any water impounded and stored in the New Melones Reservoir for any legal purpose under California law, including use within the boundaries of the CCWD, transfer to and reasonable and beneficial use by a person or entity not located within the boundaries of CCWD, and for instream use in the Stanislaus River, the San Joaquin River, or the Sacramento-San Joaquin River Delta; and

(B) any water impounded and stored by either district shall not be released or withdrawn if the end of month September storage level for New Melones Reservoir is projected to be equal to or below 300,000 acre-feet, but in such event the impounded and stored water shall be retained in the New Melones Reservoir for use by the districts in the following year, subject to the same 300,000 acre-foot minimum storage requirement, and without additional payment being required.

SEC. 114. PILOT PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN THE STANISLAUS RIVER.

(a) **ESTABLISHMENT OF NON-NATIVE PREDATOR FISH REMOVAL PROGRAM.**—The Commissioner and districts, in consultation with the National Marine Fisheries Service, the United States Fish and Wildlife Service, and the California Department of Fish and Wildlife, shall jointly develop and conduct a pilot non-native predator fish removal program to remove non-native striped bass, smallmouth bass, largemouth bass, black bass, and other non-native predator fishes from the Stanislaus River. The pilot program shall—

(1) be scientifically based;

(2) include methods to quantify the number and size of predator fishes removed each year, the impact of such removal on the overall abundance of predator fishes, and the impact of such removal on the populations of juvenile anadromous fish found in the Stanislaus River by, among other things, evaluating the number of juvenile anadromous fish that migrate past the rotary screw trap located at Caswell;

(3) use wire fyke trapping, portable resistance board weirs, and boat electrofishing, which are

the most effective predator collection techniques that minimize affects to native anadromous fish;

(4) be developed, including the application for all necessary scientific research and species enhancement permits under section 10(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)(1)), for the performance of the pilot program, not later than 6 months after the date of the enactment of this Act;

(5) be implemented on the first business day of the calendar year following the issuance of all necessary scientific research and species enhancement permits needed to begin the pilot program; and

(6) be implemented for a period of seven consecutive calendar years.

(b) **MANAGEMENT.**—The management of the pilot program shall be the joint responsibility of the Commissioner and the districts. Such parties shall work collaboratively to insure the performance of the pilot program, and shall discuss and agree upon, among other things, changes in the structure, management, personnel, techniques, strategy, data collection, reporting and conduct of the pilot program.

(c) **CONDUCT.**—

(1) **IN GENERAL.**—At the election of the districts, the pilot program may be conducted by their own personnel, qualified private contractors hired by the districts, personnel of, on loan to, or otherwise assigned to the Bureau of Reclamation, or a combination thereof.

(2) **PARTICIPATION BY THE BUREAU OF RECLAMATION.**—In the event the districts elect to conduct the program using their own personnel or qualified private contractors hired by them, the Commissioner has the option to assign an employee of, on loan to, or otherwise assigned to the Bureau of Reclamation, to be present for all activities performed in the field. Such presence shall insure compliance with the agreed upon elements specified in subsection (b). The districts shall pay 100 percent of the cost of such participation as specified in subsection (d).

(3) **TIMING OF ELECTION.**—The districts shall notify the Commissioner of their election on or before October 15 of each calendar year of the pilot program, which election shall apply to the work performed in the subsequent calendar year.

(d) **FUNDING.**—

(1) **ANNUAL FUNDING.**—The districts shall be responsible for 100 percent of the cost of the pilot program. On or before December 1 of each year of the pilot program, the Commissioner shall submit to the districts an estimate of the cost to be incurred by the Bureau of Reclamation in the following calendar year, if any, including the cost of any data collection and posting under subsection (e). If an amount equal to the estimate is not provided to the reclamation fund identified in section 3 of the Act of February 21, 1911 (43 U.S.C. 525), or any other fund as directed by the Commissioner, by the districts on or before December 31 of each year, (a) the Bureau of Reclamation shall have no obligation to conduct the pilot program activities otherwise scheduled, and (b) the districts shall be prohibited from conducting any aspect of the pilot program, until full payment is made by the districts.

(2) **ACCOUNTING.**—On or before September 1 of each calendar year, the Commissioner shall provide an accounting of the prior calendar year's expenses to the districts. If the estimate paid by the districts was less than the actual costs incurred by the Bureau of Reclamation, the districts shall have until September 30 of that calendar year to pay the difference to the reclamation fund. If the estimate paid by the districts was greater than the actual costs incurred by the Bureau of Reclamation, then a credit shall be provided to the districts, which shall be deducted from the estimate payment the districts must make for the work performed by the Bureau of Reclamation, if any, in the next calendar year.

(e) **REPORTING AND EVALUATION.**—

(1) **IN GENERAL.**—On or before the 15th day of each month, the Commissioner shall post on the website of the Bureau of Reclamation a tabular summary of the raw data collected in the prior month. (2) **REPORT.**

(2) **REPORT.**—On or before June 30 of the calendar year following the completion of the program, the Commissioner and districts shall jointly publish a peer reviewed report that—

(A) discusses the findings and conclusions of the pilot program;

(B) synthesizes the data collected under paragraph (1); and

(C) makes recommendations for further study and action.

(f) **PERMITS PROCESS.**—

(1) Not later than 180 days after filing of an application by the Commissioner and the districts, the Secretary of the Interior, the Secretary of Commerce, or both, as appropriate, shall issue all necessary scientific research and species enhancement permits under section 10(a)(1) of the Endangered Species Act (16 U.S.C. 1539(a)(1)), for the performance of the pilot program.

(2) Any permit application that is not approved by the Secretary of the Interior, Secretary of Commerce, or both, as appropriate, for any reason, within 180 days after receiving the application, shall be deemed approved.

(3) All permits issued shall be in the name of the Bureau of Reclamation and the districts.

(4) Districts may delegate the authority to administer the permit authority to any qualified private contractor retained in accordance with subsection (c).

(5) The pilot program, including amendments thereto by the appropriate Federal and State agencies, shall constitute a conservation plan that complies with the requirements of section 10(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)(2)).

(g) **NEPA.**—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to section 402 and the issuance of any permit under this subsection during the seven year period beginning on the date of the implementation of the pilot program.

(h) **RESTRICTIONS.**—Any restriction imposed under California law on the catch, take, or harvest of any non-native or introduced aquatic or terrestrial species that preys upon anadromous fish and that occupies or is found in the Stanislaus River is hereby void and is preempted.

(i) **DEFINITIONS.**— For the purposes of this section:

(1) **ANADROMOUS FISH.**—

(A) The term “anadromous fish” as applied to the Stanislaus River and the operation of New Melones—

(i) means those native stocks of salmon (including steelhead) that—

(I) as of October 30, 1992 were present in and had not been extirpated from the Stanislaus River, and

(II) which ascend the Stanislaus River to reproduce after maturing in San Francisco Bay or the Pacific Ocean; and

(ii) does not mean any stock, strain or member of American shad, sockeye salmon, or striped bass.

(B) The definition of anadromous fish provided in section 3403(a) of the Central Valley Project Improvement Act (Public Law 102-575) shall not apply to the operation of New Melones Dam and Reservoir, or to any Federal action in the Stanislaus River.

(2) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of the Bureau of Reclamation.

(3) **DISTRICTS.**—The term “districts” means the Oakdale Irrigation District and the South San Joaquin Irrigation District.

(4) **PILOT PROGRAM.**—The term “program” means the pilot non-native predator removal program established under this section.

(j) **SUNSET.**—The authorities provided under this section shall expire seven years after the implementation of the pilot program.

SEC. 115. SAN LUIS RESERVOIR.

In connection with operations of the Central Valley Project, California, if San Luis Reservoir does not fill by the last day of February, the Secretary of the Interior shall permit any entity with an agricultural water service or repayment contract for the delivery of water from the Delta Division or the San Luis Unit to reschedule into the immediately following contract year (March 1 through the last day of February) any unused Central Valley Project water previously allocated for irrigation purposes. If water remaining in federal storage in San Luis Reservoir on the last day of February is insufficient to meet all rescheduling requests, the Secretary shall apportion, based on contract quantity, among all such contractors that request to reschedule water all water remaining in San Luis Reservoir on the last day of February. The Secretary shall thereafter make all reasonable efforts to make available additional rescheduled water; provided that such efforts shall not interfere with the Central Valley Project operations in the contract year into which Central Valley Project has been rescheduled.

TITLE II—SAN JOAQUIN RIVER RESTORATION

SEC. 201. REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.

As of the date of enactment of this title, the Secretary shall cease any action to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658 LKK/GGH).

SEC. 202. PURPOSE.

Section 10002 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended by striking “implementation of the Settlement” and inserting “restoration of the San Joaquin River”.

SEC. 203. DEFINITIONS.

Section 10003 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) The term ‘Restoration Flows’ means the additional water released or bypassed from Friant Dam to insure that the target flow entering Mendota Pool, located approximately 62 river miles downstream from Friant Dam, does not fall below 50 cubic feet per second.”;

(2) by striking paragraph (3) and inserting the following:

“(3) The term ‘Water Year’ means March 1 through the last day of February of the following Calendar Year, both dates inclusive.”; and

(3) by adding at the end the following new paragraph:

“(4) The term ‘Critical Water Year’ means when the total unimpaired runoff at Friant Dam is less than 400,000 acre-feet, as forecasted as of March 1 of that water year by the California Department of Water Resources.”.

SEC. 204. IMPLEMENTATION OF RESTORATION.

Section 10004 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “authorized and directed” and all that follows through “in the Settlement:” and inserting “authorized to carry out the following:”;

(B) by striking paragraphs (1), (2), (4), and (5);

(C) in paragraph (3)—

(i) by striking “(3)” and inserting “(1)”; and

(ii) by striking “paragraph 13 of the Settlement” and inserting “this part”; and

(D) by adding at the end the following new paragraphs:

“(2) In each Water Year, commencing in the Water Year starting on March 1, 2015—

“(A) shall modify Friant Dam operations so as to release the Restoration Flows for that Water Year, except in any Critical Water Year;

“(B) shall ensure that the release of Restoration Flows are maintained at the level prescribed by this part, but that Restoration Flows do not reach downstream of Mendota Pool;

“(C) shall release the Restoration Flows in a manner that improves the fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford in existence as of the date of the enactment of this part, and the associated riparian habitat; and

“(D) may, without limiting the actions required under paragraphs (A) and (C) and subject to subsections 10004(a)(3) and 10004(l), use the Restoration Flows to enhance or restore a warm water fishery downstream of Gravelly Ford to and including Mendota Pool, if the Secretary determines that it is reasonable, prudent, and feasible to do so; and

“(3) Not later than 1 year after the date of the enactment of this section, the Secretary shall develop and implement, in cooperation with the State of California, a reasonable plan, to fully recirculate, recapture, reuse, exchange, or transfer all Restoration Flows and provide such recirculated, recaptured, reused, exchanged, or transferred flows to those contractors within the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project that relinquished the Restoration Flows so recirculated, recaptured, reused, exchanged, or transferred. Such a plan shall address any impact on ground water resources within the service area of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project and mitigation may include ground water banking and recharge projects. Such a plan shall not impact the water supply or water rights of any entity outside the Friant Division, Hidden unit, and Buchanan Unit of the Central Valley Project. Such a plan shall be subject to applicable provisions of California water law and the Secretary’s use of Central Valley Project facilities to make Project water (other than water released from Friant Dam pursuant to this part) and water acquired through transfers available to existing south-of-Delta Central Valley Project contractors.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(3) in subsection (c), by striking “the Settlement” and inserting “this part”;

(4) by striking subsection (d) and inserting the following:

“(d) MITIGATION OF IMPACTS.—Prior to October 1, 2015, the Secretary shall identify—

“(1) the impacts associated with the release of Restoration Flows prescribed in this part;

“(2) the measures which shall be implemented to mitigate impacts on adjacent and downstream water users, landowners and agencies as a result of Restoration Flows prescribed in this part; and

“(3) prior to the implementation of decisions or agreements to construct, improve, operate, or maintain facilities that the Secretary determines are needed to implement this part, the Secretary shall implement all mitigations measures identified in subsection (d)(2) before Restoration Flows are commenced.”;

(5) in subsection (e), by striking “the Settlement” and inserting “this part”;

(6) in subsection (f), by striking “the Settlement” and all that follows through “section 10011” and insert “this part”;

(7) in subsection (g)—

(A) by striking “the Settlement and” before this part; and

(B) by striking “or exchange contract” and inserting “exchange contract, or water rights settlement or holding contracts”;

(8) in subsection (h)—

(A) by striking “INTERIM” in the header;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Interim Flows under the Settlement” and inserting “Restoration Flows under this part”;

(ii) in subparagraph (C)—

(I) in clause (i), by striking “Interim” and inserting “Restoration”; and

(II) in clause (ii), by inserting “and” after the semicolon;

(iii) in subparagraph (D), by striking “and” at the end; and

(iv) by striking subparagraph (E);

(C) in paragraph (2)—

(i) by striking “Interim” and inserting “Restoration”;

(ii) by striking subparagraph (A); and

(iii) by striking “(B) exceed” and inserting “exceed”;

(D) in paragraph (3), by striking “Interim” and inserting “Restoration”; and

(E) by striking paragraph (4) and inserting the following:

“(4) CLAIMS.—Within 60 days of enactment of this Act the Secretary shall promulgate a rule establishing a claims process to address current and future claims including, but not limited to, ground water seepage, flooding, or levee instability damages caused as a result of, arising out of, or related to implementation of subtitle A of title X of Public Law 111–11.”;

(9) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement and parts I and III” and inserting “this part”;

(ii) in subparagraph (A), by inserting “and” after the semicolon;

(iii) in subparagraph (B)—

(I) by striking “additional amounts authorized to be appropriated, including the”; and

(II) by striking “; and” and inserting a period; and

(iv) by striking subparagraph (C); and

(B) by striking paragraph (3); and

(10) by adding at the end the following new subsections:

“(k) NO IMPACTS ON OTHER INTERESTS.—No Central Valley Project or other water other than San Joaquin River water impounded by or bypassed from Friant Dam shall be used to implement subsection (a)(2) unless such use is on a voluntary basis. No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such costs are incurred on a voluntary basis. The implementation of this part shall not result directly or indirectly in any reduction in water supplies or water reliability on any Central Valley Project contractor, any State Water Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such reductions or costs are incurred on a voluntary basis.

“(l) PRIORITY.—All actions taken under this part shall be subordinate to the Secretary’s use of Central Valley Project facilities to make Project water available to Project contractors, other than water released from the Friant Dam pursuant to this part.

“(m) IN GENERAL.—Notwithstanding section 8 of the Reclamation Act of 1902, except as provided in this part, including title IV of the Sacramento and San Joaquin Valleys Water Reliability Act, this part preempts and supersedes any State law, regulation, or requirement that imposes more restrictive requirements or regulations on the activities authorized under this part. Nothing in this part shall alter or modify the obligations, if any, of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project, or other water users on the San Joaquin River or its tributaries, under orders

issued by the State Water Resources Control Board pursuant to the Porter-Cologne Water Quality Control Act (California Water Code sections 13000 et seq.). Any such order shall be consistent with the congressional authorization for any affected Federal facility as it pertains to the Central Valley Project.

“(n) PROJECT IMPLEMENTATION.—Projects to implement this title shall be phased such that each project shall follow the sequencing identified below and include at least the—

“(1) project purpose and need;

“(2) identification of mitigation measures;

“(3) appropriate environmental review; and

“(4) prior to releasing Restoration Flows under this part, the Secretary shall—

“(A) complete the implementation of mitigation measures required; and

“(B) complete implementation of the project.”.

SEC. 205. DISPOSAL OF PROPERTY; TITLE TO FACILITIES.

Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a), by striking “the Settlement authorized by this part” and inserting “this part”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”; and

(ii) by striking “the Settlement authorized by this part” and inserting “this part”; and

(B) by striking paragraph (2); and

(3) in subsection (c)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2)—

(i) by striking “through the exercise of its eminent domain authority”; and

(ii) by striking “the Settlement” and inserting “this part”; and

(C) in paragraph (3), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 206. COMPLIANCE WITH APPLICABLE LAW.

Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “unless otherwise provided by this part” before the period at the end; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(2) in subsection (b), by inserting “, unless otherwise provided by this part” before the period at the end;

(3) in subsection (c)—

(A) in paragraph (2), by striking “section 10004” and inserting “this part”; and

(B) in paragraph (3), by striking “the Settlement” and inserting “this part”; and

(4) in subsection (d)—

(A) by inserting “, including without limitation to sections 10004(d) and 10004(h)(4) of this part,” after “implementing this part”; and

(B) by striking “for implementation of the Settlement”.

SEC. 207. COMPLIANCE WITH CENTRAL VALLEY PROJECT IMPROVEMENT ACT.

Section 10007 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the matter preceding paragraph (1),

(A) by striking “the Settlement” and inserting “enactment of this part”; and

(B) by inserting: “and the obligations of the Secretary and all other parties to protect and keep in good condition any fish that may be planted or exist below Friant Dam including any obligations under section 5937 of the California Fish and Game Code and the public trust doctrine, and those of the Secretary and all other parties under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)” before “, provided”; and

(2) in paragraph (1), by striking “, as provided in the Settlement”.

SEC. 208. NO PRIVATE RIGHT OF ACTION.

Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) by striking “not a party to the Settlement” after “person or entity”; and

(2) by striking “or the Settlement” before the period and inserting “unless otherwise provided by this part. Any Central Valley Project long-term water service or repayment contractor within the Friant Division, Hidden unit, or Buchanan Unit adversely affected by the Secretary’s failure to comply with section 10004(a)(3) of this part may bring an action against the Secretary for injunctive relief or damages, or both.”.

SEC. 209. IMPLEMENTATION.

Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in the header by striking “; SETTLEMENT FUND”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “the Settlement” the first place it appears and inserting “this part”;

(ii) by striking “, estimated to total” and all that follows through “subsection (b)(1),”;

(iii) by striking “provided however,” and all that follows through “\$110,000,000 of State funds”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “(A) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking subparagraph (B); and

(C) in paragraph (3)—

(i) by striking “Except as provided in the Settlement, to” and inserting “To”; and

(ii) by striking “this Settlement” and inserting “this part”;

(3) in subsection (b)(1)—

(A) by striking “In addition” through “however, that the” and inserting “The”;

(B) by striking “such additional appropriations only in amounts equal to”; and

(C) by striking “or the Settlement” before the period;

(4) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement” and inserting “this part”;

(ii) in subparagraph (C), by striking “from the sale of water pursuant to the Settlement, or”; and

(iii) in subparagraph (D), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2), by striking “the Settlement and” before “this part”; and

(5) by striking subsections (d) through (f).

SEC. 210. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

Section 10010 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(D), by striking “the Settlement and” before “this part”; and

(B) in paragraph (4)(C), by striking “the Settlement and” before “this part”;

(2) in subsection (c), by striking paragraph (3);

(3) in subsection (d)(1), by striking “the Settlement” in both places it appears and inserting “this part”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “Interim Flows or Restoration Flows, pursuant to paragraphs 13 or 15 of the Settlement” and inserting “Restoration Flows, pursuant to this part”;

(ii) by striking “Interim Flows or” before “Restoration Flows”; and

(iii) by striking “the Interim Flows or Restoration Flows or is intended to otherwise facilitate

the Water Management Goal, as described in the Settlement” and inserting “Restoration Flows”; and

(B) in paragraph (2)—

(i) by striking “except as provided in paragraph 16(b) of the Settlement” after “Friant Division long-term contractor”; and

(ii) by striking “the Interim Flows or Restoration Flows or to facilitate the Water Management Goal” and inserting “Restoration Flows”.

SEC. 211. REPEAL.

Section 10011 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is repealed.

SEC. 212. WATER SUPPLY MITIGATION.

Section 10202(b) of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in paragraph (1), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(2) in paragraph (2), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “meet the Restoration Goal as described in part I of this subtitle” and inserting “recover Restoration Flows as described in this part”;

(B) in subparagraph (C)—

(i) by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(ii) by striking “, and for ensuring appropriate adjustment in the recovered water account pursuant to section 10004(a)(5)”.

SEC. 213. ADDITIONAL AUTHORITIES.

Section 10203 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (b)—

(A) by striking “section 10004(a)(4)” and inserting “section 10004(a)(3)”;

(B) by striking “, provided” and all that follows through “section 10009(f)(2)”;

(2) by striking subsection (c).

TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS**SEC. 301. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.**

(a) CONVERSION OF CONTRACTS.—

(1) Not later than 1 year after enactment, the Secretary of the Interior, upon request of the contractor, shall convert all existing long-term Central Valley Project contracts entered under subsection (e) of section 9 of the Act of August 4, 1939 (53 Stat. 1196), to a contract under subsection (d) of section 9 of said Act (53 Stat. 1195), under mutually agreeable terms and conditions.

(2) Upon request of the contractor, the Secretary is further authorized to convert, not later than 1 year after enactment, any Central Valley Project long-term contract entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to a contract under subsection (c)(1) of section 9 of said Act, under mutually agreeable terms and conditions.

(3) All contracts entered into pursuant to paragraph (1) shall—

(A) require the repayment, either in lump sum or by accelerated prepayment, of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Irrigation Capital Allocations by Contractor, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2015, or if made in approximately equal annual installments, no later than January 31, 2018; such amount to be discounted by the Treasury Rate.

An estimate of the remaining amount of construction costs as of January 31, 2015, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment;

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the converted contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law, provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context; and

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract.

(4) All contracts entered into pursuant to paragraph (2) shall—

(A) require the repayment in lump sum of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Municipal and Industrial Water Rates, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2018. An estimate of the remaining amount of construction costs as of January 31, 2018, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment; and

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law, provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context.

(b) FINAL ADJUSTMENT.—The amounts paid pursuant to subsection (a) shall be subject to adjustment following a final cost allocation by the Secretary of the Interior upon completion of the construction of the Central Valley Project. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be no less than 1 year and no more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary of the Interior is authorized and directed to credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) APPLICABILITY OF CERTAIN PROVISIONS.—

(1) Notwithstanding any repayment obligation under subsection (a)(3)(B) or subsection (b), upon a contractor’s compliance with and discharge of the obligation of repayment of the construction costs as provided in subsection (a)(3)(A), the ownership and full-cost pricing limitations of any provision of Federal reclamation law shall not apply to lands in such district.

(2) Notwithstanding any repayment obligation under paragraph (3)(B) or paragraph (4)(B) of

subsection (a), or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in paragraphs (3)(A) and (4)(A) of subsection (a), such contractor shall continue to pay applicable operation and maintenance costs and other charges applicable to such repayment contracts pursuant to the then-current rate-setting policy and applicable law.

(d) **CERTAIN REPAYMENT OBLIGATIONS NOT ALTERED.**—Implementation of the provisions of this section shall not alter the repayment obligation of any other long-term water service or repayment contractor receiving water from the Central Valley Project, or shift any costs that would otherwise have been properly assignable to any contractors absent this section, including operations and maintenance costs, construction costs, or other capitalized costs incurred after the date of enactment of this Act, to other such contractors.

(e) **STATUTORY INTERPRETATION.**—Nothing in this part shall be construed to affect the right of any long-term contractor to use a particular type of financing to make the payments required in paragraph (3)(A) or paragraph (4)(A) of subsection (a).

(f) **DEFINITION OF TREASURY RATE.**—For purposes of this section, “Treasury Rate” shall be defined as the 20-year Constant Maturity Treasury rate published by the United States Department of the Treasury as of October 1, 2014.

TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION

SEC. 401. WATER RIGHTS AND AREA-OF-ORIGIN PROTECTIONS.

Notwithstanding the provisions of this Act, Federal reclamation law, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)—

(1) the Secretary of the Interior (“Secretary”) is directed, in the operation of the Central Valley Project, to strictly adhere to State water rights law governing water rights priorities by honoring water rights senior to those belonging to the Central Valley Project, regardless of the source of priority;

(2) the Secretary is directed, in the operation of the Central Valley Project, to strictly adhere to and honor water rights and other priorities that are obtained or exist pursuant to the provisions of California Water Code sections 10505, 10505.5, 11128, 11460, and 11463; and sections 12200 to 12220, inclusive; and

(3) any action that affects the diversion of water or involves the release of water from any Central Valley Project water storage facility taken by the Secretary or the Secretary of the Department of Commerce to conserve, enhance, recover, or otherwise protect any species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be applied in a manner that is consistent with water right priorities established by State law.

SEC. 402. SACRAMENTO RIVER SETTLEMENT CONTRACTS.

In the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), in the Bay-Delta and on the Sacramento River, the Secretary and the Secretary of Commerce are directed to apply any limitations on the operation of the Central Valley Project or to formulate any “reasonable prudent alternative” associated with the operation of the Central Valley Project in a manner that strictly adheres to and applies the water rights priorities for “Project Water” and “Base Supply” provided for in the Sacramento River Settlement Contracts. Article 3(i) of the Sacramento River Settlement Contracts shall not be utilized by the United States as means to provide shortages to the Sacramento River Settlement Contracts that are different than those provided for in Article 5(a) of those contracts.

SEC. 403. SACRAMENTO RIVER WATERSHED WATER SERVICE CONTRACTORS.

(a) **IN GENERAL.**—Subject to subsection (b) and the absolute priority of the Sacramento

River Settlement Contractors to Sacramento River supplies over Central Valley Project diversions and deliveries to other contractors, the Secretary is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(1) Not less than 100% of their contract quantities in a “Wet” year.

(2) Not less than 100% of their contract quantities in an “Above Normal” year.

(3) Not less than 100% of their contract quantities in a “Below Normal” year.

(4) Not less than 75% of their contract quantities in a “Dry” year.

(5) Not less than 50% of their contract quantities in a “Critically Dry” year.

(b) **PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.**—Nothing in subsection (a) shall be deemed to (i) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary, (ii) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies, (iii) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies, or (iv) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies. Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern or affect, directly or indirectly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or its facilities.

(c) **DEFINITIONS.**—In this section:

(1) The term “existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed” means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40–30–30) Index.

SEC. 404. NO REDIRECTED ADVERSE IMPACTS.

The Secretary shall insure that there are no redirected adverse water supply or fiscal impacts to those within the Sacramento River or San Joaquin River watershed or to the State Water Project arising from the Secretary's operation of the Central Valley Project to meet legal obligations imposed by or through any State or Federal agency, including, but not limited to those legal obligations emanating from the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or this Act, or actions or activities implemented to meet the twin goals of improving water supply or addressing environmental needs of the Bay Delta.

TITLE V—MISCELLANEOUS

SEC. 501. PRECEDENT.

Congress finds and declares that—

(1) coordinated operations between the Central Valley Project and the State Water Project, previously requested and consented to by the State of California and the Federal Government, require assertion of Federal supremacy to protect existing water rights throughout the system; and

(2) these circumstances are unique to California.

Therefore, nothing in this Act shall serve as precedent in any other State.

SEC. 502. NO EFFECT ON PROCLAMATION OF STATE OF EMERGENCY.

Nothing in this Act shall affect in any way the Proclamation of State of Emergency and associated Executive Order issued by Governor Edmund G. Brown, Jr. on January 17, 2014, or the authorities granted thereby, including without

limitation the authority of the California State Water Resources Control Board to modify any standards or operational constraints adopted to implement the “Principles for on the Bay-Delta Standards Between the State of California and the Federal Government”, dated December 15, 1994, so as to make additional irrigation and municipal and industrial water supplies available in the Central Valley Project and State Water Project service areas during the state of emergency.

SEC. 503. WILD AND SCENIC RIVERS ACT.

(a) **WILD AND SCENIC RIVERS ACT.**—Section 3(a)(62)(B)(i) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(62)(B)(i)) is amended—

(1) by striking “the normal maximum” the first place that it appears and all that follows through “April, 1990.” and inserting the following: “the boundary of FERC Project No. 2179 as it existed on February 15, 2013, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River, consisting of approximately 7.4 miles.”; and

(2) by striking “the normal maximum operating pool water surface level of Lake McClure” the second place that it appears and inserting “the boundary of FERC Project No. 2179 as it existed on February 15, 2013, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River”.

(b) **EXCHEQUER PROJECT.**—Section 3 of Public Law 102–432 is amended by striking “Act” and all that follows through the period and inserting “Act.”.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113–340. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS.

NAPOLITANO

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113–340.

Mrs. NAPOLITANO. Mr. Chairman, I have an amendment made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 24, after the first period, insert the following: “Charges for all delivered water shall include interest, as determined by the Secretary of the Treasury, on the basis of average market yields on outstanding marketable obligations of the United States with the remaining periods of maturity comparable to the applicable reimbursement period of the project, adjusted to the nearest 1/8 of 1 percent on the underpaid balance of the allocable project cost.”.

The CHAIR. Pursuant to House Resolution 472, the gentlewoman from California (Mrs. NAPOLITANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Chairman, my amendment to H.R. 3964 is very, very simple. It is an inconvenient

truth, however, that it creates a revenue stream to the Treasury by eliminating an irrigation subsidy which requires irrigators to pay project debt with interest—in other words, ending free taxpayer subsidy since 1902, which has been in place since reclamation was created. It requires that any new water contracts or renewed contracts must reflect the price of water with interest and repay the debt of the project to only the Treasury with interest. This will be of small assistance to balancing our national debt.

When reclamation was established in 1902, it was meant to deliver water to farms with approximately 160 acres. Subsequent congressional action has changed the acreage limitation along with the repayment contract for these projects. So, in 1982, acreage was increased to 960 acres. Congressional action has also made the repayment of project debt interest free for irrigators while municipalities, like my constituents—my water people—and power users pay the required appropriate interest. I wish other State water users were as lucky as these folks.

H.R. 3964 removes the role of the Federal Government in protecting environment and public good. That is not good. If we are removing the role of the Federal Government, then we should also remove the Federal subsidy associated with renewed or new water contracts.

My constituents and anybody else's must fairly and equally repay additional interest on any project, and they have. For over a decade, southern California foresaw needed infrastructure, and many local entities stepped up to the plate and provided some relief. We paid for and constructed new storage facilities, like the Diamond Valley Lake Reservoir, entirely paid for by local groups and without one Federal cent, adding 1 million acres of new storage. This is on top of the investments we have made in title XVI—recycled water, which has only a 25 percent Federal match—which created 680,000 acre-feet in California alone.

Let's end this interest-free subsidy at our taxpayers' expense, at all of America's taxpayers' expense. Eliminating this unfair subsidy will help to cut our deficit, and I urge all of my colleagues to vote "yes" on this amendment.

With regard to a statement that was just made on the Bay Delta, it seems that Secretary Babbitt and the Secretary of Natural Resources were the ones who actually passed the Bay Delta Accord, and 3 years were spent by Mr. GARAMENDI in trying to implement this.

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

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

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

Mr. McCLINTOCK. Mr. Chairman, this amendment was rejected on a bipartisan vote of 174-250 when the gen-

tle lady introduced it in 2012, and it deserves a similar fate on the floor today. Let's be clear about what it does.

It singles out Central Valley Project participants who pay their Federal loans off early to a punitive surtax that is imposed on no other Bureau of Reclamation project in the United States. Their surtaxes will be passed on to consumers through higher prices. Now, the Central Valley Project was already singled out for a punitive tax—about \$50 million annually—by Congress in 1992 to fund an array of environmental slush funds.

I believe that beneficiaries should pay the cost of water projects but that they should pay only the costs of those projects and no more. These are not cash cows for the Federal Government to milk until they are dry. When the left speaks of corporate farms, they leave out the fact that virtually every family farm is incorporated, and that is who we would be singling out for this special tax. That tax is then paid in only one of two ways: by employees through lower wages or by consumers through higher prices.

I have a modest suggestion. Perhaps we should start putting people back to work rather than running them out of business.

I have often criticized the gentle lady and her colleagues for policies that have created the conditions that indirectly send water prices through the roof, but this proposal does so quite directly and dramatically. I think that is why so many of her colleagues on the Democratic side abandoned her 2 years ago and why they would be well advised to do so again.

I reserve the balance of my time.

Mrs. NAPOLITANO. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentlewoman from California has 2 minutes remaining.

Mrs. NAPOLITANO. Mr. Chairman, we can go on debating the issue, but everybody who takes a loan has to pay interest, and I don't see any reason why since 1902 our irrigators have been singled out for not having to pay that while the power marketing agencies and other water agencies do have to ante up that interest. They do pass it on to the consumer, but the consumer understands why.

We need to be transparent on the issue and be able to let people know really what we are paying for. Yes, we have the lowest priced crops in California, but we must be able to ensure that we let the rest of the Nation know why we need to move forward. The Central Valley Project, the CVP, was \$1.78 billion. Only \$236 million has been repaid, and \$1.45 billion has not been repaid.

Mr. Chairman, I think this is an amendment that is in order so as to begin trying to help balance our budget. We hope that we will get our colleagues to understand that all of us have to hurt a little bit, and I don't see why this does not have the merit that it should, so I urge a "yes" vote.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, it ought to be obvious to everyone that, once you have paid off a loan, you don't keep paying interest on that loan. Why? Because you have already paid it off. That is what every project managed by the Bureau of Reclamation does. When they are given permission to prepay the loan—to pay off the loan just the way you would pay off your home loan early—they no longer are charged interest for it.

The gentle lady would single out the Central Valley—and the Central Valley alone—for this punitive surtax. I have often wondered why the policy seemed to be aimed at the Central Valley. I don't know what it is that my friends in the opposition have against the thousands of farmworkers whose livelihoods depend upon farming in that region, but they have been waging war on that hapless and helpless group for far too long. This is another example of singling them out for a special punitive tax paid by no one else in all of the Bureau of Reclamation experience.

With that, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MS. MATSUI

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 113-340.

Ms. MATSUI. 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:

Page 18, line 24, strike "shall be" and all that follows through the first period on page 19, line 2, and insert the following: "shall not be suspended, but rather shall continue to be the responsibility of south of Delta CVP contractors."

The Acting CHAIR. Pursuant to House Resolution 472, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

I rise to offer an amendment to H.R. 3964 that would preserve senior water right holders in northern California. This bill grossly oversimplifies the issue of California water, and it tries to solve the problem by causing more harm to California's water system than good.

As I mentioned during our debates about California water, we should not

jeopardize the health of one part of the State for another. In northern California, we have balanced our watershed between the urban areas, agriculture, the environment. We have been good stewards and care deeply about how our watershed is preserved and grows.

This legislation would take the problems of one part of the State and export them to the other. We cannot have a lasting solution to our water problems until we work on a comprehensive solution that includes all of the stakeholders. Specifically, this bill attempts to dissolve the responsibility for 800,000 acre-feet of water for the delta environment. That doesn't solve California's water problems. It only exacerbates them.

We all know that the Sacramento-San Joaquin Delta needs to be restored, not driven into further decline. The delta is a hub of California's water system. California needs it to be healthy. My amendment to H.R. 3964 seeks to amend the language regarding the elimination of water for the delta environment. The amendment also preserves senior water rights in northern California.

The underlying legislation only creates discord at a time when we need alliances. We can and must do better for California as a whole. I urge my colleagues to support this amendment.

I reserve the balance of my time.

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

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

Mr. McCLINTOCK. Mr. Chairman, this amendment, more than any other, focuses on the central issue surrounding this bill: What comes first—families or fish?

In 1992, the Central Valley Project Improvement Act carved out 800,000 acre-feet to be dedicated for fish and wildlife purposes. That water came out of the allocations for the Central Valley that all sides had agreed to. At the time, it was promised that the water would be replaced. That promise is unfulfilled to this day.

Worse, the Federal Government began treating this allotment as a floor rather than as a ceiling. In the mid-1990s, a zealous official in the Department of the Interior preempted State water rights and ordered that more than 1 million acre-feet of water appropriated by the Central Valley Project be used for purposes not authorized under water rights permits issued by the State of California.

This bill reestablished the 800,000 acre-foot allotment agreed to by all sides when Interior Secretary Bruce Babbitt promised: "A deal is a deal, and if it turns out there is a need for additional water, it will come at the expense of the Federal Government." This provision redeems the promise that was broken by Mr. Babbitt's deputy, and the provision that the gentleman is offering would have us delete that provision.

I might add that, also under this bill, the 800,000 acre-feet can be recycled by communities once it has met its environmental purpose rather than being lost to the ocean. To those who tell us they like recycling, this is the ultimate recycling bill. I might also point out that an amendment that had a very similar effect 2 years ago was rejected on a bipartisan vote of 178-247 in this House. I would recommend that we do so again today.

With that, I reserve the balance of my time.

Ms. MATSUI. Mr. Chairman, my friend on the other side is trying to distract the public on what their bill actually does.

H.R. 3964 would not provide any relief from the real drought, but it would instead permanently reallocate water for one interest.

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Mr. Chairman, the 1992 Central Valley Project Improvement Act designated 800,000 acre-feet of water for environmental purposes. This water is important. It is used to balance our water needs between urban, agricultural, and environment.

This so-called "b2" water was dedicated to help stem the rapid decline of the delta ecosystem. H.R. 3964 repeals the "b2" water allocation in the CVPIA unless 800,000 acre-feet of additional capacity is found by 2018. Who is going to make up the 800,000 acre-feet by 2018?

As written, the bill would relieve the south delta CVP users of any responsibility for the environmental water. Instead, it would attempt to shift the responsibilities to northern California, putting into jeopardy senior water rights holders in northern California.

Mr. Chairman, my district, the city of Sacramento, and Sacramento County wrote letters stating what we all know. This is a backdoor attempt to undermine longstanding California water rights and let one interest jump to the head of the line.

In short, this bill is another blatant water grab from northern California.

Mr. Chairman, my amendment will protect senior water rights holders in northern California and assure we are all in this together in California. We should not pit one against another.

Again, this bill will not help alleviate the drought. Even if we pumped as much water south as possible, Central Valley farmers still wouldn't have enough. That is because a lack of pumping is not the problem. The problem is a lack of rain and snow. There is no more water to pump.

Northern California is in severe drought. This bill does not solve California's drought. It only further divides our State.

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

Mr. McCLINTOCK. Mr. Chairman, I yield 2 minutes to my distinguished colleague from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in opposition to this amendment and in strong support of H.R. 3964.

Final passage of this bill, as we come to the floor, is a defining vote. It is a vote by which the public will be able to determine just whose side we are on. Do we favor animals—even fish—above the well-being of people?

A clique of environmental extremists with lots of money and no common sense have fostered insane policies that are destroying one of the most vibrant and productive industries in California. These antihuman, pro-animal policies have resulted in the unemployment of tens of thousands of hardworking Americans who are struggling to make ends meet. Their lives and livelihood have been destroyed, all for the purpose of protecting a minnow that isn't even good enough to be baked.

Yes, by this vote, the public will be able to determine whether or not, at a time of drought and crushingly high unemployment, we will continue to dump hundreds of thousands of acre-feet of fresh water into the San Francisco Bay every year—enough water to grow 10 million tons of tomatoes, 200 million boxes of lettuce, or 20 million tons of grapes.

This is government regulation gone berserk. Instead of protecting us from environmental threats, people are being treated as expendable. The current policy is destructive not only to our farmers, who are probably affected the most, but it is increasing the cost of putting food on our families' tables.

All of this is being done for what? To protect the well-being of a fish.

Now we have an opportunity to reestablish our priorities. A vote against this bill is a vote for radical environmentalists' antihuman policies. A vote for this bill is a vote to reaffirm that we place a higher value on human beings and want to improve their condition.

Join me in opposing this amendment and supporting the bill.

Ms. MATSUI. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from California has 1¼ minutes remaining. The gentleman from California has 1 minute remaining.

Ms. MATSUI. Mr. Chairman, I will just say this. I grew up in the Central Valley. My father was a farmer. So I understand clearly the challenges the farming community has.

I am not an individual who dismisses the farming community. I lived on a farm. My father was a small farmer. My grandfather was a farmer. My uncle was a farmer. So I understand these challenges.

I also understand we are together in California, and we must work together, and we should be using this time to find real solutions to California's water issues, including the drought. Unfortunately, we seem to be playing partisan games.

My amendment would simply protect water rights in northern California. I

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

Mr. McCLINTOCK. Mr. Chairman, I yield 1 minute to my distinguished colleague from the Central Valley (Mr. VALADAO), the author of this measure.

Mr. VALADAO. Mr. Chairman, what we are asking for here is a little understanding of the situation we have got.

This graph here shows how much water was in storage at the end of 2013. There was quite a bit of water, but the allocation was this much.

What this amendment does is continue to waste all the water here that should have been used for families at their homes, because people need clean water to drink. They also need water to grow food. Farmers don't farm for fun, they farm for food, because people like to eat. It is a funny little concept we have got going on here. We cannot continue to waste water.

I have enjoyed seeing the pictures of all the dams and everybody referring to the drought as the only issue that we have got. We have got a waste of water. We have got to stop wasting that water. That is what our goal is, and that is why I oppose this amendment.

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

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. BERA OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 113-340.

Mr. BERA of California. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 504. PROTECTIONS FOR DELTA COUNTIES.

This Act and the amendments made by this Act shall not have a harmful effect on the quality, quantity, or safety of drinking water supplies for residents of the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

The Acting CHAIR. Pursuant to House Resolution 472, the gentleman from California (Mr. BERA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. BERA of California. Mr. Chairman, this amendment is simple. Supporters of this bill argue that it won't

negatively impact upstream users. My constituents are these upstream users.

My amendment protects upstream users, adding safeguards for the five California delta counties. It guarantees that this politically motivated water grab would not harm the quality, quantity, or safety of drinking water supplies for these residents.

California is in the middle of a crisis. We need real solutions, not political solutions. Last year was our driest year on record. The snowpack where the State gets over a third of its water is at record lows.

We all agree there is a problem. So let's sit down, Democrats and Republicans, and work to find solutions together, not pit one community against another. In the meantime, let's not sacrifice one community. This amendment ensures that.

I reserve the balance of my time.

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

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

Mr. McCLINTOCK. Mr. Chairman, like Tennyson's rotting mackerel in the moonlight, this amendment shines and stinks.

It states the obvious: the bill will not harm delta drinking water supplies. Well, of course it won't. After all, the delta counties are senior to the Central Valley in their water rights and so they have first call on that water. Under this bill, no agency of the State or Federal Government can take that right away.

Furthermore, under this bill, the delta counties can also reuse environmental water that otherwise would have been lost to the ocean, making this the ultimate water recycling bill.

This bill in no way affects the quality of drinking water in the delta or anywhere else. The proof of that is the fact that in the years following adoption of the Bay Delta Accord, which H.R. 3964 merely restores, never was it suggested by any water agency that drinking water or agricultural water was adversely affected in any way, shape, or form.

By placing this provision in the bill, it immediately opens it up to litigation that could tie it up in the courts for years. The mere allegation by a single litigant, no matter how outlandish, no matter how contorted, could stall these vitally needed reforms. It would also give this administration the ability to claim a right to nullify this law based on such a fiction.

A few years ago, when Central Valley water was being diverted for the delta smelt, I confronted the Secretary of the Interior in the Natural Resources Committee. I pointed out that with thousands of farmworkers unemployed, with a quarter-million acres of prime farmland destroyed, with food lines in the agricultural capital of the West, with unemployment in some of these communities reaching 45 percent, he had the authority to suspend the diver-

sions and restore that water to the Valley to stop this human tragedy. He acknowledged that he had that authority, but he wouldn't use it, he said, because doing so "would be like admitting failure."

The amendment before us would give the same administration the excuse to ignore reality and act on ideological whim.

When this amendment was offered 2 years ago, it was rejected on a bipartisan vote of 177-243 in this House.

I reserve the balance of my time.

Mr. BERA of California. Mr. Chairman, I yield 2 minutes to my colleague from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment.

California is facing a severe statewide drought. It is having devastating impacts on families all across our State. This bill will only make things worse for many. It will jeopardize the drinking water for millions of Californians.

In my district, families from Contra Costa and Solano Counties get their drinking water from the delta. This supply is already limited due to the extreme drought. This bill wants to pump that limited drinking water south. Doing this would flood the delta with seawater—and people can't drink seawater.

That is why this amendment is so important. It simply says that this bill shall not harm the delta's very limited drinking water supply.

I urge a "yes" vote on the amendment, and I thank the gentleman from Sacramento for bringing it to the floor.

Mr. BERA of California. Mr. Chairman, in closing, from my perspective, this is stating the obvious. Let's protect the water rights of the users in my community in northern California. This just codifies that. It just makes sure that when folks in the five delta counties turn on their taps, they can get clean water, quality water.

So if it is in the bill, there is no reason not to vote "yes" on this and codify it and make sure we are protecting those families in northern California.

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

Mr. McCLINTOCK. Mr. Chairman, I am pleased to yield 2¾ minutes to the distinguished gentleman from California (Mr. NUNES), who introduced the predecessor to this bill 2 years ago.

Mr. NUNES. I thank the gentleman from California for yielding.

Mr. Chairman, this amendment and the last amendment are about one thing. Let's not be fooled here. It is about sewer discharge from the communities in the delta that continue to dump their sewer water, runoff water, into the delta. They don't want to have to take responsibility for their actions.

So I hate to have to keep going back to this, but I am going to have to go back to it again.

You see a discharge there. Here are the communities all dumping sewage

into the delta. That is all both of these amendments are about. That is why you should vote against them.

What is interesting about this is you have heard a lot of talk about the fish. This is what the true believers really want to protect. They want to protect this fish right here called the delta smelt. This is what this is about. It is about the Endangered Species Act. It is about the biggest water grab in history and running people out of water to protect this little fish.

But they just don't want to protect that fish, oh, no. That is not good enough, Mr. Chairman. They want to dump their sewer water, protect the smelt, and protect the striped bass.

The striped bass is not native to the delta, but they want to protect it. Do you know why they want to protect it? Because they say that fishermen want to fish. But, conveniently, it is not native to the delta. But guess what the striped bass eats? If you can see on this, it eats the smelt.

□ 1630

It eats the smelt, Mr. Chairman. Inconvenient little truth there. So they want to protect these and these. This one eats those. This is a problem that can't be fixed by people who want to protect little fish, Mr. Chairman.

So, as we started out today, this is a bill that passed the last Congress. Had the Senate acted on it, we would not be in the situation that we are today. We are out of water because we are not using the infrastructure that our State has built and added on to over the last century. We decided to throw all that infrastructure away, not use it, dump the water out to the ocean. Now we have no more water left.

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

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

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

Mr. BERA of California. 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 California will be postponed.

AMENDMENT NO. 4 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 113-340.

Mrs. CAPPS. 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, add the following:
SEC. 504. STUDY ON WATER RESOURCES.

Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to the Congress on the resiliency and adaptability of all Bureau of Reclamation projects and facilities in

California to any ongoing or forecasted changes to the quality, quantity, or reliability of water resources. The study shall include recommendations on how to strengthen the resiliency and adaptability of the Bureau's projects and facilities in California.

The Acting CHAIR. Pursuant to House Resolution 472, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, I rise in support of my amendment. As we know, California is in the middle of a severe drought, an emergency with no significant relief in sight. We must do all we can to responsibly manage this situation, working with State and local officials to ensure that our farmers, our businesses, and our constituents have the resources they need now and in the future.

While we work to address the current drought situation, the emergency, we know that severe droughts like this one will only become more frequent in the future due to climate change; and we must do all we can as we deal with this emergency to also prepare for the next one.

My amendment simply requires a study of the resiliency and adaptability of Bureau of Reclamation facilities and projects in California to predict changes to the quality, quantity, or reliability of water resources. Simply put, it will look at how well the Bureau is prepared for the expected impacts of climate change.

Like it or not, climate change is real, and it is already happening. We have seen the evidence all around us in more extreme storms, in wildfires, in sea level rising and severe drought.

Water is gold in California. Scientists have long warned that climate change will make droughts, shortages of water, particularly in the Western United States, longer, stronger, and more frequent. So rather than bury our heads in the sand denying the science, we should be doing all we can to make our infrastructure more resilient and adaptable.

At every point in our water infrastructure, from reservoirs to kitchen faucets, we need to find sustainable ways to lessen the impact of severe droughts like this one. That means more conservation, more efficiency, and more recycling, to be sure, but it also means increasing the resiliency and adaptability of existing infrastructure to maximize the limited resources we have.

That is what my amendment is all about—preparing for the future. Simply lurching from crisis to crisis, from drought to drought, is no way to govern, and that is exactly what we have been doing. According to a FEMA study, every dollar spent on predisaster mitigation reduces the cost of future damages by \$4.

The drought emergency may not be destroying structures and infrastruc-

tures, like some of our extreme storms do, but it is definitely causing serious damage to our crops, to our critical habitats, to our livelihoods. Yet the underlying bill does nothing to address these serious problems, and it does nothing to alleviate the drought emergency in California, and it does nothing to prevent any in the future. Instead, it uses the drought emergency as an excuse to repeal Federal environmental laws to preempt California law, and it would set a dangerous precedent that would have lasting implications on how water is managed throughout the West. That is why the bill is opposed by the State of California and numerous local government agencies, fishing and hunting organizations, editorial boards, and national environmental groups. Rarely has such a diverse coalition come together to oppose a piece of legislation.

Mr. Chairman, instead of wasting time on a divisive bill that is going nowhere, we should be working together to find comprehensive solutions that get our communities the resources they need.

I want to be clear, my amendment does not fix the serious problems with this underlying bill, and I will oppose the bill even if my amendment is adopted. But my amendment will at least move us one step closer to properly preparing for future drought emergencies, so I urge my colleagues to support this amendment.

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

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

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

Mr. McCLINTOCK. Mr. Chairman, this amendment seeks to impose yet another environmental study that could lead to more water being diverted away from families and farmers and flushed out into the ocean. If you support throwing more stored water out to the ocean and making this crisis worse, then this amendment is another step toward that end.

Now, those who speak of "resiliency" and "adaptability" are using these terms to propose that dams evacuate more water storage earlier in the water year to account for faster snowmelt from the mountains and rain-based inflows. Now, just today, the East Bay Express reported that water managers deliberately dumped 800,000 acre-feet—as I said earlier, enough for 4 million Californians—into the Pacific Ocean that they knew was desperately needed as the drought continued to worsen.

Folsom Lake, the principal source of water storage for Sacramento and its suburbs, is nearly empty now because of those releases. We watched the Sacramento River at full flood all autumn and wondered what in the world were they thinking.

The fact is a hydrology consensus does not exist on this, and we should not be asking the GAO to investigate terms that are based on a lack of scientific consensus.

This amendment does nothing to restore water that continues to be lost to punitive Federal regulations and may, in fact, contribute to new regulatory overreach.

Californians are in a drought crisis now. It is time for action, not another bureaucratic study with no end in sight. This is why we must not impose studies in this bill or create steps to further erode water storage. We need to build more storage and capture more water, and that is precisely what this bill does. This bill is aimed at implementing a permanent solution to California's water crises so we can put people back to work permanently and restore balance back to California's water supply.

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

Mrs. CAPPS. Mr. Chairman, may I inquire how much time remains?

The Acting CHAIR. The gentlewoman from California has 1 minute remaining. The gentleman from California has 3 minutes remaining.

Mrs. CAPPS. Mr. Chairman, I am pleased to yield 30 seconds to the gentleman from California (Mr. GARAMENDI), my colleague.

Mr. GARAMENDI. Mr. Chairman, we continually hear about the 800,000 acre-feet. Indeed, there is 800,000 acre-feet. It is not out to the ocean; it is into the delta. That water is available for a variety of purposes, including Contra Costa, the entire East Bay, and Solano County that I represent. It is there as environmental water, but it has multiple purposes, so it is not wasted water at all.

The other thing is this allocation chart that keeps coming up. That is an allocation based upon a prediction of the amount of water that rain will fall that year. It is not the actual amount of water delivered. If you take a look at the actual amount of water delivered, it is substantially greater.

Mr. McCLINTOCK. Mr. Chairman, we are ready to close when the gentleman is.

Mrs. CAPPS. Mr. Chairman, this is a straightforward amendment. It simply requires a study of adaptability and resiliency of the Bureau of Reclamation's water infrastructure in California.

Scientists are warning us that severe droughts like this one will only grow more severe and frequent in the future. We have a responsibility to our farmers, our businesses, and all of our constituents to do everything possible to prepare for these impacts. My amendment is a step in this direction, so I urge my colleagues to support it.

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

Mr. McCLINTOCK. Mr. Chairman, I thank the gentleman from California for making the point. I want people to look at the pictures of the empty reservoir at Folsom, the near-empty reservoir at Oroville and remember 800,000 acre-feet that could have been retained behind those dams was released by water officials for the environmental

regulations that the gentleman defends. I think people need to reflect on that water that should right now be sitting behind those dams but for these regulations and realize what is exacerbating this terrible drought.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LAMALFA), my friend and neighbor.

Mr. LAMALFA. Mr. Chairman, we hear a lot about, this particular amendment is going to start another study. We heard earlier about more task forces. This is why we have had 40 years' worth of delay—or longer—on building new projects in California.

We hear about what the projected flows are going to be. Here is what the actual flows are, coming back to this chart once again. You see over here, on the left, 76 percent of the water that flows into the delta goes straight out to the ocean—three-quarters. A mere 6 percent stays in the delta for its use. Eighteen percent is split between Central Valley and southern California needs. So we are wasting a lot of water, a lot of opportunity that could be taken advantage of and still capturing water for environmental need as well as ag need and urban need.

This chart shows, this illustration, that we talk about water that needs to be delivered south of the delta, indeed, even to the central coast, which is running very quickly out of water as well. The central coast benefits from the pumps.

The pumps, when you talk about fish take, are approximately 2 percent. Maybe we can do better, but they are doing a pretty good job.

As was talked about earlier, predator fish in the delta are taking anywhere from 65 to 90 percent of the fish kill of the salmon and other protected fish that we are basing all of this fuss on.

So we need to get very real about what the problem is and that the solutions aren't coming today from these amendments. But, indeed, Mr. VALADAO's bill is a step in that direction, as well as establishing long-term, the type of storage, the type of reoperation that is in favor of the people that are productive in California being the breadbasket of the Nation and of the world.

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

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

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 113-340.

Mr. DEFAZIO. 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:

Add at the end of the bill, the following:

SEC. 504. FISHERIES DISASTER DECLARATION.

The Proclamation of State Emergency and associated Executive Order issued by Governor Edmund G. Brown, Jr. on January 17, 2014, shall be considered a request by the Governor for purposes of section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a) to determine that a fishery resource disaster exists for fisheries that originate in the State of California.

The Acting CHAIR. Pursuant to House Resolution 472, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong opposition to H.R. 3964.

Mr. Chair, the bill before us today, H.R. 3964, is a radical bill that is strongly opposed by the State of California as well as other Western states, fishing groups, and many other stakeholders.

H.R. 3964 would seriously undermine our ability to solve California's water problems, and it poses a serious threat to water management all across the Western United States.

And, to be clear, this is not a man-made drought. There is not enough water to meet all demands. In 2009, with the Endangered Species Act and other environmental laws in place, more water was exported than in other drought years.

This bill would effectively repeal the last hundred years of policymaking—unraveling legal settlements, defying settled Supreme Court precedent, and up-ending state and local efforts to find solutions.

H.R. 3964 would block or repeal numerous state and federal laws protecting California's Bay-Delta estuary and San Joaquin River, including:

The 1992 Central Valley Project Improvement Act;

The 2009 San Joaquin River Restoration Settlement Act;

The 2009 bipartisan compromise passed by the California State Legislature;

The state and federal endangered species acts; and

Several other provisions of state law and water rights.

What's worse, this bill explicitly overrides more than 100 years of federal law by exempting the federal Central Valley Project from Section 8 of the Reclamation Act of 1902, which requires deference to State authority over water resources.

Republicans have to understand that reverting back to the 1994 Bay-Delta Accord would severely damage the ecosystem. We can't negate 20 years of science and expect our ecosystem to survive.

This bill is opposed by a range of stakeholders from across California and around the country, including Trout Unlimited, the United Farm Workers, and every major national conservation and wildlife group.

Eighty California environmental, environmental justice, recreational and commercial fishing groups, and Indian tribes signed a letter of opposition that was sent to all House members.

Many water agencies, local governments, and business groups across California also oppose the bill.

And serious economic analysis shows that this bill would devastate our economy.

The Delta Protection Commission says that, "Delta agriculture supports nearly 23,000 jobs statewide, over \$1.9 billion in value added to the state, and over \$4.6 billion in economic output in the state of California."

Three different studies from UC Davis, University of the Pacific, and UC Berkeley estimated that the drought cost approximately 4,000 to 5,000 jobs in 2008/09.

Former Governor Arnold Schwarzenegger's Administration estimated that the two-year closure of the salmon fishery in 2008 and 2009 resulted in the loss of \$534 million and almost 5,000 jobs.

The Delta Protection Commission stated that Delta recreation and tourism generates approximately over 4,900 jobs and \$600 million in economic output in the state of California.

As California State Governor Brown wrote to California offices:

"H.R. 3964 is an unwelcome and divisive intrusion into California's efforts to manage this severe crisis. It would override state laws and protections, and mandate that certain water interests come out ahead of others;

It falsely suggests the promise of water relief when that is simply not possible given the scarcity of water supplies. H.R. 3964 would interfere with our ability to respond effectively and flexibly to the current emergency, and would re-open old water wounds undermining years of progress toward reaching a collaborative long-term solution to our water needs."

This bill is a radical attempt to put one special interest ahead of everyone else in California, and it would end all productive efforts to solve problems in California.

I strongly oppose H.R. 3964 and urge my colleagues to oppose this dangerous bill.

Mr. DEFAZIO. Reclaiming my time, Mr. Chairman, on January 17, 2014, the Governor of California issued a proclamation, a state of emergency regarding the drought. My amendment simply states that the Secretary of Commerce should treat this emergency proclamation as requested by the Governor under Section 312 of the Magnuson-Stevens Act to determine whether there is a commercial fishery failure for any fisheries that originate in the State of California.

Many charter and commercial boat fisheries on the west coast are dependent upon chinook and coho salmon stock that originate in Colorado's rivers and then migrate to the Pacific Ocean, where they are harvested.

Just one of these runs, the fall-run chinook from the Central Valley, turns north, and it makes up as much as 50 percent of the salmon production off

Oregon and to areas to the north, and it is responsible for as much as 90 percent of California's salmon catch.

□ 1645

This run and others are in peril due to the drought. The reductions in river flows will impact incubating eggs, juvenile fish that are rearing in the upper regions of the river, and fry that are trying to out-migrate to the ocean.

While many fishing groups are working with Federal and State agencies to plan for the drought conditions and mitigate as much as possible against the potential impacts by facilitating out-migration, we cannot know how successful those efforts will be. While it is likely the drought will not have a large impact on commercial activities this year, many of these fisheries could see devastating impacts over the next several years, particularly in 2015 and 2016.

This amendment does not mandate a fisheries disaster declaration, but it will enable the Secretary to issue one should it be necessary. Such a declaration will enable the fishermen to qualify for disaster assistance. Many of us—whether we are from fisheries in the Pacific Ocean, Atlantic Ocean, or the gulf—have dealt with fisheries disasters in the past.

During the last drought in California, I had to literally stalk Secretary Gutierrez of the Bush administration to get a declaration. JOE BARTON graciously had him come in to testify and put him in a side room and said, Wait a minute. There are a few Members of Congress who want to talk to you, and it was myself and a number of other Members from California, Oregon, who got him to sign a disaster declaration, and we were successful. Well, this time, let's put it on the desk now and give the Secretary that capability to easily declare a disaster.

While it is clear this drought will have wide-ranging economic impacts, this amendment will put Commerce Secretary Pritzker on notice that we have the potential to face a major economic hardship in the fishing industry as well.

This amendment will ensure that our fisheries and our fishing industries that depend upon salmon stocks from California rivers will be given due consideration as these impacts unfold.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I ask unanimous consent to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

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

Mr. Chairman, as the ranking member stated, this amendment states that the California Governor's declared drought emergency is considered a request to the Federal Government to de-

clare a fisheries disaster. Under longstanding law, the Governor can make such a request by sending a letter to the Commerce Secretary.

The amendment does not change underlying law that requires the Commerce Secretary to determine whether a fisheries disaster declaration is merited. This amendment simply serves as a request, but the Commerce Secretary still has discretion to make a decision on this request. As such, we do not have any objections to the amendment.

I yield back the balance of my time.

Mr. DEFAZIO. I thank the gentleman for accepting the amendment, and I appreciate his sensitivity to the potential disaster for our fisheries.

With that, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 113-340.

Mr. HUFFMAN. Mr. Chairman, I have an amendment made in order.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 504. STATE OF CALIFORNIA WATER REFORM LAWS.

Nothing in this Act or the amendments made by this Act shall interfere with the State of California's Delta and water management reform and funding bills of 2009, including SB7x-1, SB7x-2, SB7x-6, and SB7x-7.

The Acting CHAIR. Pursuant to House Resolution 472, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, at this time, I yield myself 3 minutes.

Mr. Chairman, we have heard a lot about 3-inch fish in this debate. In fact, to hear my colleagues in the Republican Party tell it, this is a story of a 3-inch fish that is taking water away in this critical drought that should be allocated to people.

Well, the truth is, Mr. Chairman, you would have to have the brain of a 3-inch fish to believe that narrative. There is no such thing happening in this critical drought year. What is happening, however, is some people are cynically trying to capitalize on the worst drought in California history in order to steal water from some parts of the State and from other water users and give it to a few. In fact, if this bill were accurately named, it would be called the "Massive Federal Preemption Overreach and Water Theft Act for the Elections of 2014," but it is, in fact, pretending to be something quite different.

We need to ask ourselves why the State of California is so passionately opposing this bill. Attorney General

Kamala Harris wrote a letter just yesterday following the same position that prior attorneys general have always taken on this issue, including Republican attorneys general, that the Federal Government should abide by the 100-year precedent of deference, of cooperative Federalism, letting California administer its own water rights and allocate that water instead of the sweeping preemption that we see in this bill.

This bill would upset the most basic tenets of California water law. The fact that the California constitution provides the State the ability to allocate water, the ability to administer things like the public trust doctrine, all of that is repealed and swept away by the preemption provisions in this bill. It doesn't have to be that way.

In a crisis like this, it actually is possible for Republicans and Democrats and people from all parts of the State to come together and solve problems. I know that because I was part of something just like that that happened in our last multiyear critical drought. I chaired the Water Committee in the State Assembly in 2009 when there was a historic water package passed, a package that was supported by Republicans and Democrats, signed by a Republican Governor, supported by people from inland Central Valley California, southern California, urban areas. National media like The New York Times called it the most significant water reform in California in 60 years.

Well, unfortunately, all of that, too, is repealed, just swept away by the overreaching preemption in this bill.

The amendment I am offering, Mr. Chairman, would say, at least let's save what the national media and just about everybody else in the water world had called the most important thing, the best thing to happen in California water in the last 60 years. Let's save that from preemption as this bill goes forward if the amendment is made in order, and I would request that my colleagues vote "yes" on it.

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

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

Mr. McCLINTOCK. Mr. Chairman, my objection to this amendment is similar to others of its ilk. It would allow litigation to block implementation of this bill indefinitely. There is, of course, nothing in this bill that would interfere with the State's water bond or its groundwater monitoring or groundwater conservation. Indeed, it will improve groundwater conservation since it brings balance back to surface water deliveries and restores the incentives for groundwater recharging.

The poison pill is not only the prospect of indefinite delay based upon the allegation of a single individual that can find the ear of a sympathetic judge. It is introducing the subjective standard of coequal goals for the delta.

The term "coequal goals" is something that is subjective. A term like

this is subject to litigation not only at the State level but will be used as a means, if this amendment is adopted, to litigate this bill and delay the balance that it restores.

That balance was established by the bipartisan Bay Delta Accord that was hailed by all sides as a historic agreement to serve the coequal goals of human prosperity and environmental protection. When that agreement was signed, Interior Secretary Bruce Babbitt assured all parties that "a deal is a deal, and if it turns out there is a need for additional water, it will come at the expense of the Federal Government." The water diversions for the delta smelt, based upon the same opportunity to litigate that this amendment renews, shattered that promise. This bill redeems it. The amendment should be rejected.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, the public trust doctrine and the coequal goals articulated in that 2009 California legislation are the centerpieces of California water. Without those coequal goals codified in that State law, the entire Bay Delta conservation plan is over. It is done. It has zero chance of success.

Without the public trust doctrine and other State laws in critical years where a fully allocated and appropriated system like we have in California, where tough balancing decisions have to be made by the State water board, without those basic tools for how to do that job, they can't do their job. They can't allocate a diminishing resource, and the entire system of water and water rights allocation is thrown into chaos.

So to hear my friend talk about his concern for litigation, I have to say, this is the recipe for endless litigation, confusion, and uncertainty in California. This is essentially throwing a grenade into California water that would ignite a water war unlike anything we have ever seen.

I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, we are ready to close when the gentleman from California is.

Mr. HUFFMAN. With that, Mr. Chairman, I would simply request a "yes" vote. It doesn't have to be partisanship. It doesn't have to be taking water from one part of the State or from one set of users and giving it to the other, scapegoating the 3-inch fish.

There is actually a way to solve water problems, even in California where water is scarce. We did it in 2009. It was widely recognized as historic, important, and positive. Let's save those 2009 water reforms from being roadkill from this reckless piece of legislation and vote "yes" on this amendment.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, I want to reiterate what Mr. McCLINTOCK said.

This is designed to kill the bill. This is a sneaky little lawyer amendment designed for litigation. This amendment, Valadao amendment, stops all litigation and gives back the people of California their water, and it quits wasting water. That is what this does.

I can understand why my friends on the other side of the aisle don't like to talk about the little 3-inch fish, which, I guess it has a little brain now. Well, it is a bait fish; of course it has a little brain.

The folks you have to ask yourselves about are the ones who come down here and talk about State preemptions when they know the Endangered Species Act is a preemption. They know what passed in 1992 was a State preemption. They know what passed in 2009 was a State preemption. Sneaky little lawyers all over the place.

Money, Mr. Chairman, money. It is about money. It is about NRDC. NRDC has made millions of dollars that we still cannot get an accounting for. Mr. Chairman, I want to know, how much money has NRDC made off of bringing water lawsuits in the State of California? Millions. Millions and millions and millions. That is what this amendment is designed to do, is to create jobs for lawyers. That is what this is about.

So I would advise and ask my colleagues to kill this amendment by voting "no."

Mr. McCLINTOCK. I yield back the balance of my time.

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

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

Mr. HUFFMAN. 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 California will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 113-340.

Mr. MCNERNEY. 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, add the following:

SEC. 504. EFFECTIVE DATE CONDITIONS.

Nothing in this Act shall take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, determines that carrying out this Act and the amendments made by this Act shall not have a harmful effect on water quality or water availability for agricultural producers in the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

The Acting CHAIR. Pursuant to House Resolution 472, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I rise to offer an amendment to H.R. 3964, which I urge all of my colleagues to support.

As my colleagues know, I am honored to represent the people of San Joaquin Delta. The delta is a precious resource that provides tremendous economic benefits to our entire State. Preserving the delta should be a priority for all of California.

Agriculture is the economic backbone of the delta region, generating about \$3 billion of economic activity a year in my district. Three billion dollars is a lot of money for us, and our producers rely on high quality water for their products.

As currently written, H.R. 3964 will ship more water out of the delta, even though current shipments have already threatened the water quality for our delta farmers.

During debate on this legislation in the previous Congress, we were told that the bill was a great deal for the delta, and yet delta counties opposed the legislation then, and we still strongly oppose the legislation now. That is because this bill, as Governor Brown says, will mandate that certain water interests come out ahead of others.

All of California is experiencing a drought that threatens nearly 82,000 farmers and ranchers in the State. We should not be pitting farmers against each other. Simply put, this bill will steal water from northern California and devastate water quality for delta farmers.

□ 1700

Farmers need freshwater, not saltwater, for their harvest. What my colleagues are saying is this: We have got the votes, we have got the money, let's go take the water; in other words, the doctrine of might makes right.

Mr. Chairman, we should follow established law and protect the rights of the delta farmers. That is why I am offering a simple amendment to make sure that the most harmful provisions of this bill do not take effect until the Department of the Interior and the Department of Agriculture verify that water quality for agriculture in the delta region is not negatively affected.

Proponents of H.R. 3964 claim that the bill is pro-farmer, but this bill steals water from one part of California and gives it to another. If the authors of H.R. 3964 support farmers throughout the entire State, they should support my amendment.

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

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

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

Mr. McCLINTOCK. Mr. Chairman, the gentleman has it exactly backwards. This prevents water from being

stolen from northern California in violation of State water rights. It strengthens the water rights that exist in current law. It means that water cannot be stolen from northern California even by the State itself.

This amendment offered by my friend is a variation of the amendment offered by the gentleman from California (Mr. BERA) earlier. It gives the Secretary of the Interior the ability to suspend most provisions of this law until she certifies it will have no adverse effect on delta agricultural water. Well, the same points apply. Despite the fact that this bill strengthens water rights in which the delta is senior to the Central Valley, this bill would give the Secretary, on whom, the power to ignore this law even in wet years, an authority her predecessor has already emphatically proven can and will be abused.

I will challenge the gentleman to cite one example of a complaint that agricultural water in the delta was adversely affected during all the years the Bay Delta Accord was in effect. This bill merely restores the Bay Delta Accord while strengthening northern California water rights. If he cannot cite even one example, he must admit that this amendment is a hoax designed to nullify the law.

I reserve the balance of my time.

Mr. MCNERNEY. Mr. Chairman, our farmers are already experiencing saltwater intrusion. Saltwater levels are increasing. Shipping more water south of the delta is going to increase our saltwater concentration. This is a known, ongoing problem.

I ask my colleague, Mr. Chairman, that if he is confident that the bill will benefit California farmers, including delta farmers, then he should support my amendment, because that is exactly what we are asking it to do—to allow the Secretary of Agriculture and allow the Secretary of the Interior to make an assessment before water is shipped, lowering our quality.

So, with that, I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, we are ready to close if the gentleman is.

Mr. MCNERNEY. Mr. Chairman, basically, I am asking my colleagues to give us a chance to make sure that our farmers are not damaged, our farmers are not hurt and that our \$3 billion of economic activity is not curtailed in favor of a bill of doubtful quality. I think it is going to make a difference if we can just work together, find a solution that all the stakeholders can abide by and not resort to what appears to be a water steal.

I think my farmers are going to ask me to defend their water quality, and that is exactly what I am doing. If my colleagues are supporting defending the farmers and the rights of the farmers throughout the State, then they should support my amendment.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I remind the House that this same

amendment was brought up 2 years ago and rejected, once again, on a bipartisan vote of 177–243.

I now yield the balance of my time to the gentleman from California (Mr. VALADAO), the author of this important legislation.

Mr. VALADAO. Mr. Chairman, as someone who farms myself, I understand the value of water, and when the State Water Resources Control Board issues a cease and desist order in the gentleman's district for illegally diverting water—that was something when I spent some time up in Sacramento, I actually got on a boat and went around the delta and noticed so many pumps out there with no meters pumping water and pumping above their right, taking more water than they were supposed to to the level of 77.7 cubic feet per second illegally. So when we talk about stealing water, there is a lot going on there that needs to be talked about.

More importantly, yes, water is an important resource, and we should respect that and appreciate the quality, but to insert more bureaucracy in the middle to prevent us from taking what is rightfully ours and then have the audacity to dump sewage in this water and then claim you are trying to protect it and keep it clean, we are talking sewage from these communities, 380 million gallons per day being dumped in the delta, and then they come and tell us they are trying to protect and keep this water clean.

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

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

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

Mr. MCNERNEY. 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.

AMENDMENT NO. 8 OFFERED BY MR. PETERS OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 113–340.

Mr. PETERS of California. 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, add the following (and conform the table of contents accordingly):

SEC. 504. COMMUNITY WATER SUPPLIES AND WATER BUDGETS NOT ADVERSELY AFFECTED.

This Act and the amendments made by this Act shall not adversely affect any community's water supply or water budget for future years, taking into account predicted dry years. For the purpose of this section, the term "water budget" means an accounting of the rates of water movement and the

change in water storage in all or parts of the atmosphere, land surface, and subsurface of an area.

The Acting CHAIR. Pursuant to House Resolution 472, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS of California. Mr. Chairman, California is experiencing its worst drought in decades, threatening local drinking water supplies, power generation and California's economy, and relief does not seem to be near at hand.

More than three-quarters of the State is in extreme or exceptional drought, and it affects every resident in my home State. It would be wrong to take action today that would help one part of the State but harm another.

In its current form, the bill is not clear on how reallocating thousands of acre-feet of water from the San Joaquin River restoration to the State's agricultural sector will affect future water supply. We must think about the long-term impacts of today's water decisions, and my amendment ensures that this bill will not adversely affect any community's water supply or water budget, especially during predicted dry years.

It is imperative that we figure out how to ensure sustainable water supplies so that next year or in 5 years or in 20 years, Californians on the farms, in the suburbs or in our cities will still have enough water to drink to pursue their livelihoods.

Water is our most precious resource, and we must manage it carefully. The underlying bill does not create more water and will not make it rain. We must make sure that decisions made here in Washington won't hurt everyday Californians.

Water decisions in California affect every part of the State, including my district in southern California. Recently, the State Water Project announced a zero allocation for this year. This unprecedented move means that southern California communities, including San Diego, will get no water from the Bay Delta in the northern part of the State.

Reallocating and rerouting water will not solve that problem. The real solution is to become resilient in the face of future droughts through improved conservation, expanded storage and increased diversity in our water supplies.

San Diego was devastated by drought in the 1970s, and since then, southern California has made necessary investments to better prepare for, respond to and withstand drought. Over several decades, San Diego has reduced its long-term water demand and has invested in increased efficiency.

Per capita water use has decreased about 27 percent since 2007, and local cities and water districts are on pace

to meet their State-mandated water-efficiency targets for 2020. Total regional consumption of potable water in 2013 was 24 percent lower than in 2007.

By raising the San Vicente Dam, the largest dam raise in the Western Hemisphere, and constructing the Olivenhain Dam, San Diego has dramatically increased its storage capability, which will supply adequate storage during dry years. The San Diego County Water Authority and the city of San Diego are national leaders in recycling wastewater and in desalination, turning ocean water into usable potable water.

So San Diego has done, and is continuing to do, its part because we have done a good job of conserving, preparing and investing as needed to minimize the coming hardships. A real drought solution should not put any community at risk of losing future water supplies to another region without addressing better measures to conserve and store water.

This certainly is not the last drought California will face. We will continue to have water supply challenges, and we need to be continuing to prepare for the future. All users must become more resilient, and any action now should have the foresight to maintain water supplies for dry years that are sure to come.

I urge my colleagues to support my amendment to protect communities across California and to promote a long-term vision for protecting our scarce water resources. I reserve the balance of my time.

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

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

Mr. McCLINTOCK. Mr. Chairman, California has been plagued by litigation and regulation, delay and obfuscation on its water policy, and we are now living with the result of that.

The gentleman offers us an amendment that is more of the same—in fact, in this case, delaying the bill until the Federal Government measures the water content of clouds. Enough is enough. It is a time now for action, and this bill calls for action.

I now yield 2 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, this amendment is another stall tactic. There have been several speakers who have talked about how this bill creates no water. Well, I hate to break it to people, but bills don't create water. It rains. That is why the founding fathers of our State, including Franklin Roosevelt and John F. Kennedy, two United States presidents, worked with the leadership of California to develop a system that could keep water for 5 years so we could withstand 5 years of drought.

I hate to have to use this, but this is how it works. Mr. Chairman, the sun melts the snow. The snow gets stored in the reservoirs, in this case this is

Yosemite, where San Francisco gets all of its water. Then the water runs out. That is how it works. That is how the system was designed to work.

If you don't understand this chart, I have another chart. Once again, I apologize, Mr. Chairman, because this one is a little basic. But, sun—sun creates heat. Heat melts ice. Ice becomes water. Water we use to drink and irrigate our crops. That is how this works.

Government doesn't create water. Government can only help to create the infrastructure to hold the water in an area that is like California that is always in a drought.

So our friends from the coastal areas of California like to have it both ways. They like to drink their water from the Sierra Nevadas and pipe it over so it never has to go into the delta. At the same time, they dump their sewage into the delta that kills the fish.

So this bill was not designed to make it rain. Nobody can do that. We don't need to measure clouds. This bill is designed to get the water that we have in the wet years and hold it for the dry years.

Mr. PETERS of California. Mr. Chairman, I guess we have come to some agreement that the Government can't create water, and that is productive. I guess what I would say is that we are at 12 percent of snow pack in the Sierra Nevada, which has functioned as our water storage, and it is not there.

What I would say is that over decades, the State, the Federal Government, the cities and agencies within California have worked to deal with a framework for addressing this kind of situation, and the bill, as it is constituted, would change that.

All my amendment does is give some assurance to communities that in the event that there are water transfers that their particular water budgets would not be affected.

I think it is a reasonable assurance to give. I think the author of the bill might suggest it is already there. If it is, let's codify it, and it will make the bill much better to provide that assurance to cities, counties, agencies and the State that has worked so hard for developing a framework for dealing with this very situation.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from California (Mr. VALADAO), the author of the measure.

□ 1715

Mr. VALADAO. Mr. Chairman, we are coming to an end here and this bill is about to get voted on. What we have got going on here, and we have all figured it out from all the colorful presentations and all the pictures on both sides, we are in a drought. We know that. We can't make it rain; we also know that. But we also know that over the years our forefathers invested to make sure that we can alleviate the pain of what we are going through

today. We did not use that the way we were supposed to.

This is the third time this graph is coming up, and I think it is important. All the different years that we have gone through a drought, we have had decent allocations. The green here is the allocation for 2013, of 20 percent. Yet we had all this water in storage. What happened to this water? When everybody talks about how their communities are running out of water, this water should have been going to those districts, should have been going to those homes.

Kids, parents, families, farmers, this water should have been going to you to grow crops, to feed families. This is important. That is the most important part about this. We had a lot of water. We lost it all. It was dumped out into the ocean in the name of a fish.

Mr. GARAMENDI. Mr. Chairman, will the gentleman yield?

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

Mr. GARAMENDI. I thank the gentleman for yielding.

We are going back and forth with a lot of numbers here, and there's something we need to understand. The allocation is a number that is taken from the nature of the—that the water year is supposed to be. That is the early allocation.

Mr. VALADAO. Reclaiming my time, the most important thing I have noticed over time with the studies and the reports is that the food prices do not affect the people in this room. We all know from all the news articles, at least half of the people in this room, money is no issue to you. For the average person sitting at home watching today, this has a direct impact on you at home. It has a direct impact on you at your grocery store, on your grocery bill.

This is an important piece of legislation, and I would love to see some other ideas that could actually deliver some water, not more ideas to take water from the valley and send it out to the ocean. We have seen that. We have done that. We have survived on that. We need to come up with some actual ideas and help protect water for our futures, for our communities in southern California like the author would like to see.

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

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

The question is on the amendment offered by the gentleman from California (Mr. PETERS).

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

Mr. PETERS of California. 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.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–340 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mrs. NAPOLITANO of California.

Amendment No. 2 by Ms. MATSUI of California.

Amendment No. 3 by Mr. BERA of California.

Amendment No. 4 by Mrs. CAPPS of California.

Amendment No. 6 by Mr. HUFFMAN of California.

Amendment No. 7 by Mr. MCNERNEY of California.

Amendment No. 8 by Mr. PETERS of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MRS. NAPOLITANO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 239, not voting 13, as follows:

[Roll No. 42]

AYES—179

Andrews	Delaney	Jeffries
Bass	DeLauro	Johnson (GA)
Beatty	DelBene	Johnson, E. B.
Becerra	Deutch	Kaptur
Bera (CA)	Dingell	Keating
Bishop (NY)	Doggett	Kelly (IL)
Blumenauer	Doyle	Kennedy
Bonamici	Duckworth	Kildee
Brady (PA)	Edwards	Kilmer
Bralley (IA)	Engel	Kind
Brown (FL)	Enyart	Kuster
Brownley (CA)	Eshoo	Langevin
Bustos	Esty	Larsen (WA)
Butterfield	Farr	Lee (CA)
Capps	Fattah	Levin
Capuano	Poster	Lewis
Carney	Frankel (FL)	Lipinski
Carson (IN)	Fudge	Loeb
Cartwright	Gabbard	Lofgren
Castor (FL)	Garamendi	Lowenthal
Castro (TX)	Garcia	Lowey
Cicilia	Grayson	Lujan Grisham (NM)
Ciilline	Green, Al	Lujan, Ben Ray (NM)
Clark (MA)	Green, Gene	Lujan, Ben Ray (NM)
Clarke (NY)	Grijalva	Lynch
Clay	Gutiérrez	Maffei
Cleaver	Hahn	Maloney,
Clyburn	Hanabusa	Carolyn
Cohen	Hastings (FL)	Maloney, Sean
Connolly	Heck (WA)	Matsui
Conyers	Higgins	McCollum
Cooper	Hinojosa	McDermott
Crowley	Holt	McGovern
Cuellar	Honda	McNerney
Cummings	Horsford	Meeks
Davis (CA)	Hoyer	Meng
Davis, Danny	Huffman	Michaud
DeFazio	Israel	Miller, George
DeGette	Jackson Lee	

Moore	Rahall	Speier
Moran	Rangel	Swalwell (CA)
Murphy (FL)	Richmond	Takano
Nadler	Roybal-Allard	Thompson (CA)
Napolitano	Ruiz	Thompson (MS)
Neal	Ruppersberger	Tierney
Negrete McLeod	Ryan (OH)	Titus
Nolan	Sánchez, Linda T.	Tonko
O'Rourke	Sanchez, Loretta	TSongas
Owens	Sarbanes	Van Hollen
Pallone	Schakowsky	Veasey
Pascarella	Schiff	Vela
Pastor (AZ)	Schneider	Velázquez
Payne	Scott (VA)	Visclosky
Pelosi	Scott, David	Wasserman
Perlmutter	Serrano	Schultz
Peters (CA)	Sewell (AL)	Waters
Peters (MI)	Shea-Porter	Waxman
Pingree (ME)	Sherman	Welch
Pocan	Sires	Wilson (FL)
Polis	Slaughter	Yarmuth
Price (NC)	Smith (WA)	
Quigley		

NOES—239

Aderholt	Gibbs	Mullin
Amash	Gibson	Mulvaney
Bachmann	Gingrey (GA)	Murphy (PA)
Bachus	Goodlatte	Neugebauer
Barber	Gowdy	Noem
Barletta	Granger	Nugent
Barr	Graves (GA)	Nunes
Barrow (GA)	Graves (MO)	Nunnelee
Barton	Griffin (AR)	Olson
Benishek	Griffith (VA)	Palazzo
Bentivolio	Grimm	Paulsen
Bilirakis	Guthrie	Pearce
Bishop (GA)	Hall	Perry
Bishop (UT)	Hanna	Peterson
Black	Harper	Petri
Blackburn	Harris	Pittenger
Boustany	Hartzler	Pitts
Brady (TX)	Hastings (WA)	Poe (TX)
Bridenstine	Heck (NV)	Pompeo
Brooks (AL)	Hensarling	Posey
Brooks (IN)	Herrera Beutler	Price (GA)
Broun (GA)	Holding	Reed
Buchanan	Hudson	Reichert
Bucshon	Huelskamp	Renacci
Burgess	Huizenga (MI)	Ribble
Byrne	Hultgren	Rice (SC)
Calvert	Hunter	Rigell
Camp	Hurt	Roby
Campbell	Issa	Roe (TN)
Cantor	Jenkins	Rogers (AL)
Capito	Johnson (OH)	Rogers (KY)
Cárdenas	Johnson, Sam	Rogers (MI)
Carter	Jones	Rohrabacher
Cassidy	Jordan	Rokita
Chabot	Joyce	Rooney
Coble	Kelly (PA)	Ros-Lehtinen
Coffman	King (IA)	Roskam
Cole	King (NY)	Ross
Collins (GA)	Kingston	Rothfus
Collins (NY)	Kinzinger (IL)	Royce
Conaway	Kirkpatrick	Ryunan
Cook	Kline	Ryan (WI)
Costa	Labrador	Salmon
Cotton	LaMalfa	Sanford
Cramer	Lamborn	Scalise
Crawford	Lance	Schock
Crenshaw	Lankford	Schrader
Culberson	Latham	Schweikert
Davis, Rodney	Latta	Scott, Austin
Denham	LoBiondo	Sensenbrenner
Dent	Long	Sessions
DeSantis	Lucas	Shimkus
DesJarlais	Luetkemeyer	Shuster
Diaz-Balart	Lummis	Simpson
Duffy	Marchant	Sinema
Duncan (SC)	Marino	Smith (MO)
Duncan (TN)	Massie	Smith (NE)
Ellison	Matheson	Smith (NJ)
Ellmers	McAllister	Smith (TX)
Farenthold	McCarthy (CA)	Southerland
Fincher	McCaul	Stewart
Fitzpatrick	McClintock	Stivers
Fleischmann	McHenry	Stockman
Fleming	McIntyre	Stutzman
Flores	McKeon	Terry
Forbes	McKinley	Thompson (PA)
Fortenberry	McMorris	Thornberry
Fox	Rodgers	Tiberi
Franks (AZ)	Meadows	Tipton
Frelinghuysen	Meehan	Turner
Gallo	Messer	Upton
Gardner	Mica	Valadao
Garrett	Miller (FL)	Wagner
Gerlach	Miller (MI)	Walberg

Walden Westmoreland Womack
Walorski Whitfield Woodall
Walz Williams Yoder
Weber (TX) Wilson (SC) Yoho
Webster (FL) Wittman Young (AK)
Wenstrup Wolf Young (IN)

NOT VOTING—13

Amodei Gosar Rush
Chaffetz Himes Schwartz
Courtney Larson (CT) Vargas
Daines McCarthy (NY)
Gohmert Miller, Gary

□ 1744

Mr. CRAWFORD, Mrs. KIRK-PATRICK, and Messrs. FARENTHOLD and MCHENRY changed their vote from “aye” to “no.”

Ms. LORETTA SANCHEZ of California changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HIMES. Mr. Chair, on February 5, 2014, I was unable to cast my vote for the amendment offered by Representative NAPOLITANO to H.R. 3964, rollcall vote No. 42. Had I been present, I would have voted “yea.”

AMENDMENT NO. 2 OFFERED BY MS. MATSUI

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 228, not voting 10, as follows:

[Roll No. 43]

AYES—193

Andrews Cohen Gallego
Barber Connolly Garamendi
Barrow (GA) Conyers Garcia
Barton Cooper Grayson
Bass Courtney Green, Al
Beatty Crowley Green, Gene
Becerra Cuellar Grijalva
Bera (CA) Cummings Gutiérrez
Bishop (NY) Davis (CA) Hahn
Blumenauer Davis, Danny Hanabusa
Bonamici DeFazio Hastings (FL)
Brady (PA) DeGette Heck (WA)
Braley (IA) Delaney Higgins
Brown (FL) DeLauro Himes
Brownley (CA) DelBene Hinojosa
Bustos Deutch Holt
Butterfield Dingell Honda
Capps Doggett Horsford
Capuano Doyle Hoyer
Cárdenas Duckworth Huffman
Carney Edwards Israel
Carson (IN) Ellison Jackson Lee
Cartwright Engel Jeffries
Castor (FL) Enyart Johnson (GA)
Castro (TX) Eshoo Johnson, E. B.
Chu Esty Kaptur
Cicilline Farr Keating
Clark (MA) Fattah Kelly (IL)
Clarke (NY) Foster Kennedy
Clay Frankel (FL) Kildee
Clever Fudge Kilmer
Clyburn Gabbard Kind

Kuster Nadler Schrader
Langevin Napolitano Scott (VA)
Larsen (WA) Neal Scott, David
Larson (CT) Negrete McLeod Serrano
Lee (CA) Nolan Sewell (AL)
Levin O'Rourke Shea-Porter
Lewis Owens Sherman
Lipinski Pallone Sinema
Loeb sack Pascrell Sires
Lofgren Pastor (AZ) Slaughter
Lowenthal Payne Smith (WA)
Lowey Pelosi Speier
Lujan Grisham Perlmutter Swalwell (CA)
(NM) Peters (CA) Takano
Luján, Ben Ray Peters (MI) Thompson (CA)
(NM) Pingree (ME) Thompson (MS)
Lynch Pocan Tierney
Maffei Polis Titus
Maloney, Price (NC) Tonko
Carolyn Quigley Tsongas
Maloney, Sean Rahall Van Hollen
Matsui Rangel Vargas
McCollum Richmond Veasey
McDermott Roybal-Allard Vela
McGovern Ruiz Velázquez
McIntyre Ruppertsberger Visclosky
McNerney Ryan (OH) Walz
Meeks Sánchez, Linda Wasserman
Meng T. Schultz
Michaud Sanchez, Loretta Waters
Miller, George Sarbanes Waxman
Moore Schakowsky Welch
Moran Schiff Wilson (FL)
Murphy (FL) Schneider Yarmuth

NOES—228

Aderholt Franks (AZ) McAllister
Amash Frelinghuysen McCarthy (CA)
Bachmann Gardner McClintock
Bachus Garret McHenry
Barletta Gerlach McKeon
Barr Gibbs McKinley
Benishek Gibson McMorris
Bentivolio Gingrey (GA) Rodgers
Billirakis Goodlatte Meadows
Bishop (GA) Gowdy Meehan
Bishop (UT) Granger Messer
Black Graves (GA) Mica
Blackburn Graves (MO) Miller (FL)
Boustany Griffin (AR) Miller (MI)
Brady (TX) Griffith (VA) Mullin
Bridenstine Grimm Mulvaney
Brooks (AL) Guthrie Murphy (PA)
Brooks (IN) Hall Neugebauer
Broun (GA) Hanna Noem
Buchanan Harper Nugent
Bucshon Harris Nunes
Burgess Hartzler Nunnelee
Byrne Hastings (WA) Olson
Calvert Heck (NV) Palazzo
Camp Hensarling Paulsen
Campbell Herrera Beutler Pearce
Cantor Holding Perry
Capito Hudson Peterson
Carter Huelskamp Petri
Cassidy Huizenga (MI) Pittenger
Chabot Hultgren Pitts
Coble Hunter Poe (TX)
Coffman Hurt Pompeo
Cole Issa Posey
Collins (GA) Jenkins Price (GA)
Collins (NY) Johnson (OH) Reed
Conaway Johnson, Sam Reichert
Cook Jones Renacci
Costa Jordan Ribble
Cotton Joyce Rice (SC)
Cramer Kelly (PA) Rigell
Crawford King (IA) Roby
Culberson King (NY) Roe (TN)
Davis, Rodney Kingston Rogers (AL)
Denham Kinzinger (IL) Rogers (KY)
Dent Kirkpatrick Rogers (MI)
Dent Kline Rohrabacher
DeSantis Labrador Rokita
DesJarlais LaMalfa Rooney
Diaz-Balart Lamborn Ros-Lehtinen
Duffy Lance Roskam
Duncan (SC) Lankford Ross
Duncan (TN) Latham Rothfus
EIlmers Royce Royce
Farenthold LoBiondo Runyan
Fincher Long Ryan (WI)
Fitzpatrick Lucas Salmon
Fleischmann Luetkemeyer Sanford
Fleming Lummis Scalise
Flores Marchant Schock
Forbes Marino Schweikert
Fortenberry Massie Scott, Austin
Foxy Matheson Sensenbrenner

Sessions Thompson (PA) Westmoreland
Shimkus Thornberry Whitfield
Shuster Tiberi Williams
Simpson Tipton Wilson (SC)
Smith (MO) Turner Wittman
Smith (NE) Upton Wolf
Smith (NJ) Valadao Womack
Smith (TX) Wagner Woodall
Southernland Walberg Yoder
Stewart Walden Yoho
Stivers Walorski Young (AK)
Stockman Weber (TX) Young (IN)
Stutzman Webster (FL)
Terry Wenstrup

NOT VOTING—10

Amodei Gosar Rush
Chaffetz McCarthy (NY) Schwartz
Daines McCaul
Gohmert Miller, Gary

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1749

Mr. REED changed his vote from “aye” to “no.”

Mr. CÁRDENAS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BERA OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 226, not voting 11, as follows:

[Roll No. 44]

AYES—194

Andrews Cohen Gabbard
Barber Connolly Gallego
Bass Conyers Garamendi
Beatty Cooper Garcia
Becerra Courtney Gibson
Bera (CA) Crowley Grayson
Bishop (GA) Cuellar Green, Al
Bishop (NY) Cummings Green, Gene
Blumenauer Davis (CA) Grijalva
Bonamici Davis, Danny Gutiérrez
Brady (PA) DeFazio Hahn
Braley (IA) DeGette Hanabusa
Brown (FL) Delaney Hastings (FL)
Brownley (CA) DeLauro Heck (WA)
Bustos DelBene Higgins
Butterfield Deutch Himes
Capps Dingell Hinojosa
Capuano Doggett Holt
Cárdenas Doyle Honda
Carney Duckworth Horsford
Carson (IN) Edwards Hoyer
Cartwright Ellison Huffman
Castor (FL) Engel Israel
Castro (TX) Enyart Jackson Lee
Chu Eshoo Jeffries
Cicilline Esty Johnson (GA)
Clark (MA) Farr Johnson, E. B.
Clarke (NY) Fattah Kaptur
Clay Foster Keating
Clever Frankel (FL) Kelly (IL)
Clyburn Fudge Kennedy

Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsock
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore

Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T. Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider

Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—226

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores

Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huiזenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant

Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon

Sanford
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart

Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)

Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

Gosar
McCarthy (NY)
Miller, Gary
Rush

Scalise
Schwartz
Stivers

NOT VOTING—11

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1753

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 4 OFFERED BY MRS. CAPPS

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

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 194, noes 227,
not voting 10, as follows:

[Roll No. 45]

AYES—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney

Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutsch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn

Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kapoor
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsock
Lofgren
Lowenthal
Lowey

Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell

Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
McGovern
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T. Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter

NOES—227

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Crenshaw
Duff
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gardner
Garrett

Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Miller (MI)
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huiזenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows

Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman

Terry Walberg Wilson (SC)
Thompson (PA) Walden Wittman
Thornberry Walorski Wolf
Tiberi Weber (TX) Womack
Tipton Webster (FL) Woodall
Turner Wenstrup Yoder
Upton Westmoreland Yoho
Valadao Whitfield Young (AK)
Wagner Williams Young (IN)

NOT VOTING—10

Amodei Gosar Rush
Benishek McCarthy (NY) Schwartz
Chaffetz Miller, Gary
Gohmert Rogers (MI)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1758

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. HUFFMAN

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

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 189, noes 231,
not voting 11, as follows:

[Roll No. 46]

AYES—189

Andrews DeLauro Kaptur
Barber DelBene Keating
Bass Deutch Kelly (IL)
Beatty Dingell Kennedy
Becerra Doggett
Bera (CA) Doyle Kilmer
Bishop (NY) Duckworth Kind
Blumenauer Edwards Kirkpatrick
Bonamici Ellison Kuster
Brady (PA) Engel Langevin
Braley (IA) Enyart Larsen (WA)
Brown (FL) Eshoo Larson (CT)
Brownley (CA) Esty Lee (CA)
Bustos Farr Levin
Butterfield Fattah Lewis
Capps Foster Lipinski
Capuano Frankel (FL) Loebsack
Cárdenas Fudge Lofgren
Carney Gabbard Lowenthal
Carson (IN) Gallego Lujan Grisham
Cartwright Garamendi (NM)
Castor (FL) Garcia Lujan, Ben Ray
Castro (TX) Grayson (NM)
Chu Green, Al Lynch
Cicilline Green, Gene Maffei
Clark (MA) Grijalva Maloney,
Clarke (NY) Hahn Carolyn
Clay Hanabusa Maloney, Sean
Cleaver Hastings (FL) Matsui
Clyburn Heck (WA) McCollum
Cohen Higgins McCollum
Connolly Himes McDermott
Conyers Hinojosa McGovern
Cooper Holt McIntyre
Courtney Honda McNerney
Crowley Horsford Meeks
Cuellar Hoyer Meng
Cummings Huffman Michaud
Davis (CA) Israel Miller, George
Davis, Danny Jackson Lee Moore
DeFazio Jeffries Moran
DeGette Johnson (GA) Murphy (FL)
Delaney Johnson, E. B. Nadler

Napolitano Roybal-Allard Swalwell (CA) Wolf Yoder Young (IN)
Neal Ruiz Takano Womack Yoho
Negrete McLeod Ruppertsberger Thompson (CA) Woodall Young (AK)
Nolan Ryan (OH) Thompson (MS)
O'Rourke Sánchez, Linda Tierney
Owens T. Titus Amodei
Pallone Sanchez, Loretta Sarbanes Tonko Chaffetz
Pascarell Schakowsky Tsongas Gohmert
Pastor (AZ) Schiff Van Hollen Gosar
Payne Veasey Varga
Pelosi Schneider Veasey
Perlmutter Schrader Vela
Peters (CA) Scott (VA) Visclosky
Peters (MI) Scott, David Walz
Pingree (ME) Sewell (AL) Wasserman
Pocan Shea-Porter Schultz
Polis Sherman Waters
Price (NC) Sinema Waxman
Quigley Sires Welch
Rahall Slaughter Wilson (FL)
Rangel Smith (WA) Yarmuth
Richmond Speier

NOES—231

Aderholt Gowdy Nunnelee
Amash Granger Olson
Bachmann Graves (GA) Palazzo
Bachus Graves (MO) Paulsen
Barletta Griffin (AR) Pearce
Barr Griffith (VA) Perry
Barrow (GA) Grimm Peterson
Barton Guthrie Petri
Benishek Hall Pittenger
Bentivolio Hanna Pitts
Bilirakis Harper Poe (TX)
Bishop (GA) Harris Pompeo
Bishop (UT) Hartzler Posey
Black Hastings (WA) Price (GA)
Blackburn Heck (NV) Reed
Boustany Hensarling Reichert
Brady (TX) Herrera Beutler Renacci
Bridenstine Holding Ribble
Brooks (AL) Hudson Rice (SC)
Brooks (IN) Huelskamp Rigell
Broun (GA) Huizenga (MI) Roby
Buchanan Hultgren Roe (TN)
Buchson Hunter Rogers (AL)
Burgess Hurt Rogers (KY)
Byrne Issa Rogers (MI)
Calvert Jenkins Rohrabacher
Camp Johnson (OH) Rokita
Campbell Johnson, Sam Rooney
Cantor Jones Ros-Lehtinen
Capito Jordan Roskam
Carter Joyce Ross
Cassidy Kelly (PA) Rothfus
Chabot King (IA) Royce
Coble King (NY) Runyan
Coffman Kingston Ryan (WI)
Cole Kinzinger (IL) Salmon
Collins (GA) Kline Sanford
Collins (NY) Labrador Scalise
Conaway LaMalfa Schock
Cook Lamborn Schweikert
Costa Lance Scott, Austin
Cotton Lankford Sensenbrenner
Cramer Latham Sessions
Crawford Latta Shimkus
Crenshaw LoBiondo Shuster
Culberson Long Simpson
Daines Lucas Smith (MO)
Davis, Rodney Luetkemeyer Smith (NE)
Denham Lummis Smith (NJ)
Dent Marchant Smith (TX)
DeSantis Marino Southerland
DesJarlais Massie Stewart
Diaz-Balart Matheson Stivers
Duffy McAllister Stockman
Duncan (SC) McCarthy (CA) Stutzman
Duncan (TN) McCaul Terry
Ellmers McClintock Thompson (PA)
Finchold McHenry Thornberry
Fincher McKeon Tiberi
Fitzpatrick McKinley Tipton
Fleischmann McMorris Turner
Fleming Rodgers Upton
Flores Meadows Valadao
Forbes Meehan Wagner
Fortenberry Messer Walberg
Foxy Mica Walden
Frank (AZ) Miller (FL) Walorski
Frelinghuysen Miller (MI) Webster (TX)
Gardner Mullin Webber (FL)
Garrett Mulvaney Wenstrup
Gerlach Murphy (PA) Westmoreland
Gibbs Neugebauer Whitfield
Gibson Noem Williams
Gingrey (GA) Nugent Wilson (SC)
Goodlatte Nunes Wittman

Wolfe Yoder Young (IN)
Womack Yoho
Woodall Young (AK)

NOT VOTING—11

Amodei Gutiérrez Schwartz
Chaffetz McCarthy (NY) Serrano
Gohmert Miller, Gary Velázquez
Gosar Rush

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1801

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. MCNERNEY

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

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 193, noes 230,
not voting 8, as follows:

[Roll No. 47]

AYES—193

Andrews Doyle Larsen (WA)
Barber Duckworth Larson (CT)
Bass Edwards Lee (CA)
Beatty Ellison Levin
Becerra Engel Lewis
Bera (CA) Enyart Lipinski
Bishop (GA) Eshoo Loebsack
Bishop (NY) Esty Lofgren
Blumenauer Farr Lowenthal
Bonamici Fattah Lowey
Brady (PA) Foster Lujan Grisham
Braley (IA) Frankel (FL) (NM)
Brown (FL) Fudge Lujan, Ben Ray
Brownley (CA) Gabbard (NM)
Bustos Gallego Lynch
Butterfield Butterfield Garamendi
Capps Garcia Maffei
Capuano Capuano Maloney,
Cárdenas Cárdenas Grayson Carolyn
Carney Carney Green, Al Maloney, Sean
Carson (IN) Green, Gene McCollum
Cartwright Grijalva McDermott
Castor (FL) Castor (FL) McGovern
Castro (TX) Castro (TX) Hahn McIntyre
Chu Hanabusa McNerney
Cicilline Hastings (FL) Meeks
Clark (MA) Heck (WA) Meng
Clarke (NY) Higgins Michaud
Clay Himes Miller, George
Cleaver Hinojosa Moore
Clyburn Holt Moran
Cohen Cohen Honda Murphy (FL)
Connolly Connolly Horsford Nadler
Conyers Conyers Hoyer Napolitano
Cooper Cooper Huffman Neal
Courtney Courtney Israel Negrete McLeod
Crowley Crowley Jackson Lee Nolan
Cuellar Cuellar Jeffries O'Rourke
Cummings Cummings Johnson (GA) Owens
Davis (CA) Davis (CA) Johnson, E. B. Pallone
Davis, Danny Kaptur Pascarell
DeFazio DeFazio Keating Pastor (AZ)
DeGette DeGette Kelly (IL) Payne
Delaney Delaney Kennedy Pelosi
DelLauro Kildee Perlmutter
DelBene Kilmer Peters (CA)
Deutch Kind Peters (MI)
Dingell Kuster Pingree (ME)
Doggett Langevin Pocan

Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider

Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney

Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—230

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce

Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—8

Amodei
Chaffetz
Gohmert

Gosar
McCarthy (NY)
Miller, Gary

Rush
Schwartz

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1805

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. PETERS OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 8, as follows:

[Roll No. 48]

AYES—192

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brace (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Culler
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards

Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski

Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman

Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry

Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—8

Amodei
Chaffetz
Gohmert

Gosar
McCarthy (NY)
Miller, Gary

Rush
Schwartz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1809

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. YODER, 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. 3964) to address certain water-related concerns in the Sacramento-San Joaquin Valley, and for other purposes, and, pursuant to House Resolution 472, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GARAMENDI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Garamendi moves to recommit the bill H.R. 3964 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end of the bill the following:

TITLE IX—PRESERVING LOCAL WATER SUPPLIES AND PROTECTING TRIBAL SOVEREIGNTY

SEC. 901. PRESERVING LOCAL WATER SUPPLIES.

Nothing in this Act shall preempt or supersede State, county, or local law, including State water law, that prohibits the export of ground water to other areas.

SEC. 902. PROTECTING TRIBAL SOVEREIGNTY.

Nothing in this Act shall undermine Native American tribal sovereignty, or reduce the quantity or quality of the water available to affected Indian tribes.

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, this is the final amendment to the bill, which, unfortunately, will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Perhaps all of you have heard that there is a drought in the West. If you haven't, I am here to tell you there is a serious drought in the West—not just California, but throughout the West.

This particular piece of legislation is said to deal with the drought. It does not. This legislation does two things that every one of us ought to be concerned about.

First of all, it is a water grab. It takes water from somebody and gives it to somebody else.

□ 1815

Secondly, if you are interested in states' rights, if you are interested in the power of a community to decide its own future, you had better be paying attention to this bill. This bill is very, very much about the power of a community, a power of a State to decide what it wants to do with its water.

This is an issue of profound importance to every State in the West that has a reclamation project, because this bill sets out for the very first time the Federal Government overriding State constitution, in this case the constitution of the State of California, State water law, and contracts. This is serious stuff.

If this were to somehow solve the crisis in California, you may accept it. But it does not. It does not create 1 gallon of water. It simply steals what little water there is available from some and gives it to another.

I yield 1 minute to my colleague from California (Mr. BERA).

Mr. BERA of California. I thank the gentleman.

Mr. Speaker, I speak in support of this motion because it will make this bill better. This is about protecting existing State law, and the current bill before us takes away State law.

It is about protecting our communities, our local rights, our county rights. This motion will make this bill much better.

It is incredibly important to the residents in the five delta counties and the folks that I represent, that they have water that they can drink. This motion allows us to honor those State, county, and local laws and makes this bill better. I urge my colleagues to support the motion.

Mr. GARAMENDI. Mr. Speaker, I yield 1 minute to my colleague from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I thank my colleagues for offering this motion to improve a deeply flawed bill.

California is home to over 100 federally recognized tribes, including over two dozen in my congressional district. Many tribes, including the Hoopa, the Yurok, and the Karuk in my district, depend on wild salmon as both a vital source of economic opportunity and a respected way of life.

PARLIAMENTARY INQUIRY

Mr. HASTINGS of Washington. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from California yield for a parliamentary inquiry?

Mr. GARAMENDI. Will it take my time?

The SPEAKER pro tempore. It will.

Mr. GARAMENDI. I am afraid I cannot yield. Sorry, Mr. Chairman.

The SPEAKER pro tempore. The gentleman does not yield.

Mr. HUFFMAN. Mr. Chair, some of the water impacted by this bill is critically needed by tribes in my district. This bill explicitly waives State and Federal law in a way that almost certainly would lead to additional diversions from the Trinity River, which would undermine tribal fishing and water rights.

The Yurok Tribe in my district has written about provisions in this bill that they would undermine the Federal Government's ability to meet its Federal trust obligation to protect, preserve, and enhance the trust resources of that tribe.

This House has an obligation to clarify that this cynical bill would not diminish any protected tribal water and fishing rights, and so I urge a "yes" on this motion to recommit, and I thank the gentleman.

Mr. GARAMENDI. Mr. Speaker, I want to be very, very clear with my colleagues. California water issues go back to the very beginning of the State, the Gold Rush, and as they have said, whiskey's for drinking, water's for fighting.

Unfortunately, this bill does nothing to solve the current crisis in California. What it does, it sets in motion a series of pieces of legislation that will unravel 150 years of California water law and set in place extraordinary chaos.

It does deliver water from one area to another area, literally stealing that water and giving it to others.

It does override the California State Constitution and what we call the Public Trust Doctrine, that is, the water of California belongs to all the people of California. It is allocated by law, by precedent, and by water rights that are allocated. This overrides that.

We don't want the Federal Government to go there if you care anything about your State, about the water in your State, and about your community. We need a long-term and short-term solution.

Fortunately, in the omnibus bill, we did reinstate the Federal drought protection drought response act. We have many of the tools in place to deal with

the drought today. What we don't have is money.

I would ask the majority to put up a bill that delivers the money to carry out what is already in the law, which we did just 2 weeks ago.

Unfortunately, this bill puts in place a new water war which we do not and cannot have at a time when we need to come together to solve California water problems.

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

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, for any of you that were listening to the debate as we debated the amendment in the general debate on this, it is very, very evident that this bill is focused only on California—only on California. And the reason I make that point, because part of the reason that California is in this situation is because of Federal law and Federal regulations.

Now, one of the ironies here, there is a lot of ironies when you look at these motions to recommit, but my good friend, the sponsor of the motion to recommit, I believe, was in office, or overseeing, at some time when these water projects were passed for California. And here is the interesting point, because he makes the very, what is a valid point, one worries about preempting State law. But the Central Valley Project in California preempted California law when it was passed. Nobody heard anything about that then. The San Joaquin River project preempted State law.

I just want to make this point. No other State is affected. This is a California-centric piece of legislation.

Mr. GARAMENDI. Mr. Chairman, will the gentleman yield for a fact?

Mr. HASTINGS of Washington. I will not yield to the gentleman. He didn't give me that courtesy earlier. I am not going to give him that courtesy.

Finally, this is the final point that I want to make, and this is important. This is important.

We heard the solution to the California water problems is embodied in this bill. It is similar to a bill that we passed last year—with bipartisan support, I might add. We heard, today, my friends on the other side debate over and over, there are solutions. There are solutions to this, there are solutions to that. You know something? Nobody offered a solution. Furthermore, the other body in our legislative process has yet to offer a solution.

Now, I can understand people not liking this solution. I understand that. But somebody has to give us something to negotiate with. That is what the issue is all about.

We think this is right. We will find out if it is right if the House votes to pass this, and then we will go to the next process. But, for goodness sakes,

give California a chance to get a solution.

This MTR does nothing to advance that. Vote "no" on the MTR and vote for the underlying bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. GARAMENDI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the question of agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 191, noes 231, not voting 9, as follows:

[Roll No. 49]

AYES—191

Andrews	Esty	Lynch
Barber	Farr	Maffei
Bass	Fattah	Maloney.
Beatty	Poster	Carolyn
Becerra	Frankel (FL)	Maloney, Sean
Bera (CA)	Fudge	Matsui
Bishop (GA)	Gabbard	McCollum
Bishop (NY)	Gallego	McDermott
Blumenauer	Garamendi	McGovern
Bonamici	Garcia	McNerney
Brady (PA)	Grayson	Meeks
Bralley (IA)	Green, Al	Meng
Brown (FL)	Green, Gene	Michaud
Brownley (CA)	Grijalva	Miller, George
Bustos	Gutiérrez	Moore
Butterfield	Hahn	Moran
Capps	Hanabusa	Murphy (FL)
Capuano	Hastings (FL)	Nadler
Cárdenas	Heck (WA)	Napolitano
Carney	Higgins	Neal
Carson (IN)	Himes	Negrete McLeod
Cartwright	Hinojosa	Nolan
Castor (FL)	Castor (FL)	O'Rourke
Castro (TX)	Honda	Owens
Chu	Horsford	Pallone
Ciilline	Hoyer	Pascrell
Clark (MA)	Huffman	Pastor (AZ)
Clarke (NY)	Israel	Payne
Clay	Jackson Lee	Pelosi
Cleaver	Jeffries	Perlmutter
Clyburn	Johnson (GA)	Peters (CA)
Cohen	Johnson, E. B.	Peters (MI)
Connolly	Kaptur	Pingree (ME)
Conyers	Keating	Pocan
Cooper	Kelly (IL)	Polis
Courtney	Kennedy	Price (NC)
Crowley	Kildee	Quigley
Cuellar	Kilmer	Rahall
Cummings	Kind	Rangel
Davis (CA)	Kirkpatrick	Richmond
Davis, Danny	Kuster	Roybal-Allard
DeFazio	Langevin	Ruiz
DeGette	Larsen (WA)	Ruppersberger
Delaney	Larson (CT)	Ryan (OH)
DeLauro	Lee (CA)	Sánchez, Linda
DelBene	Levin	T.
Deutch	Lewis	Sanchez, Loretta
Dingell	Lipinski	Sarbanes
Doggett	Loeb	Schakowsky
Doyle	Lofgren	Schiff
Duckworth	Lowenthal	Schneider
Edwards	Lowe	Scott (VA)
Ellison	Lujan Grisham	Scott, David
Engel	(NM)	Serrano
Enyart	Luján, Ben Ray	Sewell (AL)
Eshoo	(NM)	Shea-Porter

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Wasserman
Pitts
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Amash
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)

Petri
Pittenger
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—9

Amodei
Chaffetz
Gohmert

Gosar
McCarthy (NY)
McIntyre

Miller, Gary
Rush
Schwartz

□ 1829

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. NAPOLITANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 191, not voting 11, as follows:

[Roll No. 50]

AYES—229

Aderholt	Graves (GA)	Owens
Bachmann	Graves (MO)	Palazzo
Bachus	Griffin (AR)	Paulsen
Barletta	Griffith (VA)	Pearce
Barr	Grimm	Perry
Barrow (GA)	Guthrie	Peterson
Barton	Hall	Petri
Benishek	Hanna	Pittenger
Bentivolio	Harper	Pitts
Billrakis	Harris	Poe (TX)
Bishop (UT)	Hartzler	Pompeo
Black	Hastings (WA)	Posey
Blackburn	Heck (NV)	Price (GA)
Boustany	Hensarling	Reed
Brady (TX)	Herrera Beutler	Reichert
Bridenstine	Holding	Renacci
Brooks (AL)	Hudson	Ribble
Brooks (IN)	Huelskamp	Rice (SC)
Broun (GA)	Huizenga (MI)	Rigell
Buchanan	Hultgren	Roby
Bucshon	Hunter	Roe (TN)
Burgess	Hurt	Rogers (AL)
Byrne	Issa	Rogers (KY)
Calvert	Jenkins	Rogers (MI)
Camp	Johnson (OH)	Rohrabacher
Campbell	Johnson, Sam	Rokita
Cantor	Jones	Rooney
Capito	Jordan	Ros-Lehtinen
Carter	Joyce	Roskam
Cassidy	Kelly (PA)	Ross
Chabot	King (IA)	Rothfus
Coble	King (NY)	Royce
Coffman	Kingston	Runyan
Cole	Kinzinger (IL)	Ryan (WI)
Collins (GA)	Kirkpatrick	Salmon
Collins (NY)	Kline	Sanford
Conaway	Labrador	Scalise
Cook	LaMalfa	Schock
Costa	Lamborn	Schweikert
Cotton	Lance	Scott, Austin
Cramer	Lankford	Sensenbrenner
Crawford	Latham	Sessions
Crenshaw	Latta	Shimkus
Culberson	LoBiondo	Shuster
Daines	Long	Simpson
Davis, Rodney	Lucas	Smith (MO)
Denham	Luetkemeyer	Smith (NE)
Dent	Lummis	Smith (NJ)
DeSantis	Marchant	Smith (TX)
DesJarlais	Marino	Southerland
Diaz-Balart	Matheson	Stewart
Duffy	McAllister	Stivers
Duncan (SC)	McCarthy (CA)	Stockman
Duncan (TN)	McCaul	Stutzman
Ellmers	McClintock	Terry
Farenthold	McHenry	Thompson (PA)
Fincher	McKeon	Thornberry
Fitzpatrick	McKinley	Tiberi
Fleischmann	McMorris	Tipton
Fleming	Rodgers	Upton
Flores	Meadows	Valadao
Forbes	Meehan	Wagner
Fortenberry	Messer	Walberg
Fox	Mica	Walden
Franks (AZ)	Miller (FL)	Walorski
Frelinghuysen	Miller (MI)	Weber (TX)
Gardner	Mullin	Webster (FL)
Garrett	Mulvaney	Wenstrup
Gerlach	Murphy (PA)	Westmoreland
Gibbs	Neugebauer	Williams
Gibson	Noem	Wilson (SC)
Gingrey (GA)	Nugent	Wittman
Goodlatte	Nunes	Wolf
Gowdy	Nunnelee	Womack
Granger	Olson	

Woodall
Yarmuth

Yoder
Yoho

Young (AK)
Young (IN)

NOES—191

Amash	Garcia
Andrews	Grayson
Barber	Green, Al
Bass	Green, Gene
Beatty	Grijalva
Becerra	Gutiérrez
Bera (CA)	Hahn
Bishop (GA)	Hanabusa
Bishop (NY)	Hastings (FL)
Blumenauer	Heck (WA)
Bonamici	Higgins
Brady (PA)	Himes
Braley (IA)	Hinojosa
Brown (FL)	Holt
Brownley (CA)	Honda
Bustos	Horsford
Butterfield	Hoyer
Capps	Huffman
Capuano	Israel
Cárdenas	Jackson Lee
Carney	Jeffries
Carson (IN)	Johnson (GA)
Cartwright	Johnson, E. B.
Castor (FL)	Kaptur
Castro (TX)	Keating
Chu	Kelly (IL)
Cicilline	Kennedy
Clark (MA)	Kildee
Clarke (NY)	Kilmer
Clay	Kilmer
Cleaver	Kuster
Clyburn	Langevin
Cohen	Larsen (WA)
Connolly	Larson (CT)
Conyers	Lee (CA)
Cooper	Levin
Courtney	Lewis
Crowley	Lipinski
Cuellar	Loeb
Cummings	Loeb
Lofgren	Lofgren
Lowenthal	Lowenthal
Davis (CA)	Davis, Danny
Davis, Danny	DeFazio
DeFazio	DeGette
Delaney	Delaney
DeLauro	DeLauro
DelBene	DelBene
Deutch	Deutch
Dingell	Dingell
Doggett	Doggett
Doyle	Doyle
Duckworth	Duckworth
Edwards	Edwards
Ellison	Ellison
Engel	Engel
Enyart	Enyart
Eshoo	Eshoo
Esty	Esty
Farr	Farr
Fattah	Fattah
Foster	Foster
Frankel (FL)	Frankel (FL)
Fudge	Fudge
Gabbard	Gabbard
Gallego	Gallego
Garamendi	Garamendi

NOT VOTING—11

Amodei	McCarthy (NY)
Chaffetz	McIntyre
Gohmert	Miller, Gary
Gosar	Rush

□ 1838

So the bill was passed.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

HOUR OF MEETING ON TOMORROW

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

TEAGUE AUTO GROUP OF EL DORADO, ARKANSAS

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Mr. Speaker, today I recognize Jeff Teague, president of the Teague Auto Group in El Dorado, Arkansas, who was recently named Time magazine's Auto Dealer of the Year. Awarded annually, this award recognizes the auto dealer who demonstrates exceptional business performance and distinguished community service.

Jeff and his father opened their first dealership as partners 33 years ago in Walnut Ridge, Arkansas. Through hard work and determination, they built their dealership into a thriving family business.

But more than a businessman, Jeff is also a dedicated member of the El Dorado community. He is involved with Arkansas Baptist Children's Homes and Family Ministries, the Main Street El Dorado Music Festival, Union County 4-H, the Salvation Army, the South Arkansas Historical Foundation, and the Boys and Girls Club of El Dorado.

I want to offer Jeff and his family my congratulations on this honor and thank him for all he does for the community of El Dorado.

CELEBRATING THE LIFE OF JOHN ROGERS, SR., AND BLACK HISTORY MONTH

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, as we celebrate Black History Month, I rise to honor a remarkable American, John Rogers, Sr., a man of unrivaled determination and intellect who led an extraordinary life.

Mr. Rogers moved to Chicago at the age of 12, following the death of his parents, and later earned his pilot's license and enlisted in the Army Air Forces, where he flew in 120 combat missions in World War II as a member of the famed Tuskegee Airmen.

He went on to attend the University of Chicago's Law School on the GI Bill and served for 21 years as a Cook County juvenile court judge. He was known as much for his compassion as he was for his conviction, and believed as much in giving second chances as he did in doing things right the first time.

Mr. Rogers was a great leader and role model. He passed away last month at the age of 95, but he leaves behind a

legacy of accomplishments that have made a greater America and are worthy of being celebrated in any month.

LET'S HELP AMERICAN WORKERS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, 4 years ago, the American people were told that the President's new health care law would create 4 million new jobs. Well, it turns out supporters of the law were only off by 6 million, because yesterday the nonpartisan Congressional Budget Office revealed that over 2 million jobs will actually be lost under ObamaCare.

One problem is the law drastically changes the definition of full-time work to 30 hours per week. Because of this so-called "30-hour rule," millions of Americans working in education, small business, hospitality, retail, food service, and public safety are now having their hours and their wages cut by up to 25 percent. And this comes at a time when there are already 7.8 million Americans working part-time who want full-time work.

America's workers deserve better, and, thankfully, there is bipartisan support for the Save American Workers Act to restore a common understanding in America that full-time work is 40 hours. The bill passed the Ways and Means Committee and is headed for the floor.

Mr. Speaker, let's have some common sense and eliminate this onerous mandate so we can get people back to work.

□ 1845

LEGISLATION PROTECTING THE FOURTH AMENDMENT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, yesterday in the Judiciary Committee, we had a very vigorous hearing and discussion on the questions of the National Security Agency and privacy for the American people. I have introduced H.R. 2434, the Civilian Contractors Engaged in Intelligence Activities Reduction Act, which has seen a large support from the White House and others about the importance of considering and looking at reduction of outsourcing of our intelligence activities and really bringing in-house the training and the expertise of those handling America's intelligence.

I introduced H.R. 2440, which is the FISA Court in the Sunshine Act, which I am very glad that part of it is in H.R. 3361, Uniting and Strengthening America By Fulfilling Rights and Ending Eavesdropping. This is the bill that deals with the mega trolling that has occurred under the NSA of business records.

What America wants is security but balanced with privacy and the respect for the Fourth Amendment, prohibiting unreasonable search and seizure. It is important for this Congress to come together in a bipartisan way to stand up and be on the American people's side so that we can secure them, secure the homeland, but we can also provide for their privacy.

CELEBRATING THE 80TH BIRTHDAY OF HENRY "HAMMERIN' HANK" AARON

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute.)

Ms. FRANKEL of Florida. Mr. Speaker, Henry "Hank" Aaron is one of the great athletes to ever set foot on any field, renowned for breaking home run records and racial barriers.

With grit and natural talent, he became the home run king of baseball while playing at a time of ugly segregation, having to sleep in separate hotel rooms from his teammates and facing countless threats on his life.

On Saturday, a portrait of this extraordinary man I am proud to call my friend and neighbor will be unveiled at the National Portrait Gallery as friends and family join Hank and his wife, Billye, in celebration of his 80th birthday.

Cheers to you, Hammerin' Hank. Thank you for a lifetime of courage and inspiration.

THE AMERICAN HEART ASSOCIATION

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise this evening in support and honor of the American Heart Association. Today, women, Democrats and Republicans, stood together in honor of the American Heart Association because we understand that cardiovascular disease is the number one killer for women.

The American Heart Association and Stroke Association asks us to wear red in support of educating and giving awareness to the American people. We asked all citizens this Friday, February 7, to wear red. Stand with us as we stand for educating and making our citizens aware of this killer disease.

HEROIN ABUSE

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, I rise today to discuss the grave epidemic of heroin abuse. The media has shone a bright light on this issue this week, but for too many in my district, heroin abuse is all too common. The number of heroin deaths that we have seen in

the counties I represent has been staggering.

In Kane County, Illinois, there were 20 heroin-related deaths in 2013. In Will County, there were 35. DuPage County reported 46 heroin-related deaths, including one period last summer when 15 overdose deaths were reported in just 17 days.

Heroin abuse affects people of every race, income and education level. These are mothers and fathers, friends and neighbors.

Community leaders are working to fight back, and, yet, at the Federal level we have not only failed to increase our efforts to combat drug abuse, we have reduced resources. Funding for the Substance Abuse and Mental Health Services Administration was cut by over \$210 million in 2013. The DEA's budget was cut by nearly \$120 million.

Mr. Speaker, I rise today because we cannot ignore this epidemic which is ravaging our country.

BURDENSOME EPA REGULATIONS

The SPEAKER pro tempore (Mr. PITTEMBERG). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. HARTZLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. HARTZLER. Mr. Speaker, today, back in Missouri, this frigid cold snap is really making life miserable for everyone. We have below-zero temperatures and wind chills and a lot of snow. In fact, a lot of children are home from school today, and it is on snowy days like this back in Missouri and across much of America that we really appreciate the ability to go to our thermostats and to turn up the temperature and be able to sit by a nice fire to keep warm. What we don't need is the government interfering in that. Safe, affordable and reliable energy is vital for all of us as Americans, and it is being threatened by the Environmental Protection Agency. They are increasing burdens and making our regulations more difficult and costly for hard-working taxpayers.

While I support commonsense regulations designed to protect my constituents and the environment, many of the EPA regulations have gone too far, threatening to raise electricity rates during these cold winter months and hurting markets designed to provide rural homes with proper heating systems.

County officials, farmers and city administrators, as well as moms and dads

all across Missouri who have to pay the electric bill every month, are constantly coming up to me with stories of the burdens that the EPA regulations have placed on their families, their businesses and their communities.

It is time for this to stop. It is time for the EPA to begin working with my constituents, with local officials and with State governments to bring commonsense, consensus-driven changes to the regulations instead of the typical, heavy-handed Washington bureaucracy. Many of these regulations are stifling small businesses and local communities, leading to slow economic growth, stagnant jobs and less opportunities for the next generations of Americans.

So, today, my colleagues and I would like to outline some of the most egregious EPA regulations and offer commonsense solutions to fix, replace or eliminate previous EPA actions that are hurting the average American.

For example, the EPA's recently proposed rule on source performance standards for new power plants has raised serious concerns among ratepayers, utilities and small businesses in my district. My main concern with these proposed regulations remains focused on Missouri's need to provide affordable and reliable electricity. However, in a State like Missouri that derives over 80 percent of our power from coal, the EPA has proposed a rule that would create a de facto ban on building any new coal-fired power plants by requiring the use of something called carbon capture and storage technology.

This technology has not even been proven commercially viable anywhere, and the small pilot projects used as a basis of the EPA's analysis have been highly subsidized by the government and are not commercially available.

Congressional intent in the Clean Air Act is clear. The EPA is required to complete a cost-benefit analysis and base their regulations on the best commercially available technology. It is clear that these standards have not been met.

The good news is that there is a bipartisan solution for this regulation. Congressman WHITFIELD and Senator MANCHIN have introduced the Electricity Security and Affordability Act. They designed the bill to require that any greenhouse gas standard set by the EPA for new coal-fired plants are achievable by commercial power plants operating in the real world, including highly efficient plants that utilize the most modern, state-of-the-art standards that can be met by all States in a way that is not economically damaging to local ratepayers and small businesses.

All we ask is that the EPA work with us to find commonsense solutions for real world problems.

Another example of needless regulation is the EPA's proposed rule on future production of wood-burning stoves like the one in this picture right here. My constituents are concerned that

this regulation could provide another de facto ban of the production and sale of 80 percent of America's current wood-burning stoves, which are the world's oldest heating system.

The EPA's stringent, one-size-fits-all policy goes against the will of the people, and it requires the same stringent standards in a cottage in the woods that it applies to a high-rise building in downtown New York. For the first 10 years of my marriage, my husband and I heated our home with a wood-burning stove like this. I am concerned for the many constituents who have used these stoves for years to heat their home, that they will have to turn in their old furnaces for scrap and make costly upgrades if they choose to remodel.

So, again, I implore the EPA to apply a little common sense to these onerous regulations and not finalize this burdensome rule.

These are just two examples of the many concerns of the EPA overreach that I hear on a regular basis.

I pause now to invite my colleagues to share experiences and issues that their constituents face dealing with this agency. So I would like to start with my dear friend from Colorado, DOUG LAMBORN.

Representative LAMBORN, what would you like to share?

Mr. LAMBORN. Well, I thank my friend and colleague, the gentlelady from Missouri, for her leadership on this issue and for putting this time together. This is an important topic.

Mr. Speaker, I hear from Coloradans every day who are struggling just to make ends meet. Unemployment remains high, and Americans are striving to provide necessities for their families. Prices at the pump have doubled since President Obama took office. According to the Energy Information Administration, they are on a trajectory to rise even higher.

Sadly, as American families and small businesses continue to suffer from these high energy prices, the Obama administration's response has been to impose job-killing and expensive rules through the Environmental Protection Agency. These expenses are passed on to American consumers. These policies, such as attempting to regulate greenhouse gas emissions in the Clean Air Act, only end up hurting consumers.

As the chairman of the Natural Resources Subcommittee on Energy and Mineral Resources and a proponent for business-focused regulations, I have been vocal against many of these harmful regulations. The EPA's continued power grab ends up taking legislative authority out of the hands of those who are sent here in Washington to represent the American people and puts it in the hands of unelected bureaucrats carrying out the agenda and policies of the White House.

I have cosponsored numerous bills to repeal many of these regulations piece by piece to ensure Americans that they would have affordable energy. Colo-

radans and the rest of the country should not have to choose between heating their homes and feeding their families. I remain committed to seeing what I can do to stop this bureaucrat overreach.

Just for one example, and my friend and colleague alluded to this, the EPA wants to force American coal-fired power plants to use carbon capture and storage technology that does not even exist. Since it doesn't exist, this is an impossible mandate to obey.

The EPA is basing its regulations on wishful thinking, not sound science. They need to be brought under control. The ability of working Americans to pay their bills hangs in the balance.

I thank the gentlelady for putting this important time together.

Mrs. HARTZLER. Thank you, gentleman. Thank you for your leadership on this. You have been at the forefront of this, and this is so, so important. I love what you said about the EPA is basing this on wishful thinking and not sound science. I think most of us would appreciate if there was some science behind regulations. That seems to be common sense, but they clearly have gone beyond that, and it is hurting, as you say, people. It is hurting the bottom line. It is hurting when you pay your bills every month, and your electric bill is just going through the roof unnecessarily because of these onerous regulations.

So thank you, gentleman.

Now, I would like to turn to my friend and colleague from Utah, Representative CHRIS STEWART, to share his thoughts on this important topic.

Thank you, CHRIS.

□ 1900

Mr. STEWART. Mr. Speaker, I would like to thank my friend from Missouri for allowing me to speak tonight. Thank you for organizing this. I think this is an important issue. In fact, I would say that this is a critical issue. It is a great example of why the American people don't trust the Federal Government. Let me say that again. The American people don't trust the Federal Government. So much of what they do doesn't make any sense, and so much of what the EPA does doesn't make any sense.

I was the chair of the Subcommittee on the Environment, and we had direct oversight over EPA. Again and again, I saw examples of the things that they did that illustrated that they were an agency that is, in many ways, out of control. At one point, they had proposed regulations over ozone that were virtually impossible for many Western States to comply with, Western States like my home State of Utah. Their regulations would have been so restrictive that there was more naturally occurring ozone than they would have allowed. It doesn't make any sense.

There are multiple studies that were sponsored by the EPA concerning supposed contamination of groundwater from fracking that were so sloppy and

so obviously biased that even the EPA had to finally admit to them and withdraw their own studies. Once again, it doesn't make any sense.

Why would the EPA try to stop fracking, a technology that has led to cheaper energy, more efficient energy, jobs, and economic growth in many parts of our country? It doesn't make any sense.

There is the war on coal that I suppose many will be speaking about. As my friend, Mrs. HARTZLER, was saying, it drives up the cost of energy for every working family. It does nothing to reduce global carbon emissions.

I would like to take a minute and expand on, with a little more detail, what I think is one of the most egregious and troubling examples of EPA overreach. I want to speak on behalf of the thousands of landowners in my district, to my home State of Utah, that face a new threat due to the heavy hand of the EPA. This will affect farmers, it will affect ranchers, and even homeowners as they come into the crosshairs of an agency that has an ever-expanding regulatory agenda. The new actions of EPA are nothing more than a power grab that will have significant impact on infrastructure, on energy and land development.

Back in September, the EPA published a drafted rule to more heavily regulate the Clean Water Act. Now, make no mistake, this rule is wholly in defiance of recent Supreme Court rulings that determined the Agency was out of step with current law. The drafted rule would allow the EPA to regulate virtually every body of water in the United States, including private lakes, small ponds, seasonal streams. Every depression, no matter how far away it was from a jurisdictional water, could fall under this regulation. It would require farmers to get approval from the EPA before they planted their crops. It would require permits from the EPA before you could build on your own property, and it would hand environmentalists another way to sue property owners. It would drastically increase the cost and the timeframe of building any piece of infrastructure, whether it is a highway or a power plant, all of the things that communities need in order to survive.

Everyone agrees that we should protect the environment. There is a reason that I chose to live in Utah. I love to rock climb. I love to hike. I love to ski. I grew up on a farm. I love the land. I want to protect the land. The presumption is that because I am a Republican I must hate the land, and I think it is absurd.

If you want to take a meaningful step towards restoring trust between the American people and the Federal Government, then rein in the power of the EPA. It appears that our President has exactly the opposite in mind, and that scares me to death. It, frankly, should scare every American. I hope that he doesn't. I hope we are able to control this Agency. I hope that this

discussion tonight helps move us forward towards doing that.

Mrs. HARTZLER. Mr. Speaker, excellent points there. I think you are right; we need to make regulations that make sense. What the EPA is doing does not make sense. It does feed into the distrust of government bureaucracy by the American people, and well-deserved when they have some of the regulations coming out that they have been proposing that are harming Americans. That is why we are here tonight, to raise these concerns and to fight against them.

I am so glad today to get to pass the baton to my friend from North Carolina (Mr. HOLDING).

Mr. HOLDING. Mr. Speaker, I want to thank the gentlelady for bringing us here today to talk about this important issue.

Mr. Speaker, excessive and burdensome regulations have become a pattern under this administration. It is harmful to business and prevents growth in our economy.

One area of concern, amongst many that I have and my constituents have in North Carolina, is the proposed Environmental Protection Agency rule which would make changes to the Clean Water Act. The proposed rule by EPA would grant them control over essentially all waters, not just navigable waters as any commonsense person understands navigable waters and which is clearly defined in the Clean Water Act of 1972 and has been upheld by the Supreme Court.

In North Carolina, farmers are a critical part of this economy and community. Earlier this week, I had the chance to meet with a group of farmers from Wayne County, which is a large population center in my district. One of their greatest concerns was not a traditional farmer concern that you hear. It wasn't a concern about feed prices or soil fertility or farm equipment maintenance. It had to do with a Federal agency attempting to regulate any ditch, puddle, or dry creekbed within their property lines. This proposed rule from the EPA would take control away from these farmers and place it in the hands of a Federal Government bureaucracy.

Now, the EPA claims that it needs the authority to do this, but in reality, this expansion of power would unnecessarily put local and State issues in the Federal Government's hands. The EPA wants to expand the jurisdiction to intrastate waters, which could include isolated streams or ditches. This is extremely consequential to private property owners who could now be subject to EPA regulations even if they merely have a small pond in their backyard.

If the EPA is given this authority, private property owners will be vulnerable to lawsuits from environmental groups for not complying with regulations. In some of these cases, these waters have nothing to do with Federal interests and the rule could override State prerogatives. The rule would

allow EPA to regulate activities beyond the scope of interstate commerce, which is clearly not what was intended when the Clean Water Act was passed in 1972.

It is essential that we support policies that help farmers not only in North Carolina, not only in my district, but across the country to grow and produce their crops. They cannot afford to be laid low by overreaching government regulations. These are not large corporations. We are talking about local farmers who are farming sweet potatoes or soybeans or tobacco, and for them, these new regulations can be complex and compliance can be time consuming and expensive.

The Small Business Office of Advocacy has reported that Federal rule-making has imposed a cumulative burden of \$1.75 trillion on our economy. We should not add more to the problem with the proposed EPA rule; but, rather, we should be doing all we can to alleviate the burden on our farmers, small businesses, and our Nation's economy.

Again, I want to thank the gentlewoman from Missouri (Mrs. HARTZLER) for organizing this Special Order this afternoon.

Mrs. HARTZLER. I thank the gentleman very much, and I want to follow up on exactly your same story. I hear the same from my farmers in Missouri. And this picture on this poster, I hope everyone can see, because I want to show what Representative HOLDING was just talking about.

The Clean Water Act gave the EPA authority to regulate navigable waters, and those are the pictures here. They would be something that you would consider navigable waters, and they worked with the Corps of Engineers to develop regulations.

The pictures on the right are what I consider nonnavigable, and I think most people with common sense would. They are farm ponds, puddles, and ditches. This is what the EPA is trying to expand its reach to regulating. As Representative HOLDING said, this is going to impact every farmer and every property owner, and it is a violation of property rights.

The government should not have any control or say over how people manage their ponds, or if there is a puddle in the field, they shouldn't have to ask permission to be able to plant a crop there. And yet that is what you have, one of the things that EPA is doing. Thank you for bringing that up. And I wanted everybody to see how ridiculous this is and what an overreach of government it is. Thank you for showing that picture.

Now, I turn to ANDY BARR from Kentucky. He knows a little bit about coal and some of the other impacts of the EPA. Please share your thoughts on the topic.

Mr. BARR. I thank the gentlelady for organizing this Special Order and her leadership in highlighting a real problem in our country right now.

The President of the United States the other night in the State of the Union made an observation, and the President's observation was one where he described an economy in which inequality has deepened and upward mobility has stalled. Unfortunately, in many respects the President is right, but he is wrong about what has caused that problem to exist in our economy.

The truth is a major reason why upward mobility has stalled is because the Environmental Protection Agency, under his direction, has produced a deluge of red tape and regulations that are literally strangling the Nation's economy. The poor are worse off today than they were when President Obama took office. Seven million more Americans live in poverty today as compared to 2008. Median household income has fallen over \$2,000 in the last 4 years. Seventy-six percent of Americans live paycheck to paycheck, and the percentage of working-age people actually in the workforce has dropped to the lowest rate in 35 years in the Obama economy. The EPA is largely responsible for this.

The coal industry in my region in central and eastern Kentucky could be the poster child of this regulatory onslaught. According to the Commonwealth's recently released figures, more than 7,000 coal miners in the Appalachian coalfields have received pink slips since 2009; 2,232 of those jobs were lost last year alone, thanks in large part to the overreach of the EPA. The percentage of coal miners in our State is the lowest number of coal miners since 1927 in the coal labor market, and that is since they actually started keeping those statistics.

So whether it is deadlocking the permit process or trying to effectively ban coal-fired electricity through disastrous greenhouse gas regulations, EPA's arming of unelected bureaucrats has been very direct about their efforts to reshape entire sectors of our economy. In fact, the President's own climate adviser was reported as saying "a war on coal is exactly what we need."

So what bothers me about this is that there is a total disregard for the human cost to hardworking Americans, their families, who have lost these paychecks, who have been laid off with no other economic opportunity.

There is a problem with upward mobility in this country. There is income inequality, but it is because of this administration's policies that are devastating these coal-mining families. And make no mistake, these costs are generally borne by the Nation's most vulnerable who can least afford higher energy prices. A recent study analyzing government data found that, for the 180,000 families in Kentucky making less than \$10,000 per year, energy costs consume more than two-thirds of after-tax income.

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That means for every \$100 they take home, about \$70 goes to covering the

cost of energy. The EPA's ruinous policies will only drive those rates higher, adding to the burdens on those already struggling to make ends meet. Folks like our seniors on fixed incomes, they can't afford these higher utility bills.

The President likes to talk about the war on poverty. My friends on the other side of the aisle like to talk about the war on poverty. Well, it is hard to win the war on poverty when you are waging a relentless war on jobs. That is exactly what is happening with the EPA.

EPA officials think that they know what is best for you, for your family, and for your community, whether you live in Kentucky or Texas or California, but when Congress has asked for some evidence to justify this one-size-fits-all approach, they fail to provide it.

While I am sure it was much easier for these bureaucrats to have listening sessions on greenhouse gas regulations in Washington, D.C., or San Francisco, California, the three States that produced the most coal—Kentucky, West Virginia, and Wyoming—they were not on the list where the EPA went to visit. I don't think the bureaucrats would have received such a warm welcome from the coal miners of my State whose jobs were lost, the small businesses that no longer have customers—many in my home district—the teachers whose schools have lost a major source of tax revenue. They no longer have those funds because of the war on coal and the loss of revenue.

As I have warned for some time, the impact of EPA regulations will not be limited to the coal fields of Appalachia. If the EPA has its way, rising electricity rates, like we have already seen this winter, will ripple through this economy, threatening the manufacturing renaissance; home heating bills will spike; goods and services will cost more, depressing consumer demand; businesses will have to devote money that could have gone to investment and hiring to cover higher energy costs at a time when they can least afford it; companies considering to locate here in the United States will leave because our energy advantage will instead go overseas, where labor and energy are cheaper and the regulatory environment is less suffocating. Americans are calling for more jobs, but the Federal bureaucracy is trying to make sure those jobs go elsewhere.

All of this is happening through agency rulemaking because that is the only way that the President's environmentalist wish list can come into being. Similar policies have repeatedly failed in the face of bipartisan opposition in Congress. The President and the EPA, deaf to the vehement refusals of the American people and their elected officials to go along with this extremist agenda, are resorting to the only means that they have left: legally questionable rulemaking and executive actions unilaterally administered by the executive branch.

The House has made its position loud and clear: these policies are at odds with the intent of Congress and not in the best interest of the American people. In fact, they are actually bankrupting many hardworking Americans.

Enough is enough, Mr. Speaker. I would encourage the President and the EPA to approach Congress with an open, transparent program that balances environmental protection with economic growth. It can be done if Congress has a willing negotiator in the White House, but continuing to impose these rules by executive proclamation unilaterally fails to benefit the environment and it serves only to harm our constituents and our democracy, if this President, if this Congress is serious about dealing with poverty, if we are serious about dealing with income inequality, if we are really genuinely interested in helping the poor in this country, let's not attack hardworking Americans. Let's focus on job creation and growth, and let's unleash the energy potential of the United States.

I thank the gentlelady for her leadership.

Mrs. HARTZLER. Thank you very, very much. I don't think anyone could say it any better than that.

I appreciate as well your comments about coal because in my district, I have the only working coal mine in Missouri. In Missouri, 85 percent of our energy comes from coal. It is an extremist agenda that would raise the price of energy unnecessarily, especially on the hardest hit Americans whose hours are being cut back because of other policies from this country coming forth, and whose paychecks are shrinking.

Why would you artificially raise the cost of their electric bills due to regulations that aren't even scientifically based and shut off a major source of energy in this country that is affordable, reliable, safe, and clean—and that is coal.

Thank you very much for sharing that.

Now I would like to go to my friend from Oklahoma, JAMES LANKFORD, to hear his thoughts about EPA and how it is hurting Americans and how we can provide better solutions.

Mr. LANKFORD. There are a lot of things that we have done as a Nation that really have greatly benefited the health and economy of our Nation. We have engaged. There are some that would say to Republicans that Republicans just want dirty air and dirty water and they just assume we want unhealthy kids and all those things. I have people who have complained to me here while I have been in the House of Representatives and say: Don't you care about kids with asthma? And I look at them and say: Yeah, my daughter is one of them. So don't throw back in my face we don't care about our own kids and we don't care about the environment.

My youngest daughter, a couple of years ago we were sitting at an intersection and the car in front of us took

off and black smoke came out of the back of it, and she said out loud: Is that car on fire? As a kid who grew up in the 1970s like I did, I thought: No, that is what every car did in the 1970s, but we have made real changes, and it has affected our environment.

It is fascinating to me now that the EPA and the rules that were put in place to protect all Americans have moved from where they were in the 1970s to now trying to get to the most granular small level that is pushing beyond health and safety down to a level that is actually controlling business and the basic operation of our economy. This is no longer about health and safety of people anymore. Those rules have long been changed and been in place. This is something different.

The basic rules:

There is a rule that probably no one tracks. It is a 316(b) rule. No one has heard of the 316(b) rule, but what it does with power plants, most power plants, as people drive past all the time and see them, they have a lake around them. In that lake there are, typically, fish. Quite frankly, for many power plants that are there in many parts of the country, the power company actually built that lake and then stocked it. In Oklahoma, some of the best fishing lakes are right around power plants because the water is a little bit warmer and the fish multiply. The water that comes in through one side of that lake actually goes underneath the power plant to actually cool the power plant. It is not the steam that comes out of the top. It is just like a big radiator that comes in.

There is a grading screen that keeps all the fish out and everything else because they don't want them going underneath the plant as well and hurting the tubing and such. Occasionally, a fish gets what is called impinged on that screen. They are typically minnows, what we use in Oklahoma for fishing bait.

So the EPA is stepping in to power companies and making massive changes in their requirements to the screens around the outside of that to keep fish—minnows, bait fish—from being caught on that. Well, the offer has been made to say, if 100 bait fish are killed on this screen during this time, can we just buy 100 bait fish and put it in? We can go down to the local bait shop and get 100 fish and just restock it—and they say no. It requires millions of dollars of change to go around that screen to prevent that.

Who pays for that? Ratepayers pay for that. The President made a statement in his State of the Union address when he said: these things will be hard, but they are right for the environment. Do you know who it is hard on? The poorest in our society, elderly people that are on fixed incomes. That electricity bill matters to them, and you can't just flippantly say, Mr. President, this is going to be hard but we have got to do it, when the people that it is going to be hardest on and are

going to be affected the most are the people that this government should protect rather than just look at them and say: this is going to be hard, but you are going to pay a higher bill.

Simple things like regional haze. Rules were made years ago on regional haze. Regional haze is a rule dealing with aesthetics, what the air looks like. Not air quality, not what we breath, not health, just aesthetics. So the rule was made if this is just about aesthetics, not about health, the State should make those rules.

Then there was what's called a "sue and settle" agreement. This administration allowed a lawsuit, broke off separately from the normal judicial process, made an arrangement with these environmental groups, and then came back to States and said, a judge is imposing that. A judge is not imposing that. They made a deal with environmentalist groups around the people that it would affect and are now imposing it on States.

What is the result of that? Higher prices for electricity. Not because of health, but because of aesthetics. Again, the President's statement: this is going to be hard, we are aware. It is going to be hard on the people that should be protected by this Nation, not just someone stepping into their house and saying: sorry your electricity bill is higher, this is going to be hard. That doesn't help anyone. Families know that day-to-day life is hard. They don't need this government making it harder for them.

We need to stand up and protect them. It is important that we have clean air and clean water. It is also important that we protect our families and not bring them undue expense that matters nothing for basic human health and population.

I thank the gentelady for hosting this time and for this conversation because these EPA issues are not just Washington issues; they are issues that matter to our families. They are issues that do change the price of our electricity and our energy. When people say all the time: Why doesn't my check go as far as it used to go, why does life seem to cost so much now, I say to them: Welcome to the regulation world that we live in, where someone from D.C. says: this is going to be hard and you pay more.

Mrs. HARTZLER. We have turned sadly into a regulation Nation, and it is wrong, but some of us—and the ones here tonight speaking—are not going to sit by and allow this and stand idly by. We are fighting against it, and that is why we are here.

I totally agree with my colleague that it is wrong to just tell people: well, this is going to be hard, but you are going to have to pay more on your electric bill basically because of this new regulation because we care more for a minnow than we do about people. That is wrong. It is time to change things.

I appreciate my friend from Ohio, Representative ROBERT LATTA, being

here tonight and welcome your comments on this issue.

Mr. LATTA. Thank you very much. I appreciate the gentelady for organizing this Special Order tonight.

The issue about the EPA and what it is doing back home and across our Nation is an issue that we all have to really pay attention to. I serve on the Energy and Commerce Committee, and we look at this all the time in our subcommittee. We have hearings continually. People back home always ask: What's going on, why is this happening, as the gentleman from Oklahoma just said.

My district is unique. I have 60,000 manufacturing jobs, and I also represent the largest number of farmers in the State of Ohio. When I am home, over the last 16 plus months I have probably done about 40 to 50 different meetings in my district visiting manufacturing plants, farmers, and small businesses. I also ask them: What is the issue that you are most concerned about? The number one issue I hear from them all the time on, the number one issue is regulations. Regulations are the number one thing that are holding back Americans from creating more jobs in this country. It is very important that I ask them: Well, who is it, what regulations? It is the EPA. That is the number one agency I hear about from my constituents all the time.

Earlier this session, I offered H.R. 724. H.R. 724 is a piece of legislation that received bipartisan support here in the House. Not only did it receive bipartisan support, it passed unanimously. What that bill does is it gets rid of a piece of regulation that is no longer necessary under the Clean Air Act.

There is a regulation on the books out there that requires small to large to medium auto dealers in this country that they would have to go out and give the buyer a piece of paper telling them that, yes, it met all the requirements. Well, it is no longer a piece of paper that needs to be given. It is something that should have been gotten rid of a long time ago because it is online, it is on the cars, it says right there that that car meets all the emission standards.

So what we need to do is just start paring back these types of regulations. That bill has gone over to the Senate. I hope our friends over there in the very near future take that up because, again, it is something that helps the communities. Again, when you talk about folks back home, the folks back home—it is like the auto dealers—they are the ones that sponsor Little League teams, they are the ones that are out there making sure that they are donating. So let's give them more time to do things like helping their community and, by the way, selling more cars, putting more people to work. That is very, very important.

Also, as the speaker from Oklahoma also mentioned, there is nobody out

there that doesn't say that we don't want clean air and clean water. We all want that, but in recent years the EPA has put forward broad-reaching regulatory proposals that are either unachievable or lack sufficient cost-benefit justifications. One of the most harmful proposals includes the greenhouse gas emission standards for new power plants that aim to stop the use of coal as an energy source.

We have all heard from folks tonight talking about how much coal is being used not only in their districts, but their States. In the State of Ohio, 78 percent of our electricity comes from coal-fired plants.

When you talk about what is going to happen if all these regulations go on, who is that going to affect?

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It is going to affect the very vulnerable citizens in our districts. For the senior citizens out there on fixed incomes, it is going to increase the costs for them. They are going to have to make the choice about heating their homes or about refilling those life-saving prescriptions that they might have to have.

So, when we look at the EPA and when it fails to consider what those real-life impacts are on all of these proposals that it is proposing out there; or the small business owner who struggles to make the payroll; or the newly hired employee facing the reduced hours; or, again, senior citizens who are on fixed incomes and trying to budget in these tough times, those are the things that have to be considered.

One of the things, I think, that was really staggering was that, in 2011, the SBA—the Small Business Administration—came out with a report stating that we have \$1.7 trillion of regulations in this country today. Unfortunately, that got up to \$1.8 trillion, and that is what we are dealing with in this country. People wonder why jobs aren't being created in this country. You just have to look at Washington. What are we doing to them here?

What we need to do, in my opinion, is invite the EPA to visit our districts. I have actually had some folks in my district say that they would be glad to have them come in to show the EPA. In one company, they had all of these different manuals and books and everything on the table that they showed me, and they said one thing—that they would love to have them come in because it doesn't even apply to their plants. That is what is going on. They are trying to take a round peg and drive it through a square hole. We have got to do that in order to help our hardworking American taxpayers meet these goals and to create more jobs, to help their families, and to help the future.

With that, I thank the gentlelady again for hosting this tonight.

Mrs. HARTZLER. Thank you so much, gentleman. Thank you for your leadership on that. That is a great bill,

and we really need more of that to push back on these onerous regulations by the EPA, like you pointed out, that cost the taxpayers \$1.8 trillion a year overall just to comply with paperwork. That is wrong.

Now I would like to turn to my friend from Florida, Representative TED YOHO, to share his thoughts.

Mr. YOHO. I would like to thank the gentlelady from the great State of Missouri (Mrs. HARTZLER) for the privilege of being able to address one of the greatest issues facing our Nation today—the unilateral imposition of regulations coming out of an administrative agency known as the EPA, the Environmental Protection Agency, and the strangulating effects those regulations have on business development and on our economy.

Mr. Speaker, my home State, the great State of Florida, is fortunate enough to play host to a myriad of beautiful animals, landscapes, waterways, and beaches, and I believe that we all play a role in being good stewards of our natural resources. We all want clean water. We all want clean air. As Mr. LANKFORD was talking about his child's having asthma, I have asthma, and I know the importance of this. So, yes, we do want a clean environment.

Many rural districts like mine often have unique needs, whether it is the farmer farming to put food on his table in order to keep his family fed or to feed a Nation or to keep the lights on at the storefront or bringing jobs back to our districts. Through projects like the dredging of the St. Johns waterway, which is a crucial infrastructure project in our district, it would create thousands of jobs, and yet we have to deal with EPA regulations.

Congress must ensure that efficient and effective policies are being implemented that both boost the economy and uphold environmentally friendly industry standards. However, the EPA has overstepped its authority time and time again by imposing unwarranted, costly Federal regulations on States and on individuals. Last year, the EPA issued 1,624 rules and notices. In this year alone, the EPA has issued 148 new rules and notices.

To sum this up, since the beginning of the 113th Congress alone, the EPA has issued 1,759 new rules and notices. In a little over 12 months, the EPA has issued, on average, just under 147 new rules and notices per month. That is just under 34 a week, just under 11 new regulations a day. This is an incredible rate. Every industry is affected, and they are finding it harder and harder to keep up.

Take, for example, the highly debated cap-and-trade emissions standards the EPA and the current administration are pushing. This is going to affect every American.

The EPA Web site says:

Cap-and-trade is an environmental policy tool that delivers results with a mandatory cap on emissions while providing sources

flexibility in how they comply. Successful cap-and-trade programs reward innovation, efficiency and early action, and provide strict environmental accountability without inhibiting economic growth.

This is simply not true. It strangles businesses; it costs money; and it stifles economic growth.

Overzealous regulations like cap-and-trade by the EPA, which is, again, an administrative agency, handcuff our economy and make America less competitive in the world because emerging markets like China and India will never adopt such destructive taxes; yet they put our manufacturers in a hold and make America less competitive, further restricting the opportunities in this country and lowering the job growth in this country.

I have just a few stories I would like to share with you. One of them is about a constituent of mine. We have talked about this, and you held up the navigable waterways:

He is a dairy farmer. He has been in battle with the EPA for over a couple of years. It has cost him over \$400,000—\$200,000 in fines. It is for a depression on his property that has been there for years. It is a depression that, when it rains, it fills up and it evaporates, yet he has fought the EPA on this for over 2 years at the cost of \$200,000 in fines—\$200,000 to fix it and in lawyer fees. This can't go on. It drives people out of business;

In our area, I visited a power plant. That power plant was tasked with meeting a new EPA standard for their emissions. It cost them over \$500 million, and they had 4 years to complete it. They got halfway through the project, and the EPA came out and said, Never mind. We changed the rule. They have already spent half the money, yet the EPA says, You don't have to comply.

We see this over and over again. According to the new EPA studies, by their own admission, they said that the new rules on the carbon capture standards would have an insignificant effect on human health and our environment, yet it is going to cripple every American in this country and cost him a lot more in money.

Our role in government is to legislate in order to make America safer and economically stronger, not to govern by an administrative agency which has little oversight and that winds up stifling business development and our economic growth. It is high time Congress reminds the EPA of what its original purpose was, and that is to protect human health and the environment by writing and enforcing regulations based on the laws that we pass, not regulations that stifle America.

I would like to thank the gentlelady from Missouri for the opportunity and for organizing this. You did a great job and a great service to the American people.

Mrs. HARTZLER. Your comments were very, very helpful to what we are doing tonight, which is making people

aware of how these EPA regulations hurt real people. I think your example of the 2-year fight and the \$200,000 fine just for a low area in your yard that fills with water is just too much.

Mr. YOHO. It wound up costing him over \$400,000 by the time he was done, and he just threw up his hands. This is happening all over America. So I thank you again.

Mrs. HARTZLER. Thank you. That is why we are here fighting tonight.

I would like to turn it over now to my friend from Arkansas, which is just a little south of me, to Representative RICK CRAWFORD.

Mr. CRAWFORD. I thank the gentlelady and her staff for arranging this Special Order to discuss this issue that we have been talking about—the egregious overreach of the Environmental Protection Agency.

I want to talk about an issue that is very close to you and near and dear to you and that you have helped me on, and that is the spill prevention and containment countermeasures issue, which is facing farmers across the country.

Mr. Speaker, we have taken action on this. If you are like me and if your staff is like my staff, we have fielded countless phone calls from farmers who are concerned about these new rules that the EPA was attempting to roll out with respect to on-farm fuel storage at, really, an unmanageable level. 1,320 gallons was the threshold that would require that the farmers construct these spill prevention and containment countermeasures. For those who don't know what those are, those are berms, or protective dikes, around a storage facility that can cost tens of thousands of dollars to ag producers. Farmers may be land rich—capital rich—but they are not cash rich by any stretch of the imagination, so this adds cost to their operations.

Really, who pays for that?

We have talked about it with our power plants. The ratepayers pay. The American people pay for that because prices go up. Generally, while the farmer bears the burden initially, ultimately, those costs are passed on to the consumer, which is the case in nearly every one of these issues where we see the EPA engaging in overreach.

So we took to the floor to try to change this, and we were successful, not once but twice, in passing by voice vote the FUELS Act. That would have changed the threshold from 1,320 gallons to 10,000 gallons. Between 10,000 and 42,000, you would be required to build the structure, but above 42,000, you would then be required to engage the services of a professional engineer for certification in order to meet that standard for EPA's compliance.

Now, the University of Arkansas did a study on the FUELS Act which addressed the spill prevention and containment countermeasures, and they estimated nationwide that this bill, which was passed successfully on the House floor, would save American

farmers \$3.3 billion. I don't know about you, but I think this \$3.3 billion could do our economy a heck of a lot better service than chasing this problem that really doesn't exist.

Why do I say this problem doesn't exist?

A decade ago, the USDA did an analysis of the spill prevention and containment countermeasures, and they discovered there was little, if any, evidence of farms having any oil spills. In fact, 99 percent of farmers had never experienced an oil spill, and that means that the compliance cost of \$3.3 billion is essentially a solution in search of a problem. It really doesn't exist.

What we did was we took that 10,000-gallon threshold directly from the underlying law—the Clean Water Act—that regulates on-farm fuel storage, and they defined, in their own words, 10,000 gallons as being a proper definition of a family farm, of small farm fuel storage. The commodities at this scale are certainly storing more than 10,000 gallons on their farms. Being a farmer yourself, you know that you store in greater quantity than 10,000 gallons, particularly if you are engaged in a larger scale operation. So, number one, the evidence just isn't there to support the 1,320-gallon threshold.

Number two, we had over 30 commodity organizations and agricultural organizations that were in support of the bill. We passed it twice on the floor. The Senate will not move. The EPA continues to move forward, and we continue to be concerned about the EPA's drive to overregulate on-farm fuel storage.

Again, I want to thank the gentlelady for her leadership on this and for bringing this to the attention of the American people, because everything that we have heard tonight and everything that has been talked about has a direct impact on their bottom lines and on the quality of life for their farmers.

I would also like to echo what my colleagues have said. We certainly don't want to see poor air quality or poor water quality. I have kids at home. I love my kids. You love your kids. I know you have small ones at home, too. We are just as committed to a clean environment as anybody is, but we are also committed to the quality of life, to the costs incurred in that quality of life and to a more responsible approach.

Mrs. HARTZLER. Thank you for your leadership on this. That issue is just so important to farmers all across this country and to rural communities, which could certainly use that \$3.3 billion.

Now I would like to turn to my friend from Oklahoma, MARKWAYNE MULLIN, to share his thoughts on the EPA.

Mr. MULLIN. I would like to thank the gentlelady from Missouri.

Mr. Speaker, this is something that is very near and dear to my heart. The only reason I stand in front of you is that I realized one day that the biggest

threat that I had to my family business was the Federal Government from its overregulation. I woke up one day and realized that I was literally spending 40 cents on every dollar that came into our company to simply comply with different mandates and regulations that came down from this area.

I never dreamed I would ever stand up here one day as a Congressman. It was never a thought. I never even owned a suit until after I won the election. My family is strongly rooted in entrepreneurs—from farming to plumbing, all the way to banking—and we understand regulation well, but the biggest threat we have to this economy is overreaching regulation.

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Let me share just a real quick story. My uncle, Darryle Mullin, is from Clearfork, Oklahoma, a big metropolitan area I am sure everybody around here has heard of. It is the same place he was born and raised, the same place my dad and his brothers and sisters were born and raised. He has been raising chickens there since 1971. For 42 years, he has raised chickens. He raised a family by raising chickens and farming.

The EPA came in and started fining people on little, silly stuff, including feathers. Fining poultry growers, chicken farmers, on feathers.

Now you are going to tell me that in a place where my Uncle Darryle grew up his entire life, he doesn't have pride on the land that he lives on? You are telling me people that never stepped foot in Oklahoma, and probably never on a farm, but they are up here in D.C., know how to manage our land better than we know how to manage our land?

I find it a joke. It is embarrassing, and they should be embarrassed. Because they are going to kill the entrepreneur spirit. They are going to run small farmers out of business.

2013 was the last batch of chickens my Uncle Darryle got. It wasn't because of his health. It wasn't because he didn't want to still manage it. He just got to the point where it wasn't profitable for him to be able to do it anymore. Rather than doing what he loves, he was spending his time trying to comply with mandates that the EPA is putting down on small farmers all over the country.

What we are seeing is these small farmers have raised families, and they were raised on the same farm. Generations of farmers are starting to have to sell out. Large corporations that have more people to balance the pay, to balance the cost around, are having to come in and take the spot of these small farmers that started the same way my uncle did.

Now you tell me, what good are they doing? Are they helping America? No. They are killing the entrepreneur spirit of America. They are costing us jobs. They are taking away our life. They are ruining families.

This country was built on the backs of farmers. The work ethic that we

have as Americans came from the farming community. We get up every day, we pull our boots on, we go to work, and we take pride because we accomplish something that no one else can accomplish—and we did it that day.

We overcome challenges every day. More and more challenges we overcome. It is something we take pride in. You can't tell us we can't do a job. We are the only one that can tell us we can't.

But one challenge we haven't been able to get over—and that is right here in Washington, D.C.—is bureaucrats that get up every day and try to tell us how to live our lives. Yet we survived all these years without them.

As I stand in front of the gentlelady from Missouri today, the EPA is the biggest threat we have to this country right now. They are the biggest threat we have to our way of life right now. They are doing nothing but costing us jobs by trying to say they are saving us from ourselves. It is embarrassing, but I am sure glad I am up here standing in front of you today to fight for our way of life.

I would like to thank the gentlelady from Missouri for giving me this time and the opportunity to stand in front of you. Thank you for exposing the EPA for what they are instead of what they hide behind.

Mrs. HARTZLER. I am glad you are here tonight. I am glad you are here representing the common person in this country who is fighting these regulations every day, who has had real-world experience dealing with the EPA, like many of us have.

You are exactly right. It is stifling jobs and hurting people, whether it is the families back in Missouri who are dealing with the big 10-inch snow that we got yesterday, and they are wanting to heat their home with a wood-burning stove or turn up the thermostat and worry about their electricity bills at the end of the month, or whether it is the farmer out there who is trying to raise chickens and provide poultry and meat for this country, and then they have the government trying to regulate their feathers.

Last year, the EPA tried to regulate farm dust. Now they are trying to expand the definition of navigable waters to regulating farm ponds and ditches and little depressions in the fields, and asking for permission from Americans to be able to farm their land.

There are other regulations we haven't even talked about tonight dealing with permitting and being able to spray crop protection products on their crops. Farmers get this every day. So do manufacturers. So do businesses, and so does anyone who has to pay an electric bill every month, with the President's war on coal.

So that is why here in the House we are standing strong against the EPA. We are exposing what they are doing and how it is hurting Americans and why it is important for the Senate to

move on our bills to rein in the EPA, to bring common sense back to Washington, and to return this government of the people, by the people, to start working for the people once again.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for February 3-6 on account of attending to family acute medical care and hospitalization.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on February 4, 2014, she presented to the President of the United States, for his approval, the following bills:

H.R. 2860. To amend title 5, United States Code, to provide that the Inspector General of the Office of Personnel Management may use amounts in the revolving fund of the Office to fund audits, investigations, and oversight activities, and for other purposes.

H.R. 2642. To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 6, 2014, 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:

4670. A letter from the Chief, Planning & Regulatory Affairs Office, Department of Agriculture, transmitting the Department's final rule — Automated Data Processing and Information Retrieval System Requirements: System Testing (RIN: 0584-AD99) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4671. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Proposal Adequacy Checklist Revision (DFARS Case 2013-D033) (RIN: 0750-AI15) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4672. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Community Reinvestment Act Regulations (RIN: 3064-AD90) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4673. A letter from the Chief, Planning and Regulatory Affairs Office (PRAO), FNS/

USDA, Department of Agriculture, transmitting the Department's "Major" final rule — Certification of Compliance With Meal Requirements for the National School Lunch Program Under the Healthy, Hunger-Free Kids Act of 2010 [FNS-2011-0025] (RIN: 0584-AE15) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4674. A letter from the Deputy General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's "Major" final rule — Payment of Premiums; Large-Plan Flat-Rate Premium (RIN: 1212-AB26) received January 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4675. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Pediatric Uses of Devices; Requirement for Submission of Information on Pediatric Subpopulations That Suffer From a Disease or Condition That a Device Is Intended to Treat, Diagnose, or Cure [Docket No.: FDA-2009-N-0458] (RIN: 0910-AG29) January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4676. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Ehrenberg, First Mesa, Kachina Village, Munds Park, Wickenburg, and Williams, Arizona); Application of Univision Radio License Corporation KHOV-FM, Wickenburg, Arizona [MD Docket No.: 11-207; RM-11517; RM-11518; RM-11669] (File No.: BPH-20080915AFP; Facility ID No.: 29021) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4677. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Protection System Maintenance Reliability Standard [Docket No.: RM13-7-000; Order No. 793] received January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4678. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Collection by Offset From Indebted Government Employees (RIN: 3206-AM14) received January 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4679. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees' Group Life Insurance Program: Election Opportunities for Pathways Participants (RIN: 3206-AM98) received January 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4680. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees' Group Life Insurance Program: Election Opportunities for Pathways Participants (RIN: 3206-AM98) received January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4681. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Collection by Offset From Indebted Government Employees (RIN: 3206-AM14) received January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4682. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Eligibility for Pathways Programs Participants

(RIN: 3206-AM97) received January 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4683. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Eligibility for Pathways Programs Participants (RIN: 3206-AM97) received January 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4684. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Designation of Nonessential Experimental Population of Central Valley Spring-Run Chinook Salmon Below Friant Dam in the San Joaquin River, CA [Docket No.: 121210693-3985-01] (RIN: 0648-BC68) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4685. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2014 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 120918468-3111-02] (RIN: 0648-XD058) received January 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4686. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0704; Directorate Identifier 2013-NM-074-AD; Amendment 39-17695; AD 2013-24-13] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4687. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2013-0724; Directorate Identifier 99-CE-013-AD; Amendment 39-17691; AD 99-26-19 R1] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4688. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Maule Aerospace Technology, Inc. Airplanes [Docket No.: FAA-2013-0725; Directorate Identifier 98-CE-01-AD; Amendment 39-17690; AD 98-15-18 R1] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4689. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2013-0879; Directorate Identifier 2013-NE-30-AD; Amendment 39-17694; AD 2013-24-17] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4690. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EADS CASA (Type Certificate Previously Held By Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2013-0688; Directorate Identifier 2012-NM-221-AD; Amendment 39-17683; AD 2013-24-09] (RIN: 2120-AA64)

received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4691. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Chatom, AL [Docket No.: FAA-2012-1186; Airspace Docket No.: 12-ASO-32] received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4692. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Donlin Creek, AK [Docket No.: FAA-2013-0786; Airspace Docket No. 12-AAL-13] received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4693. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Loup City, NE [Docket No.: FAA-2013-0607; Airspace Docket No. 13-ACE-13] received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4694. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0524; Directorate Identifier 2012-SW-084-AD; Amendment 39-17694; AD 2013-24-19] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4695. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders [Docket No.: FAA-2013-0661; Directorate Identifier 2013-CE-009-AD; Amendment 39-17693; AD 2013-24-16] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4696. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta Westland S.p.A. (Type Certificate previously held by Agusta S.p.A.) Helicopters [Docket No.: FAA-2013-0604; Directorate Identifier 2012-SW-110-AD; Amendment 39-17705; AD 2013-25-09] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4697. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0416; Directorate Identifier 2012-NM-144-AD; Amendment 39-17707; AD 2013-25-11] (RIN: 2120-AA64) received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4698. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30932; Amdt. No. 3567] received January 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 3683. A bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes (Rept. 113-341, Pt. 1). Ordered to be printed.

Mr. HENSARLING: Committee on Financial Services. H.R. 3448. A bill to amend the Securities Exchange Act of 1934 to provide for an optional pilot program allowing certain emerging growth companies to increase the tick sizes of their stocks; with an amendment (Rept. 113-342). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SARBANES (for himself, Ms. PELOSI, Mr. BARBER, Mrs. BEATTY, Mr. BERA of California, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. CARNEY, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GARCIA, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS of Florida, Mr. HIMES, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HOYER, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JONES, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS, Mr. LOEBACK, Ms. LOFGREN, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, Mr. SEAN PATRICK MALONEY of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS of California, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIREN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TIERNEY, Mr. TONKO, Mr. VAN HOLLEN, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ,

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

Mr. WAXMAN, Mr. WELCH, Mr. YARMUTH, Ms. BROWNLEY of California, and Ms. CASTOR of Florida):

H.R. 20. A bill to reform the financing of Congressional elections by broadening participation by small dollar donors, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and Ways and Means, 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.

By Mr. SIMPSON (for himself and Mr. SCHRADER):

H.R. 3992. A bill to provide for wildfire suppression operations, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Agriculture, and Natural Resources, 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.

By Mr. BENTIVOLIO (for himself and Mr. BENISHEK):

H.R. 3993. A bill to provide for a 15% reduction in the rates of pay of Members of Congress for pay periods occurring during a year if a Federal budget deficit existed during the most recent fiscal year; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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.

By Mr. BISHOP of Utah (for himself and Mr. HORSFORD):

H.R. 3994. A bill to improve the control and management of invasive species that threaten and harm Federal lands under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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.

By Mr. BRALEY of Iowa:

H.R. 3995. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for mortgage insurance premiums; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas (for himself, Mr. CRENSHAW, Mrs. MILLER of Michigan, Mr. HUIZENGA of Michigan, Mr. LUETKEMEYER, Mr. LONG, Mr. WHITFIELD, Mr. HUELSKAMP, Mr. YODER, Mr. GARAMENDI, and Mr. YOHO):

H.R. 3996. A bill to prohibit the closure or reduced operation of military commissary stores and exchange stores before January 1, 2017; to the Committee on Armed Services.

By Mr. HIGGINS (for himself, Mr. SERRANO, and Mr. DUNCAN of Tennessee):

H.R. 3997. A bill to amend title VII of the Social Security Act to require the President to transmit the annual budget of the Social Security Administration without revisions to Congress, and for other purposes; to the Committee on Ways and Means.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3998. A bill to authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation; to the Committee on Transportation and Infrastructure.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3999. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and to clarify that leave may be taken for routine family medical needs and to assist elderly relatives, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, 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.

By Mr. MESSER:

H.R. 4000. A bill to allow States to let Federal funds for the education of disadvantaged children follow low-income children to the accredited or otherwise State-approved public school, private school, or supplemental educational services program they attend; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Agriculture, Energy and Commerce, and Science, Space, and Technology, 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.

By Mrs. MILLER of Michigan:

H.R. 4001. A bill to authorize the Secretary of the Army to carry out certain activities to prevent the interbasin transfer of aquatic invasive species between the Great Lakes and Mississippi River, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MULLIN (for himself, Mr. COLE, and Mr. YOUNG of Alaska):

H.R. 4002. A bill to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON (for herself, Mr. WOLF, Mr. MORAN, and Ms. EDWARDS):

H.R. 4003. A bill to designate the Civil War Defenses of Washington National Historical Park comprised of certain National Park System lands, and by affiliation and cooperative agreements other historically significant resources, located in the District of Columbia, Virginia, and Maryland, that were part of the Civil War defenses of Washington and related to the Shenandoah Valley Campaign of 1864, to study ways in which the Civil War history of both the North and South can be assembled, arrayed, and conveyed for the benefit of the public, and for other purposes; to the Committee on Natural Resources.

By Mr. WAXMAN (for himself, Ms. BROWNLEY of California, and Mr. SCHIFF):

H.R. 4004. A bill to authorize the Secretary of Veterans Affairs to enter into enhanced-use leases for certain buildings of the Department of Veterans Affairs at the West Los Angeles Medical Center, California; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. SIRE, Mr. MEEKS, Ms. BASS, Ms. LEE of California, Ms. CLARKE of New York, Ms. WILSON of Florida, Mr. CONYERS, and Mr. RANGEL):

H. Res. 474. A resolution honoring the 210th anniversary of Haiti's independence; to the Committee on Foreign Affairs.

172. The SPEAKER presented a memorial of the Senate of the Commonwealth of the Northern Mariana Islands, relative to Senate Joint Resolution No. 18-04 requesting that all Americans be given the same consideration when it comes to compensation for exposure to radiation from U.S. nuclear testing; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SARBANES:

H.R. 20.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. SIMPSON:

H.R. 3992.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. BENTIVOLIO:

H.R. 3993.

Congress has the power to enact this legislation pursuant to the following:

Section 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

27th Amendment

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

By Mr. BISHOP of Utah:

H.R. 3994.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BRALEY of Iowa:

H.R. 3995.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 3996.

Congress has the power to enact this legislation pursuant to the following:

MEMORIALS

Under clause 3 of rule XII,

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. HIGGINS:

H.R. 3997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. MICHELLE LUJÁN GRISHAM of New Mexico:

H.R. 3998.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3999.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MESSER:

H.R. 4000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, which states in part that "Congress shall have power to provide for the . . . general welfare of the United States" and Article I, Section 8, Clause 18, which empowers Congress "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. MILLER of Michigan:

H.R. 4001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, specifically Clause 1 and Clause 3.

By Mr. MULLIN:

H.R. 4002.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. NORTON:

H.R. 4003.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. WAXMAN:

H.R. 4004.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under the Commerce Clause of Article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. FATTAH and Ms. CLARK of Massachusetts.

H.R. 147: Mr. COFFMAN.

H.R. 184: Ms. CHU and Mr. MICHAUD.

H.R. 207: Mr. RODNEY DAVIS of Illinois and Mrs. HARTZLER.

H.R. 233: Ms. NORTON.

H.R. 426: Mr. ELLISON.

H.R. 447: Mrs. LUMMIS.

H.R. 455: Mr. VEASEY.

H.R. 494: Mr. BRADY of Pennsylvania.

H.R. 508: Mr. BISHOP of Utah.

H.R. 522: Mr. DUNCAN of South Carolina.

H.R. 523: Ms. CLARK of Massachusetts.

H.R. 562: Mr. KIND.

H.R. 637: Mr. LAMALFA, Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. KINGSTON, Mr. POSEY, Mr. BARTON, Mr. FLORES, and Mr. HARRIS.

H.R. 647: Mr. POMPEO and Mr. MARINO.

H.R. 721: Mr. RAHALL.

H.R. 897: Mr. AL GREEN of Texas.

H.R. 1010: Ms. SINEMA.

H.R. 1020: Mr. COLLINS of New York and Mr. ROKITA.

H.R. 1024: Mr. GENE GREEN of Texas.

H.R. 1070: Mr. HECK of Nevada.

H.R. 1091: Mr. BYRNE.

H.R. 1094: Mr. WELCH.

H.R. 1154: Mr. MAFFEI.

H.R. 1249: Mr. YODER.

H.R. 1250: Mrs. LUMMIS.

H.R. 1321: Mr. RAHALL.

H.R. 1343: Ms. SLAUGHTER.

H.R. 1386: Mr. STEWART, Mr. STIVERS, and Mr. WEBER of Texas.

H.R. 1461: Mrs. BLACK.

H.R. 1518: Mr. WILLIAMS and Mr. MURPHY of Pennsylvania.

H.R. 1551: Ms. SEWELL of Alabama, Mr. DESJARLAIS, Mr. RODNEY DAVIS of Illinois, Mr. NUGENT, Mr. GRAVES of Georgia, Mr. DUNCAN of Tennessee, Mr. HALL, Mrs. BLACKBURN, Mr. FLEISCHMANN, Mr. FINCHER, Mr. TAKANO, Mr. MCINTYRE, and Ms. WILSON of Florida.

H.R. 1652: Ms. CLARK of Massachusetts.

H.R. 1755: Ms. CLARK of Massachusetts.

H.R. 1767: Mr. COURTNEY and Mr. COHEN.

H.R. 1814: Mr. SAM JOHNSON of Texas.

H.R. 1852: Mr. LOWENTHAL.

H.R. 1907: Mr. HORSFORD.

H.R. 1918: Mr. WITTMAN, Mr. GARAMENDI, Ms. HANABUSA, Mr. HASTINGS of Washington, and Mr. RICHMOND.

H.R. 2134: Mr. PETERSON.

H.R. 2203: Mr. HOLDING, Mr. SHIMKUS, Mr. LUTKEMEYER, Mr. MILLER of Florida, Mr. COFFMAN, Mr. GOHMERT, Mr. THOMPSON of Pennsylvania, Mr. FRANKS of Arizona, Mr. BILIRAKIS, Mr. BUCHANAN, Mr. MCHENRY, Mr. HUDSON, Mrs. WAGNER, Mr. SCALISE, Mr. GRAVES of Missouri, Mr. WELCH, Mr. TIPTON, Mr. WESTMORELAND, Mr. POMPEO, Mr. SMITH of Texas, Mr. WILSON of South Carolina, Mr. UPTON, and Mr. RICE of South Carolina.

H.R. 2283: Mr. CAPUANO, Mr. COHEN, Mr. PITTINGER, Mr. HARPER, and Ms. LEE of California.

H.R. 2413: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRAYSON, Mr. LIPINSKI, Mr. MAFFEI, and Ms. LOFGREN.

H.R. 2468: Mr. RODNEY DAVIS of Illinois, Mr. PASCRELL, Mr. BLUMENAUER, Mr. FRELINGHUSEN, Ms. MOORE, Mr. ELLISON, and Mr. MORAN.

H.R. 2575: Mr. BRIDENSTINE and Mr. LATTA.

H.R. 2591: Ms. WILSON of Florida, Mr. GARCIA, and Mr. LIPINSKI.

H.R. 2607: Mrs. CAPPAS.

H.R. 2692: Ms. NORTON.

H.R. 2807: Mr. MARCHANT.

H.R. 2878: Mr. CARTWRIGHT.

H.R. 2928: Mrs. BUSTOS.

H.R. 2959: Mr. BYRNE, Mr. MICA, and Mr. MCCAUL.

H.R. 2998: Mr. GRIJALVA.

H.R. 3022: Mrs. BUSTOS and Ms. MATSUI.

H.R. 3074: Mr. AUSTIN SCOTT of Georgia, Mr. ROKITA, and Mr. HARRIS.

H.R. 3116: Mr. BRALEY of Iowa.

H.R. 3118: Mr. LARSEN of Washington, Mr. CARSON of Indiana, and Mr. JOHNSON of Georgia.

H.R. 3154: Mr. MEADOWS.

H.R. 3179: Ms. FRANKEL of Florida.

H.R. 3303: Mr. TIBERI.

H.R. 3322: Ms. ROYBAL-ALLARD.

H.R. 3335: Mr. CHABOT and Mr. BROUN of Georgia.

H.R. 3361: Mr. SWALWELL of California.

H.R. 3370: Mr. FARR, Mr. ISRAEL, Ms. CLARK of Massachusetts, Mr. BARBER, Mrs. BUSTOS, and Mr. MEEHAN.

H.R. 3372: Ms. NORTON.

H.R. 3426: Ms. SCHWARTZ.

H.R. 3461: Ms. KAPTUR, Ms. FUDGE, and Mrs. BUSTOS.

H.R. 3465: Ms. CLARKE of New York, Mr. VAN HOLLEN, and Mr. DOYLE.

H.R. 3481: Mr. POSEY, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. LAMALFA, and Mr. PITTINGER.

H.R. 3505: Mr. WITTMAN.

H.R. 3530: Mr. WITTMAN, Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. PITTINGER, Mr. FLEMING, Mr. POSEY, Mr. BURGESS, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. FLORES, Mr. AUSTIN SCOTT of Georgia, Mr. FINCHER, Mr. RIBBLE, Mr. ROKITA, Mr. DUNCAN of South Carolina, Mr. DAINES, Mrs. LUMMIS, Mr. HARRIS, Mr. SALMON, Mrs. BLACKBURN, Mr. WILSON of South Carolina, and Mr. HULTGREN.

H.R. 3541: Mr. BUCSHON.

H.R. 3571: Mr. LANGEVIN, Ms. SLAUGHTER, Mr. TIERNEY, Mr. SEAN PATRICK MALONEY of New York, Mr. MARINO, and Ms. CLARK of Massachusetts.

H.R. 3616: Mr. RANGEL, Mr. CONYERS, Mr. CÁRDENAS, Mr. VARGAS, and Mr. COOK.

H.R. 3634: Mrs. NAPOLITANO, Mrs. LOWEY, and Mr. LOWENTHAL.

H.R. 3635: Mr. ROSS, Mrs. HARTZLER, Mr. RIBBLE, Mr. TIPTON, Mr. SCHOCK, Mr. CALVERT, and Mr. FORTENBERRY.

H.R. 3654: Mr. LANGEVIN.

H.R. 3663: Mr. BURGESS and Mr. COLLINS of New York.

H.R. 3673: Mrs. BLACKBURN.

H.R. 3698: Ms. KELLY of Illinois, Mr. SHUSTER, Mr. PALAZZO, Mr. LOEBSACK, Mr. TIERNEY, and Mr. PETERSON.

H.R. 3708: Mr. GRAVES of Georgia, Mr. SCHOCK, Mr. TIPTON, Mr. ROE of Tennessee, and Mr. WILLIAMS.

H.R. 3717: Ms. JACKSON LEE.

H.R. 3725: Mr. YODER, Mr. CRAMER, and Mr. FLEMING.

H.R. 3728: Mr. NUNNELEE, Mr. FINCHER, and Mr. TERRY.

H.R. 3771: Mr. ROYCE, Mr. PETERS of California, Mr. GRIMM, Mr. YOUNG of Alaska, Mr. VALADAO, Mr. GARY G. MILLER of California, Ms. MENG, Ms. MATSUI, and Mr. CALVERT.

H.R. 3776: Mr. BURGESS and Mr. POMPEO.

H.R. 3824: Mr. GALLEGO.

H.R. 3857: Mr. ROONEY.

H.R. 3860: Mr. OWENS.

H.R. 3865: Mr. CULBERSON, Mrs. BACHMANN, Mrs. LUMMIS, and Mr. SMITH of Missouri.

H.R. 3867: Mr. ENGEL, Ms. BROWNLEY of California, Ms. KELLY of Illinois, Mr. RUIZ, Mr. BISHOP of Georgia, Mr. HIMES, Mr. COLE, and Mr. RODNEY DAVIS of Illinois.

H.R. 3921: Mr. ELLISON and Mr. LOWENTHAL.

H.R. 3930: Mr. CALVERT, Mr. FORTENBERRY, Mrs. NOEM, Mrs. BACHMANN, Mr. GERLACH, Ms. BROWNLEY of California, Mr. CRAWFORD, Mr. CHABOT, Mr. WOMACK, and Mr. DESJARLAIS.

H.R. 3933: Mr. YOUNG of Alaska, Mr. LANCE, Mr. CHABOT, Mr. FINCHER, Mr. GRIFFIN of Arkansas, Mr. GINGREY of Georgia, Mr. WEBER of Texas, and Mrs. MILLER of Michigan.

H.R. 3973: Mr. BENTIVOLIO.

H.R. 3979: Mrs. CAPITO, Mr. CRAWFORD, Mr. DAINES, Mr. HURT, Mr. WILSON of South Carolina, Mr. MCCAUL, Mrs. WALORSKI, Mr. MURPHY of Pennsylvania, Mr. DEFAZIO, Mr. HARPER, Mr. BRIDENSTINE, Ms. ESTY, Mrs. BROOKS of Indiana, Mr. KILMER, Mr. YODER, and Mr. GIBSON.

H.R. 3982: Mr. BLUMENAUER.	H.J. Res. 21: Ms. CLARK of Massachusetts and Mr. TAKANO.	H. Res. 428: Mr. STOCKMAN.
H.R. 3989: Mr. ROONEY, Mr. COLE, Mr. CRENSHAW, and Mr. MCINTYRE.	H. Res. 112: Mr. PASTOR of Arizona and Mr. DOGGETT.	H. Res. 431: Mrs. WAGNER.
H.R. 3991: Mr. YOUNG of Indiana and Mr. BISHOP of Utah.	H. Res. 227: Ms. CLARK of Massachusetts.	H. Res. 456: Mr. KING of New York.
H.J. Res. 20: Ms. CLARK of Massachusetts.	H. Res. 326: Mr. DUNCAN of South Carolina.	H. Res. 463: Mr. VEASEY.
	H. Res. 359: Mr. RIBBLE.	H. Res. 467: Ms. LOFGREN, Mr. RANGEL, Ms. NORTON, Ms. SLAUGHTER, and Mr. LOWENTHAL.
	H. Res. 365: Mr. RAHALL and Mr. GALLEGRO.	