



Amendments to H.R. 5538: Fiscal Year 2017 Interior and Environment Appropriations Act (Rep. Calvert, R-CA) – Part III

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FLOOR SCHEDULE:

Amendments H.R. 5538 are expected to be considered beginning on July 12, 2016, under a [structured rule](#).

The Committee Report can be found [here](#), and the text of the legislation can be found [here](#). The Legislative Bulletin can be found [here](#).

The rule provides one hour of general debate on the underlying bill.

The rule waives all points of order against the underlying bill, with the exception of one provision. The provision that would not be protected (and thus exposed to a potential point of order) is [Section 128](#), which would provide that all land taken into trust by the United States under 25 U.S.C. 465 before February 24, 2009, for the benefit of an Indian tribe that was federally recognized on the date that the land was taken into trust is reaffirmed as trust land. The exposure of this provision was requested by the Natural Resources Committee under the [Arney Protocol](#) that provides deference to the authorizing committee of jurisdiction on certain provisions included in appropriations bills.

The rule considers the bill as read through the Spending Reduction Account.

The rule makes in order 131 amendments. According to the Rules Committee, 31 of the amendments not made in order would likely have been subject to a point of order under the Rules of the House. The rule waives all points of order against the amendments made in order. Amendments will be debated for 10 minutes equally divided by the proponent and an opponent.

	Total Offered	Not Made in Order	Made in Order
Republican	82	15	67
Democrat	86	22	64
Total	168	37	131

The rule allows the Chair of the Committee on Appropriations to offer amendments made in order en-block. Amendments offered en-block will be debated for 20 minutes equally divided.

The rule permits up to 10 pro forma amendments to “strike the last word” each for the Chair and Ranking Member of the Committee on Appropriations.

The rule provides for operations of the House during the District Work period between July 15 and September 5, 2016, including not counting days during this period for purposes of the War Powers Resolution and under the House Rules regarding resolutions of inquiry and motions to instruct conferees.

The rule provides suspension authority through July 15.

SUMMARY AND ANALYSIS OF AMENDMENTS MADE IN ORDER:

1. **Castor (D-FL)**: Would increase U.S. Fish and Wildlife Service Resource Management by \$2.434 million and would reduce Office of the Secretary of the Interior Departmental Operations by \$2.434 million.
2. **Cicilline (D-RI)**: Would increase National Park Service by \$2.5 million and would reduce Office of the Secretary of the Interior Departmental Operations by \$2.5 million.
3. **Courtney (D-CT)**: Would express Congressional intent that \$300,000 of funding for the Operation of the National Park System would be for the New England National Scenic Trail. For additional information, see the [Dear Colleague](#) from the amendment sponsor.
4. **Griffith (R-VA)**: Would increase funding earmarked by the underlying bill to three-unnamed Appalachian states for the payments to states under the [Abandoned Mine Land \(AML\) Reclamation Program](#) by \$15 million and would reduce EPA Environmental Programs and Management by \$15 million.

The AML program collects fees on coal production and distributes grants to states and tribes to reclaim land and waters damaged by coal mining. Of the \$117 million total payments appropriated by the underlying bill, \$27 million is derived from the Abandoned Mine Reclamation Fund and \$90 million is from the Treasury's General Fund. Within the total payments, the [bill directs](#) \$75 million to "the three Appalachian States with the largest unfunded needs for the reclamation of Priority 1 and Priority 2 sites" and \$15 million to the three Appalachian states with the subsequent greatest unfunded needs. The additional \$15 million for the AML appropriated by the amendment would be drawn from the General Fund.

According to the amendment sponsor, the Congressional Budget Office has determined that the amendment would result in a reduction of \$6 million in outlays for Fiscal Year 2017, as the redirected funds would be spent out at a slower rate over the coming years than would have occurred under the EPA's Environmental Programs and Management account.

5. **Lujan (D-NM)**: Would express Congressional intent that \$1 million of should be used by the Bureau of Indian Affairs (BIA) to "report, identify and adjudicate to landowners egress and ingress easements where they do not exist for landowners on land parcels adjudicated under the Pueblo Lands Act of 1924".
6. **Lujan (D-NM)**: Would express Congressional intent that \$1 million of should be used by the Bureau of Indian Affairs (BIA) to "update and digitize its inventory of rights-of-way records and to make them publicly available in a commonly used mapping format".
7. **Cleaver (D-MO)**: Would increase Woodrow Wilson International Center for Scholars by \$6 million and would reduce Office of the Secretary of the Interior Departmental Operations by \$6 million.

The amendment sponsor's description states that his intention is to provide funding for the World War I Centennial Commission; however, the amendment text directs a 57 percent funding increase to the [Wilson Center](#), a taxpayer funded "think tank".

The [World War I Centennial Commission Act](#) authorizes the establishment of the Commission which is required to work at the National World War I Museum in Kansas City, Missouri. The Act did not authorize

appropriations for the Commission. The FY 2017 Interior Appropriations bill [does not include](#) appropriations for the Commission.

8. **[Ellison \(D-MN\)](#)**: Would establish Congressional intent that \$1 million of the Department of the Interior’s funding would be to create an “Office of Good Jobs”.

Such an office has been advocated for by the [leadership PAC associated with the Congressional Progressive Caucus](#) on a federal government-wide basis.

9. **[Norcross \(D-NJ\)](#)**: Would increase Hazardous Substance Superfund by \$13.06 million and would reduce discretionary funding for Payments in Lieu of Taxes (PILT) by \$13.06 million.

10. **[Beyer \(D-VA\)](#)**: Would strike the provision in the underlying bill that would prohibit the use of funds to develop, finalize, carry out, or implement the Stream Buffer Rule. Additional background on this anti-coal regulation is available from the [Committee on Natural Resources](#).

11. **[Lujan \(D-NM\)](#)**: Would strike the provision of the underlying bill that would prohibit the use of funds to finalize, implement, or enforce [proposed rules](#) regarding oil and gas royalties related to venting, flaring, and leaks.

12. **[Castor \(D-FL\)](#)**: Would strike the provision of the underlying bill that would prohibit the use of funds to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on April 1, 2015, pertaining to drilling margins or static downhole mud weight. The Obama administration [has proposed](#) changing these regulations.

13. **[Huffman \(D-CA\)](#)**: Would strike the provision of the underlying bill that would prohibits the use of funds for the Bureau of Offshore Energy Management to issue, finalize, or implement the “Air Quality Control, Reporting, and Compliance” regulation unless the Bureau of Ocean Energy Management completes certain studies and consults with the affected coastal states.

14. **[Smith \(R-MO\)](#)**: Would eliminate funding (\$88.282 million) for EPA Air, Climate and Energy Research. The [Heritage Foundation](#) has recommended this program be eliminated. According to the amendment sponsor, “The EPA uses this program to advance research and regulations geared towards a climate change agenda.”

15. **[Chaffetz \(R-UT\)](#)**: Would increase EPA Inspector General by \$10.038 million and would reduce EPA Environmental Programs and Management by \$14 million. For additional information, see the [Dear Colleague](#) from the amendment sponsor.

16. **[Gosar \(R-AZ\)](#)**: Would increase Forest Service hazardous fuels management activities for wildland fire management by \$70 million and would reduce EPA Environmental Programs and Management by \$70 million

17. **[Westerman \(R-AR\)](#)**: Would increase Forest Service Forest and Rangeland Research (intended for the Forest Products Laboratory and Forest Inventory and Analysis) by \$10 million and would reduce EPA Environmental Programs and Management by \$12 million. For additional information, please see the [Dear Colleague](#) from the amendment sponsor.

18. **[Johnson \(D-GA\)](#)**: Would require that EPA evaluations of the effectiveness of state solid waste management plans and implantation of final regulations on coal combustion residuals to be consistent with a [Clinton Executive Order](#) regarding Environmental Justice in Minority Populations and Low-Income Populations.

19. [Etsy \(D-CT\)](#): Would increase EPA State and Tribal Assistance Grants (STAG) funding to carry out Brownfields Revitalization funding by \$10 million and would reduce the Hazardous Substance Superfund by \$10 million.

20. [Palmer \(R-AL\)](#): Would eliminate funding for EPA Diesel Emissions Reduction Act (DERA) Grants. The bill would provide \$100 million for DERA. The [RSC Budget](#) recommended eliminating DERA grants because “Grants made under Diesel Emissions Reduction Act (DERA) have gone to wasteful projects involving cherry pickers, electrifying parking spaces at rest stops, and retrofitting old tractors.” The [Heritage Foundation](#) has recommended this program be eliminated.

Key Vote Yes: [Heritage Action](#)

Key Vote Yes: [National Taxpayers Union](#)

21. [Lujan \(D-NM\)](#): Would express Congressional intent that \$6 million should be used by the “EPA to work with the affected States and Indian tribes to implement a long-term monitoring program for water quality of the Animas and San Juan Rivers in response to the Gold King Mine spill”.

22. [Dingell \(D-MI\)](#): Would strike the administrative provision related to the Forest Service that would provide a National Environmental Policy Act (NEPA) categorical exclusion for forest management activities on Forest System lands when the primary purpose of the activity is “to address an insect or disease infestation; to reduce hazardous fuel loads; to protect a municipal water source;) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances; to increase water yield; or any combination of these purposes”.

23. [Sanford \(R-SC\)](#): Would eliminate funding for the Commission of Fine Arts and the National Capital Arts and Cultural Affairs grant program, saving taxpayers \$4.762 million. These two programs sponsor art in Washington, D.C. According to the amendment sponsor, these programs are duplicative and only benefit Washington, D.C.

Key Vote Yes: [FreedomWorks](#)

Key Vote Yes: [National Taxpayers Union](#)

24. [Blumenauer \(D-OR\)](#): Would strike the provision of the underlying bill that would prohibit the EPA from implementing a regulation that would require reporting of greenhouse gas emissions from manure management systems.

25. [Cartwright \(D-PA\)](#): Would strike the provision of the underlying bill that would prohibit the EPA from changing the definition of [fill material](#) or discharge fill material under the Clean Water Act.

26. [Lawrence \(D-MI\)](#): Would strike the provision of the underlying bill that would prohibit the EPA from changing the definition of navigable waters under the Clean Water Act. This regulation has been criticized by the [Heritage Foundation](#) as allowing regulation of “all ditches, except in narrow circumstances... even includ[ing] man-made ditches,” and by the [U.S. Chamber of Commerce, which argues](#) that it would “subject farmers, ranchers, manufacturers, home builders, local governments—nearly any property owner—to new layers of reviews and permitting.”

Key Vote No: National Association of Home Builders (NAHB)

Key Vote No: National Association of Manufacturers (NAM)

27. [Lowey \(D-NY\)](#): Would strike the provision of the underlying bill that would prohibit the EPA from implementing the Lead Renovation, Repair, and Painting Rule until it has approved a commercially available lead testing kit.

28. [Becerra \(D-CA\)](#): Strike the provision in the underlying bill that would prohibit the EPA from implementing a regulation that would impose new financial responsibility requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

29. [Pallone \(D-NJ\)](#): Would strike the provision of the underlying bill that would prohibit the EPA from implementing greenhouse gas regulations for new and existing power plants. According to testimony before the [House Energy and Commerce Committee](#), this regulation would cause electricity rates to “increase by an average of 15 percent in a majority of states.”

Key Vote No: National Association of Manufacturers (NAM)

30. [Peters \(D-CA\)](#): Would strike the provision of the underlying bill that would prohibit the use of funds to propose, finalize, implement, or enforce any regulation or guidance under Section 612 of the Clean Air Act (42 U.S.C. 7671k) that changes the status from acceptable to unacceptable for purposes of the Significant New Alternatives Policy (SNAP) program of any hydrofluorocarbon used as a refrigerant or in foam blowing agents, applications or uses.

31. [Peters \(D-CA\)](#): Would strike the provision in the underlying bill that would prohibit the [social cost of carbon](#) to be incorporated into any rulemaking or guidance until an interagency working group revises the Obama administration’s current estimates. This analysis requires regulators to assign a dollar value to carbon emissions as part of cost-benefit analysis.

32. [Grijalva \(D-AZ\)](#): Would strike the provision in the underlying bill that would prohibit the use of funds to implement or enforce, or require states to implement or enforce [regulations](#) regarding access to pesticide application and hazard information by designated representatives of agriculture workers. For additional information, see the [Dear Colleague](#) from the amendment sponsor.

33. [Polis \(D-CO\)](#): Would strike the provision of the underlying bill that would prohibit the use of funds to develop, propose, finalize, implement, or enforce any rule or guideline regarding methane emissions from sources in the oil or natural gas industry.

34. [Lowenthal \(D-CA\)](#): Would strike the provision in the underlying bill that would prohibit the use of funds to change royalty rates or product valuation regulations under federal coal, oil, and gas leasing programs.

For additional information, please see this [Dear Colleague](#) from Rep. Zinke supporting the provision in the underlying bill.

35. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would allow the secretary latitude in maximizing water supplies for the California Central Valley Project and the California State Water Project pertaining to management of reverse flow in the Old and Middle Rivers. This amendment would prevent excess water from being pumped into useful areas or storage rather than being lost to the ocean

36. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would allow the Secretary of the Interior and the Secretary of Commerce to authorize the California Central Valley Project and the California State Water Project, combined, to operate at levels that result in negative Old and Middle Rivers (OMR) at -7,500 cubic feet per second daily to capture peak flows during storm events. This amendment would prevent excess water from being pumped into useful areas or storage rather than being lost to the ocean

37. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would address certain water rights and water supply deliveries in California.

38. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would prohibit funds to implement the [San Joaquin River Restoration Settlement](#).
39. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would prohibit funds from being available for the purchase of water in California to supplement instream flow within a river basin that has suffered a drought within the last two years. In recent years, the Bureau of Reclamation has paid premium prices to purchase water to increase amount of water in rivers that are lost to the ocean in order to reduce river temperatures in attempt to protect certain fish populations.
40. [McNerney \(D-CA\)](#): Would strike the provision in the underlying bill that would direct the Commissioner of Reclamation to work with local water and irrigation districts in the Stanislaus River Basin to ascertain the water storage made available by the Draft Plan of Operations in New Melones Reservoir (DRPO) for water conservation and other projects to maximize water storage.
41. [Grijalva \(D-AZ\)](#); [Tsongas \(D-MA\)](#); [O'Rourke \(D-TX\)](#); [Polis \(D-CO\)](#): Would strike the provision in the underlying bill that would prohibit funds from being used to make a presidential declaration of a national monument in certain counties listed in the text of the bill.
42. [Black \(R-TN\)](#): Would prohibit the use of funds by the EPA to finalize, implement, administer, or enforce the proposed rule "[Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles-Phase 2](#)" with respect to [glider kits and glider vehicles](#) (a new truck that that includes rebuilt or remanufactured powertrain components).
43. [Blackburn \(R-TN\)](#): Would reduce discretionary funding in the bill by one percent across all accounts. This would reduce budget authority by about \$321 million.

Key Vote Yes: [FreedomWorks](#)

Key Vote Yes: [National Taxpayers Union](#)

44. [Boustany \(R-LA\)](#): Would prohibit the use of funds by the Department of the Interior to implement, administer, or enforce any rule that is substantively similar to the proposed rule from the Bureau of Ocean Energy Management regarding Risk Management, Financial Assurance and Loss Prevention.
45. [Boustany \(R-LA\)](#): Would prohibit the use of funds by the Department of the Interior to implement or administer any rule that is substantively similar to the proposed rule issued by the Bureau of Safety and Environmental Enforcement titled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf- Blowout Preventer Systems and Well Control".
46. [Brat \(R-VA\)](#): Would prohibit the use of funds to enforce [Land and Water Conservation Fund](#) (LWCF) contracts that were entered into with states or local governments more than 20 years prior to enactment of the underlying bill. The [LWCF](#) provides grants for the acquisition of recreational land; the program is the primary source of land acquisition funding for National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and U.S. Forest Service. Property acquired by LWCF funds may not be converted to other uses without the approval of the National Park Service. The underlying bill provides \$136 million for LWCF land acquisition.

The [Heritage Foundation](#) has criticized the LWCF, stating that "Rather than placing more decisions under Washington's control, Congress should empower the states and local communities to protect their environments, maximize the value of the land, and create new opportunities for economic development."

47. [Buck \(R-CO\)](#): Would prohibit the use of funds to enter into a partnership to establish a [national heritage area](#) in Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, Prowers, and Pueblo counties in

Colorado. Such designation would provide access to grants to local nonprofit groups in support of historical and cultural recognition, preservation and tourism activities. The underlying bill provides \$20 million for the Heritage Partnership Program.

48. [Burgess \(R-TX\)](#): Would prohibit the use of funds to hire any new EPA employee under the Title 42 Special Pay Program, which allows the hiring of special consultants without regard to civil-service laws or pay restrictions.

49. [Byrne \(R-AL\)](#): Would prohibit the use of funds to propose or develop legislation to redirect the revenue sharing provision of the [Gulf of Mexico Energy Security Act \(GOMESA\)](#), which directs 37.5 percent of Outer Continental Shelf (OCS) oil and gas leasing revenues from the Gulf of Mexico to producing states in the Gulf.

50. [Byrne \(R-AL\) / Flores \(R-TX\)](#): Would prohibit the use of funds to carry out the [National Ocean Policy](#) under Executive Order 13547. The National Ocean Policy was established by an Executive Order that mandates new priorities for all federal agencies to follow when issuing permits or authorizing activities that might affect ocean quality – including inland activities. In addition to creating a further level of bureaucracy without statutory authorization, these policies would create more uncertainty for inland businesses, mandating where activities can and cannot occur in the ocean and coastal zones, could override local and state zoning authorities, and will lead to litigation attempting to stop or needlessly delay Federally-permitted activities.

51. [Cramer \(R-ND\)](#): Would prohibit the use of funds to implement or finalize the Fish and Wildlife Service rule, "[Management of Non-Federal Oil and Gas Rights](#)." This rule would allow the FWS to place requirements on those that hold valid mineral rights on non-federal lands.

52. [Crawford \(R-AR\)](#): Would prohibit the use of funds for the EPA to enforce or implement the [Spill Prevention, Control, and Countermeasure](#) (SPCC) rule on farms or ranches. This rule was designed to apply to refineries and other major handlers of oil and gas. Eliminating its enforcement saves farmers costly burdens like needing to hire professional engineers.

53. [Crawford \(R-AR\)](#): Would prohibit funds from being used in support of grassroots advocacy campaigns whose efforts are intended to persuade the outcomes of legislation in either Congress or other official in federal or state governments.

54. [Davis \(R-IL\)](#): Would prohibit any funds from being used for the Office of Congressional and Intergovernmental Relations at the EPA. It would also cut the Environmental Programs and Management account by \$4,235,000.

In June, the amendment sponsor and 33 other Members [wrote to the EPA Administrator Gina McCarthy](#), expressing concern that the EPA has failed to create the Agricultural Science Committee of the Science Advisory Board, as directed to do so in the 2014 Farm Bill. However, according to the amendment sponsor, the EPA Office of Congressional Relations has been unwilling to provide updates or answers to the concerns raised by the letter.

55. [Duffy \(R-WI\)](#): Would prohibit the use of funds by the agencies funded by the bill to implement, administer, or enforce a new regulation that would have a cost of \$100 million or more to the economy.

Key Vote Yes: [FreedomWorks](#)

Key Vote Yes: [National Taxpayers Union](#)

56. [Duffy \(R-WI\)](#): Would prohibit the use of funds by the EPA in contravention of:

- [Section 4 of a Clinton Executive Order](#) relating to preparing a Unified Regulatory Agenda;

- An [Obama Executive Order](#) relating to Regulatory Review;
- [U.S. Code](#) regarding a Regularity Flexibility Agenda;
- [Section 8 of a Clinton Executive Order](#) regarding federalism; and
- [Section 202\(a\) of the Unfunded Mandates Reform Act \(UMRA\)](#) regarding significant regulatory actions.

57. **[Goodlatte \(R-VA\)](#)**: Would prohibit the EPA from using funds to take retaliatory or “backstop” actions against the six states located in the Chesapeake Bay Watershed if they do not meet the goals of the Chesapeake Bay Total Maximum Daily Load (TMDL) [mandated](#) by the EPA. [Some](#) feel that in setting a TMDL, the EPA has usurped power typically reserved for states. For additional information, see the [Dear Colleague](#) from the amendment sponsor.

58. **[Gosar \(R-AZ\)](#)**: Would prohibit the use of funds to draft, implement, or enforce the draft EPA-USGS Technical Report, “[Protecting Aquatic Life from the Effects of Hydrologic Alteration](#),” regarding the natural flow regime and what impact flow alteration could have on aquatic life. Some conservatives have expressed [concerns](#) that “agency guidance under the report would expand the scope of the Clean Water Act (CWA) and increase federal control over waters currently under the jurisdiction of the states.”

Outside Group Support:

[Americans for Tax Reform](#)

National Water Resources Association

59. **[Hartzler \(R-MO\)](#)**: Would prohibit funds to be used by the EPA to install new ozone monitors.

60. **[Hudson \(R-NC\)](#)**: Would prohibit funds from being used to pay for air travel for any officer or employee of the EPA.

61. **[Huizenga \(R-MI\)](#)**: Would prohibit funds from being used to pay for attorney fees in civil suits under the Endangered Species Act, pursuant to a court order that allows such fees to be calculated at an hourly rate in excess of \$125 per hour.

62. **[Jenkins \(R-WV\)](#)**: Would prohibit the use of funds by the EPA to develop, finalize, promulgate, implement, administer, or enforce any rule under the Clean Air Act that would apply to glass manufacturers that do not use continuous furnaces.

[63. Jolly \(R-FL\)](#): Would prohibit the use of funds to research, investigate, or study offshore drilling in the [portions of the Eastern Gulf of Mexico off the coast of Florida](#) that are blocked from leasing until 2022 under the [Gulf of Mexico Energy Security Act \(GOMESA\)](#). For additional information, see the [Dear Colleague](#) from the amendment sponsor.

Key Vote No: [Heritage Action](#)

64. **[King \(R-IA\)](#)**: Would prohibit funds made available by the bill to enforce Davis-Bacon prevailing wage requirements. The Davis-Bacon Act is a Depression-era wage subsidy law that requires that each federal public works contract over \$2,000 contain a clause setting the minimum wages to be paid to workers employed to complete the project. Any contractors or subcontractors who participates in the project must pay their workers this “prevailing wage.” These wages, however, rarely account for local market conditions. Instead, they tend to reflect the inflated pay scale of union workers in the area, costing the taxpayers additional funds.

Davis-Bacon Act requirements for federal contracts [increases](#) costs for those projects. According to [CBO](#), repealing Davis-Bacon government-wide would save taxpayers \$14.5 billion. Repealing Davis-Bacon was included in the [RSC’s Budget](#).

Several groups oppose Davis-Bacon requirements, including: [Associated Builders and Contractors \(ABC\)](#), [Citizens Against Government Waste](#), [Competitive Enterprise Institute](#), [FreedomWorks](#), [Heritage Foundation](#), and [National Taxpayers Union](#).

Key Vote Yes: [FreedomWorks](#)

Key Vote Yes: [National Taxpayers Union](#)

65. [LaMalfa \(R-CA\)](#): Would prohibit any funds from being used to remove or deconstruct four dams on the Klamath River.

66. [Lamborn \(R-CO\)](#): Would prohibit funds from being used to implement, administer, or enforce the final rule entitled "[Hydraulic Fracturing on Federal and Indian Lands](#)".

67. [Lamborn \(R-CO\)](#): Would prohibit funds from being used to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a periodic 5 year review as required by the Endangered Species Act of 1973.

68. [Lamborn \(R-CO\)](#): Would prohibit funds from being used to implement or enforce the [threatened species listing](#) of the [Preble's meadow jumping mouse](#) under the Endangered Species Act.

69. [Loudermilk \(R-GA\)](#): Would prohibit funds from being used to finalize, implement, administer, or enforce the proposed rule entitled "[Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles-Phase 2](#)".

70. [Lummis \(R-WY\)](#): Would prohibit funds from being used to finalize, implement, administer, or enforce the proposed rule entitled "[Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings](#)" published by the Environmental Protection Agency.

71. [MacArthur \(R-NJ\)](#); [LoBiondo \(R-NJ\)](#): Would prohibit funds from being used to enforce [permit requirements](#) related to the export of squid, octopus, and cuttlefish products.

72. [Murphy \(D-FL\)](#): Would prohibit the use of funds to carry out seismic airgun testing or seismic airgun surveys (a type of sonar that can help show where reserves of oil and gas may be found under the ocean floor) in the 200 nautical-mile [Exclusive Economic Zone](#) surrounding Florida.

73. [Newhouse \(R-WA\)](#): Would prohibit the use of funds by the Department of the Interior to treat the gray wolf as an endangered or threatened species in the contiguous U.S. According to the amendment sponsor, "this species is not endangered nor threatened with extinction," and "delisting the Gray Wolf under ESA would allow state wildlife officials to more effectively manage wolf populations".

74. [Newhouse \(R-WA\)](#): Would prohibit the use of funds by the EPA to issue any regulation under the Solid Waste Disposal Act that applies to an animal feeding operation.

75. [Newhouse \(R-WA\)](#): Would increase United States Fish and Wildlife Service-Resource Management by \$1 million to reinstate the wolf livestock loss demonstration program and would reduce EPA Environmental Programs and Management by \$1 million.

76. [Palmer \(R-AL\)](#): Would prohibit the use of funds for the EPA to carry out [law enforcement activities](#), such as carrying firearms, execute and serving warrants, and making arrests in certain cases without a warrant.

Key Vote Yes: [FreedomWorks](#)

77. [Pearce \(R-NM\)](#): Would prohibit the use of funds to treat the [New Mexico Meadow Jumping Mouse](#) as an endangered species.

78. [Pearce \(R-NM\)](#): Would prohibit the use of funds to treat the Mexican wolf as an endangered or threatened species or to implement a recovery plan that applies outside its historic range.

79. [Perry \(R-PA\)](#): Would prohibit the use of funds by the EPA and the Department of the Interior to develop, administer, purchase, acquire, or operate an unmanned aircraft system for surveying, mapping, or collecting remote sensing data.

Groups in Support:

American Farm Bureau Federation

Business Coalition for Fair Competition (BCFC)

[Management Association for Private Photogrammetric Surveyors \(MAPPS\)](#)

80. [Perry \(R-PA\)](#): Would reduce funding for the EPA in the bill by 17 percent (about \$1.4 billion).

Key Vote Yes: [FreedomWorks](#)

81. [Perry \(R-PA\)](#): Would prohibit the use of funds to prepare, propose, implement, or administer any rule or recommendation under the section of the [Clean Air Act](#) regarding international air pollution.

Groups in Opposition:

Center for American Progress

Center for Biological Diversity

Earthjustice

Environmental Defense Fund

Natural Resources Defense Council

82. [Pompeo \(R-KS\)](#): Would prohibit the use of funds by the EPA to finalize, implement, administer, or enforce the proposed rule entitled "[Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act](#)".

83. [Price \(R-GA\)](#): Would prohibit the use of funds to carry out any rule issued after the date of enactment of the bill for a major rule that would have a cost of \$100 million or more to the economy.

Key Vote Yes: [National Taxpayers Union](#)

84. [Ratcliffe \(R-TX\)](#): Would prohibit the use of funds by the EPA to finalize, implement, administer, or enforce the proposed rule entitled "[Clean Energy Incentive Program Design Details](#)".

85. [Smith \(R-MO\)](#): Would prohibit the use of funds by to carry out the [provision of the Comprehensive Environmental Response, Compensations, and Liability Act](#) that allows [National Resource Trustees](#) (Secretaries of the Departments of Interior, Commerce, Defense, Energy and Agriculture as well as designated state trustees) to spend certain funds collected as damages to restore, replace, and acquire land and natural resources without appropriation or oversight from Congress.

86. [Smith \(R-MO\)](#): Would prohibit the use of funds by the EPA to make [Environmental Education grants](#). These grants are meant to fund projects "that promote environmental awareness and stewardship and help provide people with the skills to take responsible actions to protect the environment".

Key Vote Yes: [Heritage Action](#)

87. **[Westerman \(R-AR\)](#)**: Would prohibit the use of funds to enforce the decision by the [United States District Court For The District Of Columbia](#) that ruled that the U.S. Fish and Wildlife Service violated NEPA when they renewed orders that allowed for the lawful killing of double-crested cormorants.

88. **[Westmoreland \(R-GA\)](#)**: Would prohibit the use of funds to pay legal fees under a settlement (“sue-and-settle”) under the Clean Air Act, the Clean Water Act, or the Endangered Species Act.

The [Heritage Foundation](#), [U.S. Chamber of Commerce](#), and the [Western Energy Alliance](#) have opposed sue-and-settle practices.

Key Vote Yes: [National Taxpayers Union](#)

89. **[Young \(R-AK\)](#)**: Would prohibit the use of funds to finalize, implement, or enforce the proposed rule entitled “[Oil and Gas and Sulphur Operations on the Outer Continental Shelf–Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf](#)”.

90. **[Young \(R-AK\)](#)**: Would prohibit the use of funds to implement the [Final Comprehensive Conservation Plan for the Arctic National Wildlife Refuge \(ANWR\), Alaska](#). This Plan would designate areas of ANWR as wilderness, closing them from energy production.

91. **[Young \(R-AK\)](#)**: Would prohibit the use of funds by the Fish and Wildlife Service to issue a final rule regarding [ANWR regulations](#) that would restrict predator control or implement the final rule “[Alaska; Hunting and Trapping in National Preserves](#)”.

92. **[Young \(R-AK\)](#)**: Would prohibit the use of funds to remove certain lease sales off the coast of Alaska from the 2017–2022 Outer Continental Shelf (OCS) Oil and Gas Leasing Proposed Program.

93. **[Young \(R-AK\)](#)**: Would prohibit the use of funds by the Department of the Interior to require changes to an existing placer mining (stream bed mining) plan of operations regarding reclamation activities.

94. **[Zeldin \(R-NY\)](#)**: Would prohibit the use of funds to declare a [National Marine Monument](#) in the in the 200 nautical-mile [Exclusive Economic Zone](#) surrounding Florida.

95. **[Beyer \(D-VA\)](#)**: Would block implementation of provisions of the bill that would: (1) prohibit the issuance of a proposed rule for the [Sage grouse](#) under the Endangered Species Act; (2) require the FWS to re-issue final rules removing [gray wolves](#) in Wyoming and the Great Lakes region from listing under the Endangered Species Act; and, (3) prohibit the use of funds to treat the [lesser prairie chicken](#) as an endangered or threatened species.

96. **[Beyer \(D-VA\)](#)**: Would prohibit the use of funds in contravention of the Obama [Executive Order Preparing the United States for the Impacts of Climate Change](#) and the Obama [Executive Order Planning for Federal Sustainability in the Next Decade](#).

97. **[Beyer \(D-VA\)](#)**: Would prohibit the use of funds to authorize, permit, or conduct geological or geophysical activities in support of oil, gas, or methane hydrate exploration and development in any area located in the North Atlantic, Mid-Atlantic, South Atlantic, or Straits of Florida Outer Continental Shelf (OCS) Planning Areas.

98. **[Beyer \(D-VA\)](#)**: Would block implementation of provisions of the bill that would: (1) prohibit the use of funds to develop, finalize, carry out, or implement the Stream Buffer Rule; (2) prohibit the EPA from changing the definition of [fill material](#) or discharge fill material under the Clean Water Act; (3) prohibit the use of funds to require permits for the discharge of dredged or fill material under the Clean Water Act

(CWA) for agricultural activities identified by Section 404(f) of the CWA; and, (3) prohibit the EPA from changing the definition of navigable waters under the Clean Water Act.

Key Vote No: National Association of Manufacturers (NAM)

99. [Capps \(D-CA\)](#): Would prohibit the use of funds to process any application under the Outer Continental Shelf Lands Act for a permit to drill that would authorize use of hydraulic fracturing or [acid well stimulation](#) treatment in the Pacific Outer Continental Shelf.

100. [Grijalva \(D-NM\)](#): Would prohibit the use of funds to terminate the Law Enforcement and Investigations unit of the Forest Service and the Office of Law Enforcement and Security of the Bureau of Land Management.

101. [Higgins \(D-NY\)](#): Would prohibit the use of funds made available by the bill to states in contravention of the [Great Lakes—St. Lawrence River Basin Water Resources Compact](#).

102. [Lowenthal \(D-CA\)](#): Would prohibit the use of funds in contravention of a [Department of Interior Secretarial Order](#) regarding Strategic Response to Climate Change.

103. [Pocan \(D-WI\)](#): Would prohibit the use of funds in contravention of the Obama [Executive Order Planning for Federal Sustainability in the Next Decade](#).

104. [Polis \(D-CO\)](#): Would prohibit the use of funds in contravention of a [law that states](#) “The Congress declares that it is the policy of the United States that the public lands be retained in Federal ownership, unless, as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest”.

According to the [Committee on Natural Resources](#), “The Federal Government currently owns 640 million acres in the United States.”

105. [Speier \(D-CA\)](#): Would prohibit the use of funds by the National Parks Service to finalize, implement, administer, or enforce the proposed rule entitled “[Special Regulations, Areas of the National Park Service, Golden Gate National Recreation Area, Dog Management](#)”.

106. [Tsongas \(D-MA\)](#): Would prohibit the use of funds in contravention of a [provision](#) of the Federal Land Policy and Management Act of 1976 that requires management of public lands under principles of multiple use and sustained yield, in accordance with land use plans, except where a tract of such public land has been dedicated to specific uses.

107. [Yoho \(R-FL\)](#): Would express Congressional intent that \$1 million of funding for the Fish and Wildlife Service resource Management would be “to conduct a study with existing funds on how Coastal Barrier Resource Area zones affect the value of private property”.

108. [Blumenauer \(D-OR\)](#): Would increase the Historic Preservation Fund by \$1 million and would reduce Office of the Secretary of the Interior Departmental Operations by \$1 million.

109. [Clyburn \(D-SC\)](#): Would increase the Historic Preservation Fund for competitive grants to Historically Black Colleges and Universities by \$2 million and would decrease the Office of the Secretary of the Interior Departmental Operations by \$2 million.

110. [Cohen \(D-TN\)](#): Would increase the Historic Preservation Fund for competitive grants to preserve the sites of the Civil Rights movement by \$2 million and would decrease the Office of the Secretary of the Interior Departmental Operations by \$2 million.

111. [Chaffetz \(R-UT\)](#): Would increase Bureau of Indian Affairs and Indian Education Operation of Indian programs by \$1.5 million intended for “dirt school bus routes” and would reduce EPA Environmental Programs and Management by \$1.75 million.

112. [Kildee \(D-MI\)](#): Would increase EPA Science and Technology by \$3 million intended to “help provide fresh drinking water to communities that have been impacted by lead in their drinking water” and would reduce EPA Environmental Programs and Management by \$3 million.

113. [Grayson \(D-FL\)](#): Would express Congressional intent that an additional \$468,000 of funds appropriated for EPA-Environmental Programs and Management would be for the National Estuary Program.

114. [Norcross \(D-NJ\)](#): Would express Congressional intent regarding \$15.28 million in funds appropriated for the Hazardous Substance Superfund.

115. [Kildee \(D-MI\)](#): Would eliminate the limitation that 20% of funds made available to each state under the Drinking Water State Revolving Fund may be used to provide subsidy for communities in which a state disaster declaration is in effect due to potential exposure to lead in drinking water.

The underlying bill provides that 10 percent of the Clean Water State Revolving Fund and 20 percent of Drinking Water State Revolving Fund made available to each state should be used to provide debt relief to local governments and agencies that have a heightened exposure to lead in drinking water. The bill would provide \$2.1 billion for water infrastructure programs, including \$1 billion for the Clean Water State Revolving Fund, a level that is \$21 million above the President’s Budget request and \$394 million below the FY 2016 enacted level as well as \$1.071 billion for the Drinking Water State Revolving Fund, a level that is \$50 million above the President’s Budget request and \$207 million above the FY 2016 enacted level.

116. [Polis \(D-CO\)](#): Would increase funding for Wildland Fire Management by \$2 million for volunteer fire assistance grants and would decrease appropriations for the National Forest System by \$2 million.

117. [Meng \(D-NY\)](#): Would express Congressional intent that the Smithsonian Asian Pacific American Center should receive the \$300,000 increase requested in the FY17 President’s Budget.

118. [Duncan \(R-TN\)](#): Would prohibit the use of funds to destroy any building or structure on Midway Island.

119. [Gosar \(R-AZ\)](#): Would prohibit funds for the Fish and Wildlife Service to continue to [prohibit](#) tubing, waterskiing and wake boarding in an area on Lake Havasu.

120. [Weber \(R-TX\)](#): Would prohibit funds to be used in contravention of the requirement that the EPA continually evaluate the impact of its activities on loss or shifts in employment under [42 USC 7621\(a\)](#).

Key Vote Yes: [National Taxpayers Union](#)

121. [Engle \(D-NY\)](#): Would prohibit funds for purchasing or leasing light duty vehicles unless those vehicles are alternative fuel vehicles.

122. [Gallego \(D-AZ\)](#): Would prohibit funds for issuing grazing permits in contravention of existing BLM regulations. The amendment intends to prevent the issuance of grazing permits to individuals who have not paid grazing fees in previous years.

123. [Grayson \(D-FL\)](#): Would prohibit the government from entering into a contract with an entity that has been convicted of fraud or another criminal offense in the last three years in connection with obtaining, attempting to obtain, or performing a public contract or subcontract. The amendment would also prohibit the government from contracting with entities that have greater than \$5,000 in unsatisfied delinquent federal tax liability.

124. [Jackson Lee \(D-TX\)](#): Would prevent funds from being used in contravention of a codified declaration of policy that “It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.” ([54 USC 320101](#))

125. [Jackson Lee \(D-TX\)](#): Would prevent funds from being used to eliminate the [Urban Wildlife Refuge Partnership](#). The Partnership has components in several major U.S. cities, including [Houston](#).

126. [Jackson Lee \(D-TX\)](#): Would prevent funds from being used to limit [outreach programs](#) administered by the Smithsonian Institution.

127. [Westerman \(R-AR\)](#): Would prevent funds from being used to destroy records regarding, related to, or generated by the recently closed Inorganic Section of the USGS Energy Geochemistry Lab in Lakewood, CO. The facility has been implicated in significant data manipulation and [failures of scientific integrity](#).

128. [Grothman \(R-WI\)](#): Identical to amendment 20 (Palmer (R-AL)), this amendment would eliminate funding for EPA Diesel Emissions Reduction Act (DERA) Grants. The bill would provide \$100 million for DERA. The [RSC Budget](#) recommended eliminating DERA grants because “Grants made under Diesel Emissions Reduction Act (DERA) have gone to wasteful projects involving cherry pickers, electrifying parking spaces at rest stops, and retrofitting old tractors.” The [Heritage Foundation](#) has recommended this program be eliminated.

Key Vote Yes: [National Taxpayers Union](#)

129. [Rohrabacher \(R-CA\)](#): Would prohibit the use of funds for the EPA to consult with the National Science Foundation to prepare an Environmental Impact Statement on potential changes to operations that the Arecibo Observatory in Puerto Rico. The NSF is considering [several options](#) for limiting operations at the observatory, mothballing, or demolishing the facility. For additional information, see the [Dear Colleague](#) from the amendment sponsor.

130. [Polis \(D-CO\)](#): Would prohibit the use of funds to study or test the feasibility of, or implement, a surgical sterilization program for wild horses and burros. According to [BLM estimates](#), there are more than 67,000 wild horses and burros on BLM, significantly higher than the Appropriate Management Levels (AML) of about 27,000.

131. [Cartwright \(PA\)](#): Would strike section 426 of the underlying bill, which prohibits funds for requiring a permit for discharge of [dredged or fill material](#).

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

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