

**FLOOR SCHEDULE FOR TUESDAY, MAY 24, 2016**

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>10:00 a.m.: Morning Hour</b> <b>12:00 p.m.: Legislative Business</b>  <b>Fifteen "One Minutes"</b>	<b>2:30 – 3:30 p.m.</b>	<b>5:30 – 6:30 p.m.</b>

**\*\*\*MEMBERS ARE ADVISED THAT CLOSE VOTES ARE POSSIBLE THIS WEEK. ANY EXPECTED ABSENCES SHOULD BE REPORTED TO THE WHIP’S OFFICE AT x5-3130.**

**H.Res. 742 – Rule providing for consideration of H.R. 897 – “Pesticide Trojan Horse Bill” (Rep. Gibbs – Transportation and Infrastructure) and the House Amendment to Senate Amendment to H.R. 2576 – TSCA Modernization Act of 2015 (Rep. Shimkus – Energy and Commerce) (One hour of debate).** The Rules Committee has recommended one Rule which would provide for consideration of two bills.

For H.R. 897, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Transportation and Infrastructure. The Rule allows one motion to recommit and waives all points of order against the legislation.

For the House Amendment to Senate Amendment to H.R. 2576, the Rules Committee has recommended a closed Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule waives all points of order against the motion.

The Rules Committee rejected a motion by Ms. Slaughter of New York to consider H.R. 897 under an open rule and provide an open process for consideration of the Senate amendment to H.R. 2576. **Members are urged to VOTE NO.**

**H.Res. 743 – Rule providing for consideration of H.R. 5055 – Energy and Water Development and Related Agencies Appropriations Act, 2017 (Rep. Simpson – Appropriations) (One hour of debate).** The Rules committee has recommended a modified open Rule that allows any amendments that comply with House Rules to be considered. The Rule provides for one hour of general debate for each bill equally divided between the Chair and Ranking Member of the Committee on Appropriations. The Rule allows any Member to submit an amendment that complies with the House Rules, but gives priority in recognition to those amendments pre-printed in the Congressional Record. The Rule provides for 10 minutes of debate per amendment equally divided and controlled between the proponent and an opponent, and provides up to 10 pro forma amendments for the purpose of debate offered by the Chair and Ranking Member or their designee and one motion to recommit with or without instructions.

The Rules Committee rejected a motion by Mr. McGovern of Massachusetts to consider H.R. 5055 under an open Rule. **Members are urged to VOTE NO.**

**House Amendment to Senate Amendment H.R. 2576 – TSCA Modernization Act of 2015 (Rep. Shimkus – Energy and Commerce) (One hour of debate).** The House Amendment makes necessary improvements to the Toxic Substances Control Act to improve the regulation and testing of chemicals in the United States. The bipartisan bill will help the Environmental Protection Agency (EPA) protect the American people from harmful existing and new chemical substances and help to safeguard the environment. The House Amendment would: (1) require the EPA to evaluate new and existing chemicals against a new risk-based safety standard that includes explicit considerations for vulnerable populations, such as children, pregnant women and the elderly; (2) empower the EPA to require the development of chemical information necessary to support new regulations and requirements for their use; (3) establish clear and enforceable deadlines that help to ensure a review of prioritized chemicals and timely action on any risks; (4) increase the public transparency of chemical information by limiting unwarranted claims of industry confidentiality which would allow necessary sharing of confidential information with States and health environmental professionals; and (5) authorize the collection of additional fees from industry to fund the EPA to carry out its additional requirements and responsibilities.

**[H.R. 897](#) – “Pesticide Trojan Horse Bill” (Rep. Gibbs – Transportation and Infrastructure) (One hour of debate).** This bill is the same bill that failed in the House last week when it was voted on under suspension of the Rules. That vote can be found [here](#).

The underlying legislation would not help to contain the spread of Zika virus in any way; instead the bill would exempt pesticide spraying near bodies of water from regulation under an existing EPA general Clean Water Act permit through September 30, 2018. Nearly 2000 U.S. waterways are contaminated with pesticides, and H.R. 897 would worsen the problem. The existing Clean Water Act permit in no way hinders, delays, or prevents the use of approved pesticides for mosquito control in emergency situations. In fact, the permit provides a specific emergency provision to prevent outbreaks of disease, such as the Zika virus. Under the terms of the permit, pesticide applicators are covered automatically under the permit, and any spraying may be performed immediately for any declared pest emergency situations.

H.R. 897 is nearly identical to [H.R. 935](#) – Reducing Regulatory Burdens Act of 2014 which failed in the House under suspension of the Rules on July 28, 2014. That vote can be found [here](#). House Republicans then put the bill back on the Floor under a Rule on July 31, 2014 and it received even fewer Democratic votes. That vote can be found [here](#).

Instead of trying to deceive the American people by appearing to address the Zika virus while only hurting the environment, House Republicans should take action to provide sufficient emergency supplemental funding to combat the Zika virus and work with Democrats to keep Americans healthy and safe.

**Bill Text for H.R. 897:**

[PDF Version](#)

**Begin Consideration of [H.R. 5055](#) – Energy and Water Appropriations Act, 2017 (Rep. Simpson – Appropriations) (One hour of debate).** H.R. 5055 appropriates \$37.44 billion in discretionary budget authority for the Department of Energy, the U.S. Army Corps of Engineers, and other agencies funded in the bill for FY 2017. It is \$259 million above FY 2016 levels and \$168 million above the President’s request. However, it appropriates \$93 million below the bill passed by the Senate last week. Because the Republican majority was unable to bring a budget to the Floor to guide the appropriations process, the House Appropriations Committee has not released a full list of funding allocations for each appropriations bill, making it impossible to compare this bill to all other appropriations bills in the context of the budget caps.

The Department of Energy’s Renewable Energy and Energy Efficiency office is cut \$248 million below FY 2016 and \$1.07 billion below the President’s request. The bill also includes numerous controversial policy riders that: (1) prohibit any rulemaking to clarify federal jurisdiction under the Clean Water Act; (2) prohibit any changes to the definition of “fill material” and “discharge of fill material” for the purposes of the Clean Water Act; (3) restrict the application of the Clean Water Act in certain agricultural areas, including farm ponds and irrigation ditches; (4) allow guns to be carried on all Corps of Engineers lands; and (5) prohibit new nuclear nonproliferation projects in Russia.

**Bill Text for H.R. 5055:**

[PDF Version](#)

**Background for H.R. 5055:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

**Postponed Vote (1 vote)**

1. [H.R. 5077](#) – The Intelligence Authorization Act for Fiscal Year 2017 (Rep. Nunes – Intelligence)

**TOMORROW’S OUTLOOK**

The GOP Leadership has announced the following schedule for Wednesday, May 25: The House will meet at 12:00 p.m. for legislative business. The House is expected to consider [H.R. 5233](#) – Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016 (Rep. Meadows – Oversight and Government Reform) (Subject to a Rule). The House is also expected to consider the House Amendment to [S. 2012](#) – Energy Policy Modernization Act of 2016 (Sen. Murkowski – Energy and Commerce) (Subject to a Rule). Lastly, the House is expected to continue consideration of H.R. 5055 – Energy and Water Development and Related Agencies Appropriations Act, 2017 (Rep. Simpson – Appropriations).



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# THE DAILY WHIP

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## The Daily Quote

"The House and Senate have both passed funding to combat the Zika virus, but there appears to be little chance Republicans will reach a deal before the Memorial Day recess... The bills passed by the House and Senate last week are vastly different in terms of size, timeline and offsets. One is broadly bipartisan; the other is facing a veto threat from the White House... Pressure for action is mounting. With spring turning to summer, mosquitoes will be hatching at a rapid rate, likely accelerating the spread of Zika. Nearly 300 pregnant women in the U.S. have been diagnosed with the virus already, putting their babies at risk of severe birth defects. Rep. Vern Buchanan (R-Fla.), a rare Republican who supports the White House's funding request, said he plans to press the Zika issue with leadership as soon as the House returns on Monday evening. 'I'm going to be pushing them aggressively this week. We need quick action, and we need the dollars,' he said in an interview Monday. He said he's hopeful that the House GOP will ultimately approve funding levels 'much closer' to the \$1.9 billion he's advocated."

- The Hill, 5/24/2016