

Federal, State, or local environmental law or regulation. To be clear, these emergency orders are not issued lightly and only under extreme power reliability scenarios. In the last 30 years, this authority has only been invoked about half a dozen times.

If the need arises, my legislation will ensure that DOE works to minimize any adverse environmental impacts by balancing environmental interests with liability considerations.

While some people are concerned that H.R. 271 doesn't go far enough to protect plant operators who might face lawsuits from environmental groups, my bill is a vast improvement over current law.

Major utilities, both public and investor-owned power trade associations believe that a Federal court would be hard pressed to overrule an emergency order issued by the DOE. In a crisis, if this bill becomes law, DOE will be given deference, which will apply to utilities following these orders. DOE will consult with clean air regulators, but the final decision in emergencies will always firmly remain in the hands of those charged with keeping the power flowing.

The protection H.R. 271 offers is critical; and given the number of plant retirements that have been announced, as operators grapple with new EPA air and water rules, I worry that DOE may need to use its emergency authority more often in the future.

I still expect DOE emergency orders to be the exception and not the rule. In those rare instances when the authority is invoked, we should not punish generators who are simply following orders from the Federal Government to keep the power on in an emergency.

Resolving this conflict is critical, which is why I reintroduced this bipartisan legislation in the 113th Congress. It will allow America's power companies to comply with Federal orders to maintain grid reliability during a power emergency without the threats of lawsuits or penalties.

I'm pleased with the widespread bipartisan support this bill has received. This bill is proof that we can find common ground in Washington, D.C., when working to address a glitch in Federal law and provide a reliable energy supply to all Americans.

I want to thank Chairman FRED UPTON, Ranking Member HENRY WAXMAN, Subcommittee Chairman ED WHITFIELD, and Subcommittee Chairman BOBBY RUSH for their support and assistance in moving this bill forward. I also want to thank my original cosponsors on the committee, GENE GREEN of Texas, MIKE DOYLE of Pennsylvania, LEE TERRY of Nebraska, ADAM KINZINGER of Illinois, and their staffs for working with me to fix this problem, to keep the power running for all Americans in an emergency.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation that protects energy consumers, the environment, and those who provide the power.

With that, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 271, the Resolving Environmental and Grid Reliability Conflicts Act.

I'm proud to be an original cosponsor to this bill that we worked on with my good friends, Congressman PETE OLSON and Congressman MIKE DOYLE, last Congress. This bipartisan legislation addresses a conflict in Federal law where a company or individual can be held liable for violating environmental laws when the Federal Government orders them to generate power to avoid blackouts.

□ 1930

Section 202(c) of the Federal Power Act gives the Department of Energy the authority to order an electric generating facility to generate power in order to avoid an electric reliability emergency.

At the same time, the possibility of violating environmental laws and regulations may restrict the operation of power plants or transmission lines. For example, a company may have mothballed a power plant because it had reached its Clean Air Act emissions limit for the year. So if a company, or publicly owned utility, is ordered by DOE to operate under section 202(c), and at the same time is prohibited from operating in accordance with the DOE order due to environmental limitations, the operator must choose which legal mandate to follow. These conflicting legal mandates should not complicate an electric reliability crisis, but they do. It is not fair for the government to put a power generator in this position.

As a longtime member of the Energy and Commerce Committee and someone who has worked on both reliability and environmental legislation during that time, I can honestly say that it was never our intention to put electric generating facilities in the position of having to choose between compliance with one law over another. And while there have only been a couple of instances to date where a generator has been in this situation, this potential for conflict will only grow as several coal-fired plants are scheduled to be taken offline in the coming years.

That is why Congress needs to address this issue. Otherwise, we risk threatening our electric reliability and for certain regions of the country, this issue is coming fast. H.R. 271 simply clarifies that if an emergency order issued pursuant to section 202(c) of the Federal Power Act may result in a conflict with an environmental law or regulation, the order shall expire no later than 90 days after issuance.

This deadline does two things. First, this ensures that the Department of Energy continues to have the necessary authority to "keep the lights

on" in true emergencies. However, it then gives DOE the opportunity to renew or reissue the order for an additional 90-day period only after consulting with the appropriate Federal agencies and including conditions submitted by these agencies to mitigate any potential adverse environmental impacts.

This is not a messaging bill. It's not an anti-EPA bill or an anti-air toxic standards bill. Instead, it's a commonsense bill that addresses a very worrisome deficiency in current law that is only going to become more prominent in the coming years.

I want to thank our ranking member, Mr. WAXMAN, for his continued support of this bill. This is one of a handful of bills that actually were supported by both Democrats and Republicans in the Energy and Commerce Committee, and it has support across the utility industry. My hope is that the committee will continue to refer to the floor truly bipartisan bills like this one. It's time we get back to legislating and not messaging. With that, I encourage my colleagues on both sides of the aisle to support this bill.

I reserve the balance of my time.

Mr. OLSON. Mr. Speaker, I have no other Members wanting to speak, and I'm willing to close if my colleague is as well.

Mr. GENE GREEN of Texas. Mr. Speaker, I encourage my colleagues to support this great legislation.

I yield back the balance of my time.

Mr. OLSON. Mr. Speaker, in closing, I want to thank Chairman UPTON, Ranking Member WAXMAN, subcommittee Chairman WHITFIELD, and subcommittee Ranking Member RUSH for their assistance in getting this bill passed in the 113th Congress.

If my colleagues want to go home next week with an example of bipartisanship for their constituents, vote for H.R. 271.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEWART). The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 271.

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

A motion to reconsider was laid on the table.

#### APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Migratory Bird Conservation Commission:

Mr. WITTMAN, Virginia

Mr. DINGELL, Michigan

APPOINTMENT AS MEMBERS TO  
MILITARY COMPENSATION AND  
RETIREMENT MODERNIZATION  
COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239), and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Military Compensation and Retirement Modernization Commission:

Mr. Dov S. Zakheim, Silver Spring, Maryland

Mr. Michael R. Higgins, Washington, D.C.

COMMUNICATION FROM THE  
DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 17, 2013.

Hon. JOHN BOEHNER,  
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 4(c) of House Resolution 5, 113th Congress, I am pleased to re-appoint The Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
Democratic Leader.

HONORING MR. AND MRS. BENTON  
MARKS

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise today to recognize an exceptional Hoosier couple, Mr. Benton and Mrs. Sandi Marks, who are being honored with the 2013 HAI-Life Distinguished Service Award by the Hasten Hebrew Academy of Indianapolis.

Mr. Marks has served as president of both the Hasten Hebrew Academy and the Bureau of Jewish Education, as Jewish Federation campaign chair and president, and as chairman of the State of Israel Bonds. He has also served as a member of the Indiana Judicial Nominating Commission, and has volunteered with numerous civic and professional organizations.

Mrs. Marks has devoted her life to education, serving on the Hasten Hebrew Academy Education Committee and as a board member of the school. She recently retired from Washington Township Schools but continues to serve the district and Indiana as a school psychologist. She is also a trust-

ed friend and confidante of mine on education issues in my capacity as chairman of the subcommittee on K-12 education.

Mr. and Mrs. Marks are wonderful entrepreneurs, excellent philanthropists, and most of all, friends. I am honored to know them, even since my days as Indiana Secretary of State, and I know they will continue to serve as leaders in our Indiana community for many years to come.

CONGRATULATING MATTHEW  
MADDOX

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, it is an honor to follow the gentleman from Indiana, the subcommittee chairman of K-12, because I'm going to recognize a leader in our K-12 community in Illinois.

Mr. Speaker, I rise today to recognize Matthew Maddox for being named the VFW National Citizenship Education Elementary Teacher of the Year.

Matthew is a fifth-grade teacher at Columbus Elementary School in Edwardsville, Illinois, and he was selected as the Teacher of the Year from among 60,000 other teachers for his dedication to education, innovative teaching style, and resource development.

In the classroom, Matthew has made it a commitment to recognize the sacrifices made by our Nation's veterans by regularly inviting veterans to visit and share their stories to help make history much more relevant to his students.

In addition to being an educator, Matthew has proudly served our country in the Illinois National Guard's 445th Chemical Company since July 2011, and has enrolled in officer training school at Camp Lincoln in Springfield, Illinois.

Far too often, our Nation's educators do not deserve the credit and recognition they deserve. So I am proud to stand here today to congratulate Matthew Maddox for the work he does in the classroom, and also to thank him for his service to our country.

□ 1940

HONORING THE SERVICE AND SACRIFICE OF OUR NATION'S VETERANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, I recently visited the Eastern Nebraska Veterans Home in Bellevue. It's a lovely place that is well-designed to care for those who have served in the protection of our country. I had a nice

visit, talking with many of the veterans there, each with their own unique stories of service to our Nation.

A conversation, though, with one man in particular, Mr. Speaker, has stuck with me ever since. Now in his nineties, Don McBride sat quietly as I was speaking to the entire group. But as I was leaving, I went over to him to thank him for his commendable service to our Nation; but as soon as I got those words out, Don stopped me.

You see, Don has a very interesting story. As I understand it, he did not directly enlist in the United States military. It was a unique situation. Don was a pilot with Pan Am Airlines, and during World War II, he helped the war effort by flying planes into China. During World War II, China was our ally.

In all, Don flew 524 missions. He had to put a few planes down a couple of times because they were shot so badly, but he didn't stop. He and his fellow pilots did whatever was needed for the war effort, whether it was engaging Japanese aircraft or delivering aid to remote places in that rough terrain.

For his service, Don was awarded the Presidential Citation, four Bronze Stars, the Air Medal, the Distinguished Flying Cross, and the China Service Medal. He didn't want to tell me all this. He was quite reserved about it, but his nurse encouraged him to share his story.

But, again, as I went to thank him, Don stopped me and he said this, Mr. Speaker. He said: We don't need any thanks. Every man here did it because he wanted to, because it was necessary. I don't know of anybody who has ever been sorry for serving.

Mr. Speaker, it is this spirit of selflessness that lives on in so many of our veterans and the military men and women who are serving our Nation today. They gave, and continue to give, for one simple reason: it is necessary and it is their duty.

On Memorial Day, this coming Monday, we will gather for an occasion that is both solemn and joyful. We honor those who gave everything in service to their countrymen. The formal remembrance of fallen heroes mixes feelings of both sorrow and pride. That a person would lay down his life for his friends, for another, is the noblest of human ideals. That we would unite in gratitude to reflect on the sacrifices of those who have gone before us is one of the greatest human expressions.

And for those who are veterans, Mr. Speaker, who have stood next to persons who have given their all, perhaps holding them as they died, watching helplessly as war consumed another innocent life, their living presence, Mr. Speaker, the living presence of our veterans today is an honor to those who did not come home.

Communal remembrance is a long-standing human tradition. When we focus our remembrance on the war veterans who have sacrificed for us, the act is particularly meaningful and appropriate.