



Amendments to H.R. 2822—Fiscal Year 2016 Interior and Environment Appropriations (Calvert, R-CA) – Part II

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The committee report can be found [here](#), and the text of the legislation can be found [here](#).

AMENDMENTS WITH REQUESTED VOTES:

1. [Garamendi \(D-CA\) #1](#): Would increase funding for the U.S. Fish and Wildlife Service by \$3.902 million and reduce Bureau of Land Management, Management of Lands and Resources by \$4.01 million.
2. [Capps \(D-CA\)](#): Would increase funding for EPA Inland Oil Spill Programs by \$5.434 million and would reduce Bureau of Ocean Energy Management by the same amount.
3. [Sablan \(D-MP\)](#): Would increase Insular Affairs, Assistant to the Territories by \$5 million and would reduce Department of the Interior Departmental Operations by the same amount.

The Office of insular Affairs provides financial assistance to the governments of the U.S. territories. The bill would provide \$85.976 million for this account, equal to the enacted FY 2015 level.

4. [Castor \(D-FL\)](#): Would increase EPA Environmental Programs and Management by \$1.913 million and would reduce Department of the Interior Departmental Operations by the same amount.
5. [Grijalva \(D-AZ\) #1](#): Would strike the provision in the bill that would block the Office of Surface Mining’s Stream Buffer regulation. According to a [staff report](#) from the House Natural Resources Committee, official analysis of the regulation has shown it would cost jobs and cause economic harm in many states as a part of the Obama administration’s War on Coal.
6. [Tsongas \(D-MA\) #1](#): Would strike the provision in the bill that would prohibit funding for the National Ocean Policy.

In 2010, President Obama signed Executive Order 13547 establishing a National Policy for the Stewardship of the Ocean, Coasts, and Great Lakes. The Executive Order established a new bureaucracy without statutory authorization and establishes new priorities for all federal agencies to follow when issuing permits or authorizing activities for any activity which might affect ocean quality—including inland activities. These policies would create more uncertainty for inland businesses, mandating where activities can and cannot occur in the ocean and coastal zones, could over-ride local and state zoning authorities, and will lead to litigation against agencies which permit or authorize activities that might

negatively affect ocean health.

7. [Grijalva \(D-AZ\) #2](#): Would strike the provision in the bill that would require the Bureau of Land Management and the Department of Agriculture to make vacant grazing allotments available to permit holders if the grazing land used by those permit holder become unusable due to drought or wildfire.
8. [Polis \(D-CO\)](#): Would strike the provision in the bill that would prohibit the [social cost of carbon](#) to be incorporated into any rulemaking or guidance until an interagency working group revises the estimates. This analysis requires regulators to assign a dollar value to carbon emissions. The administration recently moved to increase the dollar value of carbon emissions without following the Administrative Procedures Act. A Heritage Foundation event on the problems with the Social Cost of Carbon can be watched online [here](#).
9. [Edwards \(D-MD\)](#): Would strike the provision in the bill that would prohibit the EPA from implementing new ozone standards until at least 85 percent of counties in nonattainment achieve compliance with existing standards.

A study conducted for the [National Association of Manufacturers \(NAM\)](#) found that this regulation “would reduce U.S. Gross Domestic Product (GDP) by \$270 billion per year on average.”

10. [Lawrence \(D-MI\)](#): Would strike the provision in the bill that would prohibit the Bureau of Lands management from implementing the [Hydraulic Fracturing on Federal and Indian Lands](#) regulation. A [federal judge recently issued a stay](#) to temporarily block the regulation while it is being challenged in court by states and industry groups.

In 2013, the House [passed](#) H.R. 2728, the [Protecting States' Rights to Promote American Energy Security Act](#), authored by RSC Chairman Flores that would have required the Department of Interior to recognize and defer to state regulations, permitting, and guidance for all hydraulic fracturing activities on federal land.

11. [Polis \(D-CO\) #2](#): Would prohibit funds to be used in contravention [the provision](#) of the Federal Land Policy and Management Act of 1976 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 Appropriations Committee, this amendment “would just make it difficult and impossible for Federal agencies to dispose or willingly or equitably exchange or convey lands to States, local governments, private landowners, and others.”

12. [Tsongas \(D-MA\) #2](#): Would block implementation of the provisions of the bill that would:
 - a. Prohibit the issuance of a proposed rule for the sage grouse under the Endangered Species Act;
 - b. Require the Fish and Wildlife Service to re-issue final rules removing gray wolves in Wyoming and the Great Lakes from the Endangered Species Act; and
 - c. Require the Department of Interior to amend the interim rule regarding the northern long eared bat to exempt any activity that complies with the habitat conservation measures prescribed by the rule and to reopen the public comment period on the rule.

13. [Grijalva \(D-AZ\) #3](#): Would prohibit implementation of the section of the bill that would prohibit the Fish and Wildlife Service from preparing or implementing new restrictions or prohibitions on items containing ivory that are legally in the United States.
14. [Beyer \(D-VA\)](#): Would prohibit the use of funds in contravention of executive orders dealing with climate change including [“Planning for Federal Sustainability in the Next Decade”](#) and [“Preparing the United States for the Impacts of Climate Change.”](#)
15. [Blackburn \(R-TN\)](#): Would reduce spending in the bill by one percent across the board, saving taxpayers \$292 million.
16. [Pearce \(R-NM\)](#): Would prohibit the use of funds to increase royalties for oil or gas production on federal lands or to prepare or publish a proposed rule to increase royalties, as the administration [has recently moved to do](#).
17. [Hardy \(R-NV\)](#): Would prohibit Presidential designations of a National Monument in specified counties, including Mohave and Coconino Arizona, Modoc and Siskiyou California, Chaffee, Moffat, and Park Colorado, Lincoln, Clark, and Nye Nevada, Otero New Mexico, Jackson, Josephine and Malheur Oregon, or Wayne, Garfield and Kane Utah.

Under the [Antiquities Act](#) of 1906, the President may unilaterally designate areas as National Monuments. This designation can limit the use of the land, including for development or recreational purposes. President Obama has [created or enlarged](#) 16 national monuments.

According to the sponsor, the amendment is supported by: American Farm Bureau, Public Lands Council, National Cattlemen’s Beef Association, Motorcycle Industry Council (MIC), Specialty Vehicle Institute of America (SVIA), Recreational Off-Highway Vehicle Association (ROHVA), Americans for Responsible Recreation Access (ARRA), Eagle Forum and a number of local organizations.

18. [Zinke \(R-MT\)](#): Would prohibit funds to implement or enforce the Department of Interior’s proposed regulations that would increase royalties on coal from federal lands.
19. [Garamendi \(D-CA\) #2](#): Would prohibit the use of funds in contravention of the Executive Order [“Planning for Federal Sustainability in the Next Decade”](#) related to climate change. The Beyer amendment would also prohibit the use of funds in contravention of this Executive Order.
20. [Newhouse \(R-WA\)](#): Would prohibit funds to treat the gray wolf as endangered in Washington, Oregon or Utah. This would allow the species to be managed by the individual states.

The underlying bill includes a provision that would require the FWS to re-issue final rules removing gray wolves in Wyoming and the Great Lakes from the Endangered Species Act list.

21. [Rouzer \(R-NC\)](#): Would prohibit funds to implement the EPA’s performance standards regulation for new [residential wood heaters](#), new residential hydronic heaters and forced-air furnaces.

According to the sponsor, the amendment is supported by Americans for Prosperity and the Council for Citizens Against Government Waste.

22. [Hudson \(R-NC\)](#): Would prohibit the Bureau of Ocean Energy Management from removing the proposed lease in the Mid- and South Atlantic from their draft 2017-2022 leasing plan.
23. [Goodlatte \(R-VA\)](#): Would prohibit the EPA from taking over state water quality plans in the Chesapeake Bay Watershed. According to the amendment sponsor, the EPA has imposed strict Total Maximum Daily Load (TMDL) regulations on the six states surrounding the Chesapeake Bay and has threatened to federalize the water quality plans in those states.
24. [Westmoreland \(R-GA\)](#): Would prohibit funds to pay attorney's fees under "sue and settle" actions brought under the Clean Air Act, the Clean Water Act or the Endangered Species Act.

The Equal Access to Justice Act was meant to help individuals recover the costs of suing the federal government. However, environmental law groups now regularly bring in [upwards of \\$700 per hour](#) from lawsuits brought against federal agencies, such as the EPA, that [actively collaborate](#) with these groups.

25. [LaMalfa \(R-CA\)](#): Would limit attorney's fees for Endangered Species Act cases under the Equal Access to Justice Act to \$125 per hour, similar to other types of cases.

According to the [House Natural Resources Committee](#), millions of dollars in attorney's fees have been paid to environmental groups as a result of more than 570 lawsuits related to the Endangered Species Act.

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