non-profits on the ground in Haiti. With assistance of area churches, businesses, local community leaders and nonprofit organizations, we transported seven 53-foot tractor-trailers filled with supplies with nearly $50,000 it food, water and other items from the Jacksonville and Orlando areas to Haiti's shores, and had the Coast Guard's assistance in their delivery to Food for the Poor, a non-profit group operating in Port-au-Pays, on the north side of the island.

As a key Member of the House Transportation Committee and Chair of the Railroad subcommittee, I will continue to work hard on Capitol Hill to find ways in which the House Committee on Transportation and Infrastructure can provide technical assistance to the nation; in particular, in the area of rebuilding the ports, roads and general infrastructure system throughout the island. Indeed, getting the ports up and running, including improving customs procedures, is an essential element in the nation's struggle to turn the corner and prosper economically. If successfully carried out, this advancement would be a key component in the nation's efforts to successfully recover and prosper in the future, and improve the standard of living for the proud, hard-working people of the island nation Haiti.

Ms. WILSON of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I also have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1016, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1229.

□ 1734

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 further consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the amendment printed in the bill is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1229

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 ''Putting the Gulf of Mexico Back to Work Act''.

TITLE I—AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT

SEC. 101. AMENDMENT TO OUTER CONTINENTAL SHELF LANDS ACT.

(a) AMENDMENT.—Section 11(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1340(d)) is amended to read as follows:

''(d) DRILLING PERMITS.—

''(1) IN GENERAL.—The Secretary shall by regulation require that any lessee operating under an approved exploration plan—

''(A) must obtain a permit before drilling any well in accordance with such plan; and

''(B) must obtain a new permit before drilling any well of a design that is significantly different than the design for which an existing permit was issued.

''(2) SAFETY REVIEW REQUIRED.—The Secretary shall not issue a permit under paragraph (1) without ensuring that the proposed drilling operations meet all—

''(A) critical safety system requirements, including blowout prevention; and

''(B) oil spill response and containment requirements.

''(3) TIMELINE.—

''(A) The Secretary shall decide whether to issue a permit under paragraph (1) within 30 days after receiving an application for the permit. The Secretary may extend such period for up to two periods of 15 days each, if the Secretary has given written notice of the delay to the applicant. The notice shall be in the form of a letter from the Secretary or a designee of the Secretary, and shall include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

''(B) If the application is denied, the Secretary shall provide the applicant—

''(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies, and

''(ii) an opportunity to remedy any deficiencies.

''(C) If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved.''.

(b) DEADLINE FOR CERTAIN PERMIT APPLICATIONS UNDER EXISTING LEASES.—

(1) IN GENERAL.—Notwithstanding the amendment made by subsection (a), a lease under which a covered application is submitted to the Secretary of the Interior shall be considered to be in directed suspension during the period beginning May 27, 2010, and ending on the date the Secretary issues a final decision on the application, if the Secretary does not issue a final decision on the application—

(A) before the end of the 30-day period beginning on the date of enactment of this Act, in the case of a covered application submitted before such date of enactment; or

(B) before the end of the 30-day period beginning on the date the application is received by the Secretary, in the case of a covered application submitted on or after such date of enactment.

(2) COVERED APPLICATION.—In this subsection the term ''covered application'' means an application for a permit to drill under an oil and gas lease under the Outer Continental Shelf Lands Act in effect on the date of enactment of this Act, that—

(A) represents a resubmission of an approved permit to drill (including an application for a permit to sidetrack) that was approved by the Secretary before May 27, 2010; and

(B) is received by the Secretary after October 12, 2010, and before the end of the 30-day period beginning on the date of enactment of this Act.

SEC. 102. EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.

(a) DEFINITION OF COVERED LEASE.—In this section, the term ''covered lease'' means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that—

(1)(A) was not producing as of April 30, 2010; or

(B) was suspended from operations, permit processing, or consideration, in accordance with the moratorium set forth in the Minerals Management Service Notice to Lessees and Operators No. 2010–N04, dated May 30, 2010, or the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010; and

(2) by its terms would expire on or before December 31, 2011.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases under this section is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO OUTER CONTINENTAL SHELF ACTIVITIES IN THE GULF OF MEXICO

SEC. 201. DEFINITIONS FOR TITLE.

In this title—

(1) the term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project in the Gulf of Mexico; and

(2) the term ''covered energy project'' means the leasing of Federal lands of the Outer Continental Shelf (including submerged lands) for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy in the Gulf of Mexico, and any action under such a lease, except that the term does not include any disputes between the parties to a lease regarding the obligations under such lease, including regarding any alleged breach of the lease.

SEC. 202. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS IN THE GULF OF MEXICO.

Venue for any covered civil action shall not lie in any district court not within the 5th circuit unless there is no proper venue in any court within that circuit.

SEC. 203. TIME LIMITATION ON FILING.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 204. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 205. STANDARD OF REVIEW.

In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 206. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 207. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 112–73. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as 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. POLIS

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112–73.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike ''and'' after the semicolon at line 4, strike the period at line 6 and insert ''; and'', and after line 6 insert the following new subparagraph:

''(C) all requirements of all applicable statutes and regulations, including the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, and any law protecting fishing and recreation jobs.

The CHAIR. Pursuant to House Resolution 245, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, following last year's BP Deepwater Horizon disaster, one would think that a foundational and critical element of any bill related to offshore deepwater oil drilling would be to improve our safety and environmental safeguards based on the lessons that we learned the hard way from a horrific national tragedy, costing jobs and reducing health and damaging the environment.

While H.R. 1229 does include a provision that states that the Secretary shall not issue a permit without ensuring that the proposed drilling operation meets critical safety system requirements and oil spill response and containment requirements, it fails to make mention of and omits requiring the Secretary to ensure that critical environmental and economic laws are adhered to, a prolific problem leading up to the Deepwater Horizon spill.

Mr. Chairman, for years an ongoing problem in issuing permits for offshore drilling has been the Department of the Interior's failure to follow requirements set out under our Nation's foundational environmental protection laws and fisheries laws. These laws, like the Endangered Species Act, the National Environmental Protection Act, the Marine Mammal Protection Act, and the Magnusson-Stevens Fishery Act, protect wildlife as well as fisheries and beaches that sustain the gulf's fishing and tourism industries.

In the gulf region, the number of jobs dependent on tourism and fishing is five times the number of jobs related to the oil and gas industry.

While reforms within the Obama administration are moving in the right direction, the fact is that this bill, in its current form, leaves out a major chunk of what should be included in any safety or oversight review that we require of the Secretary, and I'm grateful for the rule for allowing a full discussion and vote on this amendment.

Mr. Chairman, a May 2010 New York Times article, entitled, ''U.S. Said to Allow Drilling Without Needed Permits,'' outlines the roots of this problem in detail. The article clearly explains how the Endangered Species Act and the Marine Mammal Protection Act, the Department of the Interior's drilling permit agency is required to get permits for drilling where it might harm endangered species and marine animals.

The National Oceanic and Atmospheric Administration, or NOAA, is partially responsible for protecting endangered species and marine mammals. It said on repeated occasions that drilling in the gulf does affect these animals. That's simply science. The records show that permits for hundreds of wells, including the BP disaster well itself, were granted without getting the permits required under existing Federal law.

Federal records show that NOAA instructed the minerals agency that continued drilling in the gulf was actually harming wildlife and needed to get permits in compliance with Federal law; but, sadly, those permits were never sought.

With regard to the National Environmental Protection Act, the government has time and time again performed cursory environmental assessments, failed to integrate NEPA analyses with related Federal statutes, and even exempted entire projects from NEPA review, including the Macondo well. In the past, the only way to ensure permits have complied with NEPA has unfortunately been through lawsuits. My amendment would require these assurances from the Secretary before the permit is issued.

[From the New York Times, May 13, 2010]

U.S. SAID TO ALLOW DRILLING WITHOUT NEEDED PERMITS

(By Ian Urbina)

WASHINGTON.—The federal Minerals Management Service gave permission to BP and dozens of other oil companies to drill in the Gulf of Mexico without first getting required permits from another agency that assesses threats to endangered species—and despite strong warnings from that agency about the impact the drilling was likely to have on the gulf.

Those approvals, federal records show, include one for the well drilled by the Deepwater Horizon rig, which exploded on April 20, killing 11 workers and resulting in thousands of barrels of oil spilling into the gulf each day.

The Minerals Management Service, or M.M.S., also routinely overruled its staff biologists and engineers who raised concerns about the safety and the environmental impact of certain drilling proposals in the gulf and in Alaska, according to a half-dozen current and former agency scientists.

Those scientists said they were also regularly pressured by agency officials to change the findings of their internal studies if they predicted that an accident was likely to occur or if wildlife might be harmed.

Under the Endangered Species Act and the Marine Mammal Protection Act, the Minerals Management Service is required to get permits to allow drilling where it might harm endangered species or marine mammals.

The National Oceanic and Atmospheric Administration, or NOAA, is partly responsible for protecting endangered species and marine mammals. It has said on repeated occasions that drilling in the gulf affects these animals, but the minerals agency since January 2009 has approved at least three huge lease sales, 103 seismic blasting projects and 346 drilling plans. Agency records also show that permission for those projects and plans was granted without getting the permits required under federal law.

''M.M.S. has given up any pretense of regulating the offshore oil industry,'' said Kierán Suckling, director of the Center for Biological Diversity, an environmental advocacy group in Tucson, which filed notice of intent to sue the agency over its noncompliance with federal law concerning endangered species. ''The agency seems to think its mission is to help the oil industry evade environmental laws.''

Kendra Barkoff, a spokeswoman for the Interior Department, said her agency had full consultations with NOAA about endangered species in the gulf. But she declined to respond to additional questions about whether her agency had obtained the relevant permits.

Federal records indicate that these consultations ended with NOAA instructing the minerals agency that continued drilling in the gulf was harming endangered marine mammals and that the agency needed to get permits to be in compliance with federal law.

Responding to the accusations that agency scientists were being silenced, Ms. Barkoff added, ''Under the previous administration, there was a pattern of suppressing science in decisions, and we are working very hard to change the culture and empower scientists in the Department of the Interior.''

On Tuesday, Interior Secretary Ken Salazar announced plans to reorganize the

minerals agency to improve its regulatory role by separating safety oversight from the division that collects royalties from oil and gas companies. But that reorganization is not likely to have any bearing on how and whether the agency seeks required permits from other agencies like NOAA.

Criticism of the minerals agency has grown in recent days as more information has emerged about how it handled drilling in the gulf.

In a letter from September 2009, obtained by The New York Times, NOAA accused the minerals agency of a pattern of understating the likelihood and potential consequences of a major spill in the gulf and understating the frequency of spills that have already occurred there.

The letter accuses the agency of highlighting the safety of offshore oil drilling operations while overlooking more recent evidence to the contrary. The data used by the agency to justify its approval of drilling operations in the gulf play down the fact that spills have been increasing and understate the ''risks and impacts of accidental spills,'' the letter states. NOAA declined several requests for comment.

The accusation that the minerals agency has ignored risks is also being levied by scientists working for the agency.

Managers at the agency have routinely overruled staff scientists whose findings highlight the environmental risks of drilling, according to a half-dozen current or former agency scientists.

The scientists, none of whom wanted to be quoted by name for fear of reprisals by the agency or by those in the industry, said they had repeatedly had their scientific findings changed to indicate no environmental impact or had their calculations of spill risks downgraded.

''You simply are not allowed to conclude that the drilling will have an impact,'' said one scientist who has worked for the minerals agency for more than a decade. ''If you find the risks of a spill are high or you conclude that a certain species will be affected, your report gets disappeared in a desk drawer and they find another scientist to redo it or they rewrite it for you.''

Another biologist who left the agency in 2005 after more than five years said that agency officials went out of their way to accommodate the oil and gas industry.

He said, for example, that seismic activity from drilling can have a devastating effect on mammals and fish, but that agency officials rarely enforced the regulations meant to limit those effects.

He also said the agency routinely ceded to the drilling companies the responsibility for monitoring species that live or spawn near the drilling projects.

''What I observed was M.M.S. was trying to undermine the monitoring and mitigation requirements that would be imposed on the industry,'' he said.

Aside from allowing BP and other companies to drill in the gulf without getting the required permits from NOAA, the minerals agency has also given BP and other drilling companies in the gulf blanket exemptions from having to provide environmental impact statements.

Much as BP's drilling plan asserted that there was no chance of an oil spill, the company also claimed in federal documents that its drilling would not have any adverse effect on endangered species.

The gulf is known for its biodiversity. Various endangered species are found in the area where the Deepwater Horizon was drilling, including sperm whales, blue whales and fin whales.

In some instances, the minerals agency has indeed sought and received permits in the gulf to harm certain endangered species like green and loggerhead sea turtles. But the agency has not received these permits for endangered species like the sperm and humpback whales, which are more common in the areas where drilling occurs and thus are more likely to be affected.

Tensions between scientists and managers at the agency erupted in one case last year involving a rig in the gulf called the BP Atlantis. An agency scientist complained to his bosses of catastrophic safety and environmental violations. The scientist said these complaints were ignored, so he took his concerns to higher officials at the Interior Department.

''The purpose of this letter is to restate in writing our concern that the BP Atlantis project presently poses a threat of serious, immediate, potentially irreparable and catastrophic harm to the waters of the Gulf of Mexico and its marine environment, and to summarize how BP's conduct has violated federal law and regulations,'' David L. Perry, a lawyer acting on behalf of Kenneth Abbott, a BP contractor, wrote in a letter to officials at the Interior Department that was dated May 27.

The letter added: ''From our conversation on the phone, we understand that M.M.S. is already aware that undersea manifolds have been leaking and that major flow lines must already be replaced. Failure of this critical undersea equipment has potentially catastrophic environmental consequences.''

Almost two months before the Deepwater Horizon exploded, Representative Raúl M. Grijalva, Democrat of Arizona, sent a letter to the agency raising concerns about the BP Atlantis and questioning its oversight of the rig.

After the disaster, Mr. Salazar said he would delay granting any new oil drilling permits.

But the minerals agency has issued at least five final approval permits to new drilling projects in the gulf since last week, records show.

Despite being shown records indicating otherwise, Ms. Barkoff said her agency had granted no new permits since Mr. Salazar made his announcement.

Other agencies besides NOAA have begun criticizing the minerals agency.

At a public hearing in Louisiana this week, a joint panel of Coast Guard and Minerals Management Service officials investigating the explosion grilled minerals agency officials for allowing the offshore drilling industry to be essentially ''self-certified,'' as Capt. Hung Nguyen of the Coast Guard, a co-chairman of the investigation, put it.

In addition to the minerals agency and the Coast Guard, the Deepwater Horizon was overseen by the Marshall Islands, the ''flag of convenience'' under which it was registered.

No one from the Marshall Islands ever inspected the rig. The nongovernmental organizations that did were paid by the rig's operator, in this case Transocean.

I reserve the balance of my time.

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

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

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

Although well intended, this amendment is duplicative and would add delays to the permitting process and production of American-made energy. It is the responsibility of the Department of the Interior as overseers of permitting in the gulf to ensure safe and environmentally responsible drilling in the gulf.

Since the spill last year, the Department of the Interior has made extensive changes to permitting requirements for offshore operations. Every drilling permit is required to go through multiple environmental reviews before the application can be approved. This begins with an initial programmatic environmental impact statement and is followed by a lease sale-specific environmental impact statement and continues with additional environmental reviews as drilling activities move forward.

□ 1740

In carrying out its responsibilities, the department already must comply with numerous environmental statutes, regulations, and Executive orders. These regulations include the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act, the Coastal Zone Management Act, the Clean Air Act, and the Fishery Conservation and Management Act. And I may have left some out. This demonstrates the redundancy in this amendment and why it is not necessary.

Administration officials and even Director Bromwich have stated on numerous occasions to both the Natural Resources Committee and the American people that they would not permit operations if they did not believe they meet all the requirements to be conducted safely, efficiently, and in an environmentally responsible manner. The Interior Department already complies with these particular environmental regulations when approving permits. And the fact that the Department is permitting operations, although at a slower pace than I would like to see, demonstrates that they have confidence in the regulations that the agency has set for offshore drilling operations. The real effect of this amendment, whether intended or not, is more delays to offshore energy production and more lengthy and burdensome lawsuits.

So, Mr. Chairman, I oppose this amendment and I urge a ''no'' vote.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, this underlying legislation's very basic safety review provision simply doesn't address the broad swath of problems that need to be addressed by any serious offshore drilling bill. My amendment is a simple way of ensuring that the many shortcomings are at least considered by the Secretary, as articulated in Federal law, and are discussed during this debate.

Unfortunately, this bill does not take into account the lessons our country learned from the terrible BP Deepwater disaster. In addition to accepting my amendment, I certainly hope that the committee will address these problems with even stronger language in any future work it does on this bill or on the issue of offshore drilling in general with regard to safety and the environment.

I yield back the balance of my time.

Mr. LAMBORN. I would like to yield 2½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, I appreciate the proponent of this amendment in his zeal to ensure that the environment is properly addressed, but those concerns are properly addressed in the permitting policy. The problem is that we had a company with around 800 safety violations, British Petroleum, that was allowed to continue drilling, and you wonder why. Could it be that they were negotiating at the very time of the blowout with Democrats in the Senate for making the big announcement that they supported the administration's cap-and-trade bill? Could it be that they were going to be involved in the carbon credit business and would work with the administration?

Perhaps a better question than the effect on the environment is, How close will the applicant for a drilling permit be politically with this administration? Because what we see time after time is a situation of political payback. We see crony capitalism. If you're a good buddy at GE, you're going to do well. If you're on Wall Street and you contribute four to one to this administration over its opponent, then you're going to do well. You may have to endure being called a fat cat from time to time; but, otherwise, we're going to make sure your profits exceed anything you have ever seen before.

We have seen this administration rush to Libya. We have seen this administration rush, appropriately, to help our friend Japan. We have seen them rush all over the place. But when it came to really helping the gulf coast region, this administration rushed in and did more damage to people's lives by putting this moratorium on than the spill itself did. At some point, it's time for the administration to stop the political payback game.

Perhaps Louisiana would be better off if they dissociated themselves from Texas. We know that you can have 500,000 acres burned and have it be a disaster area. You can have 2 million in Texas, and they won't come to your help because this administration is partisan and bitterly so. But it's time for this administration to quit playing political games and help people where they need it in our own country, on our own gulf coast.

Let's vote ''no'' on the amendments and get this bill through.

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

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. GARAMENDI

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112–73.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following (and redesignate accordingly):

''(3) CONSULTATION WITH INDEPENDENT SAFETY ORGANIZATION.—In making any determination under paragraph (2), the Secretary shall consult with one or more independent safety organizations that are not affiliated with the American Petroleum Institute.

The CHAIR. Pursuant to House Resolution 245, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, we just heard a pretty good discussion here a moment ago about the safety issues in the gulf. And the legislation before us seems to ignore every one of the recommendations that the bipartisan, independent commission made about how to conduct deepwater drilling in a safe manner. Actually, BP did have a terrible record. I am pleased that my colleague from Texas pointed out the 800 violations that BP had. There was, however, a bit of a problem for at least 11 members of the gulf oil industry: They died as a result of the inattention to safety.

The proposal that I have before us deals with one of the recommendations that the commission made, and that is that there be an independent safety organization created to provide an additional level of review of the requirements that drilling be done safely. The legislation before us ignores that recommendation by the commission and basically says that the American Petroleum Institute is quite capable of doing this. Well, the independent, bipartisan commission, said, ''The American Petroleum Institute is culturally ill-suited to drive a safety revolution in the industry. For this reason, it is essential that the safety enterprise operate apart from the American Petroleum Institute,'' and I could not agree more, Mr. Chairman.

My amendment would require that, as the Secretary is trying to determine whether permit applications meet the critical safety requirements, he must consult with an independent safety organization, and that organization must not be affiliated with the American Petroleum Institute.

Now the institute has said, No problem; we'll create our own. Well, I'm sorry, but that's not the way to provide the appropriate safety standard. We don't need to have more deaths. We don't need to have more blowouts. We need to do the drilling safely, and that it be done in a manner that ensures that lives will not be lost and that oil will not be spilled in the ocean. That's what this amendment does by providing an outside independent organization with the requirement that they consult with the Secretary on the applications. We do not change the 50-day requirement. That remains in place; so there is a timeframe. We don't change any of the requirements with regard to losses and the rest, which I think are inappropriate; but nonetheless, we don't change that in this legislation.

I would ask for the adoption of this amendment.

I reserve the balance of my time.

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

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

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

I do oppose this amendment. Although well intended, the Putting the Gulf of Mexico Back to Work Act itself makes drilling already safer by requiring that the Secretary ensure that any proposed drilling operation be subject to a safety review—it's there in the bill already—and that it meet established critical safety system requirements, including blowout prevention and oil spill response and containment requirements, and this has to be done before the issuance of a permit.

□ 1750

The decision to approve individual permit applications is the responsibility of the Department of the Interior. I don't believe it should be farmed out to other organizations that may or may not have the background, the expertise, or the resources to evaluate drilling permits.

In fiscal year 2011, House Republicans voted to increase funding for the Department of the Interior in order to ensure that they have the resources to safely, responsibly, and effectively approve permits.

The Interior Department has a responsibility, as it drafts legislation, to solicit public comment; and they do take advice and counsel from all Americans, including those with expertise in these areas. However, once the standards are set, it is the responsibility of the government to enforce the standards.

Oversight is the Federal Government's responsibility, and it should not be delegated to outside organizations. Whether intended or not, this amendment would slow down and make more complicated the already lengthy and involved permitting process. So I urge opposition to this amendment, and urge opponents to vote ''no'' on it.

I reserve the balance of my time.

Mr. GARAMENDI. An interesting discussion from my colleague from Colorado. I would note that there are numerous examples where the Federal Government does rely upon outside safety organizations. For example, the Institute of Nuclear Power Operations provides safety standards for our nuclear industry, specifically, not allowing the nuclear power industry to do

the safety reviews, but, rather, an outside organization.

We're simply calling for a level of review that is not associated with those two organizations that caused the problem. The Department of the Interior, and I was the Deputy Secretary of the Department of the Interior in the 90s, has some familiarity of the comings and goings, the shortcomings as well as the strength of that Department.

This particular section of the Department of the Interior has proved beyond a shadow of a doubt that, over time, it has not been able to regulate properly the safety and other elements of the natural gas and oil industry. We need to provide an outside level of review on the safety requirements, both to keep the Department of the Interior on the proper course and the industry itself on the proper course.

That's what the amendment does. I think it makes an eminent amount of sense, and we're really talking about both environmental issues here, that is, the health of environment in the coast, which was seriously compromised, and also the well-being of the men and women that work on these oil platforms. And we know that their fate has been jeopardized in the past and should not be jeopardized in the future.

I ask for an ''aye'' vote on this amendment, both here and later on the floor.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I would point out that there is a public comment period that is available right now, and that is a proper and appropriate forum for an outside group to make the kind of standards-related comments that would be possibly helpful.

But when it comes to actually issuing the permit, that is something that should be delegated to the Federal Government. They do have the resources. In fact, they have expanded resources to do a better job of that, hopefully, in the future.

So, for those reasons, Mr. Chairman, I would urge a ''no'' vote on this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112–73.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following (and redesignate accordingly):

''(3) OTHER SAFETY AND ENVIRONMENTAL REQUIREMENTS.—The regulations required under paragraph (1) shall ensure that the proposed drilling operations meet requirements for—

''(A) third-party certification of safety systems related to well control, such as blowout preventers;

''(B) performance of blowout preventers, including quantitative risk assessment standards, subsea testing, and secondary activation methods;

''(C) independent third-party certification of well casing and cementing programs and procedures;

''(D) mandatory safety and environmental management systems by operators on the outer Continental Shelf;

''(E) procedures and technologies to be used during drilling operations to minimize the risk of ignition and explosion of hydrocarbons; and

''(F) ensuring compliance with other applicable environmental and natural resource conservation laws, including the response plan requirements of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

''(4) REGULATORY STANDARDS FOR BLOWOUT PREVENTERS, WELL DESIGN, AND CEMENTING.—

''(A) IN GENERAL.—In promulgating regulations under this subsection related to blowout preventers, well design, and cementing, the Secretary shall ensure that such regulations include the minimum standards included in subparagraphs (B), (C), and (D), unless, after notice and an opportunity for public comment, the Secretary determines that a standard required under this subsection would be less effective in ensuring safe operations than an available alternative technology or practice. Such regulations shall require independent third-party certification, pursuant to subparagraph (E), of blowout preventers, well design, and cementing programs and procedures prior to the commencement of drilling operations. Such regulations shall also require recertification by an independent third-party certifier, pursuant to subparagraph (E), of a blowout preventer upon any material modification to the blowout preventer or well design and of a well design upon any material modification to the well design.

''(B) BLOWOUT PREVENTERS.—Subject to subparagraph (A), regulations issued under this subsection for blowout preventers shall include at a minimum the following requirements:

''(i) Two sets of blind shear rams appropriately spaced to prevent blowout preventer failure if a drill pipe joint or drill tool is across one set of blind shear rams during a situation that threatens loss of well control.

''(ii) Redundant emergency backup control systems capable of activating the relevant components of a blowout preventer, including when the communications link or other critical links between the drilling rig and the blowout preventer are destroyed or inoperable.

''(iii) Regular testing of the emergency backup control systems, including testing during deployment of the blowout preventer.

''(iv) As appropriate, remotely operated vehicle intervention capabilities for secondary control of all subsea blowout preventer functions, including adequate hydraulic capacity to activate blind shear rams, casing shear rams, and other critical blowout preventer components.

''(v) Technologies to prevent a blowout preventer failure if the drill pipe is moved out of position due to a situation that poses a threat of loss of well control.

''(C) WELL DESIGN.—Subject to subparagraph (A), regulations issued under this subsection for well design standards shall include at a minimum the following requirements:

''(i) In connection with the installation of the final casing string, the installation of at least two independent, tested mechanical barriers, in addition to a cement barrier, across each flow path between hydrocarbon bearing formations and the blowout preventer.

''(ii) That wells shall be designed so that a failure of one barrier does not significantly increase the likelihood of another barrier's failure.

''(iii) That the casing design is appropriate for the purpose for which it is intended under reasonably expected wellbore conditions.

''(iv) The installation and verification with a pressure test of a lockdown device at the time the casing is installed in the wellhead.

''(D) CEMENTING.—Subject to subparagraph (A), regulations issued under this subsection for cementing standards shall include at a minimum the following requirements:

''(i) Adequate centralization of the casing to ensure proper distribution of cement.

''(ii) A full circulation of drilling fluids prior to cementing.

''(iii) The use of an adequate volume of cement to prevent any unintended flow of hydrocarbons between any hydrocarbon-bearing formation zone and the wellhead.

''(iv) Cement bond logs for all cementing jobs intended to provide a barrier to hydrocarbon flow.

''(v) Cement bond logs or such other integrity tests as the Secretary may prescribe for cement jobs other than those identified in clause (iv).

''(E) INDEPENDENT THIRD-PARTY CERTIFICATION.—The Secretary shall issue regulations that establish appropriate standards for the approval of independent third-party certifiers capable of exercising certification functions for blowout preventers, well design, and cementing. For any certification required for regulations related to blowout preventers, well design, or cementing, the operator shall use a qualified independent third-party certifier chosen by the Secretary. The costs of any certification shall be borne by the operator. The regulations issued under this subparagraph shall require the following:

''(i) Prior to the commencement of drilling through a blowout preventer at any covered well, the operator shall obtain a written and signed certification from an independent third party approved and assigned by the appropriate Federal official pursuant to paragraph (3) that the third party—

''(I) conducted or oversaw a detailed physical inspection, design review, system integration test, and function and pressure testing of the blowout preventer; and

''(II) in the third-party certifier's best professional judgment, determined that—

''(aa) the blowout preventer is designed for the specific drilling conditions, equipment, and location where it will be installed and for the specific well design;

''(bb) the blowout preventer and all of its components and control systems will operate effectively and as designed when installed;

''(cc) each blind shear ram or casing shear ram will function effectively under likely emergency scenarios and is capable of shearing the drill pipe or casing, as applicable, that will be used when installed;

''(dd) emergency control systems will function under the conditions in which they will be installed; and

''(ee) the blowout preventer has not been compromised or damaged from any previous service.

''(ii) Not less than once every 180 days after commencement of drilling through a blowout preventer at any covered well, or upon implementation of any material modification to the blowout preventer or well design at such a well, the operator shall obtain a written and signed recertification from an independent third party approved and assigned by the appropriate Federal official pursuant to paragraph (3) that the requirements in subclause (II) of clause (i) continue to be met with the systems as deployed. Such recertification determinations shall consider the results of tests required by the appropriate Federal official, including testing of the emergency control systems of a blowout preventer.

''(iii) Certifications under clause (i), recertifications under clause (i), and results of and data from all tests conducted pursuant to this paragraph shall be promptly submitted to the appropriate Federal official and made publicly available.

''(5) RULEMAKING DOCKETS.—

''(A) ESTABLISHMENT.—Not later than the date of proposal of any regulation under this subsection, the Secretary shall establish a publicly available rulemaking docket for such regulation.

''(B) DOCUMENTS TO BE INCLUDED.—The Secretary shall include in the docket—

''(i) all written comments and documentary information on the proposed rule received from any person in the comment period for the rulemaking, promptly upon receipt by the Secretary;

''(ii) the transcript of each public hearing, if any, on the proposed rule, promptly upon receipt from the person who transcribed such hearing; and

''(iii) all documents that become available after the proposed rule is published and that the Secretary determines are of central relevance to the rulemaking, by as soon as possible after their availability.

''(C) PROPOSED AND DRAFT FINAL RULE AND ASSOCIATED MATERIAL.—The Secretary shall include in the docket—

''(i) each draft proposed rule submitted by the Secretary to the Office of Management and Budget for any interagency review process prior to proposal of such rule, all documents accompanying such draft, all written comments thereon by other agencies, and all written responses to such written comments by the Secretary, by no later than the date of proposal of the rule; and

''(ii) each draft final rule submitted by the Secretary for such review process before issuance of the final rule, all such written comments thereon, all documents accompanying such draft, and all written responses thereto, by no later than the date of issuance of the final rule.

The CHAIR. Pursuant to House Resolution 245, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, 1 year has passed since the Deepwater Horizon accident. Yet BP, Transocean, Halliburton, and Cameron continue to argue in court which of them deserves more blame for the 11 deaths and environmental devastation.

BP continues to fight the estimates of the amount of oil spilled in order to minimize its liability. And more than 1 year after the beginning of this disaster, Congress has still not passed any legislation to improve the safety of offshore drilling and ensure that the lessons of the BP spill are incorporated into future drilling.

The co-chairs of the independent BP commission have testified before the Natural Resources Committee that the accident could have been prevented, and the commission found that the root causes of the disaster were systemic to the entire industry. Their extensive reports documented numerous specific failures of the cementing, well design and testing and maintenance associated with the Deepwater Horizon well.

And recently, the Department of the Interior's contractor, Det Norske Veritas, released its report on the forensic investigation of the Deepwater Horizon blowout preventer, and here's what they found: the results indicated that the drilling pipe inside of the blowout preventer had buckled due to the force of the blowout; and the cutting devices, therefore, couldn't fully sever the drill pipe and seal off the well.

According to the forensic report, contrary to the claims of the oil industry that blowout preventers are fail-safe devices, it seems unclear whether blowout preventers can actually prevent major blowouts at all once they are underway.

But here we are today with the Republicans bringing out legislation that has no meaningful safety protections for the industry.

I reserve the balance of my time.

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

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

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

This amendment was already rejected by a bipartisan vote of the full Natural Resources Committee and, once again, I urge opposition to it. This amendment micromanages and dictates specific safety and blowout preventer standards for permit applications. Many of these standards would do little or nothing different than what is already being done by the Department of the Interior.

However, these restrictions would, if this amendment passes, be etched into law, making Congress the technical arbiter and micromanager of Outer Continental Shelf regulations, and reducing the flexibility and ability of the Department to adapt to new technology and new development in drilling safety. So if we're lagging behind developments in the industry, this would actually prevent us, or could prevent us, from adopting those new and better standards in the future.

The technical standards proposed in this amendment have not been subject to a thorough review or understanding of the impacts of such changes. This is particularly troubling when you consider that this language was written before we even knew why the blowout preventer failed.

H.R. 1229 already takes steps to increase the safety of offshore drilling by requiring the Secretary of the Interior to conduct a safety review to ensure that the proposed drilling operations meet ''critical safety system requirements, including blowout prevention and oil spill response and containment requirements.'' That language is lifted straight out of the bill.

So my colleagues on the other side are acting as if nothing has changed and no safety reforms have been made. By doing so, they are ignoring the facts on the ground and the actions of their own party's administration. I'm not willing to indict the administration and say that they have done nothing in this regard.

I reserve the balance of my time.

□ 1800

Mr. MARKEY. I yield myself 2 minutes.

Mr. Chairman, here is the BP Blue Ribbon Commission report that was conducted to investigate and to make recommendations as to what the causes were and what can be done to prevent it from happening again. Right now, nothing that is in this report has been implemented in terms of legislation here on the House floor. So I will tell you what my bill does. It will require multiple lines of defense against a blowout and ensures that these defenses are redundant so that failure of one does not lead to cascading failures of the entire system as occurred with BP's Macondo well.

First, the amendment sets minimum standards for blowout preventers, including a requirement that blowout preventers operate as intended even when the force of an ongoing blowout shifts the drill pipe out of position.

The amendment also requires new standards on safe well design and cementing to ensure multiple redundant barriers within the well against uncontrolled oil or gas blow that could lead to a blowout.

The amendment also requires independent third-party certification of blowout preventers and well designs.

Finally, the language ensures that if the Department of the Interior finds by some other measures that it has or may one day require would provide an even higher level of safety, that the Secretary can substitute those better alternatives instead.

This is the direction we should be heading in.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. I would like to point out to my colleague that one of my colleagues, the gentleman from Louisiana (Mr. SCALISE), H.R. 56 puts into law a portion of that report. And since he is so interested in making sure that some of the information in the President's report becomes law, I certainly hope he

will cosponsor that legislation. I am sure those in the gulf would appreciate that piece.

I didn't know that he was an expert in oil and gas drilling. Because when I go back home and I talk to those in Louisiana, they tell me that they have already instituted safety guidelines above and beyond what the gentleman from Massachusetts puts forth here.

The industry is safer today than it was the day before the Deepwater accident. In addition to that, we have the ability now, today, in the Gulf of Mexico, that no one else has in the world, to cap the type of incident that happened in the Gulf.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining time.

I agree with the gentleman from Louisiana; I am not an expert on drilling. We are congressional experts. And that is an oxymoron, a contradiction in terms, like ''jumbo shrimp'' or ''Salt Lake City night life.'' There is no such thing. We rely upon real experts.

Here are the real experts: The Blue Ribbon Commission put together to study what went wrong and what needs to be done, and that is what my amendment will do. My amendment is very close to the legislation that passed 48–0 out of the Commerce Committee last year and was later adopted by the House. So all we are doing is just reflecting what all of these experts recommended and were finally incorporated.

So we can ignore the experts, but then we roll the dice. And, once again, a part of our coastline could be held hostage to an oil company that was trying to save money but at risk of endangering the lives and the livelihood of millions of people off of the coastline off of our country.

I urge an ''aye'' vote for the Markey amendment.

Mr. LAMBORN. Mr. Chairman, I would close by saying that the experts that we should rely on are those that are in the Department of the Interior, Director Michael Bromwich with BOEMRE and all the way down, who have been working on this for the last year. They have extensive regulations. Some of what is proposed are actually regulations right now.

And while the bill does call for certain safety standards to be satisfied and met, we have delegated the responsibility for the exact language and implementation of those regulations to those who deal with this 8 hours a day, day in and day out, week in and week out, year in and year out. So there is a balance. We give the broad parameters. They carry out, as a regulatory agency, every last final detail.

And Congress, as has been admitted, does not have the technical expertise to foresee every single development and foresee every single problem that could arise. So while overseeing, we have to do some delegation. This bill does that. We strike that fine balance.

And the administration's department has been doing a strong job of strengthening the safety requirements. I do take issue with the pace of their permitting. But as far as the safety implementation, they have put very aggressive safety measures into place.

For those reasons, Mr. Chairman, I oppose this amendment, and I would urge a ''no'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

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

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

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The Acting CHAIR (Mr. DOLD). It is now in order to consider amendment No. 4 printed in part A of House Report 112–73.

Ms. HANABUSA. Mr. Chair, 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 4, after line 6, insert the following (and redesignate the succeeding paragraph accordingly):

''(3) WORST-CASE DISCHARGE SCENARIO CERTIFICATION.—The Secretary shall not issue a permit under paragraph (1) without certifying that the applicant—

''(A) has calculated a worst-case discharge scenario for the proposed drilling operations; and

''(B) has demonstrated to the satisfaction of the Secretary that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case discharge scenario.

The Acting CHAIR. Pursuant to House Resolution 245, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chair, I yield myself such time as I may consume.

The amendment that I propose is a very simple and a commonsense amendment. First of all, let us recall where we come from.

Title 43, section 1340, entitled ''Geological and Geophysical Explorations,'' is what is the subject of H.R. 1229; specifically, subsection D, entitled ''Drilling Permits.''

Under that subsection, it states: The Secretary may, by regulation, require any lessee operating under an approved exploration plan to obtain a permit to drilling any well in accordance with such plan.

What the amendments are proposing here today and what my amendment addresses is what is set forth at page 4. And I propose that it amends after line 6 and includes a subsection 3, which addresses the worst-case discharge scenario certification. This amendment requires: The Secretary shall not issue a permit under paragraph 1 without certifying that the applicant, first, has calculated a worst-case discharge scenario for the proposed drilling operations; and, B, has demonstrated to the satisfaction of the Secretary that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case discharge scenario.

Mr. Chairman, we are talking here to the people, the people across this Nation and in the world who watched the worst-case scenario, what happened in the BP oil spill. What we are simply saying is that before any permit is issued, that the Secretary take the precaution of, first, having assessed what that worst-case scenario could be; and, second, that applicant who is seeking this permit has both the capability and technology, and has demonstrated as such, to address that worst-case scenario.

Mr. Chairman, it is a simple statement and it is a requirement that the people would like to see. No one wants to sit there and experience a BP oil spill again.

I reserve the balance of my time.

□ 1810

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. I yield myself such time as I may consume.

I do oppose this amendment because it is duplicative and unnecessary. This amendment attempts to expand upon the language in the bill that already mandates that the Secretary conduct a safety review to affirm oil spill response and containment capability prior to issuing a permit. We believe that the Department of the Interior already requires that applicants must calculate worst-case discharge before approving a permit.

On June 18 of last year, the Department issued a notice to lessees outlining the information requirements and standards to be met before a permit could be approved. In the notice it is required that a lessee ''describe the assumption and calculations that you used to determine the volume of your worst-case discharge scenario.''

This exact language, this exact intention has already been addressed, so I would oppose this amendment as redundant and unnecessary.

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

Ms. HANABUSA. I yield myself 1 minute.

Mr. Chair, if this amendment is duplicative, it should not be an issue, because what it does do is it contains the language that the people want to hear. The people want to hear, What is the worst case scenario? I also contend that it really does not do that. It is not duplicative.

What is contained in the bill is the statement of critical safety system requirements, including blowout prevention and oil spill response and contamination requirements. It does not say ''the worst case scenario'' and it does not require the applicant to show, to show the Secretary that it has the capability and the technological ability to address that. So it is not duplicative.

But to the extent that the opposer would like to say that it is duplicative, then I believe that they should not object to this because, after all, it does say what people want to hear. People want to be guaranteed that the BP oil spill does not happen again.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to a member of the Energy and Commerce Committee who has a district in the State of Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Rarely are the goals of our country as aligned as they are now. Clearly we need economic recovery with good jobs and with good benefits for those who frankly right now have a problem with unemployment. As it turns out, we also have the goal of increasing our energy security and, lastly, a goal of protecting our environment. Now, let's just go through these in order.

As regards jobs, let's just talk about the oil and gas industry. The President, the administration's estimates of the economic impact of the moratorium and the permitorium are hundreds of thousands of jobs lost and about $2.5 billion in lost economic activity.

This is not just the gulf coast and it is not just the oil rig workers. It is also those who work on pipelines. It is boat builders. Indeed, as it turns out, one of the boat builders in Louisiana is the largest customer worldwide of Caterpillar engines. An engine that is built in the State of Illinois using steel from the Midwest is used on the coast of Louisiana to build boats to service those rigs. Needless to say, those Caterpillar engines are not now being ordered. That steel order going to Caterpillar to build these is not being done. So the jobs that ripple out are not just in the gulf coast, but go all the way across the country.

We also have a goal to increase our energy security. Prior to Macondo, one-third of the domestically produced oil in the United States came from the Outer Continental Shelf. Since we have limited further exploration, we have lost that potential to increase our domestic supply of energy, to increase our security, to insulate us, if you will, from those issues in North Africa which are currently driving up our fuel prices.

Lastly, we have a goal to protect our environment. Oh, we all care about that. In Louisiana, we particularly care about that. We do not take this for granted. But in Louisiana, we realize you have to be both pro-business as well as pro-environment, and we take that very seriously.

So what are the facts on this? The President right after the Macondo bill appointed a blue ribbon commission from the National Academy of Engineering. These engineers that the President picked said that the causes of the oil spill are identifiable and correctable and that a prolonged moratorium will not, will not, will not appreciably improve safety.

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

Mr. LAMBORN. I yield the gentleman an additional 30 seconds.

Mr. CASSIDY. So what we have seen since, though, is not a recommendation that the President's blue ribbon commission is right, but rather a regulatory hurdle set upon regulatory hurdle set upon regulatory hurdle. Now we have a notice to lessees which demands that which this amendment also demands, so we are going to have not just a notice to lessees, but we are going to have this amendment on top of it. At some point your hostility to an industry becomes hostility to workers, becomes hostility to our energy security and, frankly, becomes a hostility to our environment.

I oppose this amendment. I think it is bad for our workers, I think it is bad for our economy, and I think it is bad for our environment.

Ms. HANABUSA. May I inquire of the Chair as to how much time is remaining on both sides.

The Acting CHAIR. The gentlewoman from Hawaii has 1¾ minutes remaining, and the gentleman from Colorado has 1½ minutes remaining.

Ms. HANABUSA. I yield myself 1 minute.

Mr. Chair, I am sure that the gentleman from Louisiana has no intentions of saying that anyone who may want an amendment to this bill is somehow hostile or somehow anti-jobs, anti-energy security and anti-environment, because that is not the intent.

This bill has been labeled Putting the Gulf of Mexico Back to Work Act. We have no objection to that, Mr. Chair. But why can't it also say Putting the Gulf of Mexico Back to Work Act Safely? That is all that is being requested here.

Let's look at what happened at the BP oil spill. Let's just make sure it doesn't happen again. Another spill like that, by taking these precautions, can be avoided, and by doing that, by doing that, we will not be faced with a situation where someone from that district would say we are hostile because we are not encouraging jobs or not encouraging energy security or not encouraging the environment. This is exactly what we are trying to do. We are trying to do all of these, and it has a ripple effect throughout the Nation.

I reserve the remainder of my time.

Mr. LAMBORN. Mr. Chairman, I have no other speakers, so at this point I am going to wait and close as soon as the gentlelady is done.

I reserve the balance of my time.

Ms. HANABUSA. Mr. Chair, I request an ''aye'' vote on this amendment. It is a very straightforward, commonsense amendment. It addresses what the people want to hear and want to know, that we are ready to address the worst-case scenario, and the Secretary will not issue a permit until it is addressed, it is not only identified, but that the applicant has both the technological skills plus the capabilities to do it and prevent such a spill.

We are all interested in the jobs and the economic security of the gulf and all the neighboring States in that area, plus its ripple effect. That is why we want to see that it never happens again, and that is why we want the people, the people, to be confident that we in Congress have addressed their concerns.

I request an ''aye'' vote.

Mr. LAMBORN. Mr. Chairman, I will close by saying that this amendment, though well intended, is duplicative; and I think that has been admitted by the other side and therefore is unnecessary.

I would urge a ''no'' vote.

I yield back the balance of my time.

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

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

Ms. HANABUSA. Mr. Chair, 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 Hawaii will be postponed.

The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112–73.

Mr. HOLT. 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, strike lines 5 through 9 and insert closing quotation marks and a following period.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1820

Mr. HOLT. I thank the Chair.

H.R. 1229 includes language that would add a timeline to the permitting process for offshore oil and gas drilling. This provision states that, ''If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the

application is deemed approved.'' My amendment would simply strike this section. In other words, as it stands in the legislation before us, if for whatever reason—incomplete information, new information—the Secretary has not made a decision whether or not to approve the application, then the application will be considered from then on approved.

There are a number of provisions in this bill that could make offshore drilling less safe. My amendment is aimed at perhaps the most dangerous of those provisions. This bill short-circuits existing requirements to protect oil industry workers and those who depend on marine resources for their livelihoods and so forth. Ensuring that environmental and safety standards are met—so that the new permits will not result in a repeat of the Deepwater Horizon disaster—is really too important to allow permits to go through the door prematurely and automatically simply because of an arbitrary timeline imposed by this legislation.

Depending on the dedication of a particular Secretary to safety and environmental protection, H.R. 1229 would produce either precipitous automatic approval of an application to drill or unjustified rejection of a valid application if the review is not completed within the allotted time. Either way, the imposition of an arbitrary deadline is bad policy. It's based on a presumption that environmental and safety reviews are worthless and that there is really no value in getting the review right.

My amendment would leave in place the permitting timeline set in H.R. 1229, creating the sense of urgency my colleagues are seeking. But it would remove the automatic approval of drilling applications after that 60-day timeline. If we've learned anything from the Deepwater Horizon disaster, it is that we must do more—not less—to protect those who work in the oil industry and those who depend on offshore resources and onshore resources for their livelihood.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

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. I yield myself such time as I may consume.

The legislation on the floor today is designed to put Americans in the gulf region back to work and to ensure that permits are processed in a timely fashion and that bureaucratic delays are not hampering the Nation's energy production. There are critics of the timeline that is proposed in this bill on both sides of that timeline. Some say it's too short. Others say it is too long. It's important that people understand that nowhere in this bill do we require the administration to do anything but reach a decision, whatever that decision might be. They may deny an application at any time in the process as long as they provide a clear description of why they are doing so.

Prior to the incident in the gulf, the administration was very capable of processing permits in 5 to 15 days on average. The 30-day timeline in the bill is significantly longer, and allows the administration extensions. In the end, the administration must reach a decision. The provision this amendment proposes to remove is the final deadline that the administration must meet and one that should be firm to ensure that decisions are made in a timely manner and that no de facto moratorium or permitorium is instituted.

This amendment, if adopted, would simply further delay offshore energy production. It would continue to allow the Department to arbitrarily impose a de facto drilling moratorium that could cost thousands of jobs and allow higher prices on energy with less supply.

I oppose this amendment and urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. HOLT. May I ask the Chair the time remaining?

The Acting CHAIR. Each side has 3 minutes remaining.

Mr. HOLT. Mr. Chair, my friend from Colorado talked about the harm that this bill would do and why it's important that the application be approved even if the review is not complete, even if the review is not yet done right. I wonder if the gentleman from Colorado thinks that maybe a student should graduate even if he hasn't taken the exam because the semester is coming to an end. Well, time's up. I guess we should just declare the student duly passed—even if the review hasn't been done.

That's a question. If the gentleman feels that a student should be deemed passed because the semester is coming to an end, even if the review of that student's work has not been completed. I would yield to the gentleman if he cares to answer that. If not, I will continue.

This legislation might make sense if we thought there was some economic need for it, if we thought that there was some safety need for it, if we thought it was important to grease the skids and move through the environmental review quickly. But none of those things apply. This will not bring down prices. Certainly, release of oil from the Strategic Petroleum Reserve would do more for prices at the pump than this. This won't make a bit of difference in the price at the pump, this legislation. It certainly won't help support an important but troubled industry. Actually, this industry is not troubled. This industry is going to take home about $100 billion dollars in profits this year. We don't need to grease the skids and make things easier for this industry because getting the review right would subject them to undue hardship. No. In fact, this is a very dangerous provision in a bill that is part of the set of ''Amnesia Acts.'' The bill is part of these three bills that pretend that there are no lessons to be learned from 2010; the bill that pretends the gulf oil blowout never occurred; that wills amnesia on the policy of the United States so that we forget that the worst oil spill in history from which there are real lessons to be learned never occurred.

I urge passage of this amendment.

I yield back the balance of my time.

Mr. LAMBORN. I want to apologize. I was confused as to whether the gentleman was asking a rhetorical question or really wanted to have a colloquy. By the time I figured that out, he had moved on to the remainder of his argument. I would have been happy to and hopefully in the future I could have a colloquy on that with him.

At this point, Mr. Chairman, I would like to yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. The gentleman must not understand that he wants to reinstate the de facto moratorium that is plaguing the Gulf of Mexico with this amendment. It is exactly what he's trying to put in place, which is allow the administration to drag its feet not only on the wells on the drilling in deep water but also on the Shelf as well. He must also be confused, because what the Democrats have proposed, what the other side has proposed in removing the tax breaks for these companies, would make oil and gas—the Congressional Research Service has reported that proposal would make oil and natural gas more expensive for U.S. consumers and likely increase our foreign dependence.

What are we here to do today? We're here to bring relief to Americans at the pump and get the Gulf of Mexico back to work.

Mr. LAMBORN. I will conclude by saying that what this bill wants to accomplish is that the administration must reach a decision on whether a permit should be issued. This amendment proposes to remove the final deadline that the administration would have to meet and one that should be firm to ensure that decisions are made in a timely manner and that no de facto moratorium is instituted.

□ 1830

This amendment would simply further delay offshore energy production. That does not help jobs. It does not help the supply or cost of energy in this country. It would allow the Department to arbitrarily impose a de facto drilling moratorium that would cost thousands of jobs.

I oppose this amendment. I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

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

Mr. HOLT. 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 New Jersey will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112–73.

Mr. POLIS. 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, strike the closing quotation marks and second period at line 9, and after line 9 insert the following new subparagraph:

''(D) This paragraph shall not apply before the date the Secretary publishes a determination that the agency or bureau of the Department of the Interior that administers this section has been given adequate staff and budget resources to properly review and process every application for a permit under this subsection in order to ensure that no application is processed without thorough review.''.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, H.R. 1229 would impose an artificial and arbitrary 30-day deadline, with up to two 15-day extensions, for a total of 60 maximum days for Interior Department action on drilling permit applications. If at the end of the 30- to 60-day period Interior has not acted by approving or disapproving the permit, the permit is ''deemed'' approved automatically even if the environmental and safety review processes haven't been completed. If the Secretary decides that the agency hasn't had enough time to approve the permit, then his only choice is to deny the permit, undoubtedly leading to additional lawsuits from companies.

Mr. Chairman, this legislation doesn't get to the root of the problem. We all know through the numerous hearings last year that one of the fundamental causes of the BP spill was a lack of not only enough inspectors but a lack of inspectors with high levels of expertise and engineering knowledge. You wouldn't referee a game by doing away with the rules because the referee didn't know them; you'd get a better referee.

If the Department isn't going to be given enough resources and expertise to do the job right and on time, the Department shouldn't be forced to do the job too fast. We should be working to make government more efficient and more effective. My amendment addresses the root of this issue by lifting the arbitrary timeline requirements if the Department isn't given the necessary resources it needs to properly process applications expeditiously. I urge a ''yes'' vote on my amendment.

Mr. Chair, instead of taking this opportunity to correct the fundamental problems underlying the BP Deepwater Horizon oil spill, this bill simply moves to cut any last semblance of oversight or safeguards our country has placed on the inherently risky process of offshore deepwater oil drilling.

H.R. 1229 would impose an artificial and arbitrary 30-day deadline, with up to two 15-day extensions, for a total of 60 days maximum, for Interior Department action on drilling permit applications. If at the end of that 30- to 60-day period Interior has not acted by approving or disapproving the permit, the permit is ''deemed'' approved automatically even if the environmental and safety reviews have not been completed.

This is the exact wrong legislative response to the BP disaster. Rather than acting to make off-shore drilling safer and smarter, the underlying bill would make drilling faster and more reckless. Under this bill, we could actually have less rigorous oversight and review of offshore drilling than we had before the Deepwater Horizon disaster.

By imposing an artificial and arbitrary deadline, the bill heavily biases the permitting process toward approval, placing undue burdens on reviewers to accelerate the process regardless of safety and environmental concerns.

If the Secretary decides that the agency hasn't had enough time to approve the permit, then his only choice is to deny the permit undoubtedly leading to additional lawsuits from companies and the unrelenting onslaught of industry and Republican criticism. This bill is simply a catch 22 for the Department to either risk another disaster, or open up the Department even more to the vitriolic and false claims from industry and the Majority party of being anti-business or anti domestic energy—not that the facts have kept that misinformation from being spread in the past.

Mr. Chair, this legislation doesn't get to the root of the problem. We all know through the numerous hearings last year that one of the fundamental causes of the BP spill was a lack of not only enough inspectors, but a lack of inspectors with high levels of expertise and engineering knowledge. Prior to the spill, the few inspectors the government did have simply had to take the oil companies' word that everything was in order.

I'm sure we all remember when the big five oil companies were caught pointing the finger of blame squarely at BP in a hearing last year, only to have it disclosed moments later that every one of their spill response documents and other application material was not only identical, but included completely inaccurate information, listing for example walruses as a critical species for the Gulf of Mexico and citing as an emergency contact a professor from Florida Atlantic University, who had long since passed away.

We shouldn't have to take a company's word for it when there is so much at stake. We should ensure that the watchdogs have the tools they need to verify that everything is done properly. This is what my amendment aims to do. Congress shouldn't set an arbitrary timeline if Congress doesn't give the Department enough resources they need to properly do their job within that timeline.

In fact, the recommendations of the National Commission on the BP Deepwater Horizon spill contain an entire section on ''The Need for Adequate Funding for Safety Oversight and Environmental Review,'' which lists a number of policy options letting the oil companies, not the American people, foot the bill. Sadly, the underlying legislation includes none of them.

Mr. Chair, you wouldn't referee a game by doing away with the rules because the referee didn't know them; you'd get a better referee.

The fact is that the regulators been grossly underfunded and understaffed in the past. With the Continuing Resolution's partial step toward reversing the ''shameful'' and years-long underfunding of offshore oversight, it was only half of what's needed to do the job right. The Director of the agency that oversees permitting, Michael Bromwich, just last month said: ''That is less than we need, but it is a significant sum, especially in a constrained budget environment where the funding of most other agencies is being cut. We desperately need more environmental scientists and more personnel to do environmental analysis. We desperately need more personnel to help us with the permitting process and much more.''

If the Department isn't going to be given enough resources and expertise to do the job right, then the Department shouldn't be forced to do the job fast. Instead of creating unnecessary catch 22's for government, we should be working to make government more efficient and more effective. My amendment addresses the root of this issue by lifting the arbitrary timeline requirements if the Department isn't given the necessary resources it needs to properly process applications.

I yield back the balance of my time.

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. I yield myself such time as I may consume. I will do my best to be brief.

The purpose of H.R. 1229 is to get residents of the gulf back to work in producing offshore energy. It is not only good for them; it is good for the entire country.

This amendment, whether intended or not, would allow the administration to continue to impose a de facto moratorium that would delay American energy production and keep thousands of people out of work. The residents of the gulf are simply in a holding pattern, waiting for their jobs to come back. Some of them are even seeing their jobs outsourced to other countries as rigs leave the Gulf of Mexico, bound for other parts of the world.

Now, there is an established process for the administration to propose and advocate for funding and resources, which is different from what this amendment addresses. This annual process, the budget process, provides ample opportunity for considering what is needed to safely and responsibly oversee offshore energy production. Let us note that the House Republican majority, in enacting a budget, acted to increase funding for reviewing and approving offshore permits for the current year, which was not done by the Democratic Congress last year.

This amendment would delay American energy production. For that reason, I oppose it. I urge my colleagues to vote ''no.''

I yield back the balance of my time.

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

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

Mr. POLIS. 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 Colorado 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 part A of House Report 112–73 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. POLIS of Colorado.

Amendment No. 2 by Mr. GARAMENDI of California.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) 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 167, noes 245, not voting 19, as follows:

[Roll No. 299]

AYES—167

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—245

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—19

Capps
Conyers
Giffords
Green, Al
Hastings (WA)
Hinchey
Hinojosa
Jackson (IL)
Jackson Lee (TX)
Johnson, Sam
Langevin
Manzullo
Nunnelee
Paul
Reed
Reyes
Speier
Tsongas
Waxman

□ 1857

Messrs. FLAKE and TURNER changed their vote from ''aye'' to ''no.''

Ms. HAYWORTH, Ms. MOORE, and Ms. McCOLLUM changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 240, not voting 22, as follows:

[Roll No. 300]

AYES—169

Ackerman
Altmire
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran

Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richardson
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—240

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—22

Bishop (NY)
Carney
Conyers
Giffords
Green, Al
Hastings (WA)
Hinchey
Hinojosa
Jackson (IL)
Jackson Lee (TX)
Johnson, Sam
Langevin
Manzullo
Meehan
Nunnelee
Paul
Reed
Reyes
Rogers (AL)
Ross (FL)
Speier
Tsongas

□ 1904

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARNEY. Mr. Chair, on rollcall No. 300, had I been present, I would have voted "yes."

Stated against:

Mr. MEEHAN. Mr. Chair, on rollcall No. 300, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 237, not voting 18, as follows:

[Roll No. 301]

AYES—176

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Lance
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Richardson
Richmond
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—237

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—18

Becerra
Conyers
Giffords
Green, Al
Hastings (WA)
Hinchey
Hinojosa
Jackson (IL)
Jackson Lee (TX)
Johnson, Sam
Langevin
Manzullo
Nunnelee
Paul
Reed
Reyes
Speier
Tsongas

□ 1912

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Chair, today I was unavoidably detained and missed the votes on:

Polis (CO) Amendment (#1). Requires review of permits by the Interior Department to take into consideration all applicable safety, environmental and fisheries laws, such as the National Environmental Policy Act, the Endangered Species Act and the Marine Mammal Protection Act. Had I been present, I would have voted "no"' on this amendment.

Garamendi (CA) Amendment (#2). Implements the independent BP spill commission's recommendation by requiring that in reviewing a drilling permit, the Secretary consult with an independent drilling safety organization not affiliated with the American Petroleum Institute. Had I been present, I would have voted "no"' on this amendment.

Markey (MA) Amendment (#3). Implements offshore drilling safety reforms recommended by the BP Spill Commission and would set specific new minimum standards for blow-out preventers, cementing and well design. Had I been present, I would have voted "no"' on this amendment.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Georgia) having assumed the chair, Mr. DOLD, 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. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1231, REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112–74) on the resolution (H. Res. 257) providing for consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 856

Mr. HECK. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 856, a bill originally introduced by Representative HELLER of Nevada, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. PEARCE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from the bill, H.R. 1380.

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

There was no objection.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore. Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1229.

□ 1915

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 further consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mrs. ADAMS (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 3 printed in part A of House Report 112–73 offered by the gentleman from Massachusetts (Mr. MARKEY) had been disposed of.

AMENDMENT NO. 8 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112–73.

Mr. HASTINGS of Florida. Madam Chair, 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 9, before the closing quotation marks insert the following:

"(4) ESTIMATIONS REQUIRED IN PERMIT APPLICATIONS.—The Secretary shall require that each application for a permit to drill a well include detailed estimations of—

"(A) the amount of oil and gas that is expected—

"(i) to be found in the area where the well is drilled, in the case of an exploration well; or

"(ii) to be produced by the well, in the case of a production well; and

"(B) the amount by which crude oil prices and consumer prices would be reduced as a result of oil and gas found or produced by the well, and by when the reductions would occur.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, speeding up the permitting process and thereby making it easier to drill off our country's shores in the manner that this bill does will do little to help Americans at the gas pump.

According to the Energy Information Administration, even tripling our current offshore drilling capabilities by the year 2030 would lower gasoline prices only 5 cents per gallon more than if we continued at the current levels.

At maximum output, the United States holds less than 2 percent of the world's oil reserves, not nearly enough to significantly impact the price per barrel, which is set on a global level primarily by the Organization of the Petroleum Exporting Countries that we reference as OPEC.

In reality, the United States is already producing more oil per day than it ever has, yet gas prices are still around $4 per gallon. Though production in our country has actually increased every year since 2005, crude oil hit a record $147 per barrel over the same time period, demonstrating that there is little correlation between drilling levels in the United States and the price of oil.

More drilling will put our businesses, as well as our environment and health, at an increased risk with little return to the average American. By itself, the United States consumes one quarter of the world's oil. What drives the price of oil more than any other factor is the large scale and high demand for it worldwide.

The only way we can reduce gasoline prices is to decrease our country's demand for fossil fuels by increasing our energy efficiency, improving the fuel mileage of our cars, and developing real renewable energy resources. Federal policies should focus on making these changes, not on dangerously restricting Federal oversight of the industry.

Madam Chair, I urge my colleagues to support my amendment.

I reserve the balance of my time.

□ 1920

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