

House Natural Resources Committee
Sub-Committee on Water, Oceans and Wildlife
Opening Statement of Ranking Member Tom McClintock
June 25, 2020

Mr. Chairman:

I want to begin by once again protesting the irregular process by which the committee continues to operate. A modified zoom call is no substitute for the deliberative process of coming together and meeting which the Congress is designed and intended to do. I am gratified that a few more members of the committee are actually showing up for work, but the product of that work is not to be taken seriously until we return to the regular order of the House.

Today, the sub-committee “sort-of” meets to consider several bills concerning water and wildlife conservation.

The simplest are HR 2871 by Mr. Fulcher and HR 3937 by Mr. Newhouse. Mr. Fulcher’s bill allows for his state of Idaho and others throughout the west to use existing Bureau of Reclamation facilities and infrastructure to recharge underground aquifers. This bill protects surface water storage by specifically authorizing the use of “excess capacity” for diversion to aquifer storage in BOR-owned conveyance facilities. Sadly, the author specifically excludes California from this new authority to save himself the headache of dealing with California water officials. Hopefully his legislation will offer yet another contrast between rational water policy and that of California.

Mr. Newhouse’s bill simply renames a powerplant at one of our nation’s greatest treasures, Grand Coulee Dam, after Nathaniel “Nat” Washington, who was instrumental in the construction of the dam.

H.R. 2492, by Mr. Gianforte, seeks to change the financing system to expedite improvements for a water system in his state. This legislation would change the allocation of cost for operation, maintenance, repair and replacement of the Milk River Project by requiring the federal government to pay 75 percent of all associated costs of the project. The entire Reclamation system was built on the fundamental principle that the beneficiaries of a water project should pay for that water project. This principle protects taxpayers from having to bear the costs of projects from which they receive no benefits and assures that only those projects

that are cost-effective can proceed. It is my hope the author will address this concern before proceeding to the full committee.

HR 6761, by Mr. Grijalva, establishes a grant program to assist states in eradicating the so-called *Murder Hornet*. This is an invasive species that attacks honeybee populations and merits federal concern and intervention. However, it does raise the question of why numerous other federal programs to combat invasive species have been ineffective in this case. We already have the National Invasive Species Council which in 2017 reported spending nearly \$2 billion in taxpayer funds across nine federal agencies to combat exactly the kind of infestations addressed by this bill.¹ If these bureaucracies are not doing the job for which they were tasked, we should consider reforming or eliminating them before setting up yet another bureaucracy to do the same thing.

The remaining bills are well-intentioned measures that I am concerned make the problems they seek to address worse and not better.

HR 1776 by Mr. Blumenauer is a perennial for this committee that would deny USDA licensed and regulated zoos and animal recovery preserves the ability to access certain animals under the Lacey Act. These facilities are required to obtain a Class C Exhibitors License issued by the U.S. Department of Agriculture under the Animal Welfare Act, and must abide by AWA rules governing the housing, care and feeding of their animals enforced through inspections by the Animal Plant Health Inspection Service Animal Care division. To the animal rights groups, this isn't enough, and they seek to deny these zoos access to certain animals entirely, stopping their good work.

Finally, H.R. 2264 by Mr. Lieu seeks to protect bear populations by banning the legal trade in bear viscera – a product in high demand in certain cultures. The goal is laudable, but unfortunately runs afoul of the law of unintended consequences. The taking of bears for this purpose is highly regulated to assure that bear populations are not ravaged by demand for this product. Banning the supply will not ban the demand, which assures the trade will be forced into an underground market where there is no regulation and no accountability. We debated this problem at great length during the discussion of the co-called “Cecil Bill” and the principles have not changed.

¹ https://www.doi.gov/sites/doi.gov/files/uploads/crosscut_25january2018.pdf