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. ROSS. Mr. Speaker, I yield to the gentleman from Illinois (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks and in the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

Mr. Speaker, I urge adoption by my colleagues to support it as well.

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

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 get the perpetrators who are preying on American taxpayers for many of our seniors who rely on 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. 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 citizens 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 present 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.

REDDUCING REGULATORY BURDENS ACT OF 2017

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may 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.

Mr. Speaker, I 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.
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, the major mosquito control districts, water districts, pesticide applicators, farmers and ranchers, forest managers, scientists, and even everyday citizens or homeowners.

The 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 opened 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 and its annual 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 connection to our environment, add additional paperwork requirements when it comes to permit renewals. Mosquito District’s staff spends 3 weeks a year tabulating and documenting seasonal pesticide applications and its annual oversight.

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

In our 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, 87,212 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 have had to wait for a week 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, municipal, 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 on 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 decision. It makes the regulatory problem caused by the Sixth Circuit’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 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 Corn Growers Association; and United Fresh Produce Association. Those are just a few groups representing thousands of American farmers 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.

Subsecting 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.


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. 58,483 (Nov. 27, 2006) (Final Rule). A petition for rehearing or for stay en banc 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 permits of the Rodenticide Act, Fungicide, and Rodenticide Act (FIFRA). The Final Rule established that the application of pesticides in compliance with the permits of the National Pollutant Discharge Elimination System (NPDES) permit when they are applied directly into waters of the United States in order to control pests and when the application is applied to control pests that are present over waters of the United States, including near those portions of waters of the United States 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. 69,486.

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 recognized that the EPA generally applies pesticides directly to water to perform a useful purpose that are not chemical wastes, and that products of pesticides are not pollutants, the court held that the EPA is required to register the pesticides and that residues of pesticides might find their way into 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 “chemical waste” and “biological waste” 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’s ruling will increase the regulatory burdens and financial burdens on farmers and the 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 Agricul- tural Retailers Association; American Soybean Association; American Mosquito Control Association; AmericanHort; Aquatic Plant Management Association; American Farm Bureau Federation; American Mosquito Control Association; the Association of Equipment Manufacturers; CropLife America; Family Farm Alliance; National Agricultural Aviation Association; National Association 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.


HOUSE OF REPRESENTATIVES.

Washington, DC.

Dear Mr. Speaker: 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. In the past four years, the Environmental Protection Agency (EPA) and pesticide applicators including public health agencies charged with mosquito control operated expertly and curtailed the 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 the APHIS Mormon Cricket and Grasshopper Program, undertaken in cooperation with western states. Additionally, research programs involving both the conventional and experimental applications of pesticides under the Agricultural Research Service (ARS) also will be detrimentally af- fected by the panel’s decision. The time-consuming and expensive permitting processes that are currently required to obtain NPDES permits, which the EPA has testified to the adequacy of FIFRA’s comprehensive regulatory require- ments including substantial enforcement mechanisms in pursuit of that goal.

However, a 2009 activist-inspired lawsuit resulted in a federal court’s ruling identifying a technicality in the law that Congress had not properly clarified its intent that FIFRA could take precedence 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 most pesticide control districts who are applying pesticides approved by EPA for use in the environment for their beneficial pur- poses of trying to prevent or control the spread of public health diseases in the U.S.

Though the NPDES permit burden lacks any additional environmental benefit under these circumstances, it does force substan- tial costs on thousands of small application businesses and farms, as well as the municipal, county, state and federal agencies responsible for preserving natural resources and public health. Further, and most men- acing, the permit exposes all pesticide users—regardless of permit eligibility—to frivolous litigation that accompanies NPDES permit applications. In a number of instances, applicators—that once conducted mosquito abatement applica- tions for local governments and homeowner associations—can’t afford to defend the risk of frivolous litigation that accompanies NPDES permit applications.

In the 114th Congress, similar legislation (H.R. 872) passed the House Committee on Agriculture and went on to pass the House of Representatives on September 30, 2015. In the 115th Congress, the legislation (H.R. 935) passed both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Rep- resentatives. In the 115th Congress, the Zika Vector Control Act (H.R. 897) passed the House of Representatives.”
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 operating, 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/bag), 2,873,738 pounds.
- Acres of water larvicided annually (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, 214,185 tests.

30 second radio ads for public education ($4–$200), 103,671–20,734.

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

- $10 per acre. This has greatly reduced the adulticides.
- Laramie which was able to treat for an estimated $5–10 per acre now pays an estimated $5–$10 per acre.
- 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.

**AMERICAN MOSQUITO CONTROL ASSOCIATION**

**STATEMENT ON NPDES BURDENS**

**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 throughout 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 permits are “registration 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 $1 million dollars over six years. These costs include:

  - Initial amount spent by Districts determining waters of the US
  - 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 have reduced 2–5% of District funds annually to permit fees and administrative costs.

- The cost for aerial applications of both adulticide and larvicides has increased 5 to 10-fold for some Districts. This is due primarily to the fear that local applicators have regarding the citizen lawsuits. The local ag pilots have declined to fly for some of the mosquito districts in Wyoming, reducing 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.

- The fact that the existence of the permit would not apply to public health pesticide applications.

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- 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 hand entering data, 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 applicators are only required to review NPDES regulations). The NPDES permits do not require actual evidence of a misapplication of a pesticide or harm to the environment,
The Toledo Area Sanitary District is currently involved in a lawsuit that has already initiated a cost of mosquito control fees 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 or more, even though the case has nothing to do with substantive water quality issues, but rather focuses on alleged administrative paperwork violations.

Gren County Mosquito Abatement District (ID) was the subject of one of these activist lawsuits utilizing the 3rd Party Citizen Suit Provision. Fryer and others were the result of an entire year’s annual operating budget ($450,000) to resolve that litigation costs. The existence of this provision to crush litigation directly impacts 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.


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. GARRETT GRAVES, House of Representatives, Washington, DC.

Dear Reps. Shuster, Gibbs, Conaway and Graves, 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 drafted 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-approved 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 safety.

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 the 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.


Hon. PAUL D. RYAN, Minority Leader, House of Representatives, Washington, DC.
Hon. NANCY PELOSI, Majority 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 mosquitoes and their breeding habitats pose the largest threat to public safety, counties 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 the 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 the 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 call 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 could mean that the 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 permitted immediately for any declared pest emergency situations. In most instances, spraying is 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 consequences of pesticidal use and their potential to apply to our rivers, lakes, our streams on an annual basis.

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 and fish-eating wildlife and also human health.

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 that the effects of 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, 250,756 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 divide 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 regulate the small businesses for business at large. All the supporters are mostly farmers and other business entities.

However, I am still very concerned that these pests they are having a 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 on Gatorilla.

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 that has 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 Goss, 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 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. 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 come 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 satisfy 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, which interpreted the interaction of these two laws was not given the deference we would normally expect. The final court order nullified the EPA’s rule and imposed what is viewed as burdensome, 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 involved a case 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 and paper for 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 drive this 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 permitting application of pesticides to waters of the United States in compliance with FIFRA.

I urge all Members to vote for this legislation.

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

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
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 thank my colleague from Ohio for his leadership on bringing forth this important legislation. We need to help the EPA 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 killing 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.

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

Mr. DeFAZIO. I thank the gentleman 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. Nobody can apply a pesticide in a public health situation. They just 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 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 3 1/2-page form, we won't know.

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 approximately $2,000. 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 file. 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.

Mr. Chairman, 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 as-yet-unstated 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.
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, in the past 6 years, since this bill was introduced in the 112th Congress—this is 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 the 114th Congress. I 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 paper disappeared, 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. In the rare 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, what chemical—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 who it came from, or who that was. We don’t want anyone to know 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 incidents are 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 ponds or embankments were improperly 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 $480,000 in fines and reimbursements for the incident.

Mr. Chairman, I yield 1 minute to the chairman from Georgia (Mr. ALLEN).
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 interest entities 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 or 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 in any declared emergency 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 coming forward with the Pesticide General Permit to protect water quality without issue. The Pesticide General Permit simply lays out commonsense practices for applying pesticides 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 Northern Center for Alternatives to Pesticides Alabama Rivers Alliance


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

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

NATIONAL


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


COLORADO

Colorado Riverkeeper.

DISTRICT OF COLUMBIA

Potonac Riverkeeper.

FLORIDA

Emerald Coastkeeper, Indian Riverkeeper, Miami Waterkeeper, St. Johns Riverkeeper, Chocotawhatchee 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

Axchafalaya Basinkeeper, Louisiana Bayoukeeper, Ouachita Riverkeeper.

MAINE

Casco 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


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
 Northwest 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 this committee’s attention. 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.

 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. I have referred 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, 1, 0, 0; 2,4,5-TP, Residue of banned herbicide, Liver problems; increased cancer risk, 1, 0, 0; 2,4-D, Runoff from herbicide used on row crops, Kidney, liver, or adrenal gland problems; possible cancer risk, 70, 70, 232; Atrazine, 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 high levels of occurrence; increased risk of birth defects, liver problems; possible cancer risk, 50, 50, 214; Oxamyl, Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, liver, kidney, or spleen problems; increased risk of cancer, 30, 30, 125; Malathion, Runoff from insecticide used on cattle, Reproductive or nervous system difficulties, increased risk of cancer, 1, 0, 0; Diazinon, Runoff/leaching from insecticide used on crops, Eye, liver, kidney, or spleen problems; increased risk of cancer, 1, 0, 0; Chlorpyrifos, Runoff/leaching from insecticide used on crops, Eye, liver, kidney, or spleen problems; increased risk of cancer, 1, 0, 0; Lindane, Runoff/leaching from insecticide used on cattle, Reproductive problems, increased risk of cancer, 1, 0, 0; Dieldrin, Runoff/leaching from insecticide used on crops, Reproductive problems, increased risk of cancer, 3, 0, 0; DDT, Runoff/leaching from insecticide used on crops, Reproductive problems, increased risk of cancer, 1, 0, 0.

 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 Zikis 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 fewer 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 form of the substitute is as follows: 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 make it a priority, and in 2014, this bill was dropped. 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 Acting CHAIR. Pursuant to the 5-minute rule, the Committee Print 115–21 shall be considered as read. That amendment in the nature of a substitute is as follows:

“§ 2. USE OF AUTHORIZED PESTICIDES. Except as provided in section 402(n) of the Federal Water Pollution Control Act, the Administrator of the Environmental Protection Agency may not require a permit under such Act for the discharge from a point source into navigable waters of any pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.”

The Acting CHAIR. Pursuant to House Resolution 338 of the gentleman from Connecticut (Ms. ESTY), a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman 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 yeses.

There is a compelling reason why the Environmental Protection Agency stepped in to protect the American public and our water—they are necessary 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 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. NASS data shows that, of the 340,000 general permits that have been issued in the past 3 years, only 65 were terminated because of public health, safety, or environmental concerns.

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, and 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 try to find a way to streamline the application process for a pesticidal permit?

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

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 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 the locality entity declares an emergency where 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 they 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 gentleman from Connecticut talked about spraying chemicals, pesticides today.

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 what 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 pesticides 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.

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.

Mr. GIBBS. Mr. Chair, I have a request for a recording 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 by the Member.

The text of the amendment is as follows:

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. Under 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 mitigate pesticide use for human 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, affecting 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 the 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. Many water bodies 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 $415 billion of our country’s economy, and it employs more than 28 million 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 atrazine 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 multi-million-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 $50 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.

DEAR REPRESENTATIVE: As the House considers H.R. 953, the Reducing Regulatory Burdens Act of 2017, I am supporting four coalitions representing millions of hunters and anglers across the nation, urge you to ensure that H.R. 953 does not negatively impact water quality, fisheries, 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 sportmen 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 fish. My 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, at even 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, sportmen 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,
President, National Wildlife Federation.

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

COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION,
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 authority of the Federal Administration, 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 nature and health 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 species that support our fisheries. They can disrupt water quality conditions and the availability of natural riparian and aquatic vegetation as well as the abundance of aquatic invertibrates 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 amendments. If you have any further questions please contact me or Dianne Barfield.

Sincerely,

JAIME A. PINKHAM,
CRITFC Executive Director.

AMERICAN SPORTFISHING
ASSOCIATION,

Hon. JARED HUFFMAN,
Washington, DC.

DEAR CONGRESSMAN HUFFMAN: On behalf of the nation’s recreational fishing industry, the American Sportfishing Association (ASA) would be on board in 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.

American fisheries are an economic powerhouse and the backbone of the sportfishing and commercial fishing industries. America’s recreational anglers generate more than $12 billion annually in spending and $48 billion in retail sales with a $115 billion economic 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-sources remain in place. While current 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 GUIDES,
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 can maintain the right to protect their fisheries 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 has 5 minutes for his remarks.

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 hypothesis. This 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 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 all our fisheries, rather than just carpet-bombing waterways with pesticides.

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

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 their 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.

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).

Mr. GIBBS. Mr. Chair, this 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

Amodei

Amash

Bass

Beatty

Berman

Berman

Boyle, Brendan

Bost

Buck

Buck

Burgess

Byrne

Calvert

Carver

Carson (IN)

Carson (TX)

Chu, Judy

Cicilline

Clark (MA)

Clarke (NY)

Clay

Cleaver

Clifford

Coles

Comollo

Conyers

Cooper

Costello (PA)

Courtney

Cox

Crowley

Cuellar

Davis (CA)

Davis, Danny

DeFazio

DeGette

Demings

DeLauro

DelBene

Denver

Deutch

Ryan (OH)

Sanchez

Schakowsky

Schiff

Scott

Serrano

Sewell (AL)

Sherman

Sinema

Stokes

Soto

Speier

Squier

Takano

Thompson (CA)

Thompson (MS)

Titus

Tooke

Tomasz

Torres

Trump

Vargas

Veasey

Velasquez

Velez

Watson

Welch

Wilson (FL)

Winslow

Wofford

Xin

Yarmuth

Zeldin


AYES—229

Deutch

DelBene

Delaney

DeGette

Davis, Danny

Courtney

Correa

Cooper

Connolly

Cleaver

Cicilline

Chu, Judy

Cicilline

Clark (NY)

Clay

Clearfield

Clyburn

Colin

Comollo

Conyers

Cooper

Costello (PA)

Courtney

Cox

Crowley

Cuellar

Davis (CA)

Davis, Danny

DeFazio

DeGette

Demings

DeLauro

DelBene

Denver

Deutch

Ryan (OH)

Sanchez

Schakowsky

Schiff

Scott

Serrano

Sewell (AL)

Sherman

Sinema

Stokes

Soto

Speier

Squier

Takano

Thompson (CA)

Thompson (MS)

Titus

Tooke

Tomasz

Torres

Trump

Vargas

Veasey

Velasquez

Velez

Watson

Welch

Wilson (FL)

Winslow

Wofford

Xin

Yarmuth

Zeldin


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

The so-called amendment was rejected. The result of the vote was announced as above recorded.

(FBy 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 FAULSSEN, and DAVID VALADARO, who served 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 netted 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.

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

Mr. BACON. Mr. Chairman, it was an honor to be able to sponsor 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 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.
The Acting CHAIR. The amendment has been agreed to. The amendment is recorded as follows:

Aye—189, no 230.

The amendment was agreed to.

So the amendment was rejected.

The question is on the amendment in the nature of a substitute. The amendment was agreed to.
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 oblivious to 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.

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 committee. The CEO of Dow Chemical was reported to have contributed $1 million to President Trump's inaugural committee.

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 influence of political contributions from pesticide companies. The EPA should 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 processes 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 and can’t have 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 the vote is taken.

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
Aguilar
Barrow
Bass
Beatty
Berman
Bosco
Brahimi
Brown (CA)
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Cardenas
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Clay
Cleaver
CliffordSmither
Cohen
Connolly
Corroon
Cortez
Correa
Crist
Crepaz
Crescenz
Cuello
Davis (CA)

Jones
Johnson, E. B.
Johnson (GA)
Kelly (IL)
Kennedy
Khazan
Kildee
Kilmer
Kind
Kristamanviorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawrence (FL)
Lee
Levin
Lewis (GA)
Lien, Ted
Lipinski
Loebbeck
Logue
Lowenthal
Lowey
Lujan Grisham, Lucy

Baxley
Belin
Ben Ray
Connor
Costello
Cox
Currie
Custodio
Daines
Davies
De la Fuente
Delgado
DeLauro
DeLuzio
DeSaulnier
DeSoto
Dingell
Dodd
Duffy
F. Ron
Ferrer
Finkenauer
Flake
Florsheim
Foster
Foster
Frankel (FL)
Frankel
Frelinghuysen
Frelinghuysen
French
FroST
Furguson
Gabbard
Gabbard
Garcia
Garcia
Garcia
Gardner
Gargaro
Garmendia
Gonzales (TX)
Gothamer
Gottlieb
Green, Al
Green, J.B.
Gutiérrez
Hanna
Harman
Hearne
Heck
Higginson (NY)
Himes
Hollingsworth
Hoyle
Jackson Lee
Jaggi
Jaffe
Johnson (GA)
Johnson, E. B.
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Kapoor
Kerry
Keyes
Khazan
Khazan
Kilmer
Kind
Kristamanviorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawrence (FL)
Lee
Levin
Lewis (GA)
Lien, Ted
Lipinski
Loebbeck
Logue
Lowenthal
Lowey
Lujan Grisham, Lucy

Baxley
Belin
Ben Ray
Connor
Costello
Cox
Currie
Crescenz
Cuello
Davis (CA)
ANNOUNCEMENT BY THE SPEAKER pro tempore [during the vote]. There are 2 minutes remaining.

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

RECOMMENDED 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

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 rolloc No. 279, “nay” on rolloc No. 280, “nay” on rolloc No. 281, and “yea” on rolloc 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 rolloc No. 277, “yea” on rolloc No. 276, and “yea” on rolloc 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 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 rolloc No. 274, “yea” on rolloc No. 275, “yea” on rolloc No. 276, “yea” on rolloc No. 277, “yea” on rolloc No. 278, “nay” on rolloc No. 279, “nay” on rolloc No. 280, “nay” on rolloc No. 281, and “yea” on rolloc 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 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.

**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 visitors 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.