

**From:** Gustavson, Angela  
**To:** [Angela Gustavson](#)  
**Subject:** Congressional Affairs Update  
**Date:** Friday, May 19, 2017 2:50:51 PM  
**Attachments:** [5.19.17.docx](#)

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Good afternoon,

The Congressional Affairs Update for this week is attached. There were a number of hearings of interest to the Service this week, including a hearing in the Senate Committee on Energy and Natural Resources to consider the nomination of David Bernhardt to be Deputy Secretary of the Interior.

Angela

Angela Gustavson  
Deputy Chief  
Division of Congressional and Legislative Affairs  
U.S. Fish and Wildlife Service  
Office: 703-358-2253  
Mobile: 202-909-5105  
[angela\\_gustavson@fws.gov](mailto:angela_gustavson@fws.gov)

## CONGRESSIONAL AFFAIRS UPDATE

### *Division of Congressional and Legislative Affairs U.S. Fish and Wildlife Service*

May 19, 2017

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#### 2017 Congressional Recess Schedule

Senate	Holidays & Special Days	House
May 29 – Jun. 2	<b>Memorial Day</b> May 29	May 26 – Jun. 2
Jul. 3 – Jul. 7	<b>Independence Day</b> Jul. 4	Jul. 3 – Jul. 7
Aug. 1 – Sep. 1		Aug. 1 – Sep. 1
Sep. 4	<b>Labor Day</b> Sep. 4	Sep. 4
Sep. 21 – Sep. 22		Sep. 15 – Sep. 22
Oct. 9 – Oct. 13	<b>Columbus Day</b> Oct. 9	Oct. 9
		Oct. 16 – Oct. 20
Nov. 10	<b>Veterans Day</b> Nov. 10 (Observed)	Nov. 10
Nov. 20 – Nov. 24	<b>Thanksgiving Day</b> Nov. 23	Nov. 20 – Nov. 24
Dec. 18 – Dec. 29	<b>Christmas Day</b> Dec. 25	Dec. 18 – Dec. 29

#### HEARINGS AND MARKUPS OF INTEREST

##### **Senate Committee Considers David Bernhardt for Deputy Secretary of the Interior**

On Thursday, May 18, the Senate Committee on Energy and Natural Resources held a hearing to consider the nomination of David Bernhardt to be Deputy Secretary of the Interior. Committee members spoke to many issues of interest to the Service, including:

- **Chairman Lisa Murkowski (R-AK)** asked how President Trump's Department of the Interior will work with the state of Alaska in its management and decision-making; she discussed the importance of consultation with tribes and Alaska natives.
- **Ranking Member Maria Cantwell (D-WA)** and several other members of the committee asked about scientific integrity and ethics issues within the Department of the Interior.
- **Senator Joe Manchin (D-WV)** discussed Canaan Valley National Wildlife Refuge.
- **Senator Al Franken (D-MN)** asked Mr. Bernhardt his perspectives on climate change.
- **Senator John Barrasso (R-WY)** discussed how over-regulation impacts the balance between protecting the environment and developing energy resources.
- **Senator Steve Daines (R-MT)** asked about balancing public access and recreation with other land management mandates.

- **Senator Angus King (I-ME)** asked about the President’s authority to remove the designation of a national monument under Antiquities Act.

For more information, please visit: <https://www.energy.senate.gov/public/index.cfm/hearings-and-business-meetings?ID=A0C4A4F3-85C4-4D77-A31D-16F0CD8F9BAE>

### **House Committee Discusses Wildlife Conservation and Trafficking in Africa**

On Thursday, May 18, the House Foreign Affairs Committee held a hearing titled “U.S. Interests in Africa.” Committee members spoke to many issues of interest to the Service, including:

- **Chairman Ed Royce (R-CA-39)** and **Ranking Member Eliot Engel (D-NY-16)** discussed the role of criminal networks and terrorist groups in wildlife trafficking, and passage of the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act,
- **Chairman Royce** asked about the provision in the END Wildlife Trafficking Act requiring the identification of countries of concern and asked which countries should be included on that list. He mentioned China’s commitment to close their domestic ivory markets and the impact that has had on global demand for ivory. He also discussed the impact of wildlife trafficking on elephant and rhino populations.
- **Africa Subcommittee Ranking Member Karen Bass (D-CA-37)** and **Rep. McCaul (R-TX-10)** asked about implementation of the END Wildlife Trafficking Act and what more the U.S. could do.
- **Rep. Dana Rohrabacher (R-48-CA)** discussed the role of the financial institutions in wildlife trafficking.

For more information, please visit: <https://foreignaffairs.house.gov/hearing/hearing-u-s-interests-africa/>

### **Senate Committee Approves Ocean Conservation Bills**

On Thursday, May 18, the Senate Committee on Commerce, Science, and Transportation held an executive session to markup six bills. The committee reported out all six bills, with amendments, by voice vote en bloc, including:

- **S. 1057:** A bill to amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to address harmful algal blooms; with amendments from Senators Wicker (R-MS) and Baldwin (D-WI).
- **S. 793:** Shark Fin Trade Elimination Act of 2017; with amendments from Senators Cruz (R-TX) and Markey (D-MA).

The bills next go to the full Senate for consideration.

For more information, please

visit: <https://www.commerce.senate.gov/public/index.cfm/hearings?ID=10A43581-9AAF-4A89-87C5-AC2E5C1C12B3>

### **Senate Committee Approves Regulatory Oversight Bills**

On Wednesday, May 17, the Senate Committee on Homeland Security and Governmental Affairs held a full-committee business meeting to markup a number of regulatory oversight bills. The committee reported out six bills by roll call vote and 12 bills by voice vote en bloc. The bills

next go to the full Senate for consideration. Bills of interest to the Service include:

- **S. 951**, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and for other purposes.
- **S. 21**, a bill to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law
- **S. 579**, a bill to require agencies to publish an advance notice of proposed rule-making for major rules.
- **S. 760**, a bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes.
- **S. 1088**, a bill to require the collection of voluntary feedback on services provided by agencies, and for other purposes.

Committee members spoke to many issues of interest to the Service, including:

- **Chairman Ron Johnson (R-WI)** stated that the greatest threat to economic growth is over-regulation. He emphasized the importance of certainty and consistency in regulations and the regulatory process for business decisions.
- **Ranking Member Claire McCaskill (D-MO)** discussed that bills aiming to combine actions of Congressional disapproval on large sets of regulations into one vote do not foster individual consideration of regulations on their merit but rather push members to vote on party lines. She also expressed concerns that S. 951, the Regulatory Accountability Act, would lead to more litigation on regulations, longer regulatory processes, and more uncertainty for private citizens and businesses.
- **Senator Rob Portman (R-OH)** stated that S. 951 would be the first update to the Administrative Procedures Act in 70 years, would make regulations more cost-effective, and would make the regulatory process more accountable to the public.
- **Senator Rand Paul (R-KY)** discussed S. 21, the Regulations in Need of Scrutiny (REINS) Act, stating that the founders intended for actions that affect our economy to originate in Congress and suggesting that Congress should approve major regulations before they take effect.

For more information, please visit: <https://www.hsgac.senate.gov/hearings/business-meeting-05/17/2017>

### **House Subcommittee Discusses Rigs to Reefs Program**

On Wednesday, May 17, the House Natural Resources Subcommittee on Energy and Mineral Resources held an oversight hearing titled, "Reviewing Recent State Successes with the Rigs to Reefs Program." Committee members spoke to many issues of interest to the Service, including:

- **Rep. Garret Graves (R-LA-6)** asked about the success of the program. He focused his questions on red snapper, noting that artificial reefs would improve fisheries and how access is critical to Gulf residents.
- **Ranking Member Alan Lowenthal (D-CA-47)** asked how the program may increase the easing of corporate responsibility to remedy oil rig infrastructure, and stated that he believes the National Ocean Council should be included within the program.
- **Rep. Nanette Barragan (D-CA-44)** asked about invasive species and how the program

impacts their spread.

- **Rep. Jared Huffman (D-CA-2)** discussed that there are conflicting scientific views on the efficacy of the rigs to reef program. He wanted to ensure that safeguards remain in place and stated that oil companies need to provide monitoring of the structures.

For more information, please

visit: <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=401935>

### **House Subcommittee Discusses Forest Management**

On Wednesday, May 17, the House Natural Resources Subcommittee on Federal Lands held an oversight hearing titled, “Seeking Better Management of America’s Overgrown, Fire-Prone National Forests.” Committee members spoke to many issues of interest to the Service, including:

- **Chairman Tom McClintock (R-CA-4)** and **Full Committee Chairman Rob Bishop (R-UT-1)** asked about the potential for forests to become sources of carbon emissions if they are not thinned and become susceptible to wildfire.
- **Rep. Glenn Thompson (R-PA-5)** asked about the role of categorical exclusions in promoting public-private collaboration and the effects this has on forestry industries.

For more information, please

visit: <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=401933>

### **Senate Subcommittee Considers Infrastructure Funding**

On Tuesday, May 16, the Senate Environment and Public Works Subcommittee on Transportation and Infrastructure held an oversight hearing titled, “Leveraging Federal Funding: Innovative Solutions for Infrastructure.” Committee members spoke to many issues of interest to the Service, including:

- **Chairman James Inhofe (R-OK)** discussed using both non-federal and federal money to finance any large infrastructure initiative.
- **Full Committee Ranking Member Tom Carper (D-DE)** discussed the value of public-private partnerships for infrastructure projects but emphasized that funding from private entities cannot take the place of money from the government.
- **Senator Ben Cardin (D-MD)** discussed the importance of investing in the maintenance of infrastructure.

For more information, please

visit: <https://www.epw.senate.gov/public/index.cfm/hearings?ID=57DBDF27-E26E-4D8E-A13E-5CA76DCDEF31>

### **House Subcommittee Discusses Water Bills**

On Thursday, May 18, the House Natural Resources Subcommittee on Water, Power and Oceans held a legislative hearing on H.R. 2371 and the Water Rights Protection Act Discussion Draft, which would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.

For more information, please

visit: <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=401939>.

## UPCOMING HEARINGS

### **House Subcommittee to Hold Hearing on Federal Natural Resources Laws**

On Wednesday, May 24, the House Natural Resources Subcommittee on Oversight and Investigations will hold an oversight hearing titled, “Examining Impacts of Federal Natural Resources Laws Gone Astray.” The hearing is scheduled for 9:00 a.m. in 1324 Longworth House Office Building.

For more information, please

visit: <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=401974>

### **House Subcommittee to Discuss Federal Lands Bills**

On Tuesday, May 23, the House Natural Resources Subcommittee on Federal Lands will hold a legislative hearing on four public lands bills including H.R. 2423, which would require the Bureau of Land Management to approve a northern transportation route through the Red Cliffs Conservation Area, which has designated critical habitat for the desert tortoise. The hearing is scheduled for 10:00 a.m. in 1324 Longworth House Office Building.

For more information, please

visit: <http://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=401967>

### **Senate Subcommittee to Discuss the Southern Border**

On Tuesday, May 23, the Senate Judiciary Subcommittee on Border Security and Immigration will hold an oversight hearing titled, “Building America’s Trust Through Border Security: Progress on the Southern Border.” The hearing is scheduled for 2:30 p.m. in 226 Dirksen Senate Office Building.

For more information, please visit: <https://www.judiciary.senate.gov/meetings/building-americas-trust-through-border-security-progress-on-the-southern-border>

## INTRODUCED LEGISLATION OF INTEREST

**S.1181 —A bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes.**

Sponsor: Sen. Heller, Dean [R-NV] (Introduced 05/18/2017) Cosponsors: (1)

Committees: Senate - Energy and Natural Resources

Latest Action: 05/18/2017 Read twice and referred to the Committee on Energy and Natural Resources.

**S.1142 — A bill to extend the deadline for commencement of construction of certain**

**hydroelectric projects.**

Sponsor: Sen. Cassidy, Bill [R-LA] (Introduced 05/16/2017) Cosponsors: (0)

Committees: Senate - Energy and Natural Resources

Latest Action: 05/16/2017 Read twice and referred to the Committee on Energy and Natural Resources.

**S.1140 — A bill to repeal the Congressional Review Act, and for other purposes.**

Sponsor: Sen. Booker, Cory A. [D-NJ] (Introduced 05/16/2017) Cosponsors: (1)

Committees: Senate - Homeland Security and Governmental Affairs

Latest Action: 05/16/2017 Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

**S.1128 — A bill to expand the Staffing for Adequate Fire and Emergency Response grant program to include grants for the support of changing the status of part-time or paid on call firefighters to full-time firefighters, and for other purposes.**

Sponsor: Sen. Peters, Gary C. [D-MI] (Introduced 05/16/2017) Cosponsors: (1)

Committees: Senate - Homeland Security and Governmental Affairs

Latest Action: 05/16/2017 Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

**H.R.2540 — To amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes.**

Sponsor: Rep. Norton, Eleanor Holmes [D-DC-At Large] (Introduced 05/18/2017) Cosponsors: (0)

Committees: House - Natural Resources

Latest Action: 05/18/2017 Referred to the House Committee on Natural Resources.

**H.R.2479 — To rebuild and modernize the Nation's infrastructure to expand access to broadband internet, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen healthcare infrastructure, create jobs, protect public health and the environment, and for other purposes.**

Sponsor: Rep. Pallone, Frank, Jr. [D-NJ-6] (Introduced 05/17/2017) Cosponsors: (22)

Committees: House - Energy and Commerce, Science, Space, and Technology, Transportation and Infrastructure, Ways and Means, Natural Resources

Latest Action: 05/17/2017 Referred to House Natural Resources

**H.R.2504 — To ensure fair treatment in licensing requirements for the export of certain echinoderms.**

Sponsor: Rep. Pingree, Chellie [D-ME-1] (Introduced 05/17/2017) Cosponsors: (1)

Committees: House - Natural Resources, Foreign Affairs

Latest Action: 05/17/2017 Referred to House Foreign Affairs

**H.R.2463 — To prohibit the sale of shark parts, and for other purposes.**

Sponsor: Rep. Lieu, Ted [D-CA-33] (Introduced 05/16/2017) Cosponsors: (0)  
Committees: House - Natural Resources  
Latest Action: 05/16/2017 Referred to the House Committee on Natural Resources

**H.R.2457 — To extend the deadline for commencement of construction of certain hydroelectric projects.**

Sponsor: Rep. Johnson, Mike [R-LA-4] (Introduced 05/16/2017) Cosponsors: (0)  
Committees: House - Energy and Commerce  
Latest Action: 05/16/2017 Referred to the House Committee on Energy and Commerce.

**H.R.2449 — To repeal the Congressional Review Act, and for other purposes.**

Sponsor: Rep. Cicilline, David N. [D-RI-1] (Introduced 05/16/2017) Cosponsors: (1)  
Committees: House - Judiciary, Rules  
Latest Action: 05/16/2017 Referred to House Rules

**H.R.2437 — To protect law enforcement officers, and for other purposes.**

Sponsor: Rep. Poe, Ted [R-TX-2] (Introduced 05/16/2017) Cosponsors: (5)  
Committees: House - Judiciary  
Latest Action: 05/16/2017 Referred to the House Committee on the Judiciary.

**H.R.2425 — To support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture through the retention and use of rental fees associated with such sites, and for other purposes.**

Sponsor: Rep. Huffman, Jared [D-CA-2] (Introduced 05/16/2017) Cosponsors: (0)  
Committees: House - Natural Resources, Agriculture  
Latest Action: 05/16/2017 Referred to House Agriculture

**H.R.2424 — To require the Secretary of the Interior to issue new resource management plans applicable to the Beaver Dam Wash National Conservation Area and the Red Cliffs National Conservation Area and a new amendment to the St. George Field Office Resource Management Plan, and for other purposes.**

Sponsor: Rep. Stewart, Chris [R-UT-2] (Introduced 05/16/2017) Cosponsors: (0)  
Committees: House - Natural Resources  
Latest Action: 05/16/2017 Referred to the House Committee on Natural Resources.

**H.R.2423 — To implement certain measures relating to management of Washington County, Utah, required by Public Law 111-11.**

Sponsor: Rep. Stewart, Chris [R-UT-2] (Introduced 05/16/2017) Cosponsors: (0)  
Committees: House - Natural Resources  
Latest Action: 05/16/2017 Referred to the House Committee on Natural Resources

**H.Res.330 — Authorizing and directing certain authorizing committees to review laws within their jurisdiction and submit to the Committee on Oversight and Government**



**Reform changes in such laws necessary to eliminate excessive Executive Branch discretion in the application of those laws.**

Sponsor: Rep. Davidson, Warren [R-OH-8] (Introduced 05/17/2017) Cosponsors: (0)

Committees: House - Rules

Latest Action: 05/17/2017 Referred to the House Committee on Rules.