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Mooney (WV)
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Nugent
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Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
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Roby
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Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
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Johnson, E. B.
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Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
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Scott, David
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Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
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Yarmuth

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Barletta
Conyers
Delaney
Duncan (SC)
Kennedy
Kind
Meadows
Palazzo
Smith (WA)
Westmoreland
Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1429

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING TRANSPARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1644.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 583 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. 1644.

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

□ 1431

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes, with Mr. PAULSEN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Colorado (Mr. LAMBORN) and the gentleman from California (Mr. LOWENTHAL) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

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

I rise today in strong support of H.R. 1644, the Supporting Transparent Regulatory and Environmental Actions in Mining Act, or the STREAM Act for short.

The STREAM Act has three goals. First, it establishes a requirement for scientific transparency and integrity in any rulemaking conducted by the Office of Surface Mining—we will be calling that OSM during our debate—under the authority of the Surface Mining Control and Reclamation Act of 1977. Some people call it SMCRA.

In the past, the Office of Surface Mining, or OSM, has sought to promulgate rules based on internal studies that are not made public. The first section of H.R. 1644, the STREAM Act, ensures transparency by requiring OSM to publish all scientific products it relies on in the rulemaking process.

For federally funded scientific products, the STREAM Act requires OSM to also publish raw data. If a scientific product is withheld from the public for more than 6 months, then the rule, environmental analysis, or economic assessment it supports will be withdrawn.

The second goal is to require an independent third-party assessment of the existing 1983 rule—which we are operating under right now—to determine if any deficiencies exist. The purpose of the independent study is to mitigate the polarization of this issue.

As such, the STREAM Act requires the Secretary of the Interior, in consultation with the Interstate Mining Compact Commission, to contract with the National Academy of Sciences to conduct a study of the 1983 stream buffer zone rule.

Mr. Chairman, this study will examine the effectiveness of the existing 1983 rule by the National Academy of Sciences and make recommendations for improving the rule, if necessary.

The Secretary is prohibited from issuing any regulations addressing stream buffer zones or stream protection until 1 year after the completion of the study and is required to take into consideration the findings or recommendations of the study.

This element of the STREAM Act is important because it ensures that the 24 States with primacy over surface mining will have input on the study. Unfortunately, beginning in 2011, OSM completely shut the States out of the rulemaking process, even though OSM had signed memoranda of understanding with 10 cooperating agency States in 2010 and one other State signing on as a commentator.

According to OSM, ''States permit and regulate 97 percent of the Nation's coal production. States and tribes also abate well over 90 percent of the abandoned mine lands problems.'' That is in the words of OSM.

The expertise for understanding the stream protection rule and other regulations promulgated under the Surface Mining Control and Reclamation Act lies with the States, not with OSM. Yet, the States were completely cut out of the rulemaking process.

The third goal, finally, of H.R. 1644 is to inhibit OSM's regulatory overreach by curtailing regulatory action that would duplicate, enforce, or determine compliance with laws that are outside of OSM's jurisdiction.

An express concern related to the ongoing stream buffer zone rule rewrite is

that OSM has sought to interpret and enforce the Clean Water Act, which is outside of its authority, by establishing a new set of water quality monitoring, evaluation standards, and procedures. In fact, the draft rule amends 475 existing rules promulgated under SMCRA, the Surface Mining Control and Reclamation Act.

OSM used the rulemaking process to rewrite the Surface Mining Control and Reclamation Act of 1977 and went well outside of Congress' intent in writing that law.

Also—and this is amazingly shortsighted for our economic and energy future as a country—the draft rule released in July 2015 would freeze or sterilize more than 60 percent of the Nation's coal reserves.

If the draft rule, as written, is finalized, the administration will expose the U.S. taxpayer to takings litigation. This has happened before. An example would be the Whitney Benefits case in Wyoming that involved a regulatory taking of coal reserves that underlie alluvial material.

Passage of the STREAM Act will halt this destructive rulemaking process and provide an avenue for a collaborative approach to address deficiencies in the existing rule, if any, with the primacy States. It will save and protect the American taxpayer.

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

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

Mr. Chairman, I rise in strong opposition to the STREAM Act, or H.R. 1644, which is simply the latest attempt by the majority to prevent the implementation of new, commonsense rules to protect people and the environment from the destructive impacts of mountaintop removal coal mining.

Mountaintop removal mining is a serious environmental and health threat. It occurs throughout Appalachia. Countries literally blast the tops off of mountains, scoop out the coal, and dump what used to be the mountaintop into the valleys below.

In the process, landscapes are scarred, wildlife habitat is destroyed, mountain streams are buried, fish are killed, and the people living in the valleys suffer.

The impact on the landscapes, as you can see from this picture here, is obvious. It doesn't take a rocket scientist to look at this photo of a mountaintop removal mine and understand the catastrophic impact to the environment. The impacts, however, to people are not as obvious to the naked eye, but they are just as severe.

Several years ago there was an article titled ''Mountaintop Mining Consequences,'' in the journal Science. As we all know, Science is one of the most preeminent scientific journals in the world.

In that paper, a dozen scientists from 10 institutions reported that mountaintop mining with valley filling ''revealed serious environmental impacts that mitigation practices cannot successfully address.''

They went on to write that ''water emerges from the base of valley fills containing a variety of solutes toxic or damaging to biota,'' and that ''recovery of biodiversity in mining waste-impacted streams has not been documented.'' Again, that is a direct quote.

But let's also talk about the impacts upon people. They write, ''Adult hospitalizations for chronic pulmonary disorders and hypertension are elevated as a function of county-level coal production, as are rates of mortality; lung cancer; and chronic heart, lung, and kidney disease.''

These are serious issues. They deserve a serious response. The current administration proposed such a response in July of last year with a new rule to govern mountaintop removal mining. Sadly, the majority is falling back on the same political playbook they have used time and time again: attack, obstruct, and delay.

What do I mean by that? As it was pointed out, the development of the stream buffer zone, which is what we are talking about, took place under the Reagan administration in 1983, in which the President and the administration proposed a buffer around streams to protect the valleys around it.

It was just the beginning. It gave the Office of Surface Mining oversight over the management, knowing that there are really some problems in there still to be worked out later in terms of how you regulate when this is done primarily by the States. This new buffer requirement that you have got to give these streams 100 feet on each side went on after 1983.

On December 18, 2008, at the very last moment—at midnight—in President Bush's term, he introduced a new stream buffer rule in which he basically eviscerated the old and gave many more exemptions and, as I quoted, put in a new rule in 2008 that said that not only did it loosen protection, it allowed for the dumping of this residue from mining into the streams if avoiding disturbance of the stream is not potentially or reasonably possible. So what it said is that you can dump. If you can't figure out what else to do, you can dump.

Immediately that was challenged in the courts. By 2014, the Federal courts overturned Bush's stream buffer rule. That is where we were by 2014. It was overturned by the courts even though it was never fully implemented to change the Reagan rule.

Then what happened right after that, in February 2014, the majority party then said, ''Let's put up the loosening of the buffer rule by having now put the Bush rule into legislation.''

Well, that was voted down. That came out of this House, but never was voted upon and never got to the President's desk.

Then what happened in the omnibus bill is they decided to change from direct opposition by weakening the rule to delaying the rule. They said, ''Well, let's put in a 1-year delay.'' This December that was one of the riders in the appropriations omnibus, but that was taken out at the last minute.

Then we held a hearing in Natural Resources on this new bill that is before us, H.R. 1644, which occurred, as we all know, in May of 2015. We held a hearing on this stream buffer rule to delay the new rule that was going to be coming out in 3 years. But we had the delay in it. We held that hearing 2 months before the rule was even proposed.

So we are delaying a rule that was first proposed months before we even actually saw what we were delaying in that rule. Then what happens is that we are now here to vote on a bill that delays the action for 3 years.

□ 1445

It is really all about delay. It is not about the policy, because the policy, we would give at least a chance to work with this new stream protection rule if we were really dealing with the policy and seeing what needs to be improved upon where we are. We are going back to delaying it, the new implementation.

Why did it take from 2008 until now to really come up with a new stream protection rule?

Well, in large part that was due to the majority party's multiyear investigation into the rule. We had various subpoenas and tens of thousands of pages of documents, but in the end we found no political misconduct. All we did was to delay the implementation of a new rule from even coming out and costing the taxpayers money.

There were political shenanigans going on in the rule, even though they found no real political shenanigans going on. However, we had 12 hearings to deal with political shenanigans. The administration's proposed rule comes out in July. It is now January, over 7 months.

How many hearings have we heard on the proposed rule? How many? I think the answer is zero. So we have never discussed the proposed rule. We are now voting to delay it, without ever discussing what it is, and it is just completely irresponsible to be now voting on something that stops a rule in its tracks that we have never had time to discuss.

Now, we know that this bill isn't going to go anywhere. Even if the Senate was to pass it, the President has already issued a veto threat.

So instead of this bad rerun, where the majority now is trying to evade and block this rule for the fourth time, maybe we should take a look at some of these environmental consequences and health impacts of mountaintop removal mining; look at the proposed rule and try to work with the administration to really come up with something that protects communities, instead of just attacking and, if that doesn't work, delaying.

I urge my colleagues to defeat this bill.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. MOONEY) who has done an excellent job on the committee representing the folks of West Virginia.

Mr. MOONEY from West Virginia. Mr. Chairman, I thank Chairman LAMBORN and Chairman BISHOP for their leadership in getting this bill to the floor, and my friend, BILL JOHNSON, for his continued support on this issue.

It is imperative that we pass our bill, H.R. 1644, the Supporting Transparent Regulatory and Environmental Actions in Mining Act, also known as the STREAM Act.

My bill delays the implementation of the Obama administration's stream protection rule. When the rewrite of the rule was first proposed, the Office of Surface Mining described it as a ''minor'' regulation that would only impact one coal region. They could not be more wrong.

This rule contains sweeping changes that modify 475 existing rules and is over 2,500 pages in length. Taken together, these changes will destroy up to 77,000 coal mining jobs nationwide, including up to 52,000 in the Appalachian region.

This would be devastating to States, like my home State of West Virginia, that have already been hit hard by President Obama's continuous war on coal. Between 5,000 and 10,000 jobs in western mining States will be lost, between 5,000 and 14,000 jobs will be lost in the interior States, and between 30,000 and 50,000 jobs in the Appalachian region will be lost due to this new stream protection rule.

These new regulations would be catastrophic to the hardworking American families that depend on coal to keep their energy costs low. In my State, 90 percent of power is generated by coal-fired plants.

One recent study showed that if the Obama administration successfully implements its radical environmental policies, the average American family will experience a $1,707-a-year increase in their home energy costs by the year 2025.

The average American family earned $53,657 last year. The average family in West Virginia earned $41,059, which is $12,598 under the national average. This home energy cost increase will be detrimental for all Americans, but especially for West Virginians.

When I campaigned to represent the people of the Second Congressional District of West Virginia, I promised that I would do all I could to fight for the coal industry and the hardworking men and women of our State. You have to understand that these jobs in West Virginia are good-paying jobs. These are jobs that families rely on to put food on the table and provide for the health and safety of their families.

This STREAM Act is completely unnecessary. Going after these jobs is callous and wrong.

West Virginia and our country need the STREAM Act to pass the House and the Senate and be signed into law. I urge my colleagues in the House to vote for this important bill today.

Mr. LOWENTHAL. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, not long ago, the Speaker of the House, PAUL RYAN, said that he wanted to make the House an ''ideas factory.'' But with this bill today, it is clear that the only items being produced by the House are cookie-cutters, because we have done this before, again and again and again.

House Republicans have made it their mission to kill the stream protection rule and protect the ability of coal companies to dump their mining waste wherever they want. They didn't see the rule until last July, but that hasn't kept them from a 5-year crusade to prioritize mining company profits over the health and welfare of nearby communities, wildlife, and the environment.

First, they carried out a multiyear investigation into this rule, holding no less than 12 hearings and demanding tens of thousands of pages of documents, and ultimately coming up with nothing. Then they passed a bill last Congress to block the rule. Actually, they liked it so much, they passed the bill twice. Those bills, however, went nowhere.

This Congress, they included a rider on the appropriations bill to block this rule and voted down my amendment to strip the rider out. The rider was eventually removed before the bill became law.

This bill will suffer the same fate. It will not become law. President Obama has said he would rightly veto this bill, and there are not nearly enough votes to override that veto.

So why are we wasting this Chamber's time on this meaningless cookie-cutter legislation when we could be facing the real energy crises confronting the Nation, such as admitting that climate change is real and helping coal mining regions make a smooth transition off dirty fuel?

But if we want to talk about the stream protection rule and the devastating impacts of mountaintop removal coal mining, we would have a hearing on it in the Natural Resources Committee, and I would welcome such a hearing.

But, as my colleague and friend from California has pointed out, despite the 12 hearings the majority held on this rule before they ever read it, they have not held one since it was published. It is almost as if their minds were made up about the rule before it even came out. That doesn't sound much like an idea factory to me, Mr. Chairman.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a member of the Natural Resources Committee.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank my colleague for the time to speak regarding this important legislation, which I believe would help relieve the overregulation that we have seen in recent years in the coal industry.

The coal mining industry has supported countless jobs in Pennsylvania's Fifth Congressional District for generations and continues to do so. In addition to jobs, coal also helps provide millions of Americans with affordable and reliable energy.

However, overregulation, such as the stream buffer rule, has taken a big toll on our region. Layoffs have affected miners and companies across Pennsylvania, as these job creators continue to face unprecedented regulatory challenges.

Reports have indicated that the rewrite of the stream buffer zone rule from the Office of Surface Mining Reclamation and Enforcement would lead to the elimination of 7,000 mining jobs and cause economic harm in 22 States.

With the rewritten regulations proposed, this bill introduces a bit of common sense, Mr. Chairman. It seeks to make sure that the regulation is based on proven science, requires a study on the strength of existing stream buffer rules, and, finally, seeks to end duplicative rulemaking. This is the least we can do to help limit the strain and provide some certainty for coal companies and, quite frankly, families who make their living in that industry where so many jobs are in the communities that we serve.

As a cosponsor of this legislation, I strongly support it, and I urge my colleagues to vote ''yes'' on final passage.

Mr. LOWENTHAL. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Chairman, I thank the gentleman for yielding.

In recent weeks, we have learned about the water contamination problems in Flint, Michigan. By now, many of us have seen angry mothers and fathers on local television there, holding up water that looks like this, demanding a response from government officials.

I think we all support the steps that the State and Federal Government are now taking to ensure that the water in Flint is safe for families to drink. But what if the legislation we are debating right now prevented government officials from taking that action? There would obviously be an outcry from Members on both sides of the aisle, and the bill would likely be defeated, as it should be.

I am here on the floor today to say that this bill does, in fact, block government officials from protecting the water supply, not for the people of Flint, but for families in Appalachia and other coal mining communities.

This water isn't from Flint, Michigan. It is from a well near a mountaintop removal site in eastern Kentucky. This orange water is what comes out of

taps in much of Appalachia, where water is contaminated by toxic mine waste from the reckless practice of mountaintop removal mining.

I have talked to teachers in eastern Kentucky who tell me that when the children in their classes draw their environment, they draw the water orange because that is what they see. How tragic is that?

I have had the opportunity to fly over mountaintop removal sites and the areas around them, and the water looks a lot different than it should, a lot of colors that come out of Crayola boxes.

Explosives used in the MTR process pollute the air, and the exposed rock and particulate matter allow heavy metals and toxins to leach into and poison the water. The situation is made even worse by coal companies who are allowed to dump mining waste directly into waterways.

These actions, and the consequences of mountaintop removal, have created a public health crisis, with families living near or downstream of these mining sites experiencing higher rates of cancer, heart disease, kidney disease, cardiovascular disease, birth defects, and infant mortality.

More than 2,000 miles of Appalachian streams have been poisoned since mountaintop removal began about 40 years ago. The Obama administration is trying to respond to that crisis with the commonsense, scientifically sound stream buffer rule. This proposed rule would take some important, although modest, steps to limit mountaintop removal practices and protect the water supply in mining communities.

This bill would stop those efforts. It allows coal companies to continue to destroy mountains, pollute water supplies, and endanger the health of families living in the surrounding communities.

Whether in Flint, Michigan, or eastern Kentucky, all families deserve water that is clean and safe and a government that cares and responds when their health is in jeopardy.

I, therefore, urge my colleagues to oppose this dangerous measure.

Mr. LAMBORN. I yield myself such time as I may consume.

Mr. Chairman, I am going to recognize a Member in just a second. But in response to Mr. YARMUTH, I would just like to point out that the Office of Surface Mining has left States out of the discussions. States like Kentucky are not allowed to collaborate in this process, and that is unfortunate, because I think Kentucky and other States have something to contribute to this dialogue and this issue. So that is what the STREAM Act that we are going to vote on in a little bit would accomplish.

□ 1500

It brings the States back into the equation.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON). He has been a stalwart defender of the coal industry and the future that coal has in the energy and economy of our country.

Mr. JOHNSON of Ohio. I thank the chairman for those kind words.

Mr. Chairman, this is an extremely important topic, and I couldn't agree more with what the gentleman has just said.

This is largely an overreach by a Federal agency stepping all over the rights of the States to regulate their own use of their natural resources.

So, for that reason, I rise today in strong support of H.R. 1644, the STREAM Act, legislation that requires OSM to extend its new stream buffer rule while the National Academy of Sciences studies how current OSM rules affect the industry.

Mr. Chairman, OSM's rule will cost jobs, increase electricity prices, and jeopardize grid reliability, along with usurping states' rights. Stop and think about it for a second. Shouldn't Federal agencies understand what that all means before enacting a rule like this?

The Supreme Court certainly does. The Supreme Court has already told the EPA, for example, in one instance: You have got to consider the economic impacts of the rulemaking that you are doing.

According to recent studies, OSM's proposed rule will have several very negative impacts. Let's talk about how it is going to cost jobs. As many as 80,000 people could lose their jobs. Now, OSM said it is only 7,000, but a recent study says that it could be upwards of 80,000 people.

OSM denies this job loss because they say these jobs will be replaced by jobs created to comply with the rule. Something tells me that those supposed new jobs are not going to be in places where mining is going on, in places like eastern and southeastern Ohio.

You are talking about entire communities rolling up the sidewalks. It is going to raise electricity prices and affect the energy grid reliability.

Roughly 64 percent of Ohio's energy comes from coal. Ohio's electricity prices are currently below the national average. In total, 22 States rely on coal as their primary fuel source.

This is going to usurp states' rights. State regulators who perform 97 percent of regulatory activities are completely left out of this rulemaking process. In fact, all but two cooperating agency States have terminated their agreement because of OSM's actions.

Look, this administration and this rule reflect a callous disregard for American coal, American coal miners, their families, the businesses that rely on the energy, and the industry as a whole.

Mr. Chairman, I strongly urge my colleagues to put politics aside. This is about an industry. It is about people's lives. I urge my colleagues to support the STREAM Act.

Mr. LOWENTHAL. Mr. Chairman, I yield 5 minutes to the Member from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise in opposition to the STREAM Act. We should not willfully delay the stream protection rule. I have seen firsthand the impacts of coal mining, both positive and negative. I spent 9 years visiting the coal counties in Virginia: Buchanan, Dickenson, Lee, Wise, Russell, and others.

When times are good, there are good incomes and nice cars. When times are hard, times like today, when we are not mining much coal mostly because of the abundance of natural gas, then things are pretty sad.

When I was Lieutenant Governor of Virginia during the 1990s, mountaintop removal became the most prevalent coal mining technique in central Appalachia. Surely, coal can have a positive impact on local economies. But we also have to look at the impact it has on the environment and the health of these same communities.

My good friend, Mr. JOHNSON of Ohio, has said that these are about the lives of people. Absolutely right. And we have shown callous disregard for the health of the people who live in these communities.

The citizens of these same Virginia coal counties have by far the worst health outcomes of anybody in the Commonwealth of Virginia. The cost-benefit analysis, yes, but we are not doing anything to stop coal companies from mining coal or even mountaintop removal. We are just demanding that it be done responsibly.

It takes tons of rocks and soil to expose underlying coal seams, but these are placed in valleys, headwater streams filled with all this displaced material. This can have significant impacts on water quality.

West Virginia University—not one of those liberal universities in New England—a West Virginia study in 2012 found that mountaintop coal mining has adverse impacts on surface and groundwater quality. The Congressional Research Service, nonpartisan, said, since 1992, almost 1,200 miles of streams were buried by surface coal mining practices.

The cumulative effects of such surface coal mining operations include, number one, deforestation, which has been linked to harming the aquatic community; two, accelerated sediment and nutrient transport; and, three, increased algae production.

Surface mining has also been responsible for most of the huge flooding in central Appalachia because, when you disturb natural streambeds, cover them with mine spoils, destroy the vegetation, all the topography is different.

Virginia Tech has been working with the coal industry for over 30 years to mitigate these effects, to reclaim the streams and lands that have been disturbed, and a lot of progress has been made. But we can and should do all that we can to protect our critical headwater and small streams before the impacts occur.

Water monitoring found that Kelly Branch Mine in Wise County, Virginia,

dumped toxic pollutant selenium into streams at levels far above the State water quality standards and without a permit to allow such pollution.

As a result of a citizen suit, Southern Coal Corp. has since agreed to do the environmental cleanup, but we shouldn't need the lawsuits which too often lead to the bankruptcies of the coal companies.

Lawsuits like this make it unsurprising that a group of researchers from West Virginia University—again—and Washington State University published a study in 2011 on the association between exposure to mountaintop removal mining and the increased rate of birth defects in central Appalachia.

This again gets back to callous disregard for the people who live in central Appalachia. These people have been paying for the externalized costs of mountaintop removal for far too long, and local communities have been suffering life-threatening health problems and a damaged ecosystem.

This is why, with Congressman LOWENTHAL and Congresswoman ESTY, we offered an amendment to ensure that this bill paid attention to the negative health impacts. Unfortunately, the amendment was not made in order. But we can't continue to ignore this.

Adjusted for every other factor, overwhelming scientific evidence links the practice of surface coal mining with elevated rates of serious health problems, including cancer, cardiovascular disease, and pulmonary disease, and overall mortality rates are about 20 percent higher in the coalfields than the national average.

The ecological integrity of the streams is an indicator of the human cancer mortality rates. So the folks that live near these streams are much more likely to die and die young.

This bill destroys the proposed protection for the people who live in southwest Virginia and coalfields across the country.

Mr. Chairman, I urge my colleagues to vote against the STREAM Act. The people of Appalachia deserve better.

Mr. LAMBORN. Mr. Chairman, in response to a statement that was just made, let me point out that Johns Hopkins researchers—maybe one of the leading medical institutions in our country—found that ''no increased risk of birth defects was observed from births from mountaintop mining counties after adjustment for or stratification by hospital of birth.''

So there are other issues going on that do affect the health in these areas. But you can't blame it on mountaintop mining, at least not according to Johns Hopkins.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), who is a valuable member of the Committee on Natural Resources.

Mrs. LUMMIS. I thank the chairman for his leadership on this issue.

Mr. Chairman, if you have been listening to this debate thus far, you would believe that we are only talking about mountaintop mining.

Well, I want to assure you the bill that I support that is on the floor today is also trying to protect non-mountaintop mining because the rules that have been proposed by the Obama administration apply to all coal miners.

They apply to non-mountaintop mining as well, including mining in my State of Wyoming and the mining that can occur in the State of Montana, to my north, that has enormous undeveloped coal reserves.

My State of Wyoming has been the number one coal-producing State in this Nation since 1986, for 30 years. The reclamation of those mines is state of the art.

If you go to the top of the tipples at those mines and look around, you cannot tell, if you are an untrained eye, whether the land has been mined and reclaimed or undisturbed and unmined.

It is because the quality of reclamation that is required by the State of Wyoming is so state of the art that the water is clean, the land is reclaimed, the wildlife returns. In fact, the wildlife prefers to graze on the land that has been reclaimed, as opposed to the land that has not been mined.

States have proven that they can regulate and return properties to a condition that Americans can be proud of and know that we will be safe. Yet, the States have been shut out of this regulatory process.

Legislation which we are discussing today, the STREAM Act, would allow and restore States their rightful place in this discussion.

Where the expertise lies is in the States. They are the ones that should be included in the crafting of any Federal legislation and, in my view, should be left to the States where the expertise lies and where the differences between mining on non-mountain property and a mountain property can be properly addressed.

Applying this stream buffer rule, which the administration proposes, to non-mountaintop mines is absurd. I would further assert that the expertise to deal with mountaintop mining lies in the States where that mining is currently occurring.

I thank the chairman for his leadership on this issue.

Mr. LAMBORN. Will the gentlewoman yield?

Mrs. LUMMIS. I yield to the gentleman from Colorado.

Mr. LAMBORN. I have seen some of the operations in the great State of Wyoming. Isn't it true that the reclaimed and restored land does not have the invasive species that we have unfortunately seen in this country in recent decades?

The Acting CHAIR (Mr. CURBELO of Florida). The time of the gentlewoman has expired.

Mr. LAMBORN. I yield the gentlewoman an additional 1 minute.

So without the invasive species in the restored land, you could almost say, couldn't you, that the land is better than it was before?

Mrs. LUMMIS. Reclaiming my time, the answer is yes, for several reasons. It is because the mix of grasses that are used to reseed the land that has been mined and reclaimed is a mix of grasses that provides for the health that allows for grasses that don't naturally clump, grasses that spread out, to be on the reclaimed land.

So when it rains, you don't have the kind of running off of the topsoil that would occur if the grasses are the type of grasses that tend to clump, instead of cover the ground uniformly.

So that is one of the reasons why the reclaimed land actually is a better trap for water. As we know, when water seeps into the ground, the ground naturally filters the water. So it allows for less runoff of topsoil and allows for the rain to seep into the ground.

The Acting CHAIR. The time of the gentlewoman has again expired.

Mr. LAMBORN. I yield the gentlewoman from Wyoming an additional 30 seconds.

Mrs. LUMMIS. The soil itself is a natural filter for this water. These are the kind of things that States' experts know, and their expertise should be inserted into any rulemaking process.

That is part of the reason that I support the STREAM Act. I support my colleagues from the East and appreciate their attention to this important piece of legislation.

Mr. LOWENTHAL. Mr. Chair, I would like to talk in response to some of the points raised by my esteemed colleagues from the other side about the doom and gloom of job loss numbers that they presented. I believe 70,000 jobs will be lost with the proposed rule or we just heard also possibly 80,000 direct mining jobs might be lost.

These are, indeed, frightening numbers. Unfortunately, they are not credible and not based upon any kind of evidence. Those estimates which we are hearing come from a study that was paid for by the National Mining Association, and those numbers are the same, that 70- or 80,000, as the total number of coal mining jobs currently in the United States, according to the Energy Information Administration.

□ 1515

In fact, the National Mining Association study that we have heard about projects up to 52,000 coal mining job losses in Appalachia as a result of the administration's proposed rule. There are less than 50,000 coal miners in that entire region today, so apparently this rule creates jobs before it costs jobs.

We shouldn't be surprised that the industry would come up with such inflated numbers. After all, they don't need to be accurate. They just need to scare people, much in the same way as the American public was told that the Affordable Care Act is going to destroy an untold number of jobs, except that

we have now added 14 million private sector jobs since that act was signed into law.

Today we should be extremely skeptical of industry scare tactics. Actually, the Regulatory Impact Analysis for the stream protection rule found, in fact, not 70,000, not 80,000, but there would be a net loss of only 10 jobs. This is a small price to pay for cleaner water and healthier communities.

I reserve the balance of my time.

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

In response to my good friend and colleague Representative LOWENTHAL, I would like to say that just in today's Wall Street Journal, Arch Coal revealed that it has declared bankruptcy. They are one of the top coal producers in this country. I would say that the loss of jobs and this administration's war on coal is actually a staggering and frightening phenomenon, and that is why we need the STREAM Act.

Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. I thank the chairman.

I rise today in support of the pending legislation, H.R. 1644, the STREAM Act.

Appalachia is suffering. Years of burdensome regulations from this administration have had a devastating impact on coal. West Virginia miners, families, and businesses are paying the price.

Since 2012, according to The Wall Street Journal, 27 coal mining companies in Appalachia have filed for bankruptcy. In just the past 4 years, we have seen 7,000 coal miners lose their jobs in West Virginia. Why? Because each and every day, President Obama's EPA and the Office of Surface Mining are regulating coal mines out of business and putting miners on the unemployment line.

Coal miners are the heart and soul of communities in West Virginia, and the significant layoffs we are experiencing are simply heartbreaking. The President, the EPA, and the OSM continue to ignore the economic pain they are inflicting.

The stream buffer zone rule, which the STREAM Act would halt, is yet another example of unnecessary regulation, one that will increase energy costs for American families and businesses.

The OSM's new stream buffer zone rule will lead to thousands more job losses in West Virginia and across the Nation. An independent study found it would eliminate at least 40,000 direct coal mining jobs on top of the 42,000 indirect jobs and other jobs that have been lost just since 2011. Even OSM's own analysis estimates that this rule would result in the loss of thousands of jobs. That does not include the thousands of jobs that depend on coal indirectly: our Nation's small businesses, equipment manufacturers, transportation, and others.

Mr. Chairman, this is unacceptable. It is also the reason why I helped secure a provision in the omnibus that mandates that OSM work with the States. I support the STREAM Act, and I encourage its passage.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 8½ minutes remaining. The gentleman from Colorado has 9½ minutes remaining.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume, and I would like to respond to my colleague's comments about the lack of any health impacts of mountaintop mining, quoting a study from Johns Hopkins University about the lack of any identifiable birth defects that are correlated with coal mining or mountaintop mining.

I would like to again read from the Science article of January 8, 2010, called ''Mountaintop Mining Consequences,'' a collaborative effort of scientists from the University of Maryland; from Duke University; from the University of Minnesota; from West Virginia University; from Wake Forest University; from Miami University, Oxford, Ohio; from the University of California at Berkeley; from the University of North Carolina at Chapel Hill; and from the same Johns Hopkins University, Baltimore, Maryland. They found their results on the potential for human health impacts were this: adult hospitalizations for chronic pulmonary disorders and hypertension are elevated as a function of county level coal production, as are rates of mortality, lung cancer, and chronic heart, lung, and kidney diseases. That is what the scientists have found that are the result of a potential for human health impacts.

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

Mr. LAMBORN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I strongly support H.R. 1644. I think it is really important that sometimes we actually talk to people who work in coal country, people who live in coal country, people who have generationally been part of coal mining.

Too often I come to this floor in America's House and I hear all these different things that are going on. If you want to talk about health, let's talk about the health of our community. Let's talk about the tens of thousands of jobs that will be lost because of more regulations.

We know that commodity prices will fluctuate. The one thing we know for sure is that regulation will not. It will forever put a price tag on this product that will make it impossible for it to compete on the open market. Yet we will sit here and we will talk about things that really aren't true, and we will say it in a manner that we say this is so bad, this product is so horrible, do you realize what it is doing? And my answer is, yes, I do. It employees tens of thousands of Americans.

These are not, by the way, Republican jobs. These are Democrat jobs for the most part. These are American jobs. These are red, white, and blue jobs. This is about a product that has been the workforce of American energy. This makes it possible for America to compete anywhere in the world because of low energy costs.

I would just ask my friends, while it may become a political issue and it may seem like it is a great talking point, you need to walk in those communities. You need to go into those schools. You need to go into those towns. You need to go into those homes. You need to go into those mines. You need to look into the faces and the eyes of the people who bring this tremendous product out of the ground and tell them what they have been doing generationally is horrible for the country. You need to tell them that the way they have been making a living, the way they have been putting a roof over the heads of their children, the way they have been putting food on the table for their kids, the way they have been putting clothes on their backs, and the way they have been preparing for their future is bad; you have acted terribly in doing this, and we need ought to spank you.

Really minor adjustments—475 modifications. That is not minor; that is major. That makes the cost of this product go off the charts. It doesn't matter that it changes anything. This is one promise the President kept.

When he was a candidate running for this office, he said: If you want to continue to make power, make electricity, by using coal-fired power plants, you can do that, but I will bankrupt you.

He has kept that promise. Promise made, promise kept. He has turned his back on over a quarter of a million people who depend on coal for their livelihood. He has turned his back on an America that is looking to take advantage of gifts that were given to us by God—natural resources.

We have not turned our back on health; we have not turned our back on the future of our children; but what we also will not do is we will not turn our back on onerous regulations that do nothing to make it better for our people.

All we are asking for is to take a really good look at this. The stream protection rule, that doesn't make sense. The Clean Power Plan didn't make sense. It makes sense to some because it will put them out of business to say: All right. Fine. We need to do this to really hurt these folks.

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

Mr. LAMBORN. I yield an additional 1 minute to the gentleman.

Mr. KELLY of Pennsylvania. It really comes down to this. We are at a crossroads in this country. We have to present really bold visions of where we

think the country should be going. We need to talk about policies that are going to make America stronger. We need to talk about policies that put Americans back to work. We need to talk about policies that the American people can look at and say: Do you know what? There is a clear difference. There is a new day coming for America. There is a new way to run the government. There is a new way to look at regulations and understand that these aren't helping; they are hurting.

I would just ask all of my colleagues very strongly to support H.R. 1644. Do the right thing for America. Forget about whether to wear a red shirt or a blue shirt. Think about the red, white, and blue that we stand for every day.

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

I would just like to respond to some of the attacks from the other side that are supporting the STREAM Act that the administration's stream protection rule is really an attempt to destroy jobs, it is really part of, as one of my colleagues has said, the war on coal. But nothing could be further from the truth. What we are talking about are commonsense protections for communities.

Contrary to the Republican chorus that there is a war on coal, let me read to you, Members, that the Energy Information Administration estimates that U.S. coal production for 2014 was up 14 million short tons from 2013, and that this production growth is going to continue through 2030. While coal exports are predicted to drop in the short term, they are going to reach historic high grounds around 2030.

We are not talking about destroying these communities. We are talking about allowing these communities to thrive, to be healthy, to protect the valleys, to protect the streams, to protect the ecology, to protect the public health, and to allow us to have mountaintop mining, but safe and healthy mountaintop mining. That is what we are talking about.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my colleague, Mr. LAMBORN.

This is a very important issue. I would like to thank my colleague, Mr. MOONEY, for sponsoring this piece of legislation that not only impacts his home State of West Virginia and the other coal-producing States in the Midwest, but also my home State of Illinois.

Coal production in my home State is a significant driver in our State's economy, particularly the part of the State that I represent. I would not be here today, Mr. Chairman, without what coal has meant to my hometown of Taylorville in my home county of Christian County.

I saw in the mid-nineties what a signature on a piece of paper right here in Washington, D.C., can do to destroy a local economy. In Illinois alone, today, coal jobs employ nearly 5,000 workers. Just a few short years ago, that was many more. The industry contributes $2 billion to our State's economy.

Unfortunately, this proposed stream protection rule is another example of this Obama administration waging war on coal. By their own estimates, OSM claims this rule would kill 7,000 coal jobs. That is 2,000 more than exist in the State of Illinois today. Through independent analysis, it shows job losses may be even more in the tens of thousands.

This rule is not only going to hurt coal miners, but also those in my district and others that work at coal-fired power plants. It is going to hurt consumers. It is going to hurt the poorest of the poor in this country, who are going to have to pay higher rates when base load generation facilities that burn coal go offline.

□ 1530

These coal-fired power plants, Mr. Chairman, provide some of the best paying jobs in my district. Where are they going to go to find work when this administration's war on coal takes their jobs away?

I have advocated for important language in working with my colleagues Mr. MOONEY, Mr. LAMBORN, BILL JOHNSON from Ohio, JIM RENACCI, and others. We want to make sure that we have the States sign off on this OSM stream protection rule before the Federal Government can come in and take those coal mining jobs away.

Mr. Chairman, it is clear that this administration's war on coal isn't going to stop today. I urge all of my colleagues to vote for this legislation.

Mr. LAMBORN. Mr. Chairman, I am prepared to close as soon as the opposing side has closed.

I reserve the balance of my time.

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

In closing, I would like to read a few lines from a letter that was sent from a coalition of 35 national and local groups which are strongly opposed to this bill.

They write:

''The proposed stream protection rule is essential to protect the waters in mining regions and to ensure that communities will have viable economies after the resource is extracted and mining ceases.''

They go on to point out that mountaintop removal mining is ''responsible for the destruction of over 500 mountains and approximately 2,000 miles of stream channels across central Appalachia. This form of coal mining devastates both the thriving natural ecosystems of the Appalachian Mountains as well as entire communities of residents who have lived on their homesteads for generations.''

They conclude:

''Please oppose the STREAM Act, and allow the proposed stream protection rule to proceed without congressional interference so that communities living in the shadows of mining sites can have safe water resources.''

I also have a letter of opposition from the United Auto Workers and eight other organizations, which state:

''This bill would put costly and unnecessary bureaucratic hurdles into the already overburdened regulatory process with the sole intent of ensuring that coal companies can continue to destroy streams and coal wastes. We urge you to vote against this legislation both to protect mining communities and to reject attempts to delay and frustrate improved regulatory protections.''

Mr. Chairman, I urge the opposition to H.R. 1644.

I yield back the balance of my time.

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

In my closing remarks, I would like to highlight the findings of an economic impact analysis of the draft stream buffer zone rule, released in 2015, issued against the Obama administration regulation. The study was done by the ENVIRON International Corporation.

ENVIRON found that 64 percent of the Nation's coal reserves would be sterilized, or frozen, resulting in an annual loss in value that ranges between $14 billion to $29 billion.

The proposed rule hits longwall mining particularly hard, causing a decrease of 47 to 85 percent in recoverable longwall coal reserves. Longwall mining is considered the safest, most efficient, and most profitable type of underground mining.

Sterilizing so much of the Nation's coal reserves will have a significant impact on employment, ranging from a loss of 40,000 to about 77,000 direct jobs and 112,000 to 280,000 indirect jobs from those businesses and industries that provide goods and services to the mining sector.

These jobs are high-paying, family-wage jobs, with excellent benefits, including health care. The economic impact to the coal-producing States and counties will be staggering.

The STREAM Act instills sanity into the Office of Surface Mining's rulemaking process by requiring transparency in the scientific products used by OSM in any rulemaking that they have. It narrowly focuses the stream buffer zone rule to actual stream buffer zones and not 474 other regulations.

It also allows States with the expertise in regulating the Nation's coal mines to participate in the assessment of the effectiveness of the existing rule. Finally, it reins in OSM's overreach into areas outside of its statutory jurisdiction.

Mr. Chairman, there are two great ironies in this whole war on coal by the administration. Actually, it is a war on the American people. It is a war on working families because it not only costs high-paying jobs, but it drives up

the cost of energy. When you drive up the cost of energy, that takes money out of people's pockets, and they have less money left over to take care of their families and to provide for their futures.

If the war on coal by this administration were successful, not only would you have those negative impacts, but many of the environmentalists would just create another war.

There is already one major group that says, ''Oh, we don't even like natural gas,'' which is being touted as the replacement for coal. They don't even like that.

There will be some other reason to which they will find objection with regard to whatever takes coal's place, would that day ever come.

When you run the numbers, the environmental impact of getting rid of coal completely for electrical generation would have a negligible impact on any future impact on the global climate.

Let's pass the STREAM Act as it protects jobs, it protects rural communities, and it protects the American taxpayer. I ask that my colleagues support this important piece of legislation and vote for its final passage.

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

Mr. PALLONE. Mr. Speaker, I rise in opposition to the STREAM Act, which is a dangerous and unnecessary bill that would delay the finalization of the Department of Interior's Stream Protection Rule. This critical rule will improve methods for monitoring and preventing damage to surface and groundwater from mountaintop removal coal mining.

Surface mining in the steep slopes of Appalachia has disrupted the biological integrity of an area about the size of Delaware, buried approximately 2,000 miles of streams with mining waste, and contaminated downstream areas with toxic elements. Because of this dangerous practice, people have been drinking the byproducts of coal waste from mountaintop removal for more than two decades. Rather than clean and clear water running out of their faucets, the people of Appalachia are left with orange or black liquid instead.

The health problems caused by exposure to these chemicals and heavy metals include cancers, organ failure, and learning disabilities. Not only that, but there are multiple cases of children suffering from asthma, headaches, nausea, and other symptoms likely due to toxic contamination from coal dust. This is environmental injustice.

The people of Appalachia should have the right to send their children to a school not threatened by billions of gallons of coal slurry; the right to preserve the streams and valleys that have been part of their way of life; and the right to protect their own land, no matter how much coal might be underneath.

I have consistently introduced legislation, the Clean Water Protection Act, which would put a stop to mountaintop removal mining, and I plan to reintroduce the bill in the beginning of this year. I urge my colleagues to oppose the legislation before us today that will only perpetuate the dangerous practice of mountaintop removal mining.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute, recommended by the Committee on Natural Resources, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1644

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting Transparent Regulatory and Environmental Actions in Mining Act'' or the ''STREAM Act''.

SEC. 2. PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL IMPACT STATEMENTS, ENVIRONMENTAL ASSESSMENTS, AND ECONOMIC ASSESSMENTS.

(a) REQUIREMENT.—Title V of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 530. PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL ANALYSES, AND ECONOMIC ASSESSMENTS.

''(a) REQUIREMENT.—

''(1) IN GENERAL.—The Secretary shall make publicly available 90 days before the publication of any draft, proposed, supplemental, final, or emergency rule under this Act, or any related environmental analysis, economic assessment, policy, or guidance, each scientific product the Secretary relied on in developing the rule, environmental analysis, economic assessment, policy, or guidance.

''(2) FEDERALLY FUNDED SCIENTIFIC PRODUCTS.—For those scientific products receiving Federal funds in part, or in full, the Secretary shall also make publicly available the raw data used for the federally funded scientific product.

''(b) COMPLIANCE.—

''(1) IN GENERAL.—Failure to make publicly available any scientific product 90 days before the publication of—

''(A) any draft, proposed, or supplemental rule, environmental analysis, economic assessment, policy or guidance shall extend by one day the comment period for each day such scientific product is not made available; or

''(B) any final or emergency rule shall delay the effective date of the final or emergency rule by 60 days plus each day the scientific product is withheld.

''(2) DELAY LONGER THAN 6 MONTHS.—If the Secretary fails to make publicly available any scientific product for longer than 6 months, the Secretary shall withdraw the rule, environmental analysis, economic assessment, policy, or guidance.

''(3) EXCEPTION.—This subsection shall not apply if a delay in the publication of a rule will pose an imminent and severe threat to human life.

''(c) DEFINITIONS.—In this section:

''(1) PUBLICLY AVAILABLE.—The term 'publicly available' means published on the Internet via a publicly accessible website under the Secretary's control.

''(2) ENVIRONMENTAL ANALYSIS.—The term 'environmental analysis' means environmental impact statements and environmental assessments prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(3) SCIENTIFIC PRODUCT.—The term 'scientific product' means any product that—

''(A) employs the scientific method for inventorying, monitoring, experimenting, studying, researching, or modeling purposes; and

''(B) is relied upon by the Secretary in the development of any rule, environmental analysis, economic assessment, policy, or guidance.

''(4) RAW DATA.—The term 'raw data'—

''(A) except as provided in subparagraph (B), means any computational process, or quantitative or qualitative data, that is relied on in a scientific product to support a finding or observation; and

''(B) does not include such data or processes—

''(i) that are protected by copyright;

''(ii) that contain personally identifiable information, sensitive intellectual property, trade secrets, or business-sensitive information; or

''(iii) to the extent that such data and processes are covered by the provisions of part C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.), regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), and the provisions of subtitle D of title XIII of the Health Information Technology for Economic and Clinical Health Act (42 U.S.C. 17921 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end of the items relating to such title the following:

''Sec. 530. Publication of scientific products for rules and related environmental analyses, and economic assessments.''.

SEC. 3. STUDY OF THE EFFECTIVENESS OF CERTAIN RULE.

(a) REQUIREMENT.—Title VII of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1291 et seq.) is amended by adding at the end the following:

''SEC. 722. STUDY OF THE EFFECTIVENESS OF CERTAIN RULE.

''(a) STUDY.—No later than 90 days after the date of the enactment of the STREAM Act, the Secretary of the Interior, in consultation with the Interstate Mining Compact Commission and its State members, shall enter into an arrangement with the National Academy of Sciences, for execution by the Board on Earth Sciences and Resources, to conduct a comprehensive study on the regulatory effectiveness of the 'Surface Coal Mining and Reclamation Operations Permanent Regulatory Program; Stream Buffer Zones and Fish, Wildlife, and Related Environmental Values' Final Rule published June 30, 1983 (48 Fed. Reg. 30312), and amended September 30, 1983 (48 Fed. Reg. 44777), in protecting perennial and intermittent streams through the use of stream buffer zones. If the study determines the existence of regulatory inefficiencies, then the study shall include suggestions and recommendations for increasing the effectiveness of the rule.

''(b) RESULTS OF THE STUDY.—Not later than 2 years after execution of the arrangements under subsection (a), the Board on Earth Sciences and Resources shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, appropriate Federal agencies, and the Governor of each of the States represented on the Interstate Mining Compact Commission the results of the study conducted under subsection (a).

''(c) FUNDING.—There is authorized to be appropriated to the Secretary of the Interior $1,000,000 for fiscal year 2016 and $1,000,000 for fiscal year 2017 for the purposes of this section.

''(d) PROHIBITION ON NEW REGULATIONS.—The Secretary shall not issue any final or other regulations pertaining to the proposed rule entitled 'Stream Protection Rule' (80 Fed. Reg. 44436) or relating to stream buffer zones, until one year after the Secretary has submitted the results of

the study in accordance with subsection (b). If the Secretary proposes any such regulations after such submission, the Secretary shall take into consideration the findings of the study.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end of the items relating to such title the following:

''Sec. 720. Subsidence.
''Sec. 721. Research.
''Sec. 722. Study of the effectiveness of certain rule.''.

SEC. 4. COMPLIANCE WITH OTHER FEDERAL LAWS.

Section 702 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1291) is amended—

(1) by redesignating subsections (c) and (d) as subsection (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) COMPLIANCE WITH OTHER FEDERAL LAWS.—Nothing in this Act authorizes the Secretary to take any action by rule, regulation, notice, policy, guidance, or order that duplicates, implements, interprets, enforces, or determines any action taken under an Act referred to in subsection (a) or any regulation or rule promulgated thereunder.''.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–395. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–395.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 17, strike ''and''.

Page 5, line 20, strike the period and insert ''; and''.

Page 5, after line 20, insert the following:

''(C) is not protected under copyright laws.''.

Page 9, line 3, strike ''1291'' and insert ''1292''.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I believe that this amendment is really technical in nature. It does two things.

First, we ensure that the legislation does not infringe on copyright laws.

According to the largest private publishers of scientific research, government-funded studies will be made publicly available ''where the government has funded the publication of a private sector, peer-reviewed article or where the author of the article is a government employee . . . we do not dispute that any such article couldn't be made publicly available.''

We are addressing that concern that was raised during the markup of this bill.

Second, we identified a technical error in a U.S. Code citation and corrected it.

I ask for a ''yes'' vote on this amendment.

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

Mr. LOWENTHAL. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment even though I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. LOWENTHAL. Mr. Chairman, this amendment makes a small change to section 2 to make the bill somewhat more palatable to scientific publishers.

So I will not oppose it, but it does nothing to actually improve the bill itself nor the requirement surrounding the advance publication of scientific data.

Today we received a letter from the Union of Concerned Scientists that says they are strongly opposed to H.R. 1644.

The scientists write: ''This proposal is just another attempt of what is becoming an old and tired song, an attempt to cloak an effort to block commonsense regulations in the guise of transparency.''

They continue: ''The amended version improves the original bill by exempting certain types of data from public disclosure. However, the language is so vague it will make it very difficult for scientists doing federally funded research to know whether or not the data they have spent years collecting may be prematurely disclosed before they can publish their own studies. At the very least, this discourages scientists from doing any crucial research that may be required to be publicly disclosed.''

They conclude: ''If passed, H.R. 1644 would inhibit the Department of the Interior's ability to carry out its science- and evidence-based responsibility to protect human health and the environment. We strongly recommend a 'no' vote on H.R. 1644.''

I agree with the scientists on this one.

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

Mr. LAMBORN. Mr. Chairman, I thank the Member for not opposing this amendment, and I ask that we vote ''yes'' on it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–395.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, before the period, insert ''or improve drinking water quality''.

Page 8, line 16, before the period, insert '', unless such a rule will improve drinking water quality''.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, first of all, the underlying bill is an attempt to delay the implementation of the stream protection rule, an important rule that protects our Nation's rivers, our streams, and the nearby communities from the effects of mountaintop removal coal mining.

My amendment would not allow any rule that improves drinking water quality to be delayed. Ensuring that we protect our streams and rivers—often important sources of drinking water—is of vital importance.

Listen, I know firsthand something about what happens when regulations are not strong enough to protect drinking water.

Today, in my hometown of Flint, safeguards for better drinking water could have prevented the entire city and upwards of 10,000 children under the age of 6 from being exposed to dangerous levels of lead.

Lead is a deadly neurotoxin that is especially harmful to young children. It can permanently lower the IQ, increase disruptive behavior, and stunt neurological development.

These children in my hometown, many of whom already have great hurdles to overcome because of the misfortune of the ZIP code into which they were born—communities of very high poverty—now must endure another blow to their futures due to the decisions that were outside of their control and the lack of effective protection of their drinking water.

No other community should ever face that same danger, the danger of having their children literally poisoned by unsafe, contaminated drinking water. My amendment will ensure important protections for other communities.

Look, I have seen my community live through this. They continue to live through it. We should be doing everything we can not to weaken protections for drinking water, but to strengthen them to prevent this from ever happening anywhere else.

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

□ 1545

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

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

Mr. LAMBORN. Mr. Chair, my heart goes out to my friend and colleague from Flint, Michigan. I share in the difficulties that they are suffering now in that city because of the water supply. I know that his intention is to do everything he can—and I appreciate his work—to help the people of his district, especially when it comes to water supply. I appreciate that.

I do have to point out that the issue that was raised there is not a mining issue. It is from other sources. It is pollution from pulp and paper mills, and it is not a mining issue.

Getting back to this amendment, I do have to point out that already under the law, permitted mines must already adhere to safe drinking water standards and are very heavily regulated by the EPA. The problem with the OSM, Office of Surface Mining, is that they are taking over—it is bureaucratic mission creep—they are taking over some of the EPA functions. Among other good things that the STREAM Act does is it prevents OSM from going down that road, and it leaves clean water issues under the jurisdiction of the EPA.

So we just need to make sure that the government agencies stick to what they know best. The STREAM Act does that. Water quality is really not an issue when it comes to nonmine issues.

I would ask for opposition to this bill.

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

Mr. KILDEE. Mr. Chairman, let me first thank the gentleman for his kind words and his concern over my hometown. It is an extraordinarily difficult situation.

Sadly, it is actually the creation of a series of decisions by our State government to switch from the freshest, cleanest water on the planet, the Great Lakes, to the Flint River in order to save a few dollars, and then the failure of the Michigan Department of Environmental Quality to enforce even the minor protections that it has available to it.

The reason I am offering this amendment and the reason that I offer it on this particular piece of legislation is that, in my hometown, it was led and it was a bad set of decisions made by an emergency financial manager. In another community, it may be another source.

My view—and the reason I offer this amendment—is that we ought to do everything within our power in this Congress to make sure that we protect our environment and particularly protect drinking water. I believe my amendment would do that. I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

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

Mr. KILDEE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–395.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 5. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

Title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231, et seq.) is amended by adding at the end the following:

"SEC. 416. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

''Notwithstanding any other provision of this Act, amounts that would otherwise be provided under title IV to States certified under section 411(a) shall, subject to appropriations, be distributed to the States and Indian tribes for the purpose of promoting the economic revitalization, diversification, and development in economically distressed communities adversely affected by discharge from abandoned mine lands.''.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, my amendment seeks to return abandoned mine lands funding to its originally intended focus, which is to support the communities that are struggling due to their legacy of mining.

This funding, roughly $600 million over 10 years, will assist struggling coal communities in diversifying their economies, increasing human capital development, and stimulating economic growth. The funding for this investment in mining communities comes from States that have been certified by the Office of Surface Mining Reclamation and Enforcement as having already reclaimed their abandoned mines.

These States are, therefore, receiving money from a program dedicated to helping communities deal with the impact of mining, but the Federal Government has certified that they have already dealt with those impacts. In fact, one State took $10 million of this funding to renovate a basketball arena.

Meanwhile, States in Appalachia are facing the combined calamity of a collapsing coal industry and the environmental legacy of over a century of mining.

In Scranton, Pennsylvania, for example, that legacy includes 65 million gallons of acid mine runoff every day. Every day, there are 65 million gallons of acid mine runoff flowing into the river. Across northeastern Pennsylvania, there are thousands of miles of streams impacted by mine drainage, many of which are totally devoid of aquatic life.

On top of these environmental impacts, the decreased demand for Appalachian coal has devastated communities and workers who have built their lives and built their families around the coal industry. This amendment is for them and to help rejuvenate these small communities across Appalachia and in other regions.

Nearly all the biggest coal companies in the United States are teetering on the brink of collapse. Several have been removed from the New York Stock Exchange due to their valuations falling too low. Just yesterday, Arch Coal, one of the biggest coal companies in the country, filed for bankruptcy.

For the families that depend on these jobs, these benefits, and these pensions, we have to act. We cannot be dispassionate bystanders as the rug is pulled out from under these communities. They deserve our support.

Now, this amendment recognizes the fact that coal helped to build this country, coal spurred the industrial revolution and powered us through two world wars. The communities of Appalachia that proudly dug the coal that powered America through the 20th century have earned the support they need to diversify their local economies, and that is what this amendment works toward.

The sponsors of the underlying bill, the STREAM Act, purport to be concerned about jobs in the Appalachian regions. If that is their concern, then they should also support my amendment, which will create jobs in the communities that need them most and continue to have to spend money on reclaiming abandoned mines.

For that reason, I urge my colleagues—and especially those of you who represent mining areas, as I do—to vote ''yes'' on this amendment to revitalize historic mining communities.

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

Mr. ZINKE. Mr. Chairman, I rise in strong opposition to the Cartwright amendment to the STREAM Act.

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

Mr. ZINKE. Mr. Chair, we in the coal-producing States in the West do pay the majority of AML fees every year, a reminder that Montana and Wyoming have more coal than anyone else in the world. Yet, this language would rip away funding of the AML from our coal-certified States like Montana, but also the tribes. The great Crow Nation depends on these funds.

How can you justify ripping and robbing certified States that pay the majority of the AML funds and tribes away? What does it do? It rips away money that is used for restoration and protects small communities.

Montana has been in the business of mining for over 100 years. We have over

6,700 known abandoned mines and mill sites across our State, and we have worked hard to reclaim many of these areas. Yet, removing the funds from those small communities poses a threat.

Governor Bullock, a Democrat, has also expressed his deep concerns about ending these payments and asked all of the Montana delegation, which there are three of us, to help safeguard this valuable program for the good of all Montanans and the great Crow Nation.

This amendment is disguised as a solution. It doesn't offer a solution. The underlying idea of it is to kill the coal industry. We have seen time and time again excessive overreach, not based on scientific data, but based on an agenda; and the agenda is to kill coal.

In Montana, we love coal. In Wyoming, our neighbor to the south, we understand that coal drives our economy. It helps fund our schools, our bridges, our roads, and our community.

I stand by Montana and I stand by the great Crow Nation and urge my colleagues to vote ''no'' on this amendment.

I reserve the balance of my time.

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

Mr. ZINKE. Mr. Chairman, I yield the balance of my time to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, this is absolutely illustrative of the old adage: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

So here is the deal: This country started mining a lot of coal, so the Federal Government taxed it in 1977 through SMCRA, the Surface Mining Control and Reclamation Act. They put a big tax on coal by the ton, not the Btus, by the ton.

Then the coal companies and the coal industry kept moving, and now they want to regulate it. In fact, this administration wants to regulate it out of existence and has said so. Rules are being proposed to regulate the coal industry out of existence. So that is the keep-moving part. Well, they are being very successful at regulating the coal industry out of existence.

Now, we are to step three. If it stops moving, subsidize it. That is what the amendment we are discussing would do. It is saying the coal industry is on its knees, not acknowledging that they are the ones that put it there. Then they are saying: So let's take money for all of those coal jobs that are being lost due to their policies and let's subsidize it. Let's give them economic development money. Further, let's give it to the administration in Washington to sprinkle about to whom they think it should go to, rather than letting the States that are producing this coal have a fraction of the money that is being produced from their States. This is the Federal Government's mentality run amok.

This is something that Ronald Reagan talked about when he said: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

These people don't want subsidies. They want their jobs. They want their communities. They don't want subsidies from the Federal Government.

That said, the omnibus bill that we just passed last month had $90 million for economic development in areas that are losing jobs due to coal policies. For crying out loud, we have lost our minds.

I urge you to oppose the Cartwright amendment.

Mr. ZINKE. I yield back the balance of my time.

Mr. CARTWRIGHT. Mr. Chair, with all due respect—and I do have ample respect for my colleague from Wyoming—I will say this: Taxing it is not the issue here. Regulating it is not the issue here. Subsidizing it is not the issue here. We are talking about money that has already been allocated. In fact, Wyoming itself is slated to get $53.8 million. The point here is that this is money that is going to States that are already certified as having properly finished their mine reclamation.

The proposal of this amendment is to take that money—it is not new tax, it is not new regulation, it is not a new subsidy—it is just take that money and spread it out among the States that are still reclaiming their mines, including northeastern Pennsylvania and all of Pennsylvania. We are talking about taking it from the four States that have been certified by the Federal Government as having completed their mine reclamation and spreading it out among the States that have not done so completely at this point and continue to work on it.

Further, this is money that is not being taken from the tribes. I am not sure where that idea came from. It is money that is given to the States, not the tribes. Therefore, it makes sense to send it to the communities where the mines are still causing trouble and are still being reclaimed.

Mr. Chair, I urge a ''yes'' vote on the Cartwright amendment to H.R. 1644.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

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

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

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

□ 1600

AMENDMENT NO. 4 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–395.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, before the period insert ''or cause or significantly contribute to the development of negative chronic or long-term health conditions''.

The Acting CHAIR. Pursuant to House Resolution 583, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman.

Ms. SEWELL of Alabama. Mr. Chairman, my amendment is simple and straightforward. Moreover, I do not believe it conflicts with the intent of this legislation.

Alabama has a long and rich history of coal production that provides my constituents and Americans across the country with affordable and reliable energy as well as good-paying jobs.

As a representative of Alabama, I am a strong supporter of an all-of-the-above energy strategy. I support the development and use of renewable energy like wind and solar as well as the traditional sources of energy like coal. Coal is very important in my State.

However, I also believe that it is Congress' responsibility to ensure that energy is produced in a way that does not adversely impact the long-term safety or health of my constituents. That is why I have offered this amendment to H.R. 1644.

This amendment makes an important addition to the exception clause in section 2 of the bill. It simply ensures that rules will not be delayed if such a delay would cause or significantly contribute to the development of a negative, chronic, or long-term health condition.

We have an obligation as representatives of the people to ensure that regulations are not only sensible but also pragmatic. They must also not be threatened by the policies and regulations, those things that directly affect the public health. I believe all of my colleagues share this belief. I know that my Republican colleagues share my concern for public health.

The legislation already includes an exception clause that says a rule cannot be delayed if it would pose an imminent and severe threat to human life. I strongly support this clause, but it is not enough to simply protect the public from imminent and severe health effects.

Cancer and lung disease are illnesses that are chronic and often not developed except over years. We should also ensure that the public's long-term health and well-being is protected.

This is a commonsense amendment that will protect the public health. I urge all of my colleagues to vote for it.

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

Mr. LAMBORN. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. LAMBORN. Mr. Chairman, although this is a very well-intended amendment, the purpose of the section of the bill affected by this amendment is already to ensure that good science is used in the development of the rules by making the scientific products on which the rule is based publicly available for review and already provides for an emergency exemption if the delay in the publication of a rule during this public review will pose ''an imminent and severe threat to human life.'' An imminent and severe threat to human life, that is already addressed in the text of the bill. Mr. Chairman, I believe that this is unnecessary.

We also have protection under the existing Surface Mining Control and Reclamation Act, SMCRA. It is to ''establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations.''

The law and the proposed bill that is before us today already are designed to help protect human health and the environment. So although this is a well-intended amendment, it is unnecessary, given this background.

Mr. Chairman, I oppose the amendment.

I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Chairman, with all due respect, I think that the plain reading of the bill, the bill itself, talks about imminent and imminent threat. It doesn't necessarily deal with long-term effect.

My commonsense amendment would just make sure that any rules that actually affect public health that is chronic in nature and long term would also be covered with the exception.

I say to my colleagues on both sides of the aisle, I am from a pro-coal State, but I also think it is really important to be pro-public health. I ask my colleagues to vote ''yes'' on the Sewell amendment.

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

Mr. LAMBORN. Mr. Chairman, I yield back the balance of my time.

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

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

Ms. SEWELL of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Alabama 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 114–395 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. KILDEE of Michigan.

Amendment No. 3 by Mr. CARTWRIGHT of Pennsylvania.

Amendment No. 4 by Ms. SEWELL of Alabama.

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

AMENDMENT NO. 2 OFFERED BY MR. KILDEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. KILDEE) 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 189, noes 223, not voting 21, as follows:

[Roll No. 38]

AYES—189

Adams
Aguilar
Ashford
Bass
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huizenga (MI)
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—223

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Valadao
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—21

Beatty
DeLauro
Duncan (SC)
Huelskamp
Huffman
Hurd (TX)
Jackson Lee
Kennedy
Kind
Kuster
Larson (CT)
Palazzo
Ratcliffe
Schrader
Serrano
Smith (NJ)
Smith (WA)
Stivers
Stutzman
Westmoreland
Williams

□ 1628

Messrs. ROGERS of Alabama, LATTA, Mrs. MCMORRIS RODGERS, Mr. MCCLINTOCK, Ms. HERRERA BEUTLER, Messrs. MASSIE and WITTMAN changed their vote from ''aye'' to ''no.''

Messrs. TROTT, GUTIÉRREZ, and HUIZENGA of Michigan changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HURD of Texas. Mr. Chair, on rollcall No. 38, I was unavoidably detained. Had I been present, I would have voted "nay."

AMENDMENT NO. 3 OFFERED BY MR. CARTWRIGHT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 203, noes 219, not voting 11, as follows:

[Roll No. 39]

AYES—203

Adams
Aguilar
Ashford
Barletta
Barr
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Harris
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roe (TN)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—219

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barton
Bass
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Guinta
Guthrie
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Duncan (SC)
Granger
Grothman
Kennedy
Kind
Kuster
Palazzo
Roskam
Smith (WA)
Westmoreland
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1633

Messrs. DOLD and GALLEGO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 40]

AYES—190

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Ashford
Duncan (SC)
Kennedy
Kind
Palazzo
Smith (WA)
Westmoreland
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1636

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes, and, pursuant to House Resolution 583, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

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

Mr. KILDEE. I am opposed.

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

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 1644 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Page 5, strike line 3 and insert ''either an imminent or long-term threat to human life or increase the incidence or prevalence of lung cancer, heart or kidney disease, birth defects, or heavy metal contamination in communities in the vicinities of mountaintop removal coal mining projects.''.

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

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

The bill is yet another attempt to delay the issuance of new and updated regulations to protect our streams, our rivers, and our communities from mountaintop coal mining. These safeguards are important for protecting the health and safety of the drinking water in communities and of children living near mountaintop removal coal mining.

Mr. Speaker, my motion would prevent the stream protection rule from being delayed if there is an increase in the incidence or prevalence of lung cancer, heart or kidney disease, birth defects, or heavy metal contamination in these communities.

We cannot allow the underlying bill to further delay important protections of public health. I know, firsthand, what happens when protections are not strong enough to prevent heavy metals, mainly lead, from contaminating drinking water. I have seen thousands of kids in my hometown of Flint, Michigan, poisoned by lead-contaminated water.

Let me repeat: Today, in the 21st century, thousands of children being poisoned by lead in their drinking water due to the lack of effective enforcement.

For 14 months, in my hometown of Flint, children, citizens have been exposed to drinking water with very high levels of lead. These kids, especially, will face consequences.

This is not a problem without victims. Children will face cognitive difficulties, developmental problems, behavioral issues, all because in Michigan our Governor appointed an emergency financial manager to take over the city of Flint, and without any concern for health or the welfare of the people who live there, simply to save a few dollars, switched the city of Flint, not by the city itself, but the State of Michigan switched the city of Flint from Lake Huron to the Flint River as its primary drinking water source.

That highly corrosive river water led to lead leaching into the water system and, for 14 months, going into the bodies of people in my hometown, into children, all because of ineffective, lackluster enforcement of protections built into the law.

□ 1645

These kids in my hometown have a right to expect that the water coming through the faucet is safe for them to drink, and the Department of Environmental Quality in Michigan was warned—warned—by the EPA, warned by a researcher from Virginia Tech who came to Flint to study the water, and warned by a local pediatrician who saw elevated lead levels in the children's blood in Flint, Michigan.

What was the State's response? To try to discredit those claims that there were elevated lead levels, to actually—believe it or not—tell the people of the city of Flint that those researchers are wrong and they should just relax. That is what they were told. Relax.

This is the 21st century. We ought to have in place adequate protections to

make sure that drinking water is safe. What has been the response, even now in my own hometown in the State of Michigan? There have been some news conferences, but from July, when the State was first made aware of this, until today, the State has yet to step in to even supply bottled water, relying on the generosity of corporations, of labor unions, and of citizens, neighbors helping neighbors.

Unfortunately, I think they see this more as a public relations problem than as a public health emergency. This is what happens when we don't recognize the importance of regulation to protect public health. This is what happens when we weaken protections for drinking water for our environment and for our land.

Is this really what we want to do? Or don't we have an obligation to do everything in our power to protect the people back home, to protect children from this terrible, terrible kind of contamination?

The steps that we are taking today that are on the floor of the House will simply be one more step to weaken those sorts of protections. My motion to recommit would correct that.

Mr. Speaker, I ask all my colleagues to please join me. Protect our people, protect our land, and protect our kids. Join me in supporting this motion.

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

Mr. LAMBORN. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. LAMBORN. Mr. Speaker, I urge us to reject this motion. It is only going to delay passage of this excellent piece of legislation. We just rejected a very similar amendment moments ago, and that was a substantive amendment. This is a procedural—not even a substantive—amendment.

The bill does three great things, and that is why we need to pass the bill. It promotes transparency and scientific integrity. It requires an independent third-party review of the proposed OSM, Office of Surface Mining Bureau, rule. And it prevents OSM from regulatory overreach. So for those three important reasons, we should pass this bill.

When it comes to health in particular, let me read a sentence from the text of the bill: ''This subsection shall not apply if a delay in the publication of a rule will pose an imminent and severe threat to human life.''

So we do already address health. It is covered in the bill.

Mr. Speaker, I urge a rejection of the motion to recommit and the passage of H.R. 1644.

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. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 757.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 10, as follows:

[Roll No. 41]

AYES—186

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Duncan (SC)
Fitzpatrick
Kennedy
Kind
Palazzo
Rogers (AL)
Rogers (KY)
Smith (WA)
Westmoreland
Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1653

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. LOWENTHAL. 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 235, noes 188, not voting 10, as follows:

[Roll No. 42]

AYES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—188

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—10

Cárdenas
Cleaver
Duncan (SC)
Kennedy
Kind
Palazzo
Smith (WA)
Westmoreland
Williams
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1659

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTH KOREA SANCTIONS ENFORCEMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 2, not voting 13, as follows:

[Roll No. 43]

YEAS—418

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul