good friends from Florida and Virginia for bringing this commonsense measure to the floor.

Mr. ROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my colleague from Florida, and I thank my colleague from Virginia for supporting this piece of legislation put forth by our friend and colleague from California, Congressman DAVID VALADAO.

The Social Security Number Fraud Prevention Act is a bill that should gain unanimous support in this institution. According to the Justice Department, identity theft affects nearly 18 million people, costing more than $15 billion in 2014 alone. This represents roughly 7 percent of all Americans age 16 or older. In my home State of Illinois alone, in 2014, it was recognized that the FTC saw a 65 percent increase in identity theft. More than 14 percent of the victims are elderly.

We all know that Social Security numbers are the link to a key piece of information criminals use to steal people's identities. This commonsense piece of legislation takes a very important step to ensure that our Federal agencies, our government, funded by the hardworking taxpayers of this country, are not making this problem even worse.

This bill, as you have heard today, would restrict the use of Social Security numbers on documents sent via mail by the Federal Government unless the head of a department or agency determines the inclusion of such number is necessary—which I can't think of a single instance where that would be necessary, but I guess we have to put that in there anyway. This seems like a no-brainer, but we in this institution have to pass a bill to make sure that it happens, which is why I am a proud cosponsor of this bill.

I want to thank Congressman VALADAO again. I also want to thank Congress' newest father, our colleague from California, ERIC SWALWELL, for being a cosponsor of this legislation, too. This bill will have a real impact on reducing identity theft in this country, and I want to commend, once again, everybody on the floor today for their support.

Mr. CONNOLLY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think this is an important piece of legislation. This is one of the fastest growing crimes in our country: the diversion of Social Security checks and rebates. It is almost without any kind of corrective action. There are few prosecutions and even fewer convictions. So, if you are a criminal and you are looking for something that is relatively cost-free for you, this is the way to do it.

This bill would provide some important protections to the American public. I would hope that we build on this.

My friend from Florida and I serve on the Oversight and Government Reform Committee, and we have heard testimony about this crime as it has grown exponentially over the last 5 or 6 years. It is my hope that U.S. attorneys all across America will put more emphasis on this crime and use their resources to go after people who are predators of American taxpayers, especially many of our seniors who rely on these checks or these rebates to augment and supplement their income. So there are victims of this crime, and they are the American taxpayer.

I think it is an important first step. I support the legislation, and I urge my colleagues to support it as well.

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

Mr. ROSS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we here have an obligation to provide for the common defense, and I would submit, Mr. Speaker, that includes that we provide to defend our citizenry from such crimes as identity theft. This bill is a step in the right direction.

I want to thank my good friend from Virginia (Mr. CONNOLLY) for his efforts. I want to thank Mr. VALADAO from California for sponsoring this bill.

This is a bipartisan measure that will allow us to address the concerns of modern-day crimes of identity and of modern-day crimes of privacy. It is a bill that moves in the right direction. While it is not the panacea, it is a good first step to protecting our citizenry.

Mr. Speaker, I urge adoption by my colleagues, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. ROSS) that the House suspend the rules and pass the bill, H.R. 624, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to restrict the inclusion of social security account numbers on Federal documents sent by mail, and for other purposes.''.

A motion to reconsider was laid on the table.

REDUCING REGULATORY BURDENS ACT OF 2017

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials.

The SPEAKER pro tempore (Mr. YOHO). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 348 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. 953.

The Chair appoints the gentleman from South Carolina (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1500

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. 953) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, with Mr. DUNCAN of South Carolina 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 Ohio (Mr. GIBBS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chair, I yield myself as much time as I may consume.

Today we are considering H.R. 953, the Reducing Regulatory Burdens Act of 2017, introduced to clarify congressional intent regarding pesticide use in or near navigable waters.

The Federal Insecticide, Fungicide, and Rodenticide Act, otherwise known as FIFRA, is the appropriate Federal statute to govern safety and the use of pesticides.

FIFRA first passed in 1910, 62 years before the Clean Water Act was passed. In 2009, the Sixth Circuit Court decision, the National Cotton Council v. EPA, changed how this all works. For years before the Clean Water Act, pesticide use was regulated by the EPA under FIFRA. Under FIFRA, the EPA regulates and approves pesticides for safe use under the label, and they have full jurisdiction under FIFRA.

The EPA previously ruled that using pesticides under FIFRA-approved use does not require a National Pollutant Discharge Elimination System, otherwise known as NPDES, permit under the Clean Water Act.

Because of this court decision in 2009, those who have been safely applying products to control pest populations now must comply with additional NPDES permitting.

Some of my colleagues across the aisle have called this Groundhog Day in the past. I agree. Time after time, they have supported increasing the regulations just for regulation's sake. They are even willing to risk public health and outbreaks of Zika and West Nile virus.

The Sixth Circuit Court decision ignored the congressional intent when the FIFRA and the Clean Water Act were passed. The court ignored sensible agency interpretation, it ignored years of regulatory precedent, it expanded the clean water jurisdiction beyond the scope set by Congress and over areas already appropriately regulated. The court decision placed burden on the

EPA, requiring a new and expanded NPDES permitting process for products already regulated.

The EPA says there are about 365,000 pesticide applicators affected by this ruling. They would include State agencies, cities and counties, mosquito control districts, water districts, pesticide applicators, farmers and ranchers, forest managers, scientists, and even everyday citizens or homeowners.

The EPA estimates $50 million in paperwork to comply alone every year with this new regulation. Federal, State, and local agencies are forced to spend taxpayer dollars in permitting, paperwork, and compliance. Private applicators, like farmers and ranchers, also face increased costs. This adds compliance costs, adds permitting costs, and it adds time and hurts productivity and efficiency. It does not add any new environmental protections.

This bad court decision affecting the budgetary decisions from local agencies, I will give you some examples here: the Benton County, Washington, Mosquito Control District preserves 20 percent of its annual budget in case it is sued under the Clean Water Act. I think it is important to mention when the Clean Water Act was passed in 1972, it was set up with severe penalties to go after the polluters we had—I like to say the polluters of the 1960s—to clean up our waters, that we had severe problems. And when it did that, it also opened it up for citizens' lawsuits and opens up the door for more litigation.

The Benton County, Washington, Mosquito Control District, $37,000 in permit costs and paperwork they have spent. Benton County could have treated almost 2,600 acres for mosquito abatement or 400 lab tests for West Nile virus, or paid for three seasonal workers.

In Gem County, Idaho, the Mosquito Abatement District's staff spends 3 weeks a year tabulating and documenting seasonal pesticide applications related to permit oversight.

California vector control districts have estimated that it costs them $3 million to conduct administration of the NPDES permits. They also have to spend 20 percent of their annual operating budget just to maintain the computer software related to the unnecessary NPDES permit.

As a result of this court ruling, mosquito districts, State and local agencies, are now vulnerable to frivolous lawsuits for things like simple paperwork violations under the Clean Water Act. Fines for these paperwork violations, which obviously don't have any affect on the environment, can be as much as $50,000 a day.

For example, the Gem County, Idaho, Mosquito Abatement District was forced to spend $450,000 to resolve a lawsuit.

In my home State of Ohio, the Mosquito Control District for Toledo is currently embroiled in a citizen's lawsuit from a simple paperwork violation.

The 2012 West Nile outbreak is proof NPDES permits and association costs are hindering the ability to protect the public.

In 2012, the first year of the permitting requirement from the court case, West Nile cases jumped from 712 cases to almost to over 5,600 cases. That is nearly an 800 percent increase because of the unnecessary permit requirements.

The States and communities affected by West Nile had to wait until after a public health emergency was declared. Only then could relief from the NPDES permit be approved. Only after the West Nile had spread could local agencies use lifesaving pesticides to kill mosquitoes carrying the virus. Keep in mind, when the local entity, municipality, declares an emergency, they don't need to get a permit. They can spray. I like to say it is after the fact when the mosquitoes are out of control, then we do aerial spraying. Maybe we could have prevented it with surface spraying and be less harm to the environment. We shouldn't have to wait until it becomes an emergency.

H.R. 953 gets rid of the unnecessary red tape so communities can prevent outbreaks of diseases like Zika and West Nile.

Cities that need to conduct the routine preventative mosquito abatement should not have to do it with one hand tied behind their back. H.R. 953 provides a narrow, limited exception from NPDES permit requirements for those pesticides already approved under FIFRA law and used in compliance under the label which is approved by the EPA.

I think this is an important point to keep in mind: EPA already regulates these pesticides and approves them under FIFRA. It goes through rigorous testing and reporting requirements, and they set the label and make the determination. They approve how it is going to be used. If it is a restricted pesticide, they can also put more restrictions on the applicators and who the applicators are.

Therefore, removing this redundant NPDES permit is appropriate because the EPA already has full control and can handle the situation like they did for over 60 years before this court case.

The EPA has assisted in drafting H.R. 953, which does not roll back any environmental protections. It fixes the regulatory problem caused by the Sixth Circuit Court's decision and maintains the EPA's jurisdiction through FIFRA.

Similar legislation has passed the House every Congress since the court's decision, and I look forward to passing it again today, and then passing it in the Senate and have the President sign it into law.

A list of organizations—this is a snapshot of the many organizations because I don't have enough time to list all the organizations, but the American Mosquito Control Association supports it; the American Farm Bureau Federation; the National Farmers Union; the National Association of State Departments of Agriculture; the National Association of Wheat Growers; National Corn Growers Association; and United Fresh Produce Association. Those are just a few groups representing thousands of Americans who depend on commonsense EPA regulations for their livelihood.

Mr. Chair, I include in the RECORD—and I want to talk about it here for a minute—I have a letter from former Secretary of Agriculture Vilsack. In 2009, he was Secretary of Agriculture in the Obama administration. When this court case happened, he sent out a letter to Lisa Jackson, the Administrator of the United States Environmental Protection Agency. In his letter, he urges the EPA to consider the significant adverse effect of the Sixth Circuit Court's 2009 decision, the National Cotton Council and EPA will have on American farmers and USDA agencies. He said in the letter:

''By broadening the Act's reach, the court burdens American agriculture with a newly minted NPDES permit requirement. . . .''

''The Sixth Circuit's decision encumbers the American farmers' and the agencies' ability to do business, while reaping little or no environmental benefit in exchange.''

I want to repeat that. The Secretary of Agriculture in the Obama administration said that this court case has little environmental benefit, and it hampers American farmers to do their job to produce the most wholesome, safe, affordable food in the world.

''Subjecting FIFRA-compliant pesticides to the additional regulatory regime''—he goes on to say—''of the CWA is duplicative and will not help protect the environment.''

Mr. Chair, I include in the RECORD this letter, dated March 6, 2009, from Secretary of Agriculture Vilsack and his opposition to the court case and, in his opinion, what this bill does.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, March 6, 2009.

Hon. LISA P. JACKSON,
Administrator, U.S. Environment Protection Agency,
Washington, DC.

Subject: The National Cotton Council of America, et al., v. United States Environmental Protection Agency, Nos. 06–4630; 07–3180/3181/3182/3183/3184/3185/3186/3187/3191/3236 (6th Cir. Jan. 7, 2009).

DEAR MS. JACKSON: The United States Court of Appeals for the Sixth Circuit recently invalidated the Environmental Protection Agency's (EPA's) Final Rule entitled, ''Application of Pesticides to Waters of the United States in Compliance With FIFRA.'' 71 Fed. Reg. 68,483 (Nov. 27, 2006) (Final Rule). A petition for rehearing or for rehearing en bane before the Sixth Circuit is due on April 9, 2009. I would very much appreciate your taking into consideration the significant adverse effect that the court's decision will have on American farmers, as well as on U.S. Department of Agriculture (USDA) agencies, and therefore request that you seek further review of this decision by the Sixth Circuit.

In its Final Rule, the EPA reasonably interpreted the term ''pollutant'' in the Clean Water Act (CWA) as generally excluding pesticides that are applied in compliance with the relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The Final Rule established that the application of pesticides in compliance with FIFRA would not require a National Pollutant Discharge Elimination System (NPDES) permit when they are applied directly into waters of the United States in order to control pests, or when they are applied to control pests that are present over waters of the United States, including near those waters, when a portion of the pesticides unavoidably will be deposited into the water in order to target the pests effectively. The EPA specifically concluded that the terms ''chemical wastes'' and ''biological materials'' in the CWA's definition of pollutants do not encompass the types of pesticide applications addressed in the Final Rule. 71 Fed. Reg. 68,486.

The Court of Appeals for the Sixth Circuit concluded that the Final Rule was contrary to the plain language of the CWA. Although the court agreed with the EPA that chemical pesticides applied directly to water to perform a useful purpose are not chemical wastes, it held that excess pesticides and pesticide residue meet the common definition of waste, and therefore are pollutants under the CWA. The court held that the EPA is required to regulate the residue of chemical pesticides when the pesticide is applied to land or air, and the residue finds its way into the navigable waters of the. United States, and when the pesticide is applied directly to the water and the residue has a lasting effect beyond its intended purpose. The court also found that Congress intended for ''biological materials'' to encompass more than ''biological wastes.'' The court held that all biological pesticides are biological materials, and therefore pollutants under the CWA.

The court's adverse decision will have profound implications for American farmers. The panel's ruling effectively broadens the potential application of the CWA to reach agricultural activities that the EPA has never regulated under the provisions of the CWA. By broadening the Act's reach, the court burdens American agriculture with a newly minted NPDES permit requirement for the application of all FIFRA-compliant biological pesticides whenever those pesticides might find their way into waters of the United States, and for all FIFRA-compliant chemical pesticides whenever the residues of those pesticides find their way into waters of the United States. The permit requirement could reach almost any pesticide application, requiring farmers to navigate a permitting system that is ill-suited to the demands of agricultural production. Failure to obtain a timely permit for pesticide application could cripple American farmers' emergency pest management efforts and hamper their ability to respond quickly to new pest infestations or threats of infestations, thus increasing the risk of crop losses.

Additionally, several USDA agencies engage in the ground and aerial application of pesticides, and would be adversely affected by the panel's decision. The Forest Service (FS) and the Animal and Plant Health Inspection Service (APHIS) now will be required to obtain NPDES permits, which could compromise the agencies' ability to respond with efficiency and flexibility to emerging threats and emergency situations. The delay and expense associated with complying with the NPDES permitting requirement could substantially curtail the agencies' use of pesticides. For the FS, this could result in diminished efforts to protect the National Forests from pest infestation and could potentially increase the risk and severity of wildfires. It could also significantly hamper aerial spraying programs such as APHIS's Mormon Cricket and Grasshopper Program, undertaken in cooperation with western states. Additionally, research programs involving both the conventional and the experimental applications of pesticides undertaken by the Agricultural Research Service (ARS) also will be detrimentally affected by the panel's decision. The time-consuming and costly process of negotiating the NPDES permit application process will diminish the efficiency with which the ARS will be able to undertake its initiatives, and may, in some instances, curtail the agency's projects entirely.

The Sixth Circuit's decision encumbers the American farmers' and the agencies' ability to do business, while reaping little or no environmental benefit in exchange. Subjecting FIFRA-compliant pesticides to the additional regulatory regime of the CWA is duplicative and will not help protect the environment. FIFRA mandates that the EPA approve and issue a registration for a pesticide product only after the EPA has determined that the product will not cause ''unreasonable adverse effects on the environment.'' The pesticide registration and re-registration process under FIFRA considers the effects of pesticides on both human health and aquatic resources. If the EPA has concluded that a pesticide satisfies FIFRA and will not have an ''unreasonable adverse effect on the environment,'' then it is reasonable to exclude the application of that pesticide from the permitting requirements of the CWA.

In short, I am concerned that the court's decision will compromise American farmers' and USDA agencies' ability to respond efficiently and effectively to emergency threats, while providing little or no additional environmental protection in return. Thank you for taking these issues into account as you consider seeking further review of this case.

Sincerely,

THOMAS J. VILSACK,
Secretary.

Mr. GIBBS. Mr. Chair, I have nearly 120 organizations that support H.R. 953, representing a wide variety of public and private entities and thousands of stakeholders. I have a letter from the nearly 120. I listed some of those. Some of the additional names are Agricultural Retailers Association; American Farm Bureau Federation; American Mosquito Control Association; the Association of Equipment Manufacturers; CropLife America; Family Farm Alliance; National Agricultural Aviation Association; the National Alliance of Forest Owners; National Association of State Departments of Agriculture; National Farmers Union; National Pest Management Association; and the National Rural Electric Cooperative Association. I include that letter in the RECORD.

MAY 3, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the over one hundred undersigned organizations, we urge you to vote in favor of H.R. 953, the Reducing Regulatory Burdens Act of 2017.

For almost forty years, the Environmental Protection Agency (EPA) and pesticide applicators including public health agencies charged with mosquito control operated exclusively under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In fact, EPA has testified to the adequacy of FIFRA's comprehensive regulatory requirements including substantial enforcement mechanisms in pursuit of that goal.

However, a 2009 activist-inspired lawsuit resulted in a federal court decision identifying a technicality in the law that Congress had not properly clarified its intent that FIFRA should have preeminence over the Clean Water Act (CWA). This decision resulted in pesticide users being required to obtain a CWA National Pollutant Discharge Elimination System (NPDES) permit. These permits were originally created to address the discharge of waste by major industrial polluters, but now are mandated for mosquito control districts and others who are applying pesticides approved by EPA for use in the environment for their beneficial purposes of trying to prevent or control the spread of public health disease in the U.S.

Though the NPDES permit burden lacks any additional environmental benefit under these circumstances, it does force substantial costs on thousands of small application businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. Further, and most menacing, the permit exposes all pesticide users—regardless of permit eligibility—to the liability of CWA-based citizen law suits. In a number of instances, applicators—that once conducted mosquito abatement applications for local governments and homeowner associations—can't afford the costs or risk of frivolous litigation that accompanies NPDES PGPs and have refrained from conducting public health applications.

H.R. 953 would clarify Congressional intent that federal law does not require this redundant permit for already regulated pesticide applications.

In the 112th Congress, similar legislation (H.R. 872) passed the House Committee on Agriculture and went on to pass the House of Representatives on suspension. In the 113th Congress, the legislation (H.R. 935) passed both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Representatives. In the 114th Congress, the Zika Vector Control Act (H.R. 897) passed the House of Representatives yet again. With your help and support, H.R. 953 will also pass the House and hopefully become law.

Since H.R. 897 passed the House last year, there has been yet another costly lawsuit against a mosquito control district, forcing the district to spend its funds fighting in court instead of protecting public health.

Under these circumstances, NPDES permit requirements impact the use of critical pesticides in protecting human health and the food supply from destructive and disease-carrying pests, and in managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and in preventing damage to forests and recreation areas. The time and funds expended on redundant permit compliance drains public and private resources. All this for no measurable benefit to the environment. We urge you to eliminate this unnecessary, expensive, and duplicative regulation by ensuring the Reducing Regulatory Burdens Act of 2017 passes the House on Wednesday.

Sincerely,

Agribusiness Council of Indiana; Agribusiness & Water Council of Arizona; Agricultural Alliance of North Carolina; Agricultural Council of Arkansas; Agricultural Retailers Association; Alabama Agribusiness Council; American Farm Bureau Federation; Alabama Farmers Federation; American Mosquito Control Association; American Soybean Association; AmericanHort; Aquatic Plant Management Society; Arkansas Forestry Association; Association of Equipment

Manufacturers; Biopesticide Industry Alliance; California Agricultural Aircraft Association; California Association of Winegrape Growers; California Specialty Crops Council; Cape Cod Cranberry Growers Association.

Colorado Agricultural Aviation Association; The Cranberry Institute; Crop Protection Association of North Carolina; CropLife America; Council of Producers & Distributors of Agrotechnology; Family Farm Alliance; Far West Agribusiness Association; Florida Farm Bureau Federation Florida; Fruit & Vegetable Association; Georgia Agribusiness Council; Golf Course Superintendents Association of America; Hawaii Cattlemen's Council; Hawaii Farm Bureau Federation; Idaho Grower Shippers Association; Idaho Potato Commission; Idaho Water Users Association; Illinois Farm Bureau; Illinois Fertilizer & Chemical Association; Iowa Agricultural Aviation Association.

Kansas Agribusiness Retailers Association; Louisiana Cotton and Grain Association; Louisiana Farm Bureau Federation; Maine Potato Board; Michigan Agribusiness Association; Minnesota Agricultural Aircraft Association; Minnesota AgriGrowth Council; Minnesota Crop Production Retailers; Minnesota Pesticide Information & Education; Minor Crops Farmer Alliance; Missouri Agribusiness Association; Missouri Farm Bureau Federation; Montana Agricultural Business Association; National Agricultural Aviation Association; National Alliance of Forest Owners; National Alliance of Independent Crop Consultants; National Association of Landscape Professionals; National Association of State Departments of Agriculture.

National Association of Wheat Growers; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Farmers Union; National Onion Association; National Pest Management Association; National Potato Council; National Rural Electric Cooperative Association; National Water Resources Association; Nebraska Agri-Business Association; North Carolina Agricultural Consultants Association; North Carolina Cotton Producers Association; North Central Weed Science Society; North Dakota Agricultural Association; Northeast Agribusiness and Feed Alliance; Northeastern Weed Science Society; Northern Plains Potato Growers Association; Northwest Horticultural Council; Ohio Professional Applicators for Responsible Regulation.

Oregon Association of Nurseries; Oregon Farm Bureau; Oregon Forest and Industries Council; Oregon Potato Commission; Oregon Seed Council; Oregon Water Resources Congress; Oregon Wheat Growers League; Oregonians for Food & Shelter; Pesticide Policy Coalition; Plains Cotton Growers, Inc.; Professional Landcare Network; Responsible Industry for a Sound Environment; Rocky Mountain Agribusiness Association; SC Fertilizer Agrichemicals Association; South Dakota Agri-Business Association; South Texas Cotton and Grain Association; Southern Cotton Growers, Inc.; Southern Crop Production Association; Southern Rolling Plains Cotton Growers; Southern Weed Science Society.

Sugar Cane League; Texas Ag Industries Association; Texas Vegetation Management Association; United Fresh Produce Association; U.S. Apple Association; USA Rice Federation; Virginia Agribusiness Council; Virginia Forestry Association; Washington Friends of Farm & Forests; Washington State Potato Commission; Weed Science Society of America; Western Growers; Western Plant Health Association; Western Society of Weed Science; Wild Blueberry Commission of Maine; Wisconsin Farm Bureau Federation; Wisconsin Potato and Vegetable Growers Association; Wisconsin State Cranberry Growers Association; Wyoming Ag Business Association; Wyoming Crop Improvement Association; Wyoming Wheat Growers Association.

AMERICAN MOSQUITO CONTROL ASSOCIATION STATEMENT ON NPDES BURDEN

THE AMERICAN MOSQUITO CONTROL ASSOCIATION URGES CONGRESS TO VOTE ''YES'' ON H.R. 953, THE REDUCING REGULATORY BURDENS ACT OF 2017

From the perspective of the agencies charged with suppressing mosquitoes and other vectors of public health consequence, the NPDES burden is directly related to combatting Zika and other mosquito-transmitted diseases.

For over forty years and through both Democratic and Republican administrations, the EPA and states held that these permits did not apply to public health pesticide applications. However, activist lawsuits forced the EPA to require such permits even for the application of EPA-registered pesticides including mosquito control.

AMCA has testified numerous times to establish the burden created by this court ruling. The threat to the public health mission of America's mosquito control districts comes in two costly parts:

ONGOING COMPLIANCE COSTS

Though the activists contend that the NPDES permit has ''modest notification and monitoring requirements'' the actual experience of mosquito control districts is much different.

Initially obtaining and maintaining an NPDES permit comes at considerable expense. California mosquito control districts estimate the NPDES compliance costs for their 64 districts to be approximately $4 million dollars over six years. These costs include;

Initial amount spent by Districts determining waters subject to reporting.

Total amount spent by Districts tracking treatments to Waters of the US

Water Testing Consultants

NPDES Administration/Regulatory Consultants

Legal fees related to NPDES

Physical monitoring of larvicides—not completed by consultants

Completing annual reports

In Wyoming, there are several issues that have impacted the mosquito districts;

Record keeping requirements has redirected 2–5 % of District funds annually to permit fees and administrative costs.

The cost for acre applications of both adulticide and larvicides has increased 5 to 10-fold for some Districts. This is due primarily to the fear that local aerial applicators have regarding the citizen lawsuits. The local ag pilots have declined to fly for some of the mosquito districts in Wyoming, requiring them to go out of state to professional application companies. The City of Laramie which was able to treat for an estimated $1 per acre now pays an estimated $5–$10 per acre. This has greatly reduced the acres that can be treated with larvicide and adulticides.

In Durango, CO, the Animas Mosquito Control District reported spending over $50,000 in GPS/GIS system, maintenance and upgrades purchased to comply with an unknown annual report requirement. They spent numerous hours conducting meetings, phone calls and on the computer to clarify the annual reporting requirements, the detail necessary in annual reports, and even where to send the information.

The fact that the existence of the permit over the last 6 years has no additional environmental benefit (since pesticide applications are already governed by FIFRA) makes these taxpayer diversions from vector control unconscionable.

In a survey of mosquito control programs, 71 reported (out of 734 nationwide) that their multiyear period expenses incurred due to the NPDES permitting including operational, permitting, reporting, monitoring and other administrative costs totaled over $4 million. (This survey does not include all of the 6-year California estimate mentioned previously).

HOW COULD $4 MILLION IN NPDES COSTS BE BETTER SPENT

Seasonal field workers ($11,000 for starter), 377 employees.

Bti larvicide ($1.44/lb), 2,879,738 pounds.

Acres of water larvicided aerially (10 lbs/acre + $5.25 applicator cost = $19.65), 211,034 acres.

Acres of water treated by ground crews (10 lbs./acre), 287,973 acres.

West Nile virus—in house testing of adult mosquitoes (RAMP) $19.36, 214,195 tests.

30 second radio ads for public education ($40–$200), 103,671–20,734.

Acres of aerial adult mosquito control ($.89 applicator fee + $.95 chemical), 2,253,708 acres.

Evening ground spraying hours ($396/hr. for vehicle, employee, adulticide), 10,472 hrs.

Every dollar spent on duplicative regulations is a dollar that could have been used towards Integrated Pest Management (IPM) activities that control mosquitoes and prevent mosquito-borne illness.

Resources must not be diverted from these mosquito control activities in order to protect public health:

Disease surveillance—trapping and testing adult mosquitoes, monitoring dead birds.

Larvicides and adult mosquito control—reduce mosquito populations through targeted applications

Habitat modification/source reduction—ditching/dredgers to permanently reduce mosquito oviposition habitats to reduce the need for chemical control measures.

Monitoring invasive species of mosquitoes.

Public education—publications on reducing backyard sources of mosquitoes, information on repellent and personal protective measures.

Employees, training, and certifications.

Programs that are most affected:

Poorer, rural mosquito control districts

Programs associated with small municipalities

In the Western US, those associated with private aerial contractors concerned with taking on the added liability.

Municipalities in the south looking to start Zika virus control efforts. Why would Congress approve $1.1 Billion to fight and explore Zika virus and then burden us with regulations that hinder our ability to control the vector of the disease?

So, why would the activist organizations be so adamant that these permits be mandatory for public health pesticide applications . . . ?

EXPOSURE TO ACTIVIST LITIGATION

Municipal mosquito control programs are vulnerable to CWA citizen lawsuits where fines to mosquito control districts may exceed $37,500/day. Under FIFRA, the activists would need to demonstrate that the pesticides were misapplied, that the product labels were not followed. Additionally, this is not a question of the applications causing harm to public health. The pesticides we use are specific to mosquitoes and are generally used in very low doses by qualified applicators).

However, the CWA 3rd Party Citizen Suit Provision allows for any third party to sue for alleged violations of NPDES program requirements. Additionally, the CWA does not require actual evidence of a misapplication of a pesticide or harm to the environment,

but rather simple paperwork violations or merely allegations in permit oversight.

The Toledo Area Sanitary District is currently involved in a lawsuit that has already initially cost the mosquito control program more than $40,000 in legal fees, and the case has yet to go to court. This could lead to an injunction on the spray program and end up costing taxpayers $100,000+ dollars, even though the case has nothing to do with substantive water quality issues, but rather focuses on alleged administrative paperwork violations.

Gem County Mosquito Abatement District (ID) was the subject of one of these activist lawsuits utilizing the 3rd Party Citizen Suit Provision. It took ten years and the grand total of an entire year's annual operating budget ($450,000) to resolve that litigation against that public health entity.

These ongoing compliance costs and threat of crushing litigation directly impact mosquito control districts. The existence of this unnecessary requirement for mosquito control activities is directly related to our ability to combat the vectors related to Zika. It diverts precious resources away from finding and suppressing mosquito populations.

The American Mosquito Control Association urges Congress to vote ''YES'' on H.R. 953, the Reducing Regulatory Burdens Act of 2017.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, May 24, 2017.

Hon. BILL SHUSTER,
House of Representatives, Washington, DC.
Hon. BOB GIBBS,
House of Representatives, Washington, DC.
Hon. MICHAEL CONAWAY,
House of Representatives, Washington, DC.
Hon. GARRET GRAVES,
House of Representatives, Washington, DC.

DEAR REPS. SHUSTER, GIBBS, CONAWAY AND GRAVES: Later this week, the House is expected to vote on H.R. 953, ''The Reducing Regulatory Burdens Act of 2017.'' This legislation has previously passed the House of Representatives with strong bipartisan support, and the American Farm Bureau Federation (AFBF) urges all members of Congress to vote in favor of the bill.

H.R. 953 is narrowly crafted to clarify that lawful use of pesticides in or near navigable waters is not excessively covered under two statutes, the Clean Water Act and the Federal Insecticide, Fungicide and Rodenticide Act. In doing so, the measure simply codifies EPA's longstanding interpretation of the law before it was thrown into confusion by a 2009 court ruling, which imposed an additional layer of needless red tape on pesticide applicators. H.R. 953 corrects the duplicative requirements associated with EPA's National Pollutant Discharge Elimination System (NPDES) pesticide permit by specifying that NPDES permits are not needed for the lawful application of EPA-labeled pesticides. This is an important fix that will reduce red tape and legal liabilities associated with the lawful use of pesticides in protecting public health and food security.

We urge all members to vote in favor of the ''Reducing Regulatory Burdens Act of 2017.''

Thank you very much for your support.

Sincerely,

ZIPPY DUVALL,
President.

Mr. GIBBS. Mr. Chair, I also include in the RECORD a letter from the National Association of Counties. NACo recommends that Congress address some of challenges posed by the EPA's Clean Water Act permit for pesticides to allow counties to more quickly respond to the mosquito-based public health threats. Counties have reported either significantly scaled back or discontinued mosquito abatement programs due to the additional, duplicative, and expensive paperwork and monitoring obligations required by the program.

NATIONAL ASSOCIATION OF COUNTIES,
Washington, DC, May 21, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: As the U.S. House of Representatives moves forward with the ''Reducing Regulatory Burdens Act of 2017'' (H.R. 953), we would like to highlight the impact that U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP) program has on county governments' ability to respond promptly and effectively to emerging public health threats.

As the summer months approach and we enter mosquito season, counties are concerned about the health and safety impacts of mosquito-borne illnesses such as Zika. The Zika virus is an emerging mosquito-borne illness, primarily stemming from the bite of infected Aedes mosquitoes, and there is no vaccine. Since mosquitos and their breeding habitats pose the largest threat to public safety, counties can play a major role in minimizing the potential spread of the virus and other mosquito-borne illnesses through public education and mosquito eradication.

However, since EPA's PGP program was instituted in 2011, counties have reported that they have either significantly scaled back or discontinued mosquito abatement programs due to additional, duplicative and expensive paperwork and monitoring obligations required under the permit. We recommend that Congress address some of the challenges posed by EPA's PGP permit to allow counties to more quickly respond to mosquito-based public health threats.

We thank you for your leadership on this issue. We look forward to continuing to work with you on issues important to counties.

Sincerely,

MATTHEW D. CHASE,
Executive Director,
National Association of Counties.

Mr. GIBBS. Mr. Chair, I thank the Agriculture Committee chairman, MIKE CONAWAY; and the Transportation and Infrastructure chairman, BILL SHUSTER, who are the leadership on this issue. I want to thank the Agriculture Committee ranking member, COLLIN PETERSON, as well.

Mr. Chair, I urge all Members to support this commonsense effort to reform this duplicative EPA regulation.

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

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

Mr. Chair, I rise in strong opposition to H.R. 953, Reducing the Regulatory Burdens Act. As I have noted before on similar bills in the past, I remain concerned that this bill would mean that no Clean Water Act protections would be required for pesticide application to water bodies that are already impaired by pesticides.

The Clean Water Act in no way hinders, delays, or prevents the use of approved pesticides for pest control operations. In fact, the Clean Water Act permit provides a specific emergency provision to prevent outbreaks of diseases such as Zika virus.

Under the terms of the permit, pesticide applicators are covered automatically under the permit and any spraying may be performed immediately for any declared pest emergency situations. In most instances, sprayers are only required to notify EPA of their spraying operations 30 days after the beginning of a spraying operation.

Most pesticide applications in the United States are done in accordance with FIFRA, the Federal Insecticide, Fungicide, and Rodenticide Act which only requires proper labeling on pesticide products regarding usage.

However, FIFRA labeling is no substitute for ensuring that we understand the volumes of pesticide we seem to apply to our rivers, our lakes, our streams on an annual basis.

□ 1515

According to a 2006 USGS report on pesticides, commonly used pesticides frequently are present in streams and groundwater at levels that exceed human health benchmarks and occur in many streams at levels that may affect aquatic or fish-eating wildlife and also human life.

In the data that the States provide the EPA, more than 16,000 miles of rivers and streams, 1,380 of bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides.

The EPA suggests that these estimates may be low because many of these States do not test for or monitor all the different pesticides that are currently being used. I am very concerned of the effect these pesticides have on the health of our rivers, our streams, and especially the drinking water supplies for all our citizens, especially the most vulnerable, the young, the elderly, and the poor and disenfranchised people who have no representation. We have much cancer appearing, and we have no idea what it is. Adding pesticides is not helping.

Mr. Chair, I include in the RECORD a Federal report on how pesticides in California are the leading cause of impairments to water quality.

U.S. EPA REPORT ON CALIFORNIA WATER QUALITY ASSESSMENT

CALIFORNIA CAUSES OF IMPAIRMENT FOR REPORTING YEAR 2012

Pesticides are the Cause of water impairment in California for 4,534 miles of rivers and streams, 235,765 acres of lakes, ponds, and reservoirs, 829 square miles of bays and estuaries, 35 miles of coastal shoreline, 42 square miles of ocean and near coastal waters, and 43 acres of wetlands.

Mrs. NAPOLITANO. Currently in California there are over 4,500 miles of rivers and streams, 235,000 acres of lakes and reservoirs, and 829 square

miles of bays and estuaries in my State that are impaired by pesticides. This is a significant concern in my home State, where every drop of water has to be cleaned and needs to be conserved, reused, and cherished.

We hear that pesticide application is already regulated under FIFRA and that the Clean Water Act review is not needed. I understand the concerns about the duplication of effort and the need to minimize the impacts that regulations have on small business or business at large. All the supporters are mostly farmers and other business entities.

However, I am still very concerned that these pesticides are having a very significant impact on water quality and that, with this bill, we are creating the exemption from water quality protection requirements without considering the impacts to the waters that are already impacted by pesticides, as they are in California.

This, in turn, costs our water users, our ratepayers hundreds of millions of dollars to filter these pollutants out of water before it is potable. This is something I deal with on an ongoing basis as the ranking member of the Subcommittee on Water Resources and Environment. We currently have aquifers that are contaminated by the continued use of pesticides and fertilizers. Millions of dollars have been spent on the 20-plus-year-long cleanup effort of a Superfund site in my area that has pesticides as one of the contaminants.

We cannot, and should not, take away one of the only tools available to monitor for adverse impacts of pesticides in our rivers, our streams, and our reservoirs. Over the past 6 years, this tool has been reasonable, has been workable to pest control operators and agricultural interests alike, and needs to be retained. I urge my colleagues on both sides to vote ''no'' on this bill.

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

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today also in support of H.R. 953, the Reducing Regulatory Burdens Act of 2017. The House Committee on Agriculture, which I serve on, as does Chairman GIBBS, passed this bill out of committee every Congress since the 112th Congress. The bill language was likewise included in the 2012 farm bill, reported out of the committee, as well as in the 2013 farm bill the House sent to conference. It was also included in the committee-reported text of the FY 2012 Subcommittee on Interior, Environment, and Related Agencies appropriations bill. But it has never reached the President's desk.

For more than 100 years, the Federal Government has administered its responsibilities under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, to review and register pesticides in a responsible way that protects human health and the environment.

Under the Clean Water Act, the EPA or a State authority issues a National Pollutant Discharge Elimination System permit, NPDES permit, and that regulates the discharge of pollutants. NPDES permits specify limits on what pollutants may be discharged from point sources and in what amounts. Since the passage of the Clean Water Act in 1972, the EPA has interpreted its responsibilities related to pesticide use such that compliance with FIFRA would mitigate the need for duplicative permitting under the Clean Water Act.

As litigation in the early part of this decade began to challenge this interpretation, the EPA ultimately responded with the promulgation of a regulation on November 27, 2006, to clarify how these two laws operated. Under the EPA's final rule, the Agency codified its earlier interpretation that permits for pesticide application under the Clean Water Act were unnecessary where pesticides were used in accordance with their regulation under FIFRA.

Following the finalization of this regulation, the rule was challenged in numerous jurisdictions. The case was ultimately heard in the Sixth Circuit wherein the government's interpretation of the interaction of these two laws was not given the deference we would normally expect. The final court order nullified the EPA's regulation and imposed what is viewed as a burdensome, costly, and duplicative permitting process under the Clean Water Act for literally millions of pesticide applications.

This order has imposed a burden on the EPA, State regulatory agencies, and pesticide applicators, costing our economy in terms of jobs as well as severely threatening the already critical budgetary situation facing governments at all levels. It is particularly unfortunate that this court order imposed a new requirement that has imperiled our water resource boards, our mosquito control boards, and our forestry and agricultural sectors, yet has provided no additional environmental or public health protection. On the contrary, by imposing this costly burden on public health pesticide users, it has jeopardized public health as it relates to protection against insect-borne diseases such as the Zika virus, West Nile virus, various forms of encephalitis, and Lyme disease.

I recently heard from the Macon County Mosquito Abatement District in my district based in and around Decatur, Illinois. They can attest that the price of complying with NPDES permitting is very high. Though they had in place a reliable system of tracking chemical usage and treatment areas for years, the added burden of the NPDES requirements have caused them to spend a large portion of the district's annual budget on software strictly just for compliance and reporting processes. The recurring yearly fees associated with the software are a never-ending burden needlessly placed on abatement districts. The fear of litigation dictates the detailed tracking of EPA-approved products and diverts those funds from their actual purpose of controlling mosquitoes.

The EPA has provided technical assistance to draft this very narrow legislation. The goal of this legislation has been to address only those problems created by the decision of the Sixth Circuit and to be entirely consistent with the policy of the EPA, as stated in their November 27, 2006, final rule governing application of pesticides to waters of the United States in compliance with FIFRA.

I urge all Members to vote for this legislation.

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

Mrs. NAPOLITANO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I rise in strong support of H.R. 953, Reducing Regulatory Burdens Act of 2017. This legislation eliminates the requirement to acquire two permits for the same pesticide application under two separate laws and, I might add, if you live in California, there is a separate requirement under the California Clean Water Act that requires an additional permit. That would still apply regardless if this legislation is passed.

In order to be permitted to use a pesticide, that pesticide must be approved under FIFRA, which includes an analysis that must be performed that finds it will not generally cause unreasonable adverse effects to the environment or to the health. However, current law requires another permit to be acquired for the same action under the Clean Water Act if you happen to be close to a water body, and that is where the duplication occurs.

Not only are these requirements redundant, they are expensive, and the cost of the individual Clean Water Act permit ranges from $150,000 to $270,000 and can take up to 2 years. No one wants to risk human health, not I, not anyone, but in my opinion this would not do so. We have Zika, we have West Nile, and we have a host of spreading of these diseases by mosquitoes in which this, in fact, can address those issues.

Mr. Chairman, I urge my colleagues to support this bill in order to remove this unnecessary, unneeded regulatory burden and expense.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, we agree that no one thinks this bill is going to harm anyone. We are trying to look for commonsense provisions, and I am thankful to my colleague for making this a bipartisan solution.

I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Chairman, I thank my colleague for yielding me just a moment to speak on the absolute necessity of passing the Reducing Regulatory Burdens Act. The Sixth Circuit Court blatantly overstepped its authority in directing the EPA to establish a

duplicative permitting process for pesticide use. The Federal Insecticide, Fungicide, and Rodenticide Act, known as FIFRA, already requires the EPA to review the data and evaluate risks and exposures associated with the use of certain insecticides, herbicides, fungicides, and rodenticides.

After the EPA evaluates the risk associated with the use of a given pesticide, FIFRA prohibits its use for any purpose not already approved by the EPA. Approved uses are clearly labeled. Requiring additional reviews under the National Pollutant Discharge Elimination System is simply unnecessary and burdensome.

Furthermore, unless the body sets the record straight and overturns the Sixth Circuit decision, we will be opening a tried-and-true permitting process to numerous citizen lawsuits that will be bad for agriculture and, as all such bad decisions, result in increased costs paid for by the American consumers.

I urge my colleagues to stand behind Mr. GIBBS and this bill, stand behind the science, and help him pass this. When he came, he started to work on this in 2010, his hair was brown. Now it is gray. So let's help him get this bill passed.

Mrs. NAPOLITANO. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I rise today to support the Reducing Regulatory Burdens Act of 2017. This bill would restore congressional intent regarding the relationship between FIFRA and the Clean Water Act.

Historically, Congress has viewed FIFRA as sufficient to protect human health and the environment. Until the early part of the past decade, even the EPA interpreted its responsibilities related to pesticide use as compliance with FIFRA would reduce the need for duplicative permitting under the Clean Water Act. If pesticides were used according to their regulation under FIFRA, then permits for pesticide application under the Clean Water Act were unnecessary.

Unfortunately, this historic interpretation has been overturned by activist litigation. In 2009, a decision by the Sixth Circuit Court of Appeals upended the historic interpretation of the space between these two laws. The Sixth Circuit order created a new permitting requirement that provides no additional environmental or public health protection.

The goal of this legislation has been to address only those problems created by the Sixth Circuit decision and to be consistent with congressional intent and the EPA's long-held interpretation. It is a commonsense solution to a court-imposed regulatory burden that Congress never intended to be applied. I urge my colleagues to support this legislation.

Mr. GIBBS. Mr. Chairman, I appreciate my colleague and friend from Minnesota for his bipartisan support of H.R. 953.

Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. Mr. Chairman, I want to first thank my colleague from Ohio for his leadership on bringing forth this important legislation to actually help us focus more resources on killing mosquitoes, especially as the mosquito season starts, as we see so many threats with Zika, with West Nile, just the damage that we see happening around our country from mosquitoes. We have decided we are going to put resources into killing mosquitoes, and then we come about and find out about these regulations that were imposed by the courts in a way that actually makes it harder for us to kill mosquitoes.

□ 1530

What you hear so often from people around the country is: Why is it that you have got things happening out of Washington that make no sense?

Congressman GIBBS identified one of those areas and said it really doesn't make sense. We tried to work through a different remedy to try to get the administration to fix it, and they pointed to a court case that keeps them from fixing it.

It is one of the big frustrations you have that it actually takes an act of Congress to bring common sense into the process of killing mosquitoes, for goodness sake. But here we are doing it. At least we are spending the people's business doing something that actually injects common sense back into the things that people do in their daily lives.

All across our community and across this country, you have local governments that are really the ones that focus on killing mosquitoes, and we started hearing about this problem. Of course, Mr. Chairman, we asked the EPA to identify just how much this is actually costing.

So as everybody scrambles and fights and you hear agencies saying ''I need more money to do this,'' ''I need more money to do that,'' we need to be more responsible with the taxpayers' money, and people are saying, ''Live within your means.''

And we have asked the EPA. The EPA, Mr. Chairman, told us that the cost of implementing these EPA regulations is an extra $50 million a year. Think of how ludicrous that is. Because of the way the EPA is implementing the law, as we are trying to kill more mosquitoes, it is costing $50 million a year to comply with burdensome, duplicative regulations—rather than killing mosquitoes. We should be spending that money, $50 million, killing more mosquitoes, not killing trees to comply with ridiculous regulations.

So I want to commend my colleague from Ohio for bringing this back. The House passed this in a very bipartisan way last Congress. We didn't get it all the way to the President's desk. So this year, hopefully, we will get this bill not only passed through the House, but through the Senate and to President Trump's desk, where he will sign a bill that injects common sense back into the process of killing mosquitoes.

Let's spend our money killing mosquitoes, not killing trees and having to comply with ridiculous regulations that come out of Washington and make no sense. Let's pass this bill.

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

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chairman, this is the fifth time the United States House of Representatives has considered this bill.

Now, we have heard a lot of alternative facts today. Let's have some real facts.

Killing trees, well, first off, here is the extensive application. It is slightly over three pages long and it can be filed electronically, so we don't need to kill any trees.

Allegations that somehow this slows down control of mosquito abatement or Zika virus are absolutely false. Anybody can apply a pesticide in a public health situation. They have 30 days to file the paperwork online afterwards. It takes about 5 minutes. It has such technical things as your name and address, your pesticide applicator license verified with a certain State, where you are going to use the pesticide or herbicide.

Now, why would we want to know that? Or maybe, why wouldn't we want not to know that? Because that is what they are saying on that side of the aisle.

There is nothing registered with the Department of Agriculture. Yes, we have FIFRA. These pesticides and herbicides have been registered. They have labels—it can't be applied over water; it can't be applied here; it can't be applied there—and we trust the applicators to follow those rules. But when they actually use the herbicides and pesticides absent this form, this burdensome 3½-page form, we won't know.

Now, why would we care? Well, this is essentially the 20th anniversary of a massive fish kill in Jackson County, Oregon. In that incident, an operator applied an aquatic herbicide in an irrigation canal that, when it leaked into the nearby creek, killed 92,000 steelhead. Now, we kind of care about our steelhead in the Northwest, so that was a problem.

So then the Federal agency said, Well, this is kind of a problem when someone does that, 92,000 steelhead. Plus, anybody who drank the water was poisoned, et cetera, et cetera. But we don't want to know about that on that side of the aisle because Dow Chemical doesn't like it because maybe it inhibits sales of some of these chemicals that cause these sorts of problems.

Now, we have data now because of these forms, and we know about areas

that are impaired. In my State, which is like the clean, green State, 825 miles of rivers and streams and 10,000 acres of lakes and ponds in the State of Oregon are impaired by pesticide contamination. That is something we should do something about. People are drinking that water; they are swimming in that water; their kids are bathing in that water. I think that is a problem.

But we don't want to know about that. This is just a horrible restraint on pesticide applications.

Now, we heard a lot of other hooey here. It is like: This is so difficult; it is so difficult to do. I was talking to the ranking member of the Agriculture Committee. He said, well, farmers don't want to file those forms. If they hired a pesticide applicator, that person could file the form for them.

Or, yeah, maybe they are going to have to file the 3-page form if it involves the waters of the United States of America. If it doesn't involve the waters, you don't have to file it. So this is really an incredible thing.

Now, we have taken this up numerous times. It was the Pest Management and Fire Suppression Flexibility Act in the 109th Congress—the same bill, exactly the same bill.

Then in the 112th and the 113th Congresses, it was the Reducing Regulatory Burdens Act. It still didn't work. It didn't become law then.

Well, wait a minute. Let's pass it on to public fears. Last Congress, it was called the Zika Vector Control Act in the 114th Congress. We just heard a lot of hooey about how this will inhibit killing mosquitoes, which, of course, is absolutely not true.

But now we are back to here. So the Zika Control Act and the Pest Management and Fire Suppression Flexibility Act are now back to the Reducing Regulatory Burdens Act.

Now, in the past 6 years, since this paperwork was required, or electronic work, do you know how many pesticide applicators have faced significant impacts because of these protections? None. Zero.

Do you know how many applicators have raised problems with the Clean Water Act pesticide general permit to EPA? None. Zero.

In fact, I specifically asked this question of the EPA's head of water at a Transportation and Infrastructure subcommittee hearing. No specific instances where the clean water permit was causing problems or impacts on pesticide application. Yet here we are again, one more time, under the guise of reducing this horrible regulatory burden: name, address, phone number, what did you apply? Where are you registered to apply these sorts of permits? That is useful information.

I had a couple more instances in Oregon.

Tiller, Oregon, again, right in the same area where the steelhead were killed. That same creek was contaminated with atrazine in 2014. Local residents who drank the water complained, and they also complained of the overspray. Then, in 2013, a helicopter in Curry County, Oregon, oversprayed residents.

Now, if they didn't have to file these forms, we wouldn't know who did it, when they did it, and what the chemical was. I guess that is kind of what the Republicans want. If someone oversprays your property and sprays stuff on you: ''Geez, I don't know. That was one of those black helicopters. We don't know where it came from, or who that was. We don't know what they dumped on you. Sorry.'' That is burdensome paperwork. We wouldn't want to require that kind of burdensome paperwork.

So that is why we are here again today for the fifth time with the fifth remaining rationale for what we are doing here today, and it still fails the smell test.

Mr. GIBBS. Mr. Chairman, may I inquire as to how much time each side has remaining.

The CHAIR. The gentleman from Ohio has 10 minutes remaining. The gentlewoman from California has 16 minutes remaining.

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

I just want to make a few remarks on what my friend, my colleague from Oregon said. I call it the rest of the story.

We talked about the fish kill in 1996 of the steelhead. I inquired of this tragic incident and came to the conclusion that NPDES permitting under the Clean Water Act would not have prevented the fish kill.

In 2003, the EPA Office of Pesticide Programs published a report which looked at this potential risk posed by the herbicide that was used in the 1996 fish kill. The report stated:

> Where sufficient information has been provided, it appears that the fish incidents are as a result of misuse. The form of misuse is that water was released from the irrigation canals too early. In some cases, this was because the gate valves were not properly closed or that they leaked. In other cases, the applicator opened them intentionally, but too soon. In one case, boards that helped contain the irrigation canal water may have been removed by children playing.

The EPA goes on in the report to address each of the various species of salmon and steelhead analyzed and repeatedly states:

> It is very unlikely the pesticide suspected to cause the Oregon fish kill would have affected the steelhead or salmon if it was used in accordance with the label requirements. Completing NPDES permit paperwork and paying a permit fee does not prevent fish kills, nor does it improve water quality. Pesticide applications in accordance with FIFRA pesticide labels will avoid adverse environmental impacts, including fish kills.

If a pesticide is improperly applied, there are enforcement mechanisms in place to address this violation. In the case of the 1996 Oregon fish kill, I understand the party was subject to more than $400,000 in fines and reimbursements for the incident.

Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman from Ohio for his work on this important legislation.

Today, I rise in support of H.R. 953, the Reducing Regulatory Burdens Act. This legislation will bring much-needed relief to our American farmers. They put in a great deal of time and money to deal with duplicative regulations like the one we are addressing here today. This bill will take away needless provisions regarding pesticide regulations under the Clean Water Act.

Pesticide applications are already federally regulated by the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act. This permitting was unnecessary and duplicative, punishing American farmers due to a misguided court decision.

In my district in Georgia, farmers have to deal with a variety of environmental difficulties, like the devastating freeze just this last March. The Federal Government should not be adding redundant mandates to already overburdened farmers.

The Reducing Regulatory Burdens Act has been passed out of the House Agriculture Committee five times. It is time for Congress to correct this mistake and give farmers and pesticide applicators much-needed relief once and for all.

Mr. Chairman, as a proud cosponsor of this bill, I urge my colleagues to support this important legislation.

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

Mr. Chairman, I include in the RECORD the following letters to be made part of today's record: A letter from 46 national and State conservation and public health interest groups opposed to H.R. 953, and, secondly, a list of over 150 different organizations who oppose efforts to undermine the Clean Water Act protections for direct pesticide applications, including the Alabama Rivers, San Francisco, and the list goes on.

And the organizations: Alliance of Nurses for Healthy Environments; from Alaska, the Alaska Community Action on Toxics; From Arkansas, the Earth Cause Organization; from California, Audubon and many others; from Alabama, Alabama Rivers; from Colorado, Colorado Riverkeeper; from the District of Columbia, Potomac Riverkeeper; from Florida, Emerald Coastkeeper; from Georgia, Altamaha Riverkeeper and Altamaha Coastkeeper; from Idaho, the Idaho Conservation League; from Illinois, the Illinois Council of Trout Unlimited; and from Iowa, Quad Cities Riverkeeper. And the list goes on, Mr. Chairman.

MAY 22, 2017.

Re Oppose H.R. 953 (Reducing Regulatory Burdens Act of 2017).

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters nationwide, we urge you to oppose H.R. 953 (''Reducing Regulatory Burdens Act of 2017''). A

more apt title for this damaging legislation is the ''Poison Our Waters Act'' because it would eliminate Clean Water Act safeguards that protect our waterways and communities from excessive pesticide pollution. The Pesticide General Permit targeted in this legislation has been in place for nearly six years now and alarmist predictions by pesticide manufacturers and others about the impacts of this permit have failed to bear any fruit.

This bill is the same legislation that pesticide manufacturers and other special interests have been pushing for years. It has been opposed not only by the Obama Administration. but also more than 150 public health, fishing, and conservation organizations (see attached list). Contrary to earlier claims made by its proponents, this bill will not improve nor impact spraying to combat Zika virus and other human health threats. The Pesticide General Permit at issue already allows for spraying to combat vector-borne diseases such as Zika and the West Nile virus. According to the U.S. Environmental Protection Agency, the permit ''provides that pesticide applications are covered automatically under the permit and may be performed immediately for any declared emergency pest situations'' (emphasis added).

Further, the Clean Water Act has no significant effect on farming practices. The Pesticide General Permit in no way affects land applications of pesticides for the purpose of controlling pests (that is, spraying that doesn't discharge into water bodies). Irrigation return flows and agricultural stormwater runoff do not require permits, even when they contain pesticides. Existing agricultural exemptions in the Clean Water Act remain.

Repealing the Pesticide General Permit—as this damaging legislation seeks to do—would allow pesticides to be discharged into water bodies without any meaningful oversight since the federal pesticide registration law (the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)) does not require tracking of such applications.

Now that the Pesticide General Permit is in place, the public is finally getting information that they couldn't obtain before about the types of pesticides being sprayed or discharged into local bodies of water. All across the country, pesticide applicators are complying with the Pesticide General Permit to protect water quality without issue,

The Pesticide General Permit simply lays out commonsense practices for applying pesticides directly to waters that currently fall under the jurisdiction of the Clean Water Act. Efforts to block this permit are highly controversial, as evidenced by the attached list of groups opposed.

Please protect the health of your state's citizens and all Americans by opposing H.R. 953.

Sincerely,

Earthjustice
League of Conservation Voters
Natural Resources Defense Council
Center for Biological Diversity
Sierra Club
Alliance of Nurses for Healthy Environments
American Sustainable Business Council
National Family Farm Coalition
Waterkeeper Alliance
Clean Water Action
Environment America
Pacific Coast Federation of Fishermen's Associations
American Rivers
Southern Environmental Law Center
Defenders of Wildlife
Friends of the Earth U.S.
Environmental Working Group
Northwest Center for Alternatives to Pesticides
Alabama Rivers Alliance
Beyond Pesticides
Beyond Toxics
Cahaba River Society
Center for Food Safety
Defend H2O
Endangered Habitats League
Endangered Species Coalition
Environmental Protection Information Center
Gulf Restoration Network
Illinois Council of Trout Unlimited Kentucky
Waterways Alliance
Klamath Forest Alliance
Laurie M. Tisch Center for Food, Education & Policy, Program in Nutrition, Teachers College Columbia University
Ohio Valley Environmental Coalition
Oregon Environmental Council
Prairie Rivers Network
Pesticide Action Network North America
PolicyLink
San Francisco Baykeeper
Save The River / Upper St. Lawrence Riverkeeper
The Environmental Justice Leadership Forum on Climate Change
The Good Food Institute
Toxic Free NC
Turtle Island Restoration Network
WE ACT for Environmental Justice
WildEarth Guardians.

WHO OPPOSES EFFORTS TO UNDERMINE CLEAN WATER ACT PERMITTING FOR DIRECT PESTICIDE APPLICATIONS?

The below organizations have signed letters opposing legislation that guts Clean Water Act safeguards protecting communities from toxic pesticide.

NATIONAL

Alliance of Nurses for Healthy Environments, American Bird Conservancy, American Rivers, American Sustainable Business Council, Beyond Pesticides, Center for Biological Diversity, Center for Food Safety, Center for Environmental Health, Center on Race, Poverty & the Environment, Clean Water Action, Clean Water Network, Defend H2O, Defenders of Wildlife, Earthjustice, Endangered Habitats League, Endangered Species Coalition, Environment America, Environmental Working Group, Food & Water Watch, Friends of the Earth, Geos Institute, League of Conservation Voters, National Environmental Law Center, National Family Farm Coalition, Natural Resources Defense Council, Pesticide Action Network North America, Public Employees for Environmental Responsibility, Sierra Club, The Good Food Institute, WildEarth Guardians.

ALABAMA

Alabama Rivers Alliance, Black Warrior Riverkeeper, Cahaba River Society, Hurricane Creekkeeper/Friends of Hurricane Creek.

ALASKA

Alaska Community Action on Toxics, Cook Inletkeeper, Inc.

ARKANSAS

The Earth Cause Organization.

CALIFORNIA

Audubon California, Better Urban Green Strategies, Butte Environmental Council, California Sportfishing Protection Alliance, Californians for Alternatives to Toxics, Californians for Pesticide Reform, Coast Action Group, Dolphin Swimming and Boating Club, Environment California, Environmental Protection Information Center, Friends of Five Creeks, Friends of Gualala River, Friends of the Petaluma River, Golden Gate Audubon Society, Humboldt Baykeeper, Inland Empire Waterkeeper, Klamath Forest Alliance, Klamath Riverkeeper, L.A. Waterkeeper, Lawyers for Clean Water, Madrone Audubon Society, Northern California River Watch, Orange County Coastkeeper, Pesticide Watch, Pesticide-Free Sacramento, Pesticide-Free Zone, Planning and Conservation League, Russian River Watershed Protection Committee, Russian Riverkeeper, Sacramento Audubon Society, Inc., Safe Alternatives for Our Forest Environment, Safety Without Added Toxins, San Diego Coastkeeper, San Francisco Baykeeper, San Francisco League of Conservation Voters, San Francisco Tomorrow, Stop the Spray East Bay, The Bay Institute, Turtle Island Restoration Network.

COLORADO

Colorado Riverkeeper.

DISTRICT OF COLUMBIA

Potomac Riverkeeper.

FLORIDA

Emerald Coastkeeper, Indian Riverkeeper, Miami Waterkeeper, St. Johns Riverkeeper, Choctawhatchee Riverkeeper, Apalachicola Riverkeeper.

GEORGIA

Altamaha Riverkeeper and Altamaha Coastkeeper, Ogeechee Riverkeeper, Satilla Riverkeeper, Savannah Riverkeeper.

IDAHO

Idaho Conservation League, Lake Pend Oreille Waterkeeper, Saint John's Organic Farm, Silver Valley Waterkeeper.

ILLINOIS

Illinois Council of Trout Unlimited, Prairie Rivers Network.

IOWA

Quad Cities Riverkeeper.

KANSAS

Kansas Riverkeeper.

KENTUCKY

Kentucky Waterways Alliance.

LOUISIANA

Atchafalaya Basinkeeper, Louisiana Bayoukeeper, Ouachita Riverkeeper.

MAINE

Casoco Baykeeper.

MARYLAND

Gunpowder Riverkeeper, Patuxent Riverkeeper, West/Rhode Riverkeeper, Assateague Coastkeeper/Assateague Coastal Trust.

MICHIGAN

Detroit Riverkeeper, Flint Riverkeeper, Grand Traverse Baykeeper.

MISSOURI

Saint Louis Confluence Riverkeeper.

MONTANA

Big Blackfoot Riverkeeper.

NEBRASKA

Western Nebraska Resources Council.

NEW JERSEY

Hackensack Riverkeeper, Inc., Raritan Riverkeeper.

NEW YORK

Buffalo Niagara Riverkeeper, Environmental Advocates, Hudson Riverkeeper, Lake George Waterkeeper, Long Island Soundkeeper, Peconic Baykeeper, Save The River/Upper St. Lawrence Riverkeeper.

NORTH CAROLINA

Toxic Free NC, Watauga Riverkeeper.

OKLAHOMA

Grand Riverkeeper.

OREGON

Beyond Toxics, Forestland Dwellers, Northwest Environmental Defense Center, Oregon Environmental Council, Oregon Wild, Rogue Riverkeeper, Tualatin Riverkeepers.

PENNSYLVANIA

Lower Susquehanna Riverkeeper.

SOUTH CAROLINA

Charleston Waterkeeper, Santee Riverkeeper.

TENNESSEE

Tennessee Riverkeeper.

TEXAS

Galveston Baykeeper.

VIRGINIA

Blackwater Nottoway Riverkeeper Program, Shenandoah Riverkeeper.

WASHINGTON

Puget Soundkeeper Alliance, Spokane Riverkeeper.

WEST VIRGINIA

Ohio Valley Environmental Coalition.

INTERNATIONAL

Waterkeeper Alliance, Xerces Society for Invertebrate Conservation.

PACIFIC NORTHWEST

Northcoast Environmental Center, Pacific Coast Federation of Fishermen's Associations, Northwest Center for Alternatives for Pesticides, Save Our Wild Salmon Coalition.

SOUTH

Southern Environmental Law Center, Catawba Riverkeeper Foundation, Gulf Restoration Network.

NORTHEAST

Housatonic River Initiative, Toxics Action Center, New York/New Jersey Baykeeper.

MID-ATLANTIC

Assateague Coastkeeper/Assateague Coastal Trust.

Mrs. NAPOLITANO. Mr. Chairman, there is one other thing that I want to bring to the attention of this committee. One of the potential human health applications related to unregulated discharges to water is drinking water.

In May of 2017, the Natural Resources Defense Council released a report entitled, ''Threats on Tap,'' that documented potentially harmful contaminants in tap water in every State of the Union. This report, based on information obtained from State and local public drinking water utilities, documented tens of thousands of drinking water violations related to chemicals and other contaminants currently found in our domestic water supply.

The report included a focus on synthetic organic compounds commonly found in a wide variety of products, from household cleaners to industrial, commercial, and agricultural products, including pesticides and herbicides regulated under FIFRA.

□ 1545

According to this report, human exposure to these contaminants can lead to cancers—I repeat, lead to cancers—developmental effects, central nervous system, and reproductive difficulties, endocrine issues, or liver and kidney problems.

According to an appendix of this report, which I include in today's RECORD, in 2015, there were 6,864 drinking water violations associated with synthetic organic compounds, potentially affecting as many as 2.6 million drinking water users. Of these, a number were for direct, health-related violations affecting more than 300,000 individuals. This report documented ongoing drinking water violations for the worst of the worst pesticides in terms of human health effects, including, atrazine, chlordane, endrin, and glyphosate.

Mr. Chairman, thanks to this report, we have more information on exactly where these drinking water violations are occurring and how increased use of pesticides on or near water increases the risk that humans will be exposed to these dangerous chemicals when they turn on the tap; which begs the question: Why the proponents of this bill want to reduce the public disclosure and monitoring requirements of the Clean Water Act relating to pesticide applications?

Do these proponents want to let these pesticide applications and chemical companies go back in the shadows where information on the release of pesticides is no longer known?

I include in the RECORD a list of chemicals and their potential health impact.

SYNTHETIC ORGANIC CHEMICALS REGULATED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Chemical, Source, Potential Health Impact, MCL (PPB), MCLG (PPB), Number of Violations in 2015 are as follows: 2,3,7,8-TCDD (dioxin), Emissions from waste incineration and other combustion; discharge from chemical factories, Reproductive difficulties; increased risk of cancer, 0.00003, 0, 124; 2,4,5-TP, Residue of banned herbicide, Liver problems, 50, 50, 214; 2,4-D, Runoff from herbicide used on row crops, Kidney, liver, or adrenal gland problems; possible cancer risk, 70, 70, 232; Alachlor, Runoff from herbicide used on row crops, Eye, liver, kidney, or spleen problems; anemia; increased risk of cancer, 2, 0, 0; Aldicarb, Runoff/leaching from pesticides, Nausea, diarrhea, and relatively minor neurological symptoms, 3, 1, 32; Aldicarb sulfone, Runoff/leaching from pesticides, Nausea, diarrhea, and relatively minor neurological symptoms, 2, 1, 32; Aldicarb sulfoxide, Runoff/leaching from pesticides, Nausea, diarrhea, and relatively minor neurological symptoms, 4, 1, 32; Atrazine, Runoff from herbicide used on row crops, Cardiovascular system or reproductive problems; possible cancer risk, 3, 3, 263; Benzo(a)pyrene, Leaching from linings of water storage tanks and distribution lines, Reproductive difficulties; increased risk of cancer, 0.2, 0, 246; Carbofuran, Leaching of soil fumigant used on rice and alfalfa, Problems with blood, nervous system, or reproductive system, 40, =40, 255.

Chlordane, Residue of banned termiticide, Liver or nervous system problems; increased risk of cancer, 2, 0, 255; DBCP (1,2-dibromo-3-chloropropane), Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards, Reproductive difficulties, increased risk of cancer, 0.2, 0, 166; Dalapon, Runoff from herbicide used on rights-of-way, Minor kidney changes, 200, 200, 213; Di(ethylhexyl)-adipate, Discharge from chemical factories, Weight loss, liver problems, possible reproductive difficulties, 400, 400, 253; Di(ethylhexyl)-phthalate, Discharge from rubber and chemical factories, Reproductive difficulties; liver problems; increased risk of cancer, 6, 0, 286; Dinoseb, Runoff from herbicide used on soybeans and vegetables, Reproductive difficulties, 7, 7, 215; Diquat, Runoff from herbicide use, Cataracts, 20, 20, 147; EDB (ethylene dibromide), Discharge from petroleum refineries, Problems with liver, stomach, reproductive system, or kidneys; increased risk of cancer, 0.05, 0, 177; Endothall, Runoff from herbicide use, Stomach and intestinal problems, 100, 100, 150; Endrin, Residue of banned insecticide, Liver problems, 2, 2, 230.

Glyphosate, Runoff from herbicide use, Kidney problems; reproductive difficulties, 700, 700, 150; Heptachlor, Residue of banned termiticide, Liver damage, increased risk of cancer, 0.4, 0, 258; Heptachlor epoxide, Breakdown of heptachlor, Liver damage; increased risk of cancer, 0.2, 0, 258; Hexachlorobenzene, Discharge from metal refineries and agricultural chemical factories, Liver or kidney problems; reproductive difficulties; increased risk of cancer, 1, 0, 224; Hexachlorocyclopentadiene, Discharge from chemical factories, Kidney or stomach problems, 50, 50, 269; Lindane, Runoff/leaching from insecticide used on cattle, lumber, gardens, Liver or kidney problems, 0.2, 0.2, 0; Methoxychlor, Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock, Reproductive difficulties, 40, 40, 257; Oxamyl, Runoff/leaching from insecticide used on apples, potatoes, and tomatoes, Slight nervous system effects, 200, 200, 255; PCBs, Runoff from landfills; discharge of waste chemicals, Skin changes; thymus gland problems; immune deficiencies; reproductive or nervous system difficulties, increased risk of cancer, 0.5, 0, 214; Pentachlorophenol, Discharge from wood preserving factories, Liver or kidney problems; increased cancer risk, 1, 0, 220; Simazine, Herbicide runoff, Blood problems, 4, 4, 255; Toxaphene, Runoff/leaching from insecticide used on cotton and cattle, Kidney, liver, or thyroid problems, increased risk of cancer, 3, 0, 222.

Mrs. NAPOLITANO. Mr. Chairman, I just implore all our colleagues to take a good look at what this can have an effect on our general populace, I mean, the human impact, and I trust that they will vote ''no'' on this bill.

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

Mr. GIBBS. Mr. Chair, I yield myself such time as I may consume.

In my closing, I just want to really reemphasize the importance to pass this bill and get it signed into law because the environment is at risk, human safety is at risk, human health is at risk. We have over 100 Zika outbreaks currently in the United States. We have hundreds of West Nile outbreaks. And what this bill does is it puts a tool in the toolbox for our mosquito control districts, an additional tool to help eradicate or control the mosquito population to prevent and protect human health around our citizens.

There has been a lot of talk about pesticide chemicals in the water, and some of these chemicals that have been mentioned are what we call legacy chemicals that were used years ago. As a farmer, I can tell you some of the chemicals we used when I started farming in 1975 didn't break down. They weren't biodegradable.

The industry has changed a lot. We have new chemicals, better chemicals, safer chemicals. Many of them are biodegradable. So these legacy issues are not—the contaminants in a lot of the

water today isn't from chemicals being used in today's agricultural environment, but it is from past years because those chemicals last in the environment for many years.

I think it is also important that the former Secretary of Agriculture—I stated earlier—Tom Vilsack, was very concerned about this, and he sent a letter to the EPA Administrator at the time, Lisa Jackson, that this court case doesn't do anything to help protect the environment or protect water quality in the United States, and it adds additional costs and burdens to our agricultural producers in their efforts to produce the wholesome, safe, affordable food supply to feed the world.

This is commonsense legislation, and I urge people to vote for H.R. 953. As has been said earlier, this bill has been up several other times in previous Congresses; it has had strong bipartisan support. Unfortunately, the Senate did not move on it and take action. Hopefully this time we will see that, especially with the outbreaks of Zika and West Nile and seeing the cost.

It was mentioned earlier, too, about the cost of getting the permit. Obviously, doing the permit, actually applying it probably isn't much costly, but to get all the stuff lined up, the consultants and all the paperwork they have to do to get the information there is quite costly.

We had in previous committee hearings mosquito control districts coming in and talking about the cost. The thousands of dollars they are spending has blown their budget where they could be using that to spend on mosquito eradication.

So, obviously, we have hundreds of groups around the country that support this legislation. It is needed, and I urge my colleagues to support it so we can move on and protect the environment, enhance the environment, and also human health and safety.

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

The Acting CHAIR (Mr. YOUNG of Iowa). 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 115–21. 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. 953

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Reducing Regulatory Burdens Act of 2017''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 115–145. 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 MS. ESTY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–145.

Ms. ESTY of Connecticut. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 2, insert the following (and redesignate subsequent subparagraphs of the quoted matter accordingly):

''(B) A discharge that contains any active or inactive ingredient identified on the list of toxic pollutants established pursuant to section 307(a)(1) of this Act, the list of extremely hazardous substances established pursuant to section 302(a) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11002(a)), the list of toxic chemicals established pursuant to section 313(c) of such Act (42 U.S.C. 11023(c)), or the list of hazardous substances established pursuant to section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9602).

The Acting CHAIR. Pursuant to House Resolution 348, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY of Connecticut. Mr. Chairman, I rise in support of my amendment to H.R. 953, the Reducing Regulatory Burdens Act of 2017. The underlying bill is overly broad, and not only risks public health, but also endangers our agricultural lands by needlessly contaminating our water.

Let me be clear: I support eliminating unnecessary regulatory burdens. In fact, if you ask every Representative whether they support getting rid of duplicative or unnecessary regulations, you would probably get 435 yeas. However, the regulations here are far from unwarranted.

There is a compelling reason why the Environmental Protection Agency stepped in to protect the American public and our water from unnecessary harms from pesticides. Under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, the EPA is charged with registering all pesticides that are made and sold in the United States. But FIFRA does not take into account when, where, and how pesticides are applied.

Applying a pesticide to crop land has a dramatically different consequence to the environment than when it is sprayed directly into or over or on bodies of water. So that is why, under the Clean Water Act, pesticide general permits are now required for pesticide applications in, over, or on water.

Folks are only required to apply for a pesticide general permit when they want to release biological or chemical pesticides into, over, or on waters of the United States. A PGP is often required for control of the following pests: mosquitoes, vegetation and algae, animal pests, areawide pests, and forest-canopy pests.

Now, I would like to clarify some misconceptions that we have heard discussed here this afternoon. Claims that the pesticide general permits recklessly harms American agriculture are simply not true. For 6 years now, the pesticide general permit has been in place. Farmers and forestry operators have had successful growing seasons and have provided important products to the United States around the world.

Congressional testimony has revealed no report of a pesticide applicator being unable to apply pesticide in a timely manner. Assertions that the pesticide general permit prevents us from combating the Zika virus are also untrue.

When special circumstances arise, public health outbreaks like the Zika virus or West Nile, special exemptions allow applicators to spray pesticides

and apply for permits after the fact. The post-pesticide application process is simple, and it works.

The bottom line is that limiting the amount of pesticides that are sprayed into our lakes, rivers, and streams, into our drinking water supplies, is common sense.

In my home State of Connecticut, pesticide contamination in residential drinking water has been a Statewide problem for a long time. Some of my constituents have gone for years living with stomach pain, hair loss, body numbness, skin rashes, not knowing the cause of their ailments. Test results have revealed pesticides were the cause.

That is why I stand here today to offer an amendment that would ensure that we keep existing clean water protections in place so that we can protect our waters and agricultural lands in the long run.

My amendment would retain existing Clean Water Act accountability for the most toxic chemicals and hazardous substances commonly used in pesticides today.

Should we would try to find a way to streamline the application process for a pesticide general permit?

Of course. But a blanket exemption with complete disregard for clean water, the ecosystem, and public health makes this underlying bill unwarranted and unwise.

We must work together in this Congress to protect our waterways, ensure a healthy food and water supply, while also protecting our public health.

Mr. Chair, I encourage all of my colleagues to support my amendment, and I reserve the balance of my time.

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

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

Mr. GIBBS. Mr. Chair, a couple of points I would like to make. When my colleague from Connecticut talked about spraying chemicals, pesticides over water, the EPA has full authority, full jurisdiction to restrict those pesticides, how they are used, when they are used, and also who is using them; and they can restrict it to a manner where the applicator has to have specific training. And there is nothing to stop the EPA to say that if you are going to spray over a body of water, you have to notify the EPA. The EPA has that authority. They have the jurisdiction to do that.

I think it is also interesting to mention when talking about spraying and getting a permit after the fact, yeah, that if the local entity declares an emergency, then they can go in. But my argument is that since this additional permitting requirement, this additional red tape bureaucracy is stopping the preventive programs, so we shouldn't have to get to an emergency situation where we just spray and do the permit after the fact.

But her amendment, H.R. 953 eliminates the duplicative, expansive, and unnecessary permit process, and helps free up resources for States, counties, and local governments to better combat the spread of diseases like Zika and West Nile virus. This amendment, in effect, undermines these efforts.

The amendment intends to make the bill's exemption from the Clean Water Act permitting ineffective by carving out from the bill those waters that may receive a discharge containing any one of several hundred listed chemical substances. The vast majority of substances referenced in this amendment are not even a pesticide and have nothing to do with the regulation of a pesticide.

Additionally, a discharge covered under this amendment does not have to be related in any way to the use or application of a pesticide. The net effect of this amendment is to undermine the bill based on circumstances that have nothing whatsoever to do with the use of a pesticide.

Further, the amendment would require a pesticide user to conduct extremely expensive and time-consuming monitoring. This defeats the bill's purpose of reducing the regulatory burdens. I urge Members to oppose this amendment.

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

Ms. ESTY of Connecticut. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentlewoman has 1 minute remaining.

Ms. ESTY of Connecticut. Mr. Chair, I yield the balance of my time to the gentlewoman from California (Mrs. NAPOLITANO), the subcommittee ranking member.

Mrs. NAPOLITANO. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Connecticut (Ms. ESTY). The amendment would help ensure the protection of public health from discharges of toxic chemicals such as benzene, chlordane, and vinyl chloride.

In my view, the protection of our families and children from seemingly limitless exposure to toxic chemicals in our air and our water and our neighborhoods should be paramount, yet here we are today considering legislation to waive the simple requirement that a chemical pesticide sprayer fill out an application providing notice of where he intends to spray known toxic chemicals, such as the ones I mentioned, all known to have toxic effects on humans.

The amendment under consideration says that we should, at a minimum, disclose and monitor the dangerous chemicals for potential toxic effects. These are chemicals that Congress has already designated as ''toxic,'' ''hazardous substances,'' or ''extreme hazardous substances'' in Federal statute.

As Congress, we should want to make sure that these dangerous chemicals do not wind up in our rivers and streams, potentially contaminating our local drinking water sources and leading to greater toxic exposure by our families and children.

□ 1600

The level of protection is worth 10 minutes of time by a commercial pesticide applicator.

Mr. Chair, I approve Ms. ESTY's amendment.

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

Mr. GIBBS. Mr. Chair, I just urge the Members to oppose this amendment, and I yield back the balance of my time.

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

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

Ms. ESTY of Connecticut. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115–145.

Mr. HUFFMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 13, add the following:

SEC. 4. PROTECTION OF FISHERIES.

Nothing in this Act, or the amendments made by this Act, shall prevent the Administrator of the Environmental Protection Agency or a State from requiring a permit under section 402 of the Federal Water Pollution Control Act for any discharge (as defined in such Act) that would have a negative effect on commercial, recreational, or subsistence fisheries, or on fisheries protected by Tribal treaty rights, as determined by the Administrator or the State, as applicable, based on the best available science.

The Acting CHAIR. Pursuant to House Resolution 348, 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. Chair, I appreciate the opportunity to offer this amendment and to speak against the underlying bill.

Unfortunately, I wasn't serving the House in 2011 when this bill was first brought to the floor. I was here in 2014, when the bill was brought up again, twice. I was here, also, in 2016, when it was brought up twice.

This bill has gone through a number of name changes, but its intent remains the same, and that is, to allow the irresponsible application of pesticides into our Nation's waterways. Undermining the Clean Water Act, as this bill does, means taking the EPA out of the picture, blocking them from weighing in on pesticides that are

dumped into rivers, lakes, and streams, without regard to the impacts of human health, or to those who rely on recreational, commercial, and Tribal fisheries.

We know, unfortunately, that despite efforts to regulate pesticides for public health and safety, these dangerous chemicals continue to be detected in surface and groundwater bodies at dangerous levels. Impacts to fish and wildlife have been significant, and have already been devastating in some instances. Oysters, shrimp, sea trout, and redfish—four of the most important species to food webs, fishermen, and the economy along the Southeast and Gulf Coasts—have shown effects ranging from impaired survival skills, to damaged DNA, to death as a result of exposure to pesticides that have been approved for agricultural use.

In 2006, USGS released its review on pesticide occurrence and concentrations in streams and groundwater. According to this report, at least one pesticide was detected in water from all streams tested throughout the Nation. In addition, chemicals such as DDT, which has been banned in the U.S. for decades, were still showing up, found in fish tissues sampled across watersheds nationwide.

We see a similar situation at the State level. In my State of California, pesticides are among the top sources of water quality impairments in the State. 437 waterbodies are impaired by 40 different categories of pesticides. That is why commercial fishing groups oppose the underlying bill.

My amendment will ensure that we don't deny either the EPA or a State their ability to require permits for pesticide use that could have negative effects on fisheries. Let's make sure that streams and rivers that support fish are clean. Let's make sure that the fish we catch, eat, and sell are free from toxic chemicals. America's fisheries are a backbone of both sport fishing and commercial fishing industries.

The recreational sector alone accounts for more than $115 billion of our country's economy, and it employs more than 828,000 people. My amendment would protect these recreational activities, not only for current generations but for future generations of anglers to come.

By accidentally contaminating our waterways, pesticides also exacerbate the precarious status of endangered and threatened species. In 1996, the death of over 90,000 steelhead fish, 100 coho salmon, and thousands of nongame fish resulted from an herbicide called acrolein that entered the waterways in Bear Creek, Oregon. Many wild salmon stocks are now on the brink of extinction on the West Coast, and losses in such sensitive populations make recovery efforts increasingly difficult.

Pesticides can pose a dangerous threat to commercial fisheries. In 1999, a massive lobster die-off devastated the lives and livelihoods of Connecticut and New York lobstermen along the Long Island Sound, producing a multimillion-dollar settlement with pesticide manufacturers mishandling the chemical malathion.

Similar concern has brought forth proposals to regulate methoprene and resmethrin in Maine in order to protect their commercial fishery, which is worth over $700 million.

Mr. Chair, I have letters of support here for my amendment from the American Sportfishing Association, Trout Unlimited, the Columbia River Inter-Tribal Fish Commission, the Karuk Tribe, the Winnemem Wintu Tribe, the Pacific Coast Federation of Fishermen's Associations, Seafood Harvesters of America, and other organizations who are very interested in this amendment, and support it.

MAY 24, 2017.

DEAR REPRESENTATIVE: As the House considers H.R. 953, the Reducing Regulatory Burdens Act of 2017, we the undersigned groups representing millions of hunters and anglers across the nation, urge you to ensure that H.R. 953 does not negatively impact water quality, fish health and the recreational fishing industry by supporting Amendment #3, sponsored by Representative Jared Huffman.

The Huffman Amendment protects fisheries and water quality by ensuring any pesticide spraying into or over waterways that would negatively impact our nation's fisheries is properly monitored and permitted. The 47 million sportsmen and women that hunt and fish each year depend on strong Clean Water Act protections to ensure thriving fish populations that are safe to eat and the Huffman amendment would ensure it continues to do so.

America's hunters and anglers contribute more than $200 billion to America's economy each year and this robust outdoor economy depends on healthy rivers, lakes, and streams. Nearly 2,000 waterways in the United States are known to be impaired because of pesticides, and, even at low levels, pesticides pose a particularly concerning threat to fish and wildlife populations. Without protective federal safeguards in place to regulate pesticides applied to our waterways, sportsmen and women will have access to fewer quality hunting and fishing opportunities.

On behalf of our millions of members and conservation-minded hunters, anglers, and wildlife enthusiasts, we urge you to support this common-sense measure to safeguard our water resources and outdoor heritage and support the Huffman amendment.

Sincerely,

BENJAMIN BULIS,
AFFTA President, American Fly Fishing Trade Association.

JOHN W. GALE,
Conservation Director, Backcountry Hunters & Anglers.

ADAM KOLTON,
Vice President, National Advocacy, National Wildlife Federation.

STEVE MOYER,
Vice President, Government Affairs, Trout Unlimited.

HOUSE OF REPRESENTATIVES, MAY 23, 2017.
Washington, DC.

DEAR REPRESENTATIVE: On behalf of thousands of tribal, commercial, and recreational fishermen who depend on healthy fisheries for their subsistence, traditional cultural practices, businesses, and recreational enjoyment, we write to urge you to vote YES on the Huffman amendment to H.R. 953. The amendment would ensure that existing Federal Water Pollution Control Act (FWPCA) permitting requirements for point source polluters remain in place when science clearly indicates they are needed to protect fisheries.

Under §402 of the FWPCA, the Administrator of the EPA may issue permits for point source discharges of approved pesticides, herbicides, and fungicides into navigable waters, which are also inhabited by many important and valuable fish species that are worth billions of dollars to fishermen and anglers each year. H.R. 953 would eliminate the EPA's permitting authority for approved pesticides, herbicides, and fungicides discharged into navigable waters. Many of these chemicals, despite their approval for agricultural use, are known to be seriously harmful to iconic fish species including salmon and trout, jeopardizing their survival and posing a risk to the food supply.

Congressman Huffman's amendment to H.R. 953 would simply leave EPA permitting requirements in place for the dumping of pesticides, herbicides, and fungicides into our streams and rivers when they are known to pose a significant risk to fisheries. We ask that you support this amendment in order to keep America's fisheries and strong fishing traditions alive, safe, and prosperous. If you have any questions, please call Noah Oppenheim, Executive Director of the Pacific Coast Federation of Fishermen's Associations.

Sincerely,

Noah Oppenheim, Executive Director, Pacific Coast Federation of Fishermen's Associations; Leaf Hillman, Director, Department of Natural Resources, Karuk Tribe; Caleen Sisk, Chief, Winnemem Wintu Tribe; Robert Vandermark, Executive Director, Marine Fish Conservation Network; Kevin Wheeler, Executive Director, Seafood Harvesters of America; Roger Thomas, President, Golden Gate Salmon Association; Bob Rees, Executive Director, Association of Northwest Steelheaders; Linda Behnken, Executive Director, Alaska Longline Fishermen's Association; Grant Putnam, President, Northwest Guides and Anglers Association; Benjamin Bulis, President, American Fly Fishing Trade Association; Lyf Gildersleeve, Owner, Flying Fish Company; Kevin Scribner, Chief Executive Officer, Forever Wild Seafood; Cynthia Sarthou, Executive Director, Gulf Restoration Network.

COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION,
Portland, OR, May 23, 2017.

Hon. PAUL RYAN,
Speaker of the House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader of the House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: On behalf of the Columbia River Inter-Tribal Fish Commission (CRITFC) and our member tribes—the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe, I

would like to share our support for the amendment offered by Mr. Huffman to H.R. 953—Reducing Regulatory Burdens Act of 2017. The amendment specifically preserves the ability of the EPA Administrator or a State to require permits necessary to protect fisheries including Tribal treaty fisheries from harmful discharges of FIFRA approved pesticides.

Tribal members are justifiably concerned about the impact of water quality on the natural resources of the Columbia River system. Our member tribes' right to abundant, healthful fish is guaranteed by the 1855 treaties with the United States. A century's worth of federal court decisions has established beyond dispute that these treaty fishing rights are permanent in nature, and that they secure for the tribes the right to take all species of fish found throughout their reserved fishing areas for subsistence, ceremonial and commercial purposes. Tribal treaties are the supreme law of the land, and federal agencies and States must interpret designated uses to include subsistence fishing and must protect fishable waters. Pesticides can wreak havoc on the health of the habitat and associated food webs that support our fisheries. They can disrupt water quality conditions and the availability of natural riparian and aquatic vegetation cover as well as the abundance of aquatic invertebrates and fishes that support the growth and maturation of salmonid species. Our tribes recognize that the health and future of our tribal fisheries require clean, cold water that is free of contaminants.

Regulations should be efficient, just, and effective, and necessarily must provide the EPA and States with the authority to protect the unique habitat and food web system that is essential to the health of our tribal fisheries. Thank you for your consideration of these comments. If you have any further questions please contact me or Dianne Barton, PhD.

Sincerely,

JAIME A. PINKHAM,
CRITFC Executive Director.

AMERICAN SPORTFISHING ASSOCIATION,
Alexandria, VA, May 23, 2017.

Hon. JARED HUFFMAN,
Washington, DC.

DEAR CONGRESSMAN HUFFMAN: On behalf of the nation's recreational fishing industry, the American Sportfishing Association (ASA) would like to be on record as supporting your amendment to H.R. 953. This amendment leaves EPA permitting requirements in place for the dumping of pesticides, herbicides, and fungicides into our streams and rivers when they are known to pose a significant risk to fisheries.

America's fisheries are an economic powerhouse and the backbone of the sportfishing and commercial fishing industries. America's recreational anglers generate more than $48 billion in retail sales with a $115 billion impact on the nation's economy; creating employment for more than 828,000 people.

Our industry depends on clean water for continued healthy and abundant fisheries. There are certain chemicals used for various on-land industry operations that are known to be incredibly harmful to fish development and survival when released into waterways. The Administrator of the EPA currently enforces permitting requirements for the disposal of these chemicals into our streams and rivers. Your amendment would ensure that existing Federal Water Pollution Control Act permitting requirements for point-source polluters (§ 402) remain in place when science indicates they are needed to conserve fisheries.

''The Huffman amendment'' is needed because the original legislation, H.R. 953, would eliminate this permitting authority for all approved pesticides, herbicides, and fungicides discharged into streams and rivers; even when they are known to pose a significant risk to fisheries.

We appreciate your leadership and understanding of the importance of clean water to fishing and the outdoor recreational economy.

Sincerely,

SCOTT GUDES,
Vice President of Government Affairs.

Mr. HUFFMAN. Mr. Chairman, I prefer butter on my lobster rolls, not toxic pesticides. Let's make sure that States maintain their authority to prudently protect their economies and public health from pesticide impacts.

I urge an ''aye'' vote on this amendment.

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

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

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

Mr. GIBBS. Mr. Chair, well, that was a lot of drama. Let's not lose sight that what we are trying to do in H.R. 953 is to free up the resources so States, counties, local governments can fight the mosquito population, fight Zika, fight the West Nile virus, and let our agricultural producers have the most efficient way to protect the environment, and also produce a safe, wholesome food supply.

This amendment undermines the base bill. The amendment intends to carve out from the bill those waters that have a discharge of any type. That means the way this amendment is written, any type of discharge—even if it is not a pesticide—any type of discharge, a nutrient discharge, anything would fall under this and undermines the bill. This amendment covers all types of discharges. I think that is important to mention.

In addition, most waterbodies in this country are fishable, and, therefore, subject to this amendment's carve-out. As a result, the types of discharges and waterbodies in question under this amendment do not need to be related at all to the actual regulation of a pesticide.

Further, the amendment would require that a pesticide user conduct extremely expensive and time-consuming monitoring. Moreover, the amendment's standard of any negative effect is vague and subjective and could include an effect that has nothing to do with a pesticide.

Registered pesticides already take into account aquatic species' and fisheries' health into consideration during the registration process. I think it is important that they go through a rigorous testing process, and more testing, and the EPA has full control. They can reject that. If they determine that a pesticide is environmentally harmful, or potentially harmful, they can pull that product off.

They can also restrict the product even more so, and restrict who the applicators are, and there is nothing to stop the EPA or the State EPAs to say: Before you apply a pesticide over a waterbody, you need to tell us first before you do it.

There is nothing to stop the EPA from doing that.

So all this amendment does, it defeats the bill's purpose, reducing the regulatory burdens, and I urge my Members to oppose this amendment.

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

Mr. HUFFMAN. Mr. Chair, I just want to point out that some States may want to put their efforts into protecting water quality and the health of their fisheries and their ecosystems, rather than just carpet-bombing waterways with pesticides.

This amendment says, those States have the authority to do that if they choose to.

Mr. Chair, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the ranking member of the subcommittee.

The Acting CHAIR. The gentleman from California has 15 seconds remaining.

Mr. HUFFMAN. Mr. Chair, I yield 15 seconds to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. I totally support the amendment offered by the gentleman from California (Mr. HUFFMAN). If this amendment is adopted, it would maintain the existing Clean Water Act general permit requirements to protect commercial, recreational, and subsistence fisheries, and Tribal treaty obligations. I support the amendment.

The Acting CHAIR. The time of the gentleman from California has expired.

Mr. GIBBS. Mr. Chair, I will just say that the comment about this amendment would allow States to do it, I don't think there is anything to stop the States from doing it now. If States want to do more to protect water quality in their States, I think they have the right to do that.

Under the Clean Water Act, what it says is: The States will implement and enforce the Clean Water Act under the guidance of the Federal Government, but they have to be, at the least, a standard of the Federal Government. They can exceed that standard if they want, so I don't think there is anything stopping that.

I urge my colleagues to defeat this amendment and support the underlying bill.

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. HUFFMAN).

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

Mr. HUFFMAN. 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 House Report 115–145 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. ESTY of Connecticut.

Amendment No. 2 by Mr. HUFFMAN 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 MS. ESTY OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY) 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 191, noes 229, not voting 10, as follows:

[Roll No. 279]

AYES—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nolan
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—10

Black
Cummings
Graves (LA)
Johnson, Sam
Kihuen
Maloney, Carolyn B.
McSally
Newhouse
Perlmutter
Swalwell (CA)

□ 1637

Messrs. WEBSTER of Florida, CHAFFETZ, WITTMAN, BANKS of Indiana, ESTES of Kansas, Ms. HERRERA BEUTLER, Mr. O'HALLERAN, Mrs. MCMORRIS RODGERS, and Messrs. CURBELO of Florida and WOODALL changed their vote from ''aye'' to ''no.''

Mr. CLAY, Ms. MOORE, Messrs. LANCE, MEEHAN, and Ms. BLUNT ROCHESTER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Ms. CASTOR of Florida was allowed to speak out of order.)

FIFTH ANNUAL CAPITAL SOCCER CLASSIC

Ms. CASTOR of Florida. Mr. Chairman, as the co-chair of the bipartisan Congressional Soccer Caucus, along with my co-chairs, Representative DON BACON, DARIN LAHOOD, and ERIC SWALWELL, I am pleased to inform the House that last night a group of bipartisan Members came together to play in the fifth annual Capital Soccer Classic, a charity benefit for the U.S. Soccer Foundation and children in underserved areas across the country.

The U.S. Soccer Foundation transforms abandoned fields and vacant lots into state-of-the-art soccer fields to create safe places where kids can play. The U.S. Soccer Foundation also partners with our local communities back home for free afterschool programs to help kids establish healthy habits: put the cellphones aside, turn off the TV, get outside, and learn good sportsmanship.

The Republican team was very tough: Congressmen DON BACON, DARIN LAHOOD, GUS BILIRAKIS, STEVE KNIGHT, ERIK PAULSEN, and DAVID VALADAO, who scored for the Republican team. We had a number of outstanding congressional staff and former professional soccer stars as well, but they were not enough for the Democratic team. The Democratic team notched a 5–3 victory to deliver this trophy for America's blue team.

Great fun was had by all. We would like to invite you to join us next year because the real winners are the kids across the country and the opportunity to be healthy and well.

Mr. BACON. Will the gentlewoman yield?

Ms. CASTOR of Florida. I yield to the gentleman from Nebraska.

Mr. BACON. Mr. Chairman, it was an honor to be able to have a bipartisan game out there and have a good time.

Soccer keeps children in shape. Thousands and thousands of our kids get to play this every year. We also stay in shape. It also teaches them teamwork and how to follow the rules, and they become better citizens.

I had to do an ibuprofen this morning.

Ms. CASTOR of Florida. Mr. Chairman, I thank the gentleman.

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

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 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 189, noes 230, not voting 11, as follows:

[Roll No. 280]

AYES—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce (OH)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nolan
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—11

Black
Brady (TX)
Cummings
Graves (LA)
Johnson, Sam
Kihuen
Maloney, Carolyn B.
McSally
Newhouse
Swalwell (CA)
Wilson (SC)

□ 1645

Mr. O'HALLERAN changed his vote from ''no'' to ''aye.''

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.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. YOUNG of Iowa, 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. 953) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, and, pursuant to House Resolution 348, 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.

The question is on the amendment in the nature of a substitute.

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. MCGOVERN. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. MCGOVERN. Mr. Speaker, I am opposed to the bill in its current form.

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

The Clerk read as follows:

Mr. McGovern moves to recommit the bill H.R. 953 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end, add the following:

SEC. 4. PROTECTING AMERICAN FAMILIES FROM SPECIAL INTERESTS SEEKING TO UNDERMINE PUBLIC HEALTH THROUGH POLITICAL CONTRIBUTIONS.

This Act, including the amendments made by this Act, shall not apply to the discharge of a pesticide if the manufacturer or distributor of the pesticide has made a political contribution to the President or to any Federal official charged with registration, regulation, or approval of the use of the pesticide.

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

Mr. MCGOVERN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I regret to say the Republicans are again bending over backwards to help corporations and the wealthiest among us while ignoring science and leaving hardworking American families to suffer the consequences. This administration's decisions have placed special interests and their financial contributions ahead of

the health and the safety of our citizens, and this Republican-led House has been complicit.

Earlier this year, a toxic chemical manufacturer convinced the Trump administration to discard decades of scientific research just so they could continue to profit off of chlorpyrifos, a pesticide that has been proven to be harmful to human beings, especially infants and children. The pesticide was well on its way to being banned by the EPA, which said, in 2015, that it could not be declared safe for human health and for the environment; but the pesticide manufacturer wrote a check for $1 million to President Trump's inaugural committee, and just weeks later, the proposed ban on the pesticide was magically reversed. It is amazing how that worked out.

What I am wondering is: Did President Trump and the Republicans in Congress think we wouldn't notice? Did they think the American people would be okay with them knowingly allowing a dangerous pesticide to be used on farms and affect our food supply? Republicans should be ashamed of this blatant disregard for the health of the families they were elected to represent.

In 2000, the EPA banned most home uses of the chemical, citing risks to children, yet it continues to be used in agriculture production across this country. Does this really sound like something that should be used on the food we feed our kids?

On the campaign trail into the White House, President Trump has made clear that he will always side with deep-pocketed polluters and corporations over the health and safety of families.

In January 2017, Dow Chemical was reported to have contributed $1 million to President Trump's inaugural committee. The CEO of Dow Chemical was a frequent guest of President-elect Trump, including at an appearance at a postelection rally in Grand Rapids, Michigan. In March 2017, EPA Administrator Scott Pruitt signed an order reversing the ban on the pesticide.

Also in March 2017, Scott Pruitt signed an order reversing the ban on this pesticide suggesting, in a statement, that ''by reversing the previous administration's step to ban one of the most widely used pesticides in the world, we are returning to using sound science and decisionmaking rather than predetermined results.'' Public health advocacy groups strongly disagreed, not to mention conservation organizations.

Mr. Speaker, you know what? I think I trust public health experts when it comes to protecting our families over Administrator Pruitt, who sued the EPA at least 14 times as Oklahoma's attorney general opposing important protections for our air and our water. Talk about the fox guarding the henhouse.

Mr. Speaker, we were not sent here to auction off the health and safety of millions of Americans to the highest bidder. Every day the Trump administration gets more brazen with their giveaways to special interests, raising serious questions about corruption and conflicts of interest.

Donald Trump promised to drain the swamp. He has created a cesspool. We are talking about people's lives here, Mr. Speaker. This pesticide has been shown to harm women, children, and families. It has no place on our farms or in our food system. Our health should not be for sale.

It isn't hard to connect the dots here. The EPA abruptly reversed its efforts to ban a toxic chemical just weeks after the chemical's manufacturer made a political contribution to the newly elected President. And we know their decision wasn't based on science. The former head of the EPA's Office of Chemical Safety and Pollution Prevention suggested that the Trump EPA is ''ignoring the science that is pretty solid'' and putting farmworkers and exposed children at unnecessary risk.

Now, I can see how people might start to wonder whether this administration is on the side of special interests or the American people. This amendment fights back against the corrupting influence of political contributions from pesticide companies. It would ensure that existing science-based protections for our families and our environment cannot be overturned by a well-timed contribution to President Trump or to those in his administration charged with implementing the law.

The American people deserve to know that their leaders will stand up to protect their health and their safety rather than protecting the bottom line of wealthy special interests. Mr. Speaker, I urge my colleagues to do the right thing and adopt this amendment and show the American people that our government is not for sale.

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

Mr. GIBBS. Mr. Speaker, I rise in opposition to the motion.

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

Mr. GIBBS. Mr. Speaker, this motion to recommit is unnecessary and aims to undermine the purpose of the bill.

The underlying bill, H.R. 953, eliminates the duplicative, expensive, and unnecessary permit process that helps free up the resources for our States, counties, and local governments to better combat the Zika, West Nile virus, and other diseases; but this motion, in effect, aims to undermine the bill.

In this motion, the bill says it will not apply to anybody who makes a discharge of a pesticide if they made a political contribution to the President or to any Federal official charged with registration, regulation, or approval of the use of a pesticide. That is utterly absurd. You can't make political contributions to regulators at the EPA.

Let's keep in mind that the EPA has full authority to regulate these pesticides, pull pesticides off the market, and regulate who applies them, and they have full authority to protect our water and our human health.

This amendment simply aims to gut the bill. It is unclear how it ever would work. We need to stop creating unnecessary roadblocks to the use of products that stand to protect public health and feed the Nation.

H.R. 953 is a good bill that will help protect public health and the environment and stop mosquitoes from spreading Zika and the West Nile virus and other diseases to our vulnerable populations.

Mr. Speaker, I strongly oppose this motion and urge my colleagues to vote ''no.''

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. MCGOVERN. 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.

The vote was taken by electronic device, and there were—ayes 183, noes 230, not voting 17, as follows:

[Roll No. 281]

AYES—183

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal

Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—17

Black
Costa
Cummings
Davidson
Franks (AZ)
Graves (LA)
Green, Gene
Johnson, Sam
Kihuen
Maloney, Carolyn B.
McSally
Nadler
Newhouse
Sherman
Swalwell (CA)
Waters, Maxine
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1703

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 256, noes 165, not voting 9, as follows:

[Roll No. 282]

AYES—256

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lawson (FL)
Lewis (MN)
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nolan
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—165

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Krishnamoorthi
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—9

Black
Cummings
Graves (LA)
Johnson, Sam
Kihuen
Maloney, Carolyn B.
McSally
Newhouse
Swalwell (CA)

□ 1710

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. GRAVES of Louisiana. Mr. Speaker, I was absent from votes today on account of traveling with the Vice President on official business to Louisiana. Had I been present, I would have voted "nay" on rollcall No. 279, "nay" on rollcall No. 280, "nay" on rollcall No. 281, and "yea" on rollcall No. 282.

PERSONAL EXPLANATION

Mrs. BLACK. Mr. Speaker, I was unavoidably absent from the House chamber for votes Wednesday, May 24. Had I been present, I would have voted "yea" on rollcall No. 277, "yea" on rollcall No. 278, and "yea" on rollcall No. 282.

PERSONAL EXPLANATION

Ms. MCSALLY. Mr. Speaker, the man who has served as a father figure to me for the past twenty years has taken a turn for the worse in his battle against cancer and his health is rapidly deteriorating. As such, I will be returning home and will miss votes today, Wednesday, May 24, and for the balance of the week. Had I been present, I would have voted: "yea" on rollcall No. 274, "yea" on rollcall No. 275, "yea" on rollcall No. 276, "yea" on rollcall No. 277, "yea" on rollcall No. 278, "nay" on rollcall No. 279, "nay" on rollcall No. 280, "nay" on rollcall No. 281, and "yea" on rollcall No. 282.

PERMITTING OFFICIAL PHOTOGRAPHS OF THE HOUSE OF REPRESENTATIVES TO BE TAKEN WHILE THE HOUSE IS IN ACTUAL SESSION ON A DATE DESIGNATED BY THE SPEAKER

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 350, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 350

Resolved, That on such date as the Speaker of the House of Representatives may designate, official photographs of the House may be taken while the House is in actual session. Payment for the costs associated with taking, preparing, and distributing such photographs may be made from the applicable accounts of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA I

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of Senate Concurrent Resolution 14, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 14

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA I.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on June 11, 2017 for an event to celebrate the birthday of King Kamehameha I.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

OUR VETERANS ARE REAL HEROES

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to thank our brave servicemen and -women who have put their lives on the line every day to protect us. Since the founding of our Nation, millions of Americans have proudly served and sacrificed in preservation of our democracy.

Our veterans have paid a tremendous price to defend our freedom, yet leaving the battlefield does not always mean their battles are over. It is, therefore, our duty as a nation to ensure that our servicemembers are properly and respectfully cared for when they return home.

Our veterans are real-life heroes living quietly among us. They are the patriots who were willing to give up everything—everything they had—for their God, their country, and for one another.

The Holy Scripture tells us, in John 15:13: ''Greater love hath no man than this, that a man lay down his life for his friends.'' This weekend, let's call to mind all those who have made the ultimate sacrifice. It is because of their valor, strength, and bravery that I stand here before you today. They selflessly put their lives on the line to fight for us, and I am proud to continue fighting for them.

Our men and women of the military represent the very best of America. On behalf of Michigan's Eighth Congressional District, we are eternally grateful for their service.

Happy and safe Memorial Day weekend.

□ 1715

PRESIDENT TRUMP'S BUDGET

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

Mr. CICILLINE. Mr. Speaker, it has been said that a budget is more than a series of statements or line items. It is really a statement of your values and of your priorities.

If that is true, then Donald Trump's anti-working families budget shows he doesn't understand the challenges facing honest, hardworking Americans. Let's be clear: the Trump budget was written by some of the wealthiest Americans for the benefit of the wealthiest Americans.

This budget is a major setback for the middle class, and it makes life even harder for anyone who is trying to punch a ticket to the middle class.

This budget eliminates hundreds of millions of dollars for job creation, it zeros out funding for workforce training and good-paying manufacturing jobs, and it makes it even harder for young people to succeed by cutting teacher training, eliminating after-school programs, and making it harder to pay off student loans.

The American people deserve better. This is not a budget that any Member of Congress should be comfortable supporting.

Democrats are speaking out today against the Trump budget. It is time Republicans do the same.

RECOGNIZING PASTOR TIM BURT'S RETIREMENT

(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, I rise today to recognize and congratulate Pastor Tim Burt on his retirement. Pastor Burt has a long record of service to his community.

He founded American Infant Care Products, which came up with the fold-down infant changing tables found in many restrooms today, helping families of all sorts by providing a convenient way to care for their children.

But he also has now served as associate pastor at Living Word Christian Center in Brooklyn Park since 1989, establishing a small group ministry. In this capacity, Pastor Burt oversaw visitor and public relations, pastoral care, and leadership and volunteer departments. His dedication to our community has certainly inspired many Minnesotans over the years.

Pastor Burt also served as the Minnesota State director for Christians United for Israel, where he developed a statewide network of leaders passionate about Israel, and has led a trip of fellow pastors to that country.

Mr. Speaker, as we recognize Pastor Tim Burt's retirement, we are extremely grateful and proud of the work he has done. I wish he and Renee the very best in their future endeavors.