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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDING).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 19, 2013.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE TOLL OF OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, we are now 7 weeks into the implementation of ObamaCare. We know that in the first 4 weeks, 106,000 Americans placed health plans in their shopping baskets, although it is not clear how many of them actually purchased plans. Meanwhile, it is estimated that 5.5 million Americans have lost the health insurance that they had, that they liked, and that they were promised that they could keep.

The inconvenient truth is that this law has dramatically increased the ranks of the uninsured. Yesterday came word that college students are seeing their low-cost student plans canceled, with replacement costs as much as 1,800 percent higher under ObamaCare.

Although the President recently assured the Nation that the cancelations are confined to the individual market, we are now learning that his administration gives a mid-range estimate that two-thirds of the small employer plans and 45 percent of the large employer plans face cancelation as well. Some estimates are as high as 93 million Americans who have employer-sponsored plans will lose their plans next year.

And these reports don't account for the millions more who are seeing massive rate increases in their current plans; nor do they account for the millions more who have had their hours cut back to part time or had their wages cut back or have lost their jobs altogether as employers struggle to stay in business while bearing these staggering costs; nor do they account for those who discover that by accepting ObamaCare plans, they are losing their doctors.

Walmart now warns that the financial impact of this law on families could materially depress holiday shopping.

Mr. Speaker, we are watching nothing less than the wholesale destruction and collapse of the American health care system, which, for all of its flaws, was still the most advanced, accessible, adaptable, and responsive health care system that the world has ever known; and if you doubt that for a second, ask yourself where the world's elites came when they needed first-class medical care. It wasn't to Canada or England or Mexico. It was to the United States. And now we are losing that.

There was nothing unforeseen about this fiasco. Republicans have been warning of these outcomes from the very beginning.

When we warned that Americans would not be able to keep their health care plans, we were called extremists. When we warned that ObamaCare would result in massive cost increases on consumers, we were called alarmists. When we warned that many Americans would lose their jobs, have their hours cut back, or see salary cuts, we were called racists. When we asked for a 1-year delay in this program to address these issues, we were called demagogues, arsonists, and jihadists.

But, now, all of these warnings are coming to pass, and still the Democrats persist in imposing this law on an unwilling Nation. In doing so, great violence is being done to our Constitution.

In implementing this takeover of one-sixth of the American economy, the President has repeatedly asserted what can only be described as a doctrine of executive nullification—the authority to ignore the parts of the law that he finds inconvenient or embarrassing and to pick and choose who must obey the law and who need not.

He has granted some 1,600 exemptions for well-connected interests—mainly labor unions. He has excused big businesses from the requirement that they provide health care to their employees, while forcing employees to fend for themselves. He has excused Members of Congress and their staffs from paying the full cost of ObamaCare policies.

And last Thursday, he announced that health insurers can ignore the law that requires them to cancel existing policies. Notice that he didn't say that he was going to seek to change the law. He said he would ignore the law for a year. He invited health insurers to do the same, in direct violation of the principle constitutional responsibility of the Presidency to ''take care that the laws be faithfully executed.''

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Mr. Speaker, I appeal to my Democratic colleagues to consider the damage that this law is doing, both to the American health care system and to the rule of law itself and, above all, to the families who are struggling to deal with its effects.

I ask them to heed the growing pleas of the American people to have their health plans restored to them. I ask them to join Republicans in repealing ObamaCare and to help us replace it with the patient-centered health care system that we have long proposed: reforms that preserve the best of American health care while repairing its flaws.

BUDGET CONFERENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, we have 10 days left in this year's session, according to the schedule. We are supposed to adjourn on December 13—somewhat ironically, Friday the 13th; and yet, Mr. Speaker, we see time is running out and we are not addressing the critical issue and the critical responsibility of funding the government and of applying resources to our priorities.

Time is running out, Mr. Speaker, for budget conferees to send us legislation so we can avoid another government shutdown in January.

A budget conference agreement will require compromise from both sides—a step that Budget Chairman PAUL RYAN and many of his colleagues seem unprepared to take.

Mr. Speaker, it has been my premise that the reason we did not go to conference for the last 7 months, notwithstanding the fact that the Senate passed a budget and the House passed a budget, is that Chairman RYAN knows there is no compromise that he could reach that he could bring back and have the support of his colleagues on the Republican side; and as a result, we have no compromise. As a result, we have no product to consider.

This is an extremely disappointing position, Mr. Speaker, because it is clear that the Ryan budget is not a viable blueprint for governing. It was not when we passed it, and it is not now. It was a pretense of fiscal responsibility without any of the substance of fiscal reality or courage. That fact was made evident this summer as Republicans could only pass funding bills for defense and veterans programs, pulling their transportation funding bill and not even bringing the other appropriations bills to the floor.

Yesterday, all 12 of the Republican subcommittee chairs of the Appropriations Committee sent a letter to PAUL RYAN, CHRIS VAN HOLLEN, Senator MURRAY, and Senator SESSIONS, saying, We need to have a budget. We need to have a compromise agreement; and we need to have a sequester number eliminated and a rational number replacing it—a number that can work for America.

In fact, they said, If you don't do it, we are going to have to have a meat-ax—their verbiage, not mine, Mr. Speaker—not only on the domestic side of the budget—education, health care, the environment, law enforcement—but also on the national security side of the budget.

We all know how the budget that was offered by Mr. RYAN achieves balance—severe cuts, in the same vein as the irrational sequester, that target the most vulnerable Americans and place our economic recovery in jeopardy.

It is somewhat ironic that on the front page of The Washington Post today we see where Mr. RYAN was not focused on the budget; he is focused on the poor. That is a proper focus, and this Congress ought to be focused on that. But it is interesting that the Ryan budget does exactly the opposite of what we need to do to make sure that the poor are reduced in number and the middle class are expanded in number.

That is why, in my view, Mr. Speaker, regarding this budget, so many of his own party could not support appropriations bills within the framework of the Ryan budget. That is why the bills were not brought to the floor.

Already, some Republicans are admitting that only a balanced approach will enable us to achieve the level of deficit reduction we need; and contrary to Mr. RYAN's view, this means that revenues—that hated word—must be on the table.

Representative TOM COLE of Oklahoma, the former chairman of the Republican Campaign Committee is one of them, telling reporters on October 25:

> I think both sides would like to deal with the sequester. And we're willing to put more revenue on the table to do that.

Mr. COLE was one of the signers of that letter to which I referred that said, Let's replace the meat-ax represented by the sequester. Unfortunately, Chairman RYAN continues to rule out any talk of revenues, which is the key to any meaningful compromise that will replace the sequester.

Mr. Speaker, as you probably know and as I think my Republicans colleague know, I have said now and I have said in the past that we must also deal with entitlements. We need a balanced plan, not an unbalanced plan; but without a balanced plan, the sequester will remain in place, and it will hurt America.

Instead of just saying what he is against, it is time for Mr. RYAN and Republicans to show a readiness to compromise to achieve results for the American people.

Mr. RYAN is the chairman of the conference committee. Yet he has to this date not put on the table what chairmen always do—the chairman's mark, chairman's suggestion, or chairman's proposal.

Democrats have been clear that we are willing to compromise and are ready to do what it takes to achieve a balanced and bipartisan deal on the budget. This was evident when we voted unanimously alongside 87 Republicans to end the government shutdown, even when it meant supporting a continuing resolution—an appropriations bill for the government—at a level we believed was too low. But we understood compromise was necessary. And so all 198 Democrats voted to open up the government and to pay America's bills, while 147 Republicans—approximately 62 percent of the Republicans—voted to keep the government shut down and to not pay America's bills.

I was encouraged to read the letter sent yesterday, as I said, by Chairman ROGERS and the Appropriations Subcommittee chairs, making clear how important it is for conferees to send us a budget by Thanksgiving—that would have to be this Friday, because we are not going to be here next week—rather than risk another painful shutdown and the continuation of the irrational sequester this coming year.

Many Republicans now agree with Democrats that the sequester is unworkable.

Who says so? Mr. RYAN says he doesn't like the sequester. Mr. CANTOR, the majority leader, says he doesn't like the sequester. And HAL ROGERS has said it is unworkable and inadvisable.

The Budget Conference has a larger mission than to simply rearrange the sequester's severe cuts. This is an opportunity to replace the sequester with a sensible approach that permits Congress to look strategically at our budget priorities and our long-term fiscal and economic goals. If we do so, in my view, it will be the most important stimulus of our economy and job-creating action that this Congress could take.

Mr. Speaker, I hope that Chairman RYAN will set his flawed budget aside and instead embrace the approach that many of his Republican colleagues are already recognizing is the only realistic path toward a compromise by this committee. To do so could usher in a historic agreement to achieve real fiscal responsibility for America for years to come. I hope Mr. RYAN's leadership will result in that objective.

□ 1015

27TH CENTRE COUNTY TOYS FOR TOTS CAMPAIGN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in 1947, Major Bill Hendricks, with the support of his Los Angeles Marine Corps Reserve unit, collected and distributed 5,000 toys to needy children. Since the program's adoption nationally as Toys for Tots in 1948, the U.S. Marine Corps Reserve's Toys for Tots program has collected

and distributed close to 500 million toys.

On Monday, I had the honor of attending the Centre County Toys for Tots' kickoff breakfast in central Pennsylvania. Chaired by Gene Weller, a retired Marine major, 2013 marks the 27th Centre County Toys for Tots campaign, organized by the Nittany Leathernecks Detachment 302. About 250 collection points around Centre County will accept new, unwrapped toys, books, and games for infants to teenagers until December 15. This program has grown with the support of area food banks, fire departments, businesses, and hundreds of local volunteers.

Mr. Speaker, over the past 10 years, Marines have distributed an annual average of 15 million toys, bringing joy to an average of more than 6.3 million less fortunate children each year.

We thank you in more ways than one every day, Marines, and I thank you for supporting these children in need.

IRAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in an era of violence in the Middle East, tragedy in Syria, and turmoil in Egypt, there is some very encouraging news surrounding Iran.

The most important signal may have been the election of Hassan Rouhani as President of Iran who is by no means a moderate by anyone's stretch of the imagination except in the context of Iran. He was the choice of the Iranian people for change, for a different path to reduce the collision course with the United States and the crippling sanctions we have imposed. His foreign minister, Mohammad Zarif, is an able and experienced diplomat with strong relationships with the people who have dealt with him for years both in the United States and Iran.

I am encouraged by the reports in the news and in the opinion pages which point out something I have long argued on the floor of this House: the convergence of interests between the United States and Iran.

People forget the key role that the United States played in the emergence of the modern state of Iran, of the constitutional revolution beginning in 1905, where American influence was profoundly felt. Unfortunately, for the last 60 years, we have serially mismanaged our relationship with Iran.

How would we have felt if a foreign power worked to overthrow our democratically elected government and install a dictator? That is exactly what the United States and Great Britain did in 1953 and how the Shah returned to power.

It is amazing that the majority of Iranians still has positive feelings towards the United States, which they do. People forget the alignment of interests between the United States and Iran after 9/11 that led them to help us deal with post-Taliban Afghanistan. In the capitals of some of our supposed allies in the Middle East, people were cheering on that tragedy. On 9/11, people in Tehran were standing in solidarity with Americans. This, of course, was before George Bush recklessly included them in his infamous ''axis of evil'' pronouncement. The Iranian people are distinct from the Arabs and are proud of their Persian heritage, stretching back thousands of years.

Iran is an important part of any ultimate solution in stabilizing Iraq and in resolving the Syrian conflict. Yes, they have advanced nuclear development, and we rightly should be deeply concerned with their pursuit of nuclear weapons. That is why one of the Obama administration's greatest foreign policy triumphs has been to marshal support of the world for this stringent, comprehensive regime of sanctions. It has made a huge difference—driving down the value of their currency, depleting their foreign reserves, and creating extreme inflationary pressures on their economy.

Now is the time to see if a solution can be developed. It is decidedly not the time to ratchet up sanctions even further. Nothing would undercut the more moderate forces in Iran, and more pressure could be very counterproductive because we are at risk of sanctions fatigue by our partners. Other countries that do not share our same policy positions and deep hostility towards the Iranians have gone along with sanctions. To expect that countries like China, India, and Russia are going to follow us with even more extreme sanctions and turn their backs on the progress is questionable at best. At worst, it would end up losing support for the sanctions regime we have now, would strengthen the hand of the hard-liners who do hate America, and would set back long-term prospects for peace, not just for Iran, but for Syria, Iraq, and throughout the Middle East.

Most experts I have encountered feel Iran could have built a nuclear bomb years ago, but they didn't. Recently, they have slowed the pace of their nuclear activities and have been open to proposals unthinkable a year ago. The rush to undercut the process is shortsighted, counterproductive, and it risks accelerating the development of Iranian nuclear weapons.

Now is the time to accelerate diplomacy, not to walk away. It is decidedly not the time for the United States Congress to throw a monkey wrench in the diplomatic procedures and to ratchet up sanctions. We can always reimpose sanctions, but may not be able to recreate this diplomatic opportunity.

GEORGE TURNER

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to honor a great American, George Turner, from Wilmington, North Carolina, for his recent induction into the Wake County Boys & Girls Club Hall of Fame.

George is a man of character and conviction, who exudes principle and selflessness. He is a tireless worker and leader in his community. George's success in business is equally matched by his giving nature.

Earlier this month, George was honored for his years of service to the Wake County Boys & Girls Club, and was inducted into their Hall of Fame. Over 700 people came to the Raleigh Convention Center to see George be honored for his service to the Boys & Girls Club. This is a testament to how many lives he has touched in his decades of work with the organization. As a longtime board member of the Wake County Boys & Girls Club, previously leading the organization as board president, George is a great role model to kids across North Carolina.

George attended East Carolina University and served in the United States Coast Guard, Active and Reserves, from 1960 to 1968. Before he retired, George was CEO of the Ready Mixed Concrete Company in my hometown of Raleigh, North Carolina.

George is a real leader in business and in education, serving on the board of directors for the Raleigh Chamber of Commerce, the National Ready Mixed Concrete Association, the North Carolina State University Engineering School, the North Carolina State University College of Design, and the Raleigh YMCA.

George is a truly giving man, and I can think of no one more deserving of the Hall of Fame than he. I congratulate him on receiving this award, and I thank him for his unwavering dedication to his community. It is spirit and enterprise like George Turner's that will rebuild our Nation and rebuild our economy.

SUPPORTING ONEIDA INDIAN NATION'S ''CHANGE THE MASCOT'' CAMPAIGN

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. MAFFEI) for 5 minutes.

Mr. MAFFEI. Mr. Speaker, I am proud to represent central New York, home of the six nations of the Haudenosaunee Confederacy, which was also known as the Iroquois Confederacy. It includes the Mohawks, the Oneidas, the Onondagas, the Cayugas, the Senecas, and, later, the Tuscaroras. It spread across New York, and was one of the earliest civil governments in territory that now lies within the United States and Canada.

Mr. Speaker, I rise today in support of Oneidas' leader Ray Halbritter's efforts to change the name of the Washington, D.C., National Football League team. The name of the Washington football team is derogatory to the Native Americans of this country. For many Native Americans across the

land, the name of the Washington football team is a deeply personal reminder of a legacy of racism and of generations of pain.

The current campaign to change the team's name is supported by many groups and individuals, including Native American organizations, civic and government leaders, editorial boards, and many leaders, including my colleagues, Representatives BETTY MCCOLLUM and TOM COLE, and many others in a nonpartisan effort.

President Obama said recently:

> If I were the owner of a team and I knew that there was a name of my team—even if it had a storied history—that was offending a sizable group of people, I'd think about changing it.

I wholeheartedly join this effort.

I also believe that the owner of the Washington team and other NFL owners should meet with the Oneidas as they have requested. How can we achieve mutual understanding unless they are willing to meet?

Mr. Speaker, in my office and with me now, I keep a replica of a Two Row Wampum belt, called the Guswhenta. It was lent to me by the Onondagas, and it symbolizes one of the first treaties between the Native Americans and the Europeans, concluded in 1613 between the Dutch and the Haudenosaunee. The two rows of wampum, which are beads made out of shells, represent Europeans and Native Americans. They are equal in size and travel together along a strip of white, representing peace. It was and still is a symbol of friendship and community.

Although the years since this treaty was concluded have seen much devastation and tribulation for Native Americans, today, the Haudenosaunee endure and maintain their culture. We have much to do to improve our relationship between our two peoples after centuries of strife, conflict, and repression, but so many are working to mend the riffs and to restore the promise of brotherhood and respect that this treaty belt contains. I joined a group of canoers last summer—Native Americans, European Americans, Asian and African Americans—who rode together across upstate New York and to New York City in order to commemorate this 400-year-old agreement.

Wouldn't it be great if, in order to show reverence and respect for the Haudenosaunee and the Native American tribes across this country, we could continue to do these things. Wouldn't it be great if, on this 400th anniversary of this groundbreaking treaty, we could right the wrong and change this NFL's team's name.

Mr. Speaker, this treaty was perhaps the first, but it wasn't the last. In November of 1794, George Washington, whose portrait is one of only two portraits in this hallowed Hall, through his official representative, Tom Pickering, concluded the treaty of Canandaigua with the Haudenosaunee. President Washington had a six-foot-long treaty belt that was fashioned to ratify this treaty that our two peoples should live in peace and friendship.

Mr. Speaker, George Washington, himself, respected the Native Americans of this country and their culture. Shouldn't the NFL team that bears his name do the same?

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, again I am on the floor today to talk about the ongoing discussion between the United States and Afghanistan regarding a 10-year bilateral strategic agreement to allow troops to remain overseas beyond the year 2014.

Multiple news organizations have reported that talks on the agreement have stalled because of the unwillingness of the Afghan Government to let the American military search Afghan homes. Two senior Afghan officials went so far as to tell The New York Times that the negotiations had reached a profound impasse.

Mr. Speaker, I would like to submit for the RECORD a letter that I have written to the President of the United States regarding this issue.

This agreement will force the United States to continue paying trillions of tax dollars to support the Afghans' President Karzai, a corrupt government which we cannot afford any longer. As it is, taxpayers in the United States have been paying $10.45 million every hour for the cost of the war in Afghanistan since 2001. Let me repeat that. Taxpayers in the United States have been paying $10.45 million every hour for the cost of the war in Afghanistan since 2001. This is unacceptable, especially at a time when this national debt is at an astounding $17 trillion and when we have been forced to make deep budget cuts in the United States.

Just this past weekend, tornadoes in Illinois killed six people. Last year, we watched the devastation on the east coast that resulted from Hurricane Sandy. These national disasters represent only one area in which we could use the money that we are sending to Afghanistan to help the American people right here. In addition, the bilateral strategic agreement will expose our troops to considerable dangers and will risk the loss of additional American lives, all without the approval of Congress.

At the very least, we in Congress should vote as to whether we agree with this agreement or not. It is not required by the Constitution, but we who oversee the spending of the taxpayers' money should demand that the leadership of the House in both parties have a vote, if nothing more than a resolution, that we do support this bilateral strategic agreement or we do not support it.

Mr. Speaker, I am here again today with my poster that is just such a sad commentary on Afghanistan. It is the cartoon of a little Mr. Karzai drawing money out of a money machine—which is being paid for by the taxpayers, by the way—and his comment is, ''I am just making a quick withdrawal.''

□ 1030

Sadly, too, behind him is an American soldier whose thoughts are this: ''I would like to make a quick withdrawal from here.''

Mr. Speaker, it is time for this Congress to wake up and take care of America's problems and not Afghanistan's problems. A 10-year agreement is unacceptable and we need to come together in a bipartisan way to send a message to the administration that we do not support this agreement, and we come together, Republicans and Democrats.

I would close by asking God to please continue to bless our men and women in uniform and ask God to please continue to bless America.

NOVEMBER 18, 2013.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I write today due to the ongoing discussion between the United States and Afghanistan regarding a 10-year Bilateral Security Agreement to allow our troops to remain overseas beyond 2014. Multiple news organizations have reported that talks on the agreement have stalled because of the unwillingness of the Afghan government to allow the American military to search Afghan homes.

Mr. President, this agreement will force the United States to continue paying trillions of tax dollars to support Afghan President Hamid Karzai's corrupt government. This is unacceptable, particularly at a time when the national debt is an astonishing 17 trillion dollars and we have been forced to make deep budget cuts at home. More importantly, allowing our troops to remain in Afghanistan exposes them to considerable danger and risks the loss of additional American lives—all without the approval of Congress. At the very least, a vote should be allowed to ensure that Congress exercises its constitutional responsibility of oversight of the expenditure of taxpayer money.

Considering these points, I implore you to reconsider the Bilateral Security Agreement and prevent both the loss of precious American lives and the waste, fraud, and abuse of American money overseas.

Sincerely,

WALTER B. JONES,
Member of Congress.

PANCREATIC CANCER AND SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. MATHESON) for 5 minutes.

Mr. MATHESON. Mr. Speaker, I rise today to bring awareness to our country's rate of pancreatic cancer and the need for strong and continued medical research of this disease. This year, over 45,000 are expected to be diagnosed with pancreatic cancer, a number that has steadily climbed over the past decade.

While survival rates for many other forms of cancer have improved in recent years, only 6 percent of patients

diagnosed with pancreatic cancer will live more than 5 years. That is a statistic that has not improved over 40 years.

Earlier this year, I sat down with several of my constituents affected by pancreatic cancer. One in particular, Jamiee, saw her father diagnosed with the disease and then tragically die just 11 weeks after he was diagnosed. Sadly, this story is all too common when discussing pancreatic cancer. I would guess that we all know someone who has died from this disease.

Sequestration cut $1.5 billion from the National Institutes of Health earlier this year. This is critical funding that would have been used to conduct research on deadly diseases such as pancreatic cancer. Everyone I talk to in my district agrees with the idea that funding medical and disease research is a good thing.

We must continue research in this area and begin the process of reversing these remarkably depressing statistics with pancreatic cancer. We owe it to Jamiee and thousands of other families affected by this disease to work towards a cure.

ANN CARRIZALES—WIFE, MOTHER, FORMER MARINE, STAFFORD POLICE OFFICE, HERO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today with great pride to share an amazing story of a police officer from Texas 22.

At 3:30 a.m., on October 26, this officer from Stafford, Texas, noticed a car sitting at a green light with its left turn signal on. A few minutes later the Stafford officer stopped that car. As the officer approached the car, shots rang out. The officer was hit in the neck, face, and chest.

The thugs sped off. The thugs had no idea who they shot. If they knew, they would have dropped their weapons and surrendered without a fight. They shot a wife, a mother of two young children, a former marine, who was the first female to join the Marine Corps' boxing team. They shot Stafford police officer Ann Carrizales. They messed with the wrong marine.

Despite being wounded, Ann returned fire, blowing out the back glass of the thug's automobile. She jumped in her cruiser and joined the chase. She quickly got on the radio saying, ''Shots fired, shots fired, I've been hit.''

For 7 minutes Ann chased the shooters. The video of her dashboard camera shows how cool and in control Ann was. She chased the thugs through two counties with multiple law enforcement agencies joining the chase—the Stafford Police Department, Missouri City Police Department, Sugar Land Police Department, Houston Police Department, sheriff's deputies from Fort Bend County and Harris County, and the Texas Department of Public Safety, all joining in the chase.

Despite her wounds, Ann stayed on the radio and kept everyone aware of her location, telling everyone all the streets that she was passing while she was chasing the thugs. Ann was in charge and everyone knew that.

Ann followed those thugs into an apartment complex. Knowing the danger to arriving officers in an apartment complex and the danger to innocent Americans losing their lives from stray gunshots in those apartments, Ann continued to manage the scene.

On Ann's dashboard camera, you can see Ann's fellow officers trying to take care of her wounds. Ann can be heard saying, ''Get out, it's not safe,'' and tell them to ''watch your back.'' Ann's shooter was caught later that day, and his two buddies were caught a few days later.

I talked to Ann a week after she was shot. I had two questions for Ann. The first question: ''What did you think when you were shot?'' She told me that her mama bear instincts kicked in. Those punks tried to take her from her husband and her two kids. They were going to pay for that. I also asked Ann: ''Did you ever think you were going to die?'' She snapped, ''No, sir, my chief did not give me permission to die that night.''

Thank you, Ann, for wearing that badge and for your heroism. Semper fi, Ann, semper fi.

WE MUST TACKLE THE REAL PROBLEMS WE FACE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, this week, it was reported that House Republicans are looking for a legislative plan to close out the year and to move forward into 2014 and, as such, passed out a blank sheet of paper as their agenda—a blank sheet.

Each month, polls put congressional approval rates at new lows, and more independent organizations rank the 113th Congress as one of the least—if not the least—productive of all time.

In response, leadership of the people's House has continued to govern by sound bites and pass messaging bills that simply go nowhere—even painfully shutting down the government for more than 2 weeks in the process.

If House leadership is looking for an agenda, they need only to look across the aisle to their friends. We have some suggestions, and chief among them is putting Americans back to work.

During our August work period, I participated in some 166 events, meeting with constituents each and every time. At nearly every stop, my friends and neighbors wanted to know what was being done in Washington to help the private sector create jobs.

My district is extraordinary, but not in this regard. I have to believe that the people of Albany and Schenectady and Saratoga Springs, New York, my hometown of Amsterdam, New York, in the 20th Congressional District, are thinking what America is thinking. They are asking what myself and our colleagues on both sides of the aisle are doing to grow the economy.

House Democrats stand ready to work with Republicans to address the real challenges that face this great Nation of ours.

Sequestration-related cuts are estimated to cost our economy some 1.6 million jobs through 2014. Let's work together to save jobs and pass a budget that invests by growing in a justified way, in a fair way, revenues and belt tightening so that we cut as we can, so that we then invest as we must.

Our family farms deserve the certainty that a 5-year reauthorization of the farm bill has brought them for decades upon decades. Our parties clearly don't see eye-to-eye on cutting such items as hunger assistance, hunger assistance for millions of veterans, millions of frail people, millions of elderly, millions of children.

If we work together on jobs, we will help the private sector put people into jobs and cut poverty and reduce the need for hunger programs. Now, isn't that a humane approach?

We see middle class America experiencing pain at the gas pump, and we worry that our foreign policy is dictated by our dangerous dependency, our gluttonous thirst for fossil-based fuels. Yet, we stand today without a clear and definitive clean energy agenda that would make our Nation a safer place and create tens of thousands of jobs in the short-term, boosting an American green-collar economy. It can be done.

A report just last week on solar panels was interesting. If we would use just simply 5 percent of available rooftops in Los Angeles County, we would be able to create 29,000 jobs in that effort.

In the past week, we have seen major severe weather events wreak havoc on the Philippines and across 12 States within the Midwest of our country. Even if you choose to ignore fact-based science that really proves climate change to be real and here, we can all agree that our aging infrastructure needs our assistance, it needs to be upgraded, it needs to be improved and replaced, so that we are taking a proactive approach to the soundness of infrastructure, which grows jobs. Instead, we are allowing storms of the century to impact our communities and then have a reactive process that simply isn't the best way to do business.

I could go on and on, but I only have 5 minutes here.

Immigration reform, updating the Voting Rights Act, tax reform, expanding background checks for gun owners, or passing ENDA—there is more than enough for us to tackle that translates into jobs. The vast majority of these policies would pass in a bipartisan fashion, as the government shutdown was avoided by a bipartisan vote with a

unanimous vote from the Democrats with a minority of votes from the Republicans. We could get things done if we would allow votes to be taken up on this floor, a simple up or down vote, but get it done and grow jobs.

This week, we solemnly observe the 50th anniversary of the death of one of the greatest leaders our Nation has known, President John F. Kennedy, a man who once said:

> Never before has man had such capacity to control his own environment, to end thirst and hunger, to conquer poverty and disease, to banish illiteracy and massive human misery. We have the power to make this the best generation of mankind in the history of the world—or to make it the last.

To act is both in our power and our duty. We must tackle these problems. I implore this House to take up a jobs agenda. Let's put America to work.

30TH ANNIVERSARY OF THE GRAND RONDE TRIBE'S RESTORATION AS A FEDERALLY RECOGNIZED TRIBE

The SPEAKER pro tempore (Mr. OLSON). The Chair recognizes the gentleman from Oregon (Mr. SCHRADER) for 5 minutes.

Mr. SCHRADER. Mr. Speaker, I rise today to acknowledge a significant milestone for the Confederated Tribes of the Grand Ronde Community of Oregon. This Friday, November 22, 2013, marks the 30th anniversary of the Grand Ronde Tribe's restoration as a federally recognized tribe.

The Confederated Tribes of Grand Ronde consist of nearly 30 different historic Indian tribes who lived in western Oregon, southern Washington, and northern California. This confederation of tribes was created almost 160 years ago when the Federal Government forced these tribes onto the Grand Ronde Indian Reservation in order to make room for the expanding settler population. Before the settlers arrived on the west coast, there were more than 60 tribes living within the Oregon stretch of the Pacific Ocean. These tribes resided in their homelands for over thousands of years.

As more and more settlers flowed into Willamette, Umpqua, and Rogue River Valleys, they began to overwhelm the land that had once belonged to the tribes. Conflict ensued. By the 1850s the United States Government, in an effort to end conflict and open up land for settlers, initiated treaty-making with the antecedent tribes and bands of Grand Ronde.

The United States and the Kalapuya and Molala Tribes, among others, entered into the Willamette Valley Treaty. With this treaty, the United States seized much of the Willamette Valley while promising money, supplies, education, health care, and protection to the Indians.

□ 1045

As a result of the Willamette Valley treaty and six other treaties ceding about 14 million acres, over 2,000 tribal people were removed from their native homelands and forced to resettle on the Grand Ronde Indian Reservation in the Yamhill Valley. At that time, the reservation consisted of more than 60,000 acres of land.

Before the arrival of the settlers, there were 20,000 native people living in the Willamette Valley. When the tribes were forced onto the reservation, there were 2,000. At the dawn of the 20th century, there were only 302 people listed on the Grand Ronde Reservation census. Many people had died as a consequence of the administrative neglect or had moved away from the reservation to find better opportunities for work in the cities.

By 1944, the United States Government found itself between a depression and a war. Seeking to cut government spending, they began to terminate their treaty responsibilities to Indian tribes and began the process of ending the United States' relationship with the tribe.

In 1954, Congress passed the Western Oregon Indian Termination Act, which terminated treaties the government had entered into in the 1850s. As a result of that act, the Grand Ronde Indian Reservation was closed. By this time, the tribe had been calling the reservation home for over 100 years. Along with losing their homes, people lost their access to health care, education, and other services the Federal Government promised to provide them in the treaties with the tribes. The Federal Government reneged on its promise to the tribes of a ''permanent reservation forever.''

Although the Grand Ronde people were once again driven from their land, they refused to surrender their cultural identity and traditions. In the 1970s, members of the Grand Ronde reservation community united to form the Confederated Tribes of Grand Ronde Indians to fight for their right to be recognized by the United States Federal Government.

After years of dedication and persistent efforts by tribal members, the United States Congress finally restored its relationship with the tribe on November 22, 1983, passing the Grand Ronde Restoration Act signed by President Ronald Reagan. This act, following nearly 30 years of termination, allowed the tribe to be eligible again for Federal housing, health, and education services. It also initiated a process that would lead to the Grand Ronde Reservation Act and the tribe's recovery of almost 10,000 acres of its original reservation.

Since restoration, the Confederated Tribes of Grand Ronde has thrived, becoming one of the most successful and vibrant tribes in the Pacific Northwest. With their own money, they have reacquired parts of their original reservation. The population of the tribe has grown from roughly 1,500 members a year after restoration to almost 5,000 members.

Grand Ronde boasts a stable economy that is rooted in timber and tribal gaming. The Spirit Mountain Casino on the Grand Ronde reservation has been responsible for a significant part of the tribe's income since the mid-1990s. Spirit Mountain is the most successful casino in Oregon and also the largest employer in Polk County, employing more than 1,200 people. Grand Ronde dedicates 6 percent of casino profits to its Spirit Mountain Community Fund. The fund, which supports a diverse array of charitable organizations in Oregon, has given more than $60 million to local communities, nonprofit organizations, and Oregon's Indian tribes since 1977.

The Confederated Tribes of Grand Ronde emerged from over a century of hardship to become a thriving community. There can be no doubt that the people of Grand Ronde will continue to prosper, as they have done on this land for a thousand years.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

JOHN ARIALE, THANK YOU FOR A JOB WELL DONE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CRENSHAW) for 5 minutes.

Mr. CRENSHAW. Mr. Speaker, I rise this morning to honor the congressional career of my chief of staff, John Ariale. I first met John Ariale 13 years ago, right after I was first elected to Congress; and after that first meeting when I saw his keen intellect, I saw his wry sense of humor, his love of Excel spreadsheets, his laser-like focus on policy, and his zany Italian zeal, I knew that was a combination that I needed to lead my legislative office.

They say that the decision to have someone be your chief of staff is one of the most important decisions you will ever make as a Member of Congress because the chief of staff not only represents your political views, but also represents your personal values. If there is one decision that I have made that I think would be unanimously agreed upon by my constituents as well as my colleagues, it would be the choice to have John be my chief of staff.

John has assembled an outstanding team of individuals. He has led that team of individuals through thick and thin. We have fought and won some very important legislative battles, one of which is a proposal of landmark legislation to forever change for the good the way our Nation deals with individuals with disabilities. It is called the ABLE Act. We haven't crossed the finish line yet, but I am sure we will; and when we do, it will be in large part because of the moral clarity and hard work and dedication of John Ariale.

Winston Churchill once said:

We make a living by what we get, but we make a life by what we give.

Mr. Speaker, John Ariale has given me, he has given this institution, he has given all of the individuals who have had a chance to work with him his heart and his soul. He has given his expertise, his wisdom, and his patience. There is little we can do to repay him for all that other than express to him our extreme gratitude and to wish him well on his next opportunities, his next challenge.

And so I would say to John Ariale, as he leaves as chief of my staff, thank you for a job well done.

God bless and Godspeed.

BUDGET COMMITTEE NEEDS TO GET THEIR JOB DONE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, now that the Republican shutdown is over, Congress should be addressing the most pressing issues facing our Nation—faster economic growth, putting our people back to work at living-wage jobs, balancing the budget, and investing in our future. But so far, there is no Republican budget deal completed to set the frame for all of this, to give confidence to businesses that they can invest, and to assure the American people that there is some certainty that Congress has done its job.

The first step is completion of a responsible budget resolution for 2014 which starts in just a few weeks; and, in fact, the Federal fiscal year started October 1. From that resolution would follow, if we had regular order in this House, 12 appropriation bills constrained within the limits of that important budget. But rather than completing the budget bill, I observed the chairman of the House Budget Committee making political speeches out in Iowa rather than getting the job done here. My message today is get the job done of the Budget Committee.

We know that the economy will grow when more people are working; and when that happens, the Federal debt will go down.

The first chart I have here actually shows that during the Clinton years when employment went up, we were able to balance the budget. It was followed during the Bush year with the terrible recession where unemployment went up and, guess what, the budget deficit increased and our accumulated debt grew at extraordinary proportions.

Now, think about what happens to the U.S. debt when unemployment goes up; and during the Bush years, we had over 8.8 million jobs that were eliminated because of the Great Recession. When people don't have a job, they aren't paying taxes. They aren't buying a new car or spending money at department stores or other consumer spending that drives employment growth and job creation. Increased wages drive investment. Moreover, people who don't have a job are likely relying on government for help—unemployment benefits that are extended, or other parts of the Federal safety net, the social safety net such as health insurance, and health care. That causes a drawdown in Federal spending.

So the message to my Republican colleagues is get the job done. That's the only way you are going to be able to reduce the debt. We cannot balance our budget with unemployment hovering at over 7 percent nationally.

Although the Obama administration has successfully led 42 months of consecutive job creation compared to the Bush years when we went so much into the hole, we still have not dug ourselves out and replaced those 8.8 million jobs that were eliminated. That is a lot of jobs. Over 2 million manufacturing jobs alone were eliminated. If we think about that, we have done a good job month by month. in crawling out of the recession. But the pace of this is not what I would call robust, but it definitely has been steady.

Piled on top of this gigantic effort to try to create jobs is a nagging trade deficit. In my part of America, people know well what job outsourcing has occurred to foreign countries. We have had continuing hemorrhaging of U.S. jobs because of trade agreements like NAFTA, China PNTR, Korea, all in the negative, all in the red, not in the black. We have not had a positive trade balance in this country since 1975, and the numbers show it. The deficits just keep getting worse.

Can you find anything made in America any more? There is $9 trillion in accumulated trade deficit since 1975. That actually equals half of our long-term debt because our monthly trade deficit now hovers around $39 billion more imported goods coming in there than we are able to export. This means more foreign goods, fewer U.S. jobs. Over time, these foreign subsidized products from closed markets replace American products and the jobs that go with them. The word ''outsourcing'' has become all too familiar.

Mr. Speaker, if my Republican colleagues want to tackle the Federal debt, then they need to bring a completed budget deal to the floor. It is months, almost a year, too late. We need to tackle the Federal debt by growing jobs. Bring economic growth and jobs bills to the floor. We need to no longer bring trade deals to this floor that result, through fast track, in the kind of job killing that we have had over the last quarter century. Shouldn't we focus on what the American people have been saying to us year after year after year: it is the economy; it is job creation. This institution ought to be focused laser beam on what the American people are telling us. Why is that so hard to do?

I urge my colleagues on the Budget Committee, get back to work. Stop the politicking around the country; get those committees reaching compromises between the House and the Senate. Let's get the big frame; and then let's, through regular order, bring up the 12 appropriation bills within those budget restraints so we can eliminate the debt by making this economy grow fully again.

RECESS

The SPEAKER pro tempore (Mr. CRENSHAW). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 57 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. John Adams, First Baptist Church, Mantachie, Mississippi, offered the following prayer:

Our Father, we bow before Your majestic throne today. We acknowledge that You are in Heaven and we are on Your good Earth.

Our prayers are given for each one in this Chamber, that Your love and wisdom be in each life. Today, we pray for our Speaker and each legislator, that Your hands will guide their hands.

Father, I know today that the best thing that I can do for these men and women is to pray for them. Give them courage to make the right decisions. Let the laws coming forth from these hallowed Halls be pleasing to You and be a benefit to our fellow man.

Allow these leaders to have a breath of fresh air today and to have the Spirit of God's Son in helping others. We ask Your blessings on our United States of America.

In the name of God's Son, we pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. BROUN) come forward and lead the House in the Pledge of Allegiance.

Mr. BROUN of Georgia led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. JOHN ADAMS

The SPEAKER. Without objection, the gentleman from Mississippi (Mr. NUNNELEE) is recognized for 1 minute.

There was no objection.

Mr. NUNNELEE. Mr. Speaker, I would like to welcome to the House of Representatives this morning Dr. John Adams, Jr., who offered the prayer earlier.

Dr. Adams is a native of Mississippi, and he is currently the senior pastor of First Baptist Church in Mantachie, Mississippi. He is joined by his wife, Darla Kaye Fuller Adams.

Dr. Adams has served as senior pastor in churches in Mississippi, Texas, Colorado, and Arkansas. Dr. Adams has spoken throughout the South and around the country, sharing a 13-part series about the Judeo-Christian heritage of America. He also presently serves as the executive director of the Moral Action of Mississippi and of the national organization, the Moral Action of the Baptist Missionary Association.

We are honored to have him here today, and we deeply appreciate his service to our Lord and to the people of Mississippi.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The Chair will now entertain 15 further requests for 1-minute speeches on each side of the aisle.

THE PATIENT OPTION ACT

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

Mr. BROUN of Georgia. Mr. Speaker, now more than ever, Americans are feeling the pain from ObamaCare. This law is hurting Americans with higher premiums and cancelation notices. If it is left in place, our country will suffer under the new wave of spending that it will create.

This destroyer must be stopped.

Just last week, the House passed a symbolic bill that merely nibbled at the edges of the problems caused by ObamaCare, but you cannot fix a law that will cripple our economy, increase our Nation's debt, and limit health care options for millions of Americans. I was one of only four Republicans to oppose this bill, because we can't fix the President's broken promises in ObamaCare. Instead, we must repeal ObamaCare for good.

I have introduced legislation, the Patient OPTION Act, that would do just that. Congress must stop wasting time to pass bills that keep ObamaCare in place. We must repeal and replace this disaster immediately. The Patient OPTION Act is the solution.

WORLD TOILET DAY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, the concept of a World Toilet Day can make children giggle, some adults blush and others change the subject, but the title is designed to take a most serious subject head-on.

The world can no longer afford to be squeamish, to make jokes or to change the subject about the fundamental issue of access to adequate sanitation. That is because 2.5 billion people live without it, which leads to 700,000 premature deaths each year, and it is getting worse. Instead of solving this global crisis, the number living without access has increased by 700 million people.

Today, we want to renew our commitment to helping these unfortunate people around the world have access to sanitation, which we all take for granted.

I appreciate the Gates Foundation and other NGOs, like WaterAid, for stepping up to help solve the dilemma, and I call on my colleagues to support H.R. 2901, which Congressman POE and I have introduced, which is the Water for the World Act, so that the United States can play a greater, more effective role to save lives around the globe.

''MAKE OUR VOICES HEARD''

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, Rodney from Winston-Salem, North Carolina, pays $540 a month for a family health insurance plan that covers his wife, his 16-year-old son, and himself. This plan works well for them and fits within their family budget; but Rodney received the same unwelcomed news that has startled millions of other Americans: the health insurance he likes will be canceled because the ''suits'' in Washington think his preferred plan is lousy. The most similar government-sanctioned ObamaCare plan will cost Rodney's family $1,139 each month—more than their mortgage payment.

Understandably, Rodney is sickened by this news.

> I have worked very hard my entire adult life to take care of my family and provide for all of their needs. How am I supposed to continue to support them . . . with the government forcing me into a situation I cannot afford?

Rodney closed his letter by asking me:

> If you do nothing else, please do everything in your power to make our voices heard.

House Republicans are doing that every day for Rodney and for Americans like him.

IF YOU FIX IT, THEY WILL COME

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

Mr. COURTNEY. Mr. Speaker, despite all of the hysterical comments like we just heard on the floor here today, it is important for people to know that, in States in which Governors embrace the Affordable Care Act and set up a high-functioning Web site, the fact of the matter is that enrollment is exceeding expectations.

In Connecticut on Friday, which is where I am from, we released figures. Over 13,000 enrolled in the first 6 weeks, and the pace of enrollment is accelerating. In the last 2 weeks, they have enrolled more than they had enrolled in the prior month. On Saturday, I was at an enrollment fair—there were eight of them all across the State—and there was a full waiting room of people who were waiting their turns—like at a deli counter to get their numbers—to sit down to get help in terms of signing up with a plan. Twenty minutes is all it took to sign up for a plan.

I spoke to Merrylyn Weaver from New London, Connecticut, who said:

> I am finally going to have health insurance after 3 years of being without it.

It took her 20 minutes to sign up for an Anthem Blue Cross Silver plan.

The fact of the matter is that the message is, if you fix it, they will come. That is what this Congress should be focused on is fixing it so that the people in the waiting room like I saw in Norwich, Connecticut, are going to get help all across the country. It is time to help people get insurance, not to scare them and destroy a plan that provides them hope.

RECOGNIZING BAYLOR REGIONAL MEDICAL CENTER FOR THE 2013 MALCOLM BALDRIDGE NATIONAL QUALITY AWARD

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to recognize Baylor Regional Medical Center at Plano on their latest accolade—the 2013 Malcolm Baldrige National Quality Award, which is the Nation's highest Presidential honor for performance excellence through innovative practices and visionary leadership.

For nearly a decade, Baylor Plano has provided north Texas with high-quality and compassionate care. Their superior patient satisfaction rate and dedication to training the best and the brightest go unmatched. Baylor Plano's success and patient-centered care is a testament to the endless possibilities when you have choice and freedom on your side.

It is an honor to congratulate Baylor Plano's employees, medical staff, and volunteers for doing their part to keep Texas' bigger and better reputation intact. I wish them continued success.

God bless you, and I salute you.

EMPLOYMENT NONDISCRIMINATION ACT

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Mr. Speaker, I rise today to urge House leaders to let us vote on the Employment Nondiscrimination Act.

In 1979, my late husband, Paul, was the first U.S. Senator to introduce legislation to ban job discrimination based on sexual orientation. I agreed with him then and feel just as strongly about ENDA today. Employees should be judged solely by their ability to do their jobs.

After I was elected in 2007, I was proud to cast one of my first votes in support of the passage of the Employment Nondiscrimination Act, an effort spearheaded by the relentless Barney Frank. While ENDA passed in the House of Representatives in 2007, it did not move in the Senate; but on November 7, the U.S. Senate made history by passing ENDA. It is now time for the House to act—to pass ENDA and to finally expand protections in order to prevent employment discrimination.

Mr. Speaker, for the sake of dignity, justice, and equality, let us vote.

CANCER DRUG COVERAGE PARITY ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, orally administered anticancer drugs are becoming the standard care for certain types of cancer as a promising alternative to traditional chemotherapy, which is administered through the vein. They are also driving some of the most exciting research in fighting cancer as 35 percent in the oncology pipeline are oral chemo drugs.

Unfortunately, insurance policies have not kept pace with the science. Typically, IV chemotherapy is covered as a medical benefit while oral chemotherapy is covered under the prescription drug component. This creates a disparity in coverage and a financial disincentive to choose oral chemotherapy. Cancer patients should choose a course of treatment based on what they and their doctors believe will work best.

That is why I have introduced the Cancer Drug Coverage Parity Act. It would require insurance plans to provide coverage for oral chemotherapy at a cost no less favorable than that of traditional chemotherapy. My bill has 68 bipartisan cosponsors. I urge my colleagues to join us to support the development of these promising new treatments to patients who need them.

□ 1215

AFFORDABLE CARE ACT

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, even with the difficulties of the health care Web site, we are seeing great things coming out of this Affordable Care Act. Across the country, millions of people who lacked affordable health care options yesterday are checking out their new options today. This law is working.

I continue to hear scores of success stories from California. Marilynn, who is a breast cancer survivor, was paying nearly $1,300 a month for her Anthem Blue Cross policy. Through Covered California, she is saving now more than $500 a month.

Although the healthcare.gov Web site has had its problems—that we are fixing—know that the California exchange has become a model for the rest of the country. Early enrollment results demonstrate that Covered California is working and people are signing up. We led the Nation in our readiness for this new law, and newly released numbers show that 131,000 Californians have already enrolled in new quality health plans on Covered California, more than any other State exchange.

Rather than rooting for its failure, let's work together to make this a reality for all Americans.

HEALTH CARE ACT ADVANCES EQUALITY, FREEDOM, AND FAIRNESS

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

Mr. COHEN. Mr. Speaker, I pause today to think about history. I thought a lot about the 50th anniversary of President Kennedy's assassination, and today is the 150th anniversary of the Gettysburg Address. I thought I should bring some words to us from the Address. The world can never forget what the soldiers of Gettysburg did:

> It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the Earth.

I am proud to serve in this House where John Kennedy served. I am proud to serve in this House where Abraham Lincoln served. It is my opinion that part of that work was providing equality, freedom, and fairness. I believe President Lincoln would support the Affordable Care Act and health care for all.

WE NEED A FAIR AND BALANCED BUDGET

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, many of our constituents are still recovering from the reckless Tea Party government shutdown. Now it is time to do our job and pass a budget, help grow the economy, and create jobs. Budgets are statements of our values and priorities as a Nation.

Our top priority in passing a budget must be to end the harmful, across-the-board budget cuts known as the sequester. We must extend emergency unemployment compensation which millions of jobless workers and families rely on. This will end at the end of December if we don't do this.

Although our economy has improved, there are still 4 million people in this country that have been unemployed for 6 months or more. These same individuals have already experienced reductions in their benefits due to sequestration and automatic SNAP—food stamp—cuts as of November 1.

Tea Party Republicans have refused to create jobs, they have cut job training, and now they are ready to pull the plug on this vital lifeline. This is morally wrong and economically stupid.

I urge the budget conferees to extend the Emergency Unemployment Compensation program for at least an additional year and to repeal the sequester. We need a fair and balanced budget that reflects our values.

PRESIDENTIAL MEDAL OF FREEDOM

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, tomorrow will mark the 50th anniversary of the executive order of President Kennedy which established the Presidential Medal of Freedom. Five hundred exceptional individuals have received the award in these 50 years. Tomorrow, 16 will be honored, including President Bill Clinton.

For us in Hawaii, it is noteworthy that the Hawaii-born President will be honoring Senator Daniel K. Inouye. In his press release, the President recognized the Senator for his lifelong public service, including the highly decorated 442nd Regiment in World War II, for which he was awarded the highest

military honor, the Congressional Medal of Honor.

It is, however, most noteworthy that when asked how the Senator wanted to be remembered, Senator Inouye said:

> Very simply, that I represented the people of Hawaii honestly and to the best of my abilities. I think I did okay.

He was a true American, a humble man, and truly deserving of the highest civilian honor of this great country.

AFFORDABLE CARE ACT

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, despite the fact that the robust provisions passed in the House were significantly reduced in the Senate, the people of the Virgin Islands are benefiting in many ways from the Affordable Care Act.

As an example, a physician related to me that the insured 21- to 25-year-olds and the preventive care without copay kept her practice afloat, and the insurance rebate and tax credits for small businesses enabled her to provide insurance for her employees without requiring contributions from them.

In addition, seniors and people with disabilities saved an average of $647 on medicines. Health centers in my district were able to expand space and services; children with sickle cell, asthma, and diabetes could be insured; every newborn will get an important home visit; and the new Medicaid dollars will enable us to provide coverage for up to half of our now uninsured.

We still have work to do to ensure full access in the Virgin Islands and the Nation, but the Affordable Care Act has already made a positive difference in the lives of many of our constituents. The ACA is helping Americans in all of the States and territories, and we will continue to build on its successes, not yield to Republican opportunism and obstructionism.

BROKEN PROMISES

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

Mr. HARRIS. Mr. Speaker, the train wreck and broken promises of the President's health care reform act continue.

The gentleman from Connecticut earlier said that we were hysterical. Mr. Speaker, my constituents are hysterical about these broken promises.

Allen from Harford County writes about his 31-year-old son. His 31-year-old son can't get a full-time job because employers won't hire people full-time because of the Affordable Care Act. He writes:

> I'm writing today to voice my concern as a parent and to report that my healthy 31-year-old son's health insurance premium will be tripling. Currently, he has his own CareFirst BlueCross plan and was recently notified that it was going to be canceled, and his premium will go up from $200 a month to $600 a month.

Mr. Speaker, this is a train wreck. Parents and families are hysterical. They can't afford a $600 premium for a single person working a part-time job. Canceled policies and skyrocketing premium costs are two broken promises. America deserves better.

BENEFITS OF OBAMACARE

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, my Republican friends continue to obsess with repealing a law that is making a difference and will make a significant difference in the years to come.

I want to address some of the benefits that have accrued to my congressional district in North Carolina:

Eight thousand young adults now have health insurance through their parents' plan; 150,000 individuals now have health insurance that covers preventive services without any copays, co-insurance, or deductible; and 138,000 residents in my district are saving money due to the ACA provisions that prevent insurance companies from spending more than 20 percent of their premiums on profits and overhead.

Because of these provisions, 13,000 people in my district received a rebate of $87 per family last year and $158 per family the year before.

Although Republicans have been relentless in their efforts to dismantle and discredit ObamaCare, the facts are uncontroverted.

35TH ANNIVERSARY OF JONESTOWN

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today we mark the 35th anniversary of the massacre of Jonestown.

Prior to September 11, this was the deadliest event in U.S. history, excluding wars and natural disasters. More than 900 innocent people were killed after being seduced by the charismatic but deeply disturbed Jim Jones.

Mr. Speaker, among the dead was Congressman Leo Ryan, the first Congressman to be assassinated in the line of duty. He went to Guyana out of concern for the safety of his constituents there. Most of them were of African American descent.

Congresswoman JACKIE SPEIER, who was then on Congressman Ryan's staff, was shot five times and had to wait 22 hours for assistance.

Today, I introduced a resolution honoring their extraordinary bravery and calling on the Speaker to establish protocols to memorialize Members who die in the line of duty. Out of the tragedy of Jonestown, true heroes were revealed.

GIVING TUESDAY

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, we all know about Black Friday and Cyber Monday, but I am proud to support Giving Tuesday, a national day dedicated to charitable giving and volunteerism.

On December 3, Giving Tuesday will harness the collective power of charities, families, businesses, and individuals to transform how people think about, talk about, and participate in the giving season.

Launched by the 92nd Street Y in New York City last year, in the district that I am privileged to represent, Giving Tuesday inspires Americans to take action to improve their local communities and strengthen our country.

Thousands of partners in all 50 States are joining in this national movement of individuals and organizations that believe that everyone, whether you are a large donor or an individual volunteer, has a role in helping to solve the challenges our communities face every day.

Americans are the most charitable people in the world, and Giving Tuesday is a day for us as a Nation to celebrate our spirit of generosity.

I urge everyone to spread the word about Giving Tuesday to your constituents so together we can celebrate the giving season and aid the important work of charities and organizations.

REPAIRING THE AFFORDABLE CARE ACT

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

Mr. CLEAVER. Mr. Speaker, my son played basketball at Dillard University. I went down to see his games as often as I could. On one occasion, we were driving around in his car, we were at a busy intersection, and the car stops. I didn't know what was wrong, but eventually I realized that he simply didn't have gas in it. I was not happy, but I didn't stand outside of the car and just continue to talk to him about the fact that the car stopped running and needed gas.

What we did is, we tried to get some gas to get the car out of the busy intersection because a lot of people were trying to get by. It would have been of no value for me to stand there and lecture him or talk about how horrible the situation was. We wanted to fix it.

That is the same thing with the Affordable Care Act. There are some problems. I think it would be crazy for anybody to say there are not problems. The law has already been passed by Congress, signed by the President, and

upheld by the Supreme Court of the United States.

We would be infinitely better off if we gave our time to repairing the problems that are there as opposed to standing in the intersection talking about how bad it is.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 1965, FEDERAL LANDS JOBS AND ENERGY SECURITY ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2728, PROTECTING STATES' RIGHTS TO PROMOTE AMERICAN ENERGY SECURITY ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 419

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-26 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such 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 in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2728) to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-27 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such 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 in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a structured rule for the consideration of H.R. 1965, the Federal Lands Jobs and Energy Security Act, as well as for consideration of H.R. 2728, the Protecting States' Rights to Promote American Energy Security Act. The rule provides for each bill to receive 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources, except that on H.R. 2728, the Committee on Science, Space, and Technology will control 20 minutes of the 1 hour provided for.

The rule makes in order eight amendments for H.R. 1965 and five amendments for H.R. 2728. In both cases, the number of amendments to be offered by Democrats outnumber those to be offered by Republicans. A number of those amendments which were filed and not made in order violated the House rules either by not being germane or by violating CutGo. So this is a very fair and generous rule and will provide for a balanced debate on the merits of these important pieces of legislation.

Mr. Speaker, I am pleased to stand before the House to support this rule, as well as the underlying pieces of legislation, which are both important bills aimed at making the United States more energy independent.

I appreciate the hard work of the sponsors, Mr. LAMBORN of Colorado, Mr. FLORES of Texas, as well as the work of the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS), as well as that of the chairman of the Science Committee, the gentleman from Texas (Mr. SMITH). These are significant pieces that will move our Nation forward.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Utah for yielding me the customary 30 minutes.

Mr. Speaker, for this body to spend the final week before a week-long break, one of the final weeks of the year, the third-to-last week of the legislative year, considering messaging bills that aren't going anywhere is a disservice to this country and one of the reasons that this institution is as unpopular as it is. Rather than taking on immigration reform, rather than protecting Americans from employment discrimination, both of which bills passed the Senate with strong majorities, including many Republicans, we are instead debating a bill to move backward rather than forward.

H.R. 1965 and H.R. 2728, the Federal Lands Jobs and Energy Security Act and the so-called Protecting States' Rights to Promote Energy Security Act, circumvent future Federal regulations designed to keep people safe and healthy by handing over jurisdiction to States that have any guidance, even a few words of guidance, regarding hydraulic fracturing. We will be talking about the example and what this means in my home State of Colorado in

a few moments. But neither bill will become law. Unlike immigration reform, unlike ENDA, which would end workplace discrimination against gays and lesbians across our country, these bills will not become law.

Similar legislation to H.R. 1965 was considered last Congress. This legislation was opposed by the administration. It was not brought up by the Senate, and yet here we are debating it again in the House of Representatives when we have real business to take care of.

These are not the issues that my constituents are calling in demanding that I take action on. They are demanding that I work to fix our broken immigration system. They are demanding that I work to balance the budget. They are calling in demanding that we work to improve upon health care delivery in this country; yet, instead, we are discussing bills that are detrimental to the economy of the district that I represent and destroy jobs.

Let me discuss H.R. 1965 first. This bill's central premise is to allow oil and gas companies to drill wherever and whenever they want to drill on public lands. This bill is completely irresponsible and prioritizes the needs of the oil and gas industry over every other use of our public lands, including the drivers of jobs in my district: hunting, fishing, skiing, and off-road vehicle recreating.

This bill sets arbitrary deadlines for the BLM to approve drilling applications and requires the BLM to lease at least 25 percent of lands nominated by the oil and gas industry each year.

In addition, the underlying bill offers millions of acres of public lands for lease to companies that are trying to develop a fuel source that has not even proven to be viable—oil shale—without regard to the impact on water or our local economy or environment.

I represent the district that includes popular destinations like Vail and Breckenridge and Winter Park, Colorado. People from across the country come to enjoy our skiing in winter, our outdoor recreation, our hunting, our fishing, and white water rafting. When you use areas of land for extraction and you create oil rigs, the heavy truck traffic and roads associated with the extraction industry, people are less likely to want to come visit for these other purposes. It will hurt our ability to attract tourists from the rest of the country if we don't have adequate safeguards around the Federal lands which are part of Eagle and Summit Counties and on which our economy relies.

Now, on H.R. 1965, I did offer several amendments to try to improve these bills, but only one of my amendments was made in order under this rule. I am pleased at least my amendment with the gentleman from California (Mr. HUFFMAN) is in order, which requires the National Academy of Sciences to study and report to Congress about the impact of flooding on oil and gas facilities and leaks and spills from tanks, wells, and pipelines.

My district recently fell victim to horrendous floods. We call it our 100-year flood in Boulder, Larimer, and Weld Counties. A number of drilling operations were impacted, and we are continuing to assess the damage, not only with regard to drilling operations and potential contamination, but of course our people are digging out with regard to their homes and their offices as well. The September floods in Colorado caused an unprecedented level of destruction to thousands of oil and gas facilities in northern and eastern Colorado. As a result, over 43,000 gallons of oil and over 26,000 gallons of produced water spilled from the tanks, wells, and pipelines into the floodwater.

That is why I joined Representative DEFAZIO, the ranking member of Natural Resources, in sending a letter on September 25 to Chairman HASTINGS requesting a hearing to fully understand the consequences resulting from the flooding. That hearing hasn't been scheduled yet, but I am hopeful that we can resolve this issue, hold congressional hearings, understand how this issue affects my district, but also affects other districts that might be subject to flooding that house drilling operations.

With regard to the oil shale amendment, I am disappointed that the other amendment I offered with Mrs. NAPOLITANO was not made in order. It would have simply required a study. The U.S. Geological Survey would have studied the impacts of oil shale leasing on the quantity and quality of water available in the West. My friend from Utah knows that water in the West is a very important thing. You know, gold is for looking at, and water is for fighting over. Frankly, when we look at the impact and the potential impact that a very heavy use of water would have with some of the extraction techniques that are being explored for oil shale production, we need to look at the impact that would have on water that we need for agriculture, for homeowners, and for recreation. And a simple study would be a first step in doing that.

Unfortunately, under this rule and this closed process, we were not allowed to bring forth this amendment to discuss a study of how oil shale production would affect water uses. Many of the test processes use enormous amounts of water to develop oil shale. It is very concerning because the largest known deposits of oil shale are in the Green River formation, which include portions of Colorado, Utah, and Wyoming, all three of our States experiencing over the last several years drought conditions and have scarce water resources that are relied upon by our residents and by our farmers.

Thirty million users of water, including farmers, ranchers, and municipalities, depend on water from the Colorado River basin. My amendment would ensure that we have a better understanding of how much water oil shale would use and could pollute or otherwise impact through the quantities used of the water available for other purposes.

Now, I would like to turn to H.R. 2728. Hydraulic fracturing, or fracking, is a national issue. It is something that we need to address here in Congress. It is something my constituents are demanding of me that we address here in Congress, but H.R. 2728 is not what my constituents had in mind.

□ 1245

In this election this month, earlier here in November, four of the five largest municipalities in my district—Fort Collins, Boulder, Lafayette, and Broomfield—passed measures that put bans or moratoriums on fracking.

Never before in my time in public service have I ever seen an issue that has been the number one issue on the ballot in four of the top five municipalities. And I should add, it was scheduled to be on the ballot of the fifth, but it was deferred. The petitions to put it on the ballot were deferred, and we expect it will be on the ballot at Loveland at this point if the citizens continue with their push for an initiative there.

We have seen tremendous growth in natural gas development due to fracking and directional drilling in the last decade alone. That is a great thing. It is a great thing for American energy independence. It is a great thing for American manufacturing. It is a great thing for reducing our energy costs.

In Colorado alone, 50,000 wells have been drilled, and many more have been drilled nationally. These drilling activities, however, in a district such as mine, a district that is an extraction district, are occurring very close to where people live, work, and where they raise families, yet our State doesn't have any meaningful regulation to protect homeowners.

It meets the definition of having fracking rules; it certainly does. Unfortunately, the fracking rules are overseen by an oil and gas commission that is heavily influenced by the oil and gas industry. They don't have at their disposal the independence or the ability to enact real penalties for violations of our laws, and their charge is not first and foremost to protect homeowners and families and health. That has led to this backlash, which is why even very conservative towns in my district—one of the towns that had a 5-year moratorium on fracking elected a very conservative mayoral candidate by a 60–40 margin, which is not unusual for this town. These are folks who are fundamentally conservative voting for a conservative candidate for mayor, who won, and yet, at that same election, that same year, they passed a moratorium on fracking in Broomfield County.

This is of great concern to the people in my district. The growth of fracking without commonsense Federal guidelines, without commonsense State guidelines, has caused an enormous

amount of friction between the American Dream of homeowners in my district and our Nation's need for energy.

State and local rules are an important part of the equation, but we also need standards at the Federal level, particularly as relates to Federal lands—namely, BLM lands—which are an important part of the equation to address impacts that go beyond any particular community, such as keeping our air free from pollution, keeping pollution out of our lungs, our waterways, and our drinking water.

Some State and local laws addressing oil and gas extraction are woefully unprepared. The extraction industry hit before they had the chance to even create a local regulatory framework, or they have one that is woefully outdated and relates to the extraction technologies that were prevalent decades ago rather than the new extraction technologies that are being deployed today.

Colorado is trying to update its oil and gas rules, but they really haven't done anything to create a meaningful framework to protect homeowners and families, which is why four of the five largest municipalities in my district have either banned or put a moratorium on fracking.

We have a State issue, and the State has actually threatened to sue some of these same municipalities for that ban. That is not a Federal issue, but this has been an enormous issue in my district. The citizens in my district want more protection, not less, when it comes to fracking.

The industry reaction has been extremely counterproductive. The desire for my citizens to see more protection—somehow the industry interprets this as the citizens need more information or need more marketing about how great fracking is. That is not what they need. They have got plenty of that. The opponents of these ballot initiatives, the oil and gas initiatives, spent millions of dollars educating my constituents about how wonderful and harmless fracking is. That is not what they are asking for. If we could take some of that money and instead apply it to recapturing gases from the well sites and ensuring that we have closed systems for the water recovery instead of the marketing campaigns, we would actually make progress with regard to increasing consumer confidence and the confidence of my citizens in the process. But that is not what we have seen to date, and this bill will not help bring it about.

For almost 5 years, I have represented Colorado's Second Congressional District. In that time, I have witnessed exponential growth in natural gas extraction in and around our district. I have met with too many families and communities that have been forced from their homes and devastated by nearby fracking activity.

Fracking has occurred hundreds of feet from homes, schools, and playgrounds. I have been powerless to stop it. We tried to ask an oil and gas company not to frack near a school in Erie, Colorado, Red Hawk Elementary, but the response that I got at my office after two letters continues to be a formulaic response from their attorneys that ''we have the right to frack here and we will.''

Many families are fleeing those communities not because of lack of information, not because the oil and gas company hasn't done everything they can to have wonderful ambassadors in our community creating a lot of great literature, advertising all over our airwaves. That is not why families are fleeing. They are fleeing because they don't want to live next to an oil rig or have their kids going to school next to a fracking pad or oil rig. That is just common sense. There is no amount of marketing or information that will change their minds, and that is the fundamental flaw in the reasoning process that many in the oil and gas industry have had to date.

I have heard many stories from families about getting fracked, and as a result, I had introduced the BREATHE Act in the last Congress and the FRAC Act, requiring disclosure of fracking fluids, removing the exemption that fracking has from the Clean Air Act and the Clean Water Act, the small-site exemption.

I, unfortunately, have gotten to experience fracking firsthand here in this last year. For more than a decade, I have had a peaceful family farm, about 50 acres, near Berthoud, Colorado, where my father-in-law lives. That is our house there. Fracking, without any notice to us, because, of course, it wasn't required under State law, occurred hundreds of feet from our home. In July, overnight, without any warning, a towering drill rig arose, literally across the street from where my father-in-law lives. You can see it right here.

The sounds of the 24-hour-a-day-and-night operation led us to invite my father-in-law to have to stay with us in Boulder in our apartment on our couch during the active phase of the drilling process. The rig was spewing black smog and making loud noises at all hours of the day. And when the drilling rig went up without notice or warning, our little dream and our life became a nightmare and was thrown into turmoil.

Last night, at the Rules Committee hearing, Chairman SESSIONS and Chairman HASTINGS spoke about a Web site, www.fracfocus.org, that supposedly reveals all the chemicals used during the fracking process. But FracFocus is actually not revealing at all. It gives operators sole discretion to decide what information they display and what they don't display.

This is actually an example of a well. This is the one that is very close to our house. You will see that, of course, many of the ingredients of the fracking fluids are completely noncontroversial. We know they are largely water, sand, and quartz. We are not talking about that. That is not the issue. As you will see, they have ''proprietary'' listed next to several vague terms. They have surfactants here, proprietary. So people in the neighborhood don't even know what environmental contaminants to measure for or to look for.

Again, from a marketing perspective, the oil and gas companies are saying it is not leaching into groundwater, there are not surface spills; but, at the same time, they are refusing to provide the information that would allow the independent verification of their claims and safety.

When I looked up the drilling site near my house on FracFocus, there were many ingredients that were listed as proprietary, including surfactants and polymers; and because of the lenient policy of FracFocus, the company that drilled near my house withheld the only information that we were actually interested in in terms of what was being used in the ground.

We need to look at a commonsense approach to fracking. The constituents in my district are demanding it. We could have voted on such a balanced approach to fracking. I introduced, as an amendment to H.R. 2728, the BREATHE Act. The BREATHE Act was identical to a bill that I introduced earlier this Congress. It would have reversed the oil and gas industry's loophole to a provision in the Clean Air Act that protects the public from small air pollution sources that might individually be de minimus but, in the aggregate, released large volumes of toxic substance into the air.

We have to talk about the concentration of this operation. In Weld County, Colorado, there are close to 50,000 wells. Again, for any particular fracking pad, the emission profile is small; but, if you have a number, a dozen, two dozen, 100, in a limited area, the emission profile is going to look a lot more like a factory or even a coal-burning plant than it does something that can be rounded down to zero. We need to look at the fact that the concentration of thousands of wellheads in a very limited geographic area has a profound potential impact and cumulative impact on air quality that affects our health and our quality of life.

My amendment is critical because there is significant evidence that oil and gas wells and their associated infrastructure, including heavy truck traffic and diesel engines, contribute to air pollution. Chemicals such as benzene and volatile organic compounds and methane are associated with oil and gas production sites and should not be subject to an exemption from the Clean Air Act. Despite the growing proof that the oil and gas industry causes air pollution, oil and gas operators are still exempt from the basic Federal protection afforded by the Clean Air Act.

I offer this amendment and introduced the BREATHE Act because people who live near oil and gas developments deserve the protections of the

Clean Air Act, just as other Americans do who live near factories, just as other Americans do who live near coal-burning plants. We have 55 sponsors for the BREATHE Act, yet it has not received a hearing or a markup; and on a party-line vote yesterday in the Rules Committee, it was not allowed to be considered as an amendment to this bill.

Another amendment I helped offer to the underlying measure would also improve the legislation. The amendment I offered with Mr. HOLT allows the Secretary of the Interior to issue regulations to minimize fugitive methane emissions on public lands.

Methane is a potent greenhouse gas that often leaks during the drilling and transportation of oil and gas. In fact, methane leaks are so common in oil and gas drilling that we have rural areas in the Upper Green River Basin in Wyoming that have recorded higher concentration levels than the worst pollution days in downtown Los Angeles.

Fortunately, there are already control technologies available to minimize air pollution in operations. If the oil and gas companies would use just some of the money that they spend on lobbying and on marketing and on all the wonderful advertising that they are doing on our airwaves in Colorado and, instead, upgrade their facilities to recapture methane, I think we could actually see some progress on this issue.

I urge my colleagues to support this amendment when it comes up for consideration later in the afternoon.

Mr. Speaker, the American people are calling for real solutions in Congress. The people of the Second Congressional District are for an all-of-the-above approach to energy. We are for solar. We are for wind. We are for oil. We are for gas. We are for hydro. We want to make them all work. And just as there would be a zoning process around creating a windmill in a residential neighborhood that is 100 feet tall right near your home, there should be a zoning process around the extraction of oil and gas, especially near where the constituents of my district live and work.

Mr. Speaker, this bill is a messaging bill that might help the majority's relationship with oil and gas companies, but what we really need is a balanced approach that ensures that we can develop our domestic oil and gas resources in a way that doesn't destroy jobs in districts like mine and protects the health of Americans across our country.

These bills fall short on that account. And despite our effort to amend them, the rule doesn't allow many of the most important amendments that would remove the exemption from the Clean Air Act and Clean Water Act and ensure that we have an extraction industry that is consistent with the public health.

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

Mr. BISHOP of Utah. Mr. Speaker, the rule that we have before us is about two bills. The first bill deals with fairness for those who live in public land States as to the ability to process oil and gas leases. The second bill deals with fracking, the fracturing of oil that is a policy that started in the 1940s in the State of Texas.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. FLORES), who is the sponsor of the second bill, to discuss that particular portion.

□ 1300

Mr. FLORES. I thank Mr. BISHOP for the time to discuss this rule and the important underlying legislation.

Mr. Speaker, everyone, Republicans and Democrats, like to talk about clean, affordable natural gas. Yet, the Bureau of Land Management has proposed duplicative Federal regulations on the very technology that has facilitated the shale energy revolution, and that is hydraulic fracturing.

States have a proven record in regulating hydraulic fracturing for over 60 years. Obama administration officials are already on the record stating that hydraulic fracturing is safe and that States have a strong role in its regulation.

The proposed BLM regulation of hydraulic fracturing on Federal lands appears to be a solution in search of a problem that does not exist.

The legislation that I have cosponsored with Mr. CUELLAR, H.R. 2728, would stop this Federal overreach by recognizing States' authority to regulate hydraulic fracturing and prohibit the Interior Department from enforcing its proposed regulations in any States that already have a regulatory protocol for this technology.

There are already existing Federal regulations that apply to other energy activities on Federal lands. The tradition of States having a primary role in developing our onshore energy resources has contributed immeasurably to our shale energy revolution, however, and imposing another Federal one-size-fits-all-approach only hampers domestic energy production.

The Federal Government already takes 10 times longer to issue an energy activity permit than States do. Why would we want to give these bureaucrats any more flexibility or tools to deter activity on taxpayer-owned lands? After all, over the last 5 years, natural gas production on Federal lands is down over 20 percent, and the rest of the country has seen dramatic increases.

States are better able to decide how to craft environmentally responsible regulations that reflect both the geology and the water needs of their States. This is why American energy development continues to thrive on private lands and State lands, despite the decrease on Federal lands.

If left unchecked, the new BLM regulations are only the beginning of more Federal overreach that will eventually hamper production on private land.

We are in the midst of an energy transformation, Mr. Speaker, in the way that we produce energy in this country. This energy revolution has created hundreds of thousands of well-paying American jobs in the industry.

More importantly, however, energy from abundant, safe, affordable, and clean natural gas has put America in a position to be globally competitive in manufacturing, where we can create millions of great middle class jobs while simultaneously meaningfully decreasing greenhouse gas emissions, as we have seen over the last decade or so.

Today's rule provides for the legislation that helps us responsibly develop our taxpayer-owned energy resources, and we will later consider legislation that will bring energy to the marketplace.

I urge my colleagues to vote ''yes'' on the rule, and I urge support for the underlying legislation.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague from Colorado for yielding.

Mr. Speaker, I rise in strong opposition to this rule and to the two underlying bills. In fact, these bills are, themselves, solutions in search of problems. They tear down environmental protections and they restrict public participation in an attempt to expand oil and gas production.

But the truth is, oil production on Federal lands has gone up significantly since 2008, and Federal regulations have not stopped States from implementing their own fracking rules.

These bills are nothing more than reckless giveaways to big oil and gas companies that put American families and the environment at risk.

H.R. 2728, for example, would preemptively prohibit the Federal Government from setting even minimal safety standards for fracking. Fracking, whether onshore or offshore, poses serious environmental and public health risks that we don't fully understand now.

We know very little about the environmental and public health impacts of onshore fracking, and we know even less about offshore fracking. Offshore fracking has been occurring for over 20 years off the California coast, with at least four fracs approved as recently as this year.

Federal regulators and the public only recently became aware of these activities, thanks to FOIA requests released last summer. We know virtually nothing about the size of these fracs, the chemicals being used, or the impacts on the marine environment.

They have been approved with categorical exemptions and decades-old permits that are woefully inadequate, and that is why I offered an amendment to H.R. 2728 to stop these activities until a full environmental review is conducted. Unfortunately, my amendment was not made in order, which is disappointing.

If oil companies get to inject millions of gallons of fracking fluids into

our public lands, then the least we can and must do is study the impacts of those activities. Whether it is done offshore or onshore, we have a responsibility to ensure that fracking is safe, but the bills before us this week greatly undercut this crucial responsibility.

So I urge my colleagues to stop this reckless giveaway to Big Oil, and oppose this rule and the underlying bills.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

When Ronald Reagan was first elected President, he talked to his National Security Advisor—I believe his name was Richard Allen—and told him that his policy for foreign affairs was going to be ''we win and they lose.'' It shocked his National Security Advisor because they had always been talking about managing communism or coexisting with communism. This was the first time somebody had actually come up with such a specific and precise rationale and policy for the Nation.

But President Reagan also realized, for him to actually enact his goal, they first had to fix the economy, which, as strange as it seems, was worse than the economy we have today. With double-digit inflation, double-digit unemployment, double-digit interest rates, he had to first fix that before he could go on to his goal of actually winning the Cold War.

He also recognized that if he was going to fix those economic problems, he had to have a reliable and affordable source of energy, and that, indeed, was one of the problems that caused the situation they were in under the Carter administration.

Earlier this year we brought a couple of bills forward, one for the Defense Authorization Act and the Defense Appropriations Act, and I said at the time that the reason we had those here was because it allowed and empowered our State Department.

Foreign policy is whatever we are willing to fund as far as military growth. They are interrelated.

One of the things this administration appears to have forgotten is the interrelation between improving our economy and improving energy production at the same time, although they have done well in trying to forward green energy solutions.

Unfortunately, as much as that is a positive and proper approach, most of what they have done has failed to reach the goals they established for themselves, and not only that, much of it has also been involved in scandals. Also, it cannot be done at the time you are attacking traditional forms of energy.

So that is why we are here. One of the realities is that, oddly enough, at this particular time, we are producing more energy in America than we have for a long time. And the numbers are always all over the place, depending on what the starting date is with these surveys. Whether you go to an industry like the Western Energy Alliance or a neutral entity like the Congressional Research Service, they are all saying basically the same thing. There is a slight increase in offshore energy on Federal lands. There is not an increase in onshore energy production on Federal lands, depending, once again, on what base you are using, and our increase in production, which is true, has almost all come from private lands, State-owned lands, and Native American lands of this country.

Now, the fact that we are closer to energy independence is nice, but that is not our goal. That is simply an infamous goal that we should have.

The goal should be to reduce the amount of energy coming into this country and becoming more energy independent so we can actually help people, so that we can come to the point where we are producing enough energy from this energy-rich Nation to make sure that we have affordable electricity, so when a family goes into a room, they don't have to worry about turning on the light, impacting their kids' college education fund; so that even low-income families can realize they can heat their homes in the winter; so that one can travel from Point A to Point B in your car and realize it is affordable; so that jobs actually are plentiful, especially spinoff jobs.

It is not those who necessarily are working at the site in which you are developing the energy, but the spinoff jobs: the trucker that goes to and from bringing product into or away from the site, or those who are doing the motels and the restaurants that are feeding the workers, those who are working on Main Street that are providing food and resources to those who are providing the services to those particular workers.

In Western States, like the State of Utah, it is essential, also, to our education fund. If you were to look at this particular chart, the chart on the top, the States in red are the States that have the hardest time, the slowest growth in their education funding.

The chart on the bottom, the stuff in red is what is owned by the Federal Government. I hate to say it, but there is a relationship between the amount of public lands owned by the Federal Government and the inability to try and fund the proper education system.

What that comes to, in gross terms, is over the last 20 years, Western States, the predominantly public land States, have increased their education funding by 35 percent. The rest of the Nation, which has very little public ground, has increased its education funding by 68 percent. They are doubling the growth of it.

What simply matters is that States in the West that are public land States have a difficult time of funding their education system when they are prohibited from being able to develop a lot of the resources which are found in those Western States. That is one of the reasons why we have a difficult time in funding our own education system and why the first bill in this rule is asking for Western States to be treated fairly in this particular process.

Whether one likes it or not, to vote against these bills unintentionally harms kids, and it harms education in the West. If our funding for education in my home State is going to be effectively increased, it has got to come from development of the natural resources that are in my State and not putting impediments in the way of the State moving forward.

This is the map of significance that I showed you. Everything that is red is that which is owned by the Federal Government, and you find—glory be—we have the predominance of it here in the West, in my State.

There is a difference in how energy is developed in the red areas, as opposed to the basically white areas. If you were trying to develop areas in the white, which has very little Federal land, it simply means a company goes out, they contact a property owner, get the right to do exploration, and then, if they find something which they wish, they buy either the land or the mineral rights and go ahead and do it.

On the red areas, the public land areas, the process is far, far different. It has been said on this floor that this bill would allow oil companies to go wherever they want. That is an overstatement. It is not quite accurate.

In the red areas, what happens is, first, the Federal Government, in this case, the Department of the Interior, will establish a regional management plan to establish which areas are proper for economic development, for drilling, and for mining. Not all areas are, so not all areas become part of the regional management plan, and only those areas that have potential for economic development in oil and gas are the ones that are listed in the RMP.

Then it goes through a NEPA process. Once the NEPA process for the RMP is completed, then the Interior Department decides what areas that are listed as potential energy development areas will actually be leased by the Federal Government.

Then they are let out to bid. That also has to go through a NEPA process before, finally, a company can bid on lands and go through and try to find out if it is worthy to develop. If they wish to develop, then they also have to go through an application for drilling.

Now, in most States, the white area, that application for drilling by itself takes between 15 to 30 days. In the red area, that application has been averaging over 300 days, which is where the unfairness takes place.

The first bill that is in this rule would say, okay, let's split the difference, and we will say you make the decision within 60 days; plenty of time to make that particular decision.

It is also noted that, in all of these processes I went through, from the RMP to the NEPA process, to the lease, to the lease bid, to the second

NEPA process, to the APD, there is opportunity for citizens to have input, free speech access to input.

Now, that costs the Department money to access that, which is true, but it is part of their job, so we accept it.

□ 1315

However, when the bid is actually made or a protest is made to that bid, that is extra work for the Department, which, in every other area of government, we would require a fee when some kind of citizen action requires extra work to expedite the paperwork for that type of protest or that type of policy or that type of request.

The companies that do an APD are already charged that by the Department of the Interior. They pay a fee of $6,500 every time they have a request to drill. This bill codifies that. But also it says that, if you are going to challenge or protest one, this is not the opportunity for citizen input that you have along the process each and every step. But if you are actually going to do a challenge of this, then you also should pay a fee because this challenge requires extra work and extra expense on the part of the Department, and this is put at a $5,000 fee. It is $6,500 to actually request the permitting process to start and $5,000 if you want to protest it.

In my State, unfortunately, we have seen examples where, on what I consider to be a whim, the President or the administration or the Department of the Interior has simply withdrawn leases that have gone through all of those steps I indicated and were effective and were put into motion. The first thing this administration did was to withdraw 77 leases in Utah. It had a catastrophic effect upon the Uinta Basin in my home State, where unemployment skyrocketed immediately after that was done, not only because the leases were withdrawn, but the private companies that were doing their work on private lands also saw the handwriting on the wall and wished to no longer go forward with that because of the implications of the withdrawal of those leases.

I got a letter from one of the kids who was living there. She was in junior high school. She asked me to please do something about it because her father was not working on the wells or the sites of those leases. He was one of the truckers, a private contractor who was taking stuff into those sites and trucking stuff out from those sites. And she was so happy because her family had been situated. They were doing well. They had finally bought a house and bought some property, and she had her dream of finally having a horse. And she wrote to me, pleading to see if we could change what this administration had done with those 77 leases so she could simply keep her horse. It didn't happen. She lost the horse. Her father lost the job. They lost the house. They lost land and had to go back to Salt Lake City to find employment.

Recently, in this same area, once again going through the process, the Interior Department identified 800,000 acres that were susceptible and appropriate for economic drilling development. They were those that were already abutting existing leases or intermingled within existing leases. But there were 800,000 acres. When they came up with the lease process, the administration decided to only offer 144,000; and then before the lease actually went out to bid, they withdrew almost 100,000 of those 144,000 because they had found a question in their minds as to what the impact might be.

Now, I recognize this could be legitimate. I mean, the Federal Government has only owned this land since the Mexican War. Obviously there are things that can slip somebody's attention in the first 180 years of looking at a piece of property. But nonetheless, only 44,000 acres were put out to bid. That is 5 percent of the total that was identified as acceptable for this kind of development.

Now, we are not talking about wilderness areas or national park areas or conservation areas; only areas that were susceptible and appropriate for this concept, which is why the 25 percent figure is really kind of a modest figure of what should be the case and should be taken.

If we were to pass these two bills, it is very easy to realize that the desert could bloom again because that is the purpose. These bills, for the first time, identify Native American interests and make sure that Native American interests on Native American lands are going to be respected by the Federal Government. They take it.

Four score and 7 years ago, we started a fracking process in the United States—give or take a score. But this fracturing process has, so far, been working. We have a list of those from the EPA, from the Interior Department, from both Energy Secretaries, the last two Interior Secretaries, a former EPA Administrator, the current Administrator, former BLM Directors who have all said that there is no identifiable problem with what the States are doing with fracturing. The States do have this experience in doing it.

The language is very clear. Sometimes people say, well, there are no regulations because they can't find a specific regulation. It mentions the word ''fracturing.'' But to be honest, and not trying to be too wonkish, if you have rules and regulations that talk about wellbore construction or drill site integrity, that is what is necessary to ensure the health and safety of individuals. And States do know how to go do that, and they do know how to protect that area.

The actual question, though, is, if we are coming up with rules for fracturing—and this deals with the bill that Representative FLORES was addressing—where should the decision be made on how to implement those rules? Should it be made here in Washington or should it be made in the State where the situation exists?

I have a great deal of empathy for what the gentleman from Colorado was saying was what he wished to see in his home State. I would be more than happy to allow him to do anything he wanted to do. If, indeed, they want to cancel all kinds of fossil fuel development in the State of Colorado, I would be more than happy to allow him to do that. I just don't want that in my State.

And unfortunately, the conventional wisdom is always that only people in Washington, D.C., have the broad view to make decisions for the entire Nation. That is a ridiculous wisdom. That is inaccurate. States are just as competent. There are as many smart people who live and reside in States, their Department of Environmental Quality, which we have in the State of Utah, as live here in Washington. They can make these decisions. They can do it well.

If a State does not want to make these kinds of decisions, does not want to have these kinds of rules, allow a national rule to take precedence. No problem. But if a State is willing to be independent and make decisions for themselves, we should allow them to do it because the States are just as good and, unfortunately, often better than the Federal Government in making these kinds of provisions.

You see, one of the things that is happening—the good gentleman from Colorado did talk about what is happening in his State. And once again, if his State wants to ban all kinds of these activities, if they want to ban all development of fossil fuels, that is fine.

This bill's adoption does not stop Colorado from doing anything that Colorado wishes to do. Not passing this bill will stop the State of Utah from having primacy and doing what the State of Utah wishes to do.

Look, we are not talking about the decimation of enormous tracts of Federal land. Within the Federal campus, there are over 650 million acres. That is one-third of America that the Federal Government owns. Of those 650 million acres, 450 million acres are already set aside for preservation and conservation and will never, never have any kind of development or any kind of drilling taking place on those 450 million acres.

The amount of area that has been identified as potential for economic development is only 38 million acres. But on those 38 million acres, allow the States to move forward to make sure that what the State wants on our local lands is respected and that what happens on Federal public lands is fair and equitable to what happens on private lands in non-Federal States.

With that, I look forward to anything the gentleman from Colorado has to say, and I reserve the balance of my time.

Mr. POLIS. I yield myself 30 seconds to respond.

To be clear, there is not an effort in Colorado, as the gentleman insinuated,

to somehow prevent the extraction of fossil fuels from occurring in Colorado. In fact, quite to the contrary. Because of the lack of meaningful State regulations, many cities and counties are banning extraction; and four of the five biggest cities I represent have moratoriums or bans on fracking precisely because there are insufficient Federal and State guidelines. So it is really working with counterpurposes and hurting the very prospects for the extraction industry that the gentleman aspires to assist by not having adequate regulation to safeguard people's homes and families.

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much.

Mr. Speaker, the gentleman is correct that none of the dialogue that we just heard is mutually exclusive from creating jobs, from providing a growing economy, having a sustainable environment, and maybe having even a national energy policy. This should not be a conflict between who has read and who has not in terms of land and the ability to use Federal lands and education. We can do both. And what I believe is happening is that we are trying to take sides without looking constructively at everyone's amendments to make this legislation what it should be.

I have always advocated for a national energy policy. Today I rise to discuss the amendments that I offered to try to bring people together. I listened to the discussion.

Since the industry pays $6,500, we must let individual protesters pay $5,000. I would venture to say that the amendment that I offered would have been a fair one. It is to eliminate that amount. It could have been a compromise, make it a $1,000 fee. But in actuality, this blocks individuals from even expressing their viewpoint even though they have been able to go through the process of comment.

I did get an amendment in which will help ensure that the legislation, should it become law, will not apply or be interpreted in such a way that it unfairly burdens injured parties seeking relief. My amendment No. 2 indicates that this shall not be construed to abridge the right of people to petition for the redress of grievances in violation of the first article of the amendment to the Constitution, a right to protest.

Another amendment that I had was also an amendment to protect individuals, farmers, ranchers, and small businesses by removing the provision in the bill prohibiting recovery of attorney fees pursuant to the Equal Access to Justice Act. That amendment was made in order to create a level playing field.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman from Texas an additional 15 seconds.

Ms. JACKSON LEE. There are a number of other amendments that I offered to H.R. 2728. One would have made it clear that the deference accorded to State law under section 44 of the bill applied only to fracking operations conducted on State lands but not to Federal lands. This was a good amendment that did not make it. A number of amendments did not. Some of my amendments did, and I want to say thank you. But I believe we can work together for a national energy policy that works for all of us.

Mr. Speaker, I rise to speak on the rule governing debate on H.R. 1965, the "Federal Lands Jobs and Energy Security Act," and H.R. 2728, the "Protecting States' Rights to Promote American Energy Security Act."

As the Member of Congress from Houston, the energy capital of the nation, I have always been mindful of the importance and have strongly advocated for national energy policies that will make our nation more energy independent, preserve and create jobs, and keep our nation's economy strong.

I am not pro- or anti-fracking. I strongly am "pro-jobs" and "pro-growing economy" and "pro-sustainable environment."

Volatile energy prices threaten economic security for millions of middle class Americans and hits consumers hard, raising gas prices and straining budgets for millions of American families.

It is a familiar story, but in order to restore lasting security for middle class families we need a sustained plan for American energy, not false promises of quick fixes.

That is why I carefully consider each energy legislative proposal brought to the floor on its individual merits and support them when they are sound, balanced, fair, and promote the national interest.

Where they fall short, I believe in working across the aisle to improve them by offering constructive amendments.

That is why I offered several amendments for the Rules Committee to consider in reporting the bills covered by this rule.

Three of my amendments were made in order by the Committee and for this I wish to express my appreciation to Chairman SESSIONS and Ranking Member SLAUGHTER hearing the bills before the House.

Four other amendments that I offered were not made in order by the Committee, which I regret very much since I believe strongly that each would have made genuine improvements to the bills.

For the benefits of all Members, I will describe these amendments briefly.

JACKSON LEE AMENDMENTS TO H.R. 1965, "FEDERAL LANDS JOBS AND ENERGY SECURITY ACT"

Jackson Lee Amendment #1 would have eliminated the new $5,000 filing fee that creates a higher barrier for individuals, small businesses or communities to protest agency actions taken pursuant to the bill.

A filing fee of this magnitude would unduly burden the ability of farmers, ranchers, homeowners, communities, and small businesses aggrieved by agency action to seek redress to vindicate their rights or obtain a remedy for a legally cognizable injury.

Although the Committee did not make in order Jackson Lee Amendment #1, I am pleased that the Rules Committee made in order Jackson Lee Amendment #2, which will help ensure that this legislation, should become law, will not applied or interpreted in such a way that it unfairly burdens injured parties seeking relief.

Jackson Lee Amendment #2 provides that this legislation:

> "[S]hall not be construed to abridge the right of the people to petition for the redress of grievances, in violation of the first article of amendment to the Constitution of the United States."

We should never take for granted the precious and unique right—even for democracies—of citizens to hold their government accountable and answerable to the judiciary for redress for legally cognizable injuries.

I am also pleased that Rules Committee made in order Jackson Lee Amendment #3, another amendment offered to protect individuals, farmers, ranchers, and small businesses by removing the provision in the bill prohibiting recovery of attorney fees pursuant to the Equal Access to Justice Act.

This amendment levels the playing field and conforms the bill to current law and practice.

Since its enactment in 1980, the Equal Access to Justice Act (EAJA) has enhanced parties' ability to hold government agencies accountable for their actions and inaction.

EAJA also helps deter government inaction or erroneous conduct and encourages all parties, not just those with resources to hire legal counsel, to assert their rights.

The EAJA is used to vindicate a variety of federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

The EAJA promotes public involvement in laws have a significant impact on the public health and safety such as the National Environmental Policy Act, Clean Air Act and Clean Water Act.

2. JACKSON LEE AMENDMENTS TO H.R. 2728, "PROTECTING STATES' RIGHTS TO PROMOTE AMERICAN ENERGY SECURITY ACT"

I offered several amendments to H.R. 2728, the "Protecting States' Rights to Promote American Energy Security Act" that address State and Federal interest in developing and enforcing fracking regulations.

The first of these, Jackson Lee Amendment #1 to H.R. 2728, would have made it clear that the deference accorded to state law under section 44 of the bill applied only to fracking operations conducted on state lands but not to federal lands.

My amendment would not impact the ability of states to approve fracking on state or private lands.

I am disappointed that the Rules Committee did not make this amendment in order because it would have markedly improved the bill.

Before offering this amendment I canvassed and consulted key stakeholders in my district and was advised by them that a patchwork of 50 separate sets of legal rules and regulations governing fracking operations on federal lands was inefficient, expensive, and unduly burdensome. I agree. My amendment would have ensured that there would be only a single, uniform standard governing fracking operations administered by the Department of Interior.

Federal lands are held in trust for the benefit of the American people. They are a source of national pride as well as a source of revenue for a wide range of industries, which include ranching, logging, mineral extraction (including oil and gas), and tourism.

I am hopeful that this amendment will be reconsidered by the Senate or the bicameral conference as the bill makes its way through the legislative process, particularly since the Rules Committee also declined even to make in order another version of the amendment, Jackson Lee Amendment #2, which required only that the Secretary review and approve state fracking law before permitting it to govern fracking operations on federal land.

Mr. Speaker, fracking is a new and promising mining technique that has proven to be very effective and profitable for oil and gas extraction processes. This appears to be good news for our nation's energy and economic but the technology is still in its infancy.

That is why I am also pleased that the Rules Committee made in order Jackson Lee Amendment #3, which provides that the Secretary of the Interior shall annually review and report to Congress on all State activities relating to hydraulic fracturing.

I urge my colleagues to support the Jackson Lee Amendments made in order under this rule.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself 30 seconds, if I could, simply to say that what the bill does, does not restrict any kind of free speech opportunity for individuals. They still have the right of comment, which is totally free, in any of those processes from the RPM to the NEPA to the lease to the leased bid to the second NEPA to the APD. So that is there only when an effort actually causes an additional expense to the government, which is typical and standard. That fee is actually going to be initiated to try to cover the costs to the Federal Government.

It is my pleasure now to yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), the sponsor of the first of the two bills, who has a bill that will ensure that the standards become fair and equitable for everyone throughout this Nation.

Mr. LAMBORN. I thank the gentleman from Utah.

Mr. Speaker, I want to respond to my colleague from Colorado who has raised some concerns about the issue of hydraulic fracturing. And we all agree. There is a place for reasonable regulation; there is a place for the surface rights of homeowners and businesses in the area of a well to have their safety and health protected; and we would all agree with that.

In Colorado, we really do have a pretty comprehensive and well-thought-out system of regulations. Some of the objections may really get more into State and local issues that my colleague has raised, the distance of setbacks and things like that, but I hope we will not miss the main point.

The main point: these bills are before the House this week. We want to improve the American economy. We want to create more jobs. Energy is one of the bright spots in an otherwise anemic economic recovery. And if you look at where the energy production is really taking off, it is on State and private lands. For my colleague from Colorado, it is a private land scenario that he is dealing with.

Federal lands need to catch up. There are billions of acres of Federal lands, including offshore. I know we are going to concentrate on onshore, but we have not kept up with energy production, and yet this has otherwise been a bright spot in our economy.

So if we want to create jobs for the American people—and these are some of the best paying jobs—if we want to have an expanded manufacturing base, if we want the cost of energy to consumers to be as low as possible so that they can go out and spend their hard-earned money on everything else that they need for their families and not have as high of a utility bill, then we need to pass these three bills this week.

□ 1330

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman an additional 1 minute.

Mr. LAMBORN. Mr. Speaker, there is a place to talk about reasonable regulation that has to be in place for the drilling process, for the capture of gas, and for how to treat the water that comes back up from a fractured well.

Yes, let's look at those things; and let's also look at the State role and not think that the Federal role has to take over completely, as we have some in this administration who would like to do.

But the bottom line is we need American jobs. We need a stronger economy. We need lower prices so people keep more of their hard-earned money. That is what these job bills are about this week. It is about the economy and jobs.

So we will get into a discussion later today, tomorrow, and Thursday on making sure that the environment is protected, making sure that everyone else has their rights protected; but let's create jobs. That is what these bills are going to do. That is why I am proud to be a sponsor of the bill that comes up later this afternoon that we will be talking more about.

Mr. POLIS. Mr. Speaker, I would inquire whether the gentleman from Utah has any remaining speakers. If not, I am prepared to close.

Mr. BISHOP of Utah. I have no further speakers.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make sure we don't go home unless we finish the budget by December 13.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. I will submit for the record, as well, a recent poll. The Denver Post published an article this past summer that states that 65 percent of Colorado residents favor protecting wilderness parks and open space and our Federal lands for future generations and 30 percent support more drilling.

It has been 144 days and 13 hours since the Senate passed its immigration reform bill, S. 744. We have introduced H.R. 15 here in the House. Each day that the House refuses to take up reform costs the country $37 million. Already there is more than $5 billion in potential lost revenue so far.

If we can take up immigration reform and pass it, I would even support allowing that revenue to be used to keep the loopholes for the oil and gas industry open—something that I have long opposed. But if we can pass immigration reform, I would accept that pay-for as a way of keeping the oil and gas loopholes open for the next several years.

The nonpartisan Congressional Budget Office found that the comprehensive immigration reform bill would increase our GDP by 3.3 percent, raise American wages by $470 billion, and create an average of 121,000 jobs for Americans each year. So rather than take up a job-creating bill for Americans that reduces our deficit, we are taking up a bill that hurts the economy and hurts jobs in districts like mine.

The longer we fail to act on immigration reform, the greater the cost to the American people. Take the example of the solvency of the Social Security system. As the Social Security Administration estimates, close to two-thirds of the 8 million undocumented people who are here currently work underground. No surprise. They are not allowed to work aboveground in official jobs with payroll deductions, and neither they nor their employers are able to legally declare their earnings or pay their payroll taxes.

Today, only 37 percent of undocumented immigrants pay Social Security taxes. Experts are estimating that our Nation loses about $20 billion in payroll taxes each year. We will continue to lose that money until we pass H.R. 15, comprehensive immigration reform.

The Senate has acted—with strong Republican support and strong Democratic support—and passed bipartisan immigration reform last June; and yet the House hasn't had a single moment of floor time for any immigration reform bill, despite the fact that four have been passed through the committee.

The time is now. We are here today, we are here tomorrow, we are here 2 more weeks. If we need to come back, let's do it.

The country is demanding that we create jobs. Comprehensive immigration reform will do that. The country is demanding we shore up our entitlement programs. Comprehensive immigration reform will do that. The country is demanding that we reduce our deficit. Comprehensive immigration reform will do it. Securing our borders,

protecting our country from terrorists—law enforcement, the faith community all support immigration reform.

In closing, I want to again state the article I am submitting for the record says 65 percent want to protect our environment and 30 percent are for more drilling.

The people have spoken. These bills are out of touch. It is time to take up comprehensive immigration reform.

I urge my colleagues to oppose the rule and the bill, and I yield back the balance of my time.

[From the Denver Post]

POLL OF WESTERNERS ON DRILLING ON PUBLIC LANDS: 65% PROTECTION; 30% DRILLING

(By Bruce Finley)

A new poll finds that 30 percent of the residents of Colorado and the western United States favor oil and gas drilling on public lands, while 65 percent support protecting wilderness, parks and open space for future generations.

Results of the poll done by Hart Research Associates were presented Monday by the policy group Center for American Progress, which with the Wilderness Society was launching a campaign for balance.

''This is a case where Washington's policies and rhetoric are still locked in a drilling-first mind-set, but westerners want the protection of public lands to be put on equal ground,'' said John Podesta, chairman of the Center for American Progress, which is headquartered in Washington, D.C.

''Voters do not see conservation and development of public lands as an either-or choice. Instead, they want to see expanded protections for public lands—including new parks, wilderness and monuments—as part of a responsible and comprehensive energy strategy,'' Podesta said.

U.S. domestic oil and gas production has reached record levels, with more than 37 million acres of public land leased to companies for drilling. Polling and focus group discussions were conducted in Colorado, Montana, New Mexico, Oregon, Arizona, Idaho, Utah, Wyoming and Nevada in April and May.

The poll asked participants to state what they regard as a very important priority, and 65 percent said permanent protection of public lands. Results showed 63 percent prioritized ensuring access to public lands for recreation, while 30 percent favored ensuring access to oil and gas resources.

The poll found that 29 percent supported use of public lands for grazing livestock.

Western Energy Alliance officials in Denver cited a different poll. It found that more than 78 percent of voters nationwide favor increased development of oil and natural gas in the United States.

Voters have a favorable view of ''how oil and natural gas in produced in America,'' said Tim Wigley, president of Western Energy Alliance in a statement. ''Almost one in four (24 percent) chose federal lands over state or private lands.''

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

I appreciate the poll that was presented into the RECORD; but that is why, I would submit, the Interior Department has a resource management plan. Those RMPs are established in the first place so that incompatible relationships and incompatible entities are not put in the same area. It is why you can actually have both.

What the two bills before us that would be brought to the floor under this rule do is allow States to have a say in what is going on, because States are confident. They are closer to the problem. They should have a say and a stake and make a statement in this particular issue.

If these bills were brought to the floor, public land States in the West—the red areas on my map—would be treated fairly and treated closer to what is happening in the white States, where there is little public land.

This is also, though, one of the things that I want us not to lose focus on. It is not about drilling or not drilling. It is what is the purpose of developing our energy resources, that is, to make sure that people can heat their homes and have lights in their houses, that they can drive from point A to point B and afford it, and so that people can have jobs so that that little middle school girl in my State can actually have a place for her horse. That is what these bills are about.

More importantly, for Western States, the public land States, is to allow us to generate the revenue we need from the resources we have in our State to fund an education system. If these bills are defeated, the ability of Western land States to adequately fund their educational systems will be stymied.

It is important. If you care about kids, you have to provide this kind of resource for the Western States. That is why these two bills are not just rehashes. These two bills are essential for those of us who live in the West.

For the sake of the education system of Western kids, I would encourage everyone to support not only the rule, but support both underlying bills. They are important. This is a fair rule. It is appropriate legislation. They are good bills and a fair rule. I urge their adoption.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 419 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new section:

SEC. 3. It shall not be in order to consider a concurrent resolution providing for adjournment unless the House as adopted a conference report on S. Con. Res. 8, establishing a budget for the United States Government by December 13, 2013.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the notion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rile, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 13, as follows:

[Roll No. 590]

YEAS—223

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Campbell
Cárdenas
Davis, Rodney
Gosar
Herrera Beutler
Lowey
McCarthy (NY)
Radel
Rush
Sinema
Thompson (PA)
Wasserman Schultz
Weber (TX)

□ 1402

Ms. SEWELL of Alabama and Mr. CAPUANO changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 590 I was unavoidably detained.

Had I been present, I would have voted, "yes."

Stated against:

Ms. SINEMA. Mr. Speaker, on rollcall No. 590, had I been present, I would have voted, "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 196, not voting 12, as follows:

[Roll No. 591]

AYES—222

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo

Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Campbell
Coble
Fleischmann
Gosar
Gutiérrez
Herrera Beutler
McCarthy (NY)
Radel
Rush
Thompson (PA)
Wasserman Schultz
Weber (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1410

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FLEISCHMANN. Mr. Speaker, on rollcall No. 591, I was unavoidably detained—I would have voted, "yes."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

FEDERAL LANDS JOBS AND ENERGY SECURITY ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1965.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 419 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1965.

The Chair appoints the gentlewoman from North Carolina (Ms. FOXX) to preside over the Committee of the Whole.

□ 1414

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 consideration of the bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes, with Ms. FOXX in the chair.

The Clerk read the title of the bill.

THE CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from New Jersey (Mr. HOLT) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

□ 1415

Mr. HASTINGS of Washington. Madam Chair, I yield myself such time as I may consume.

Madam Chair, with millions of Americans still looking for work, growing debts and deficits, and energy prices that are still far too high, the United States needs to implement an all-of-the-above energy plan to responsibly harness our Nation's energy resources on our Federal lands.

New energy production is one of the best ways to grow the economy and create new jobs to put people back to work. One needs to look no further for proof than to States like North Dakota that have flourishing economies and some of the lowest unemployment rates in the country, all due to energy production. Because of this energy boom, the U.S. is now projected to be the world leader in oil production by 2015, surpassing Saudi Arabia.

The catch is that this increased oil production is happening on private and State lands—which is good—places that aren't as restricted by onerous Federal regulations and policies. Federal lands are being left behind.

However, this lack of production on Federal lands is not for a lack of resources. We have tremendous potential for new onshore oil and natural gas production on Federal lands, but the Obama administration is actively and purposely keeping these resources off limits. Leasing and permitting delays, regulatory hurdles, and ever-changing rules are a few of the reasons energy production on Federal lands is in decline.

President Obama has had the four lowest years of Federal acres leased for energy production going back to 1988. Under his administration, the average time to get a drilling permit approved on Federal land is 307 days. By contrast, it takes an average of only 10 days in North Dakota to get a permit; and another example, in Colorado it only takes 27 days.

It is no wonder that State lands are flourishing while Federal lands are experiencing a decrease in energy production. That is unacceptable, and this bill today offers real solutions to unlock the shackles that have been placed on our Federal lands.

H.R. 1965, the Federal Lands Jobs and Energy Security Act, is a package of bills that will help us expand oil, natural gas, and renewable energy production on public lands. It will streamline government red tape, break down bureaucratic hurdles, and put in place a clear plan for developing our own energy resources. Even more importantly, this bill will spur job creation and help grow and strengthen our economy.

Madam Chair, I want to take a moment to specifically highlight the importance of the third title in this bill, the National Petroleum Reserve Alaska Access Act. The NPR–A was specifically designated in 1923 as a petroleum reserve. Let me repeat that: NPR–A was specifically designated in 1923—that is 90 years ago—as a petroleum reserve. Its express purpose was to supply our country with American energy. That was the foresight of Congress 90 years ago. That is why it is completely unacceptable that the Obama administration this year finalized a plan to close half of NPR–A to energy production. Let me repeat: we set aside NPR–A 90 years ago for energy production, and this administration unilaterally shut off half of it. So this bill would nullify that plan and require the Interior Department to produce a new plan for responsibly developing these resources.

This bill would require annual lease sales in the NPR–A and ensure that necessary roads, bridges, and pipelines needed to support energy resources out of the NPR–A can be approved and completed in a timely, efficient manner. Now, Madam Chairman, this is crucial to the Trans-Alaskan Pipeline System, TAPS. It is crucial because that pipeline needs to remain fully operational.

Much focus has been given to the Keystone XL pipeline, and properly so; but we cannot forget that TAPS is one of the most important pieces of energy infrastructure in our Nation. Reduced production in Alaska has left TAPS at less than half of its capacity, threatening a shutdown that would cost jobs

and significantly weaken our energy security. We cannot allow that to happen, and developing our resources in the NPR–A is vital to ensuring that it doesn't.

I urge my colleagues to support this job-creating legislation and allow our Federal lands to be part of our Nation's energy equation.

We have seen the jobs that can be created through energy production. We have seen how it can grow local communities and create thriving economies. We have seen how lower energy prices are vital to putting more money in the pockets of American families. We know what is possible. It is just a matter of realizing that potential by allowing new energy production to occur on our Federal lands.

The majority of the provisions in this bill passed the House last Congress with bipartisan support. It is time for this Congress to once again move forward with this commonsense, job-creating energy plan.

Madam Chair, I reserve the balance of my time.

Mr. HOLT. Madam Chair, I rise in opposition to this misguided, unnecessary, and environmentally harmful piece of legislation and yield myself such time as I may consume.

We all know that under President Obama the United States is in the middle of an almost unprecedented oil and gas boom. Last week, the Energy Information Administration said that for the first time in 20 years U.S. crude oil production surpassed imports. Also last week, the International Energy Agency projected that the U.S. would become the number one oil producer by 2015.

The headlines keep coming. On October 4, EIA reported:

> U.S. expected to be the largest producer of petroleum and natural gas hydrocarbons in 2013.

On October 16, a headline read:

> U.S. is already world's number one producer, consultants say.

Even the Republicans have to admit this energy boom is happening, but they say it has nothing to do with President Obama because they don't want to give him credit for anything. They say all of the increased production—all of it—is coming from State and private lands. President Obama, they believe, is choking off production on Federal lands, and that is why we need the giveaways to Big Oil. That is why we need these attempts in this legislation to stifle public comment. That is why we need drill-at-all-cost measures.

But they are wrong. Flat-out wrong.

What has actually happened to oil production from our public and Indian lands out West since President Obama took office, you may ask? It has skyrocketed. Onshore oil production from Federal and Indian lands, just what we are talking about in this legislation, has gone up every year since the President has been in office. It is now 35 percent higher than it was under President Bush. Yet this legislation would not just reduce environmental productions. It would gut them; it would remove them.

So here is an even more interesting statistic. The nationwide increase in oil production since President Obama took office is 30 percent. The increase on Federal and Indian lands is even outpacing the increase nationwide, including private lands. I believe it is simple enough that anyone should be able to understand this. Oil production for the entire country is up 30 percent. Oil production on Federal and Indian land is up 35 percent.

But the Republicans have this playbook that they just can't get away from, this shopworn 2008 drill, baby, drill playbook. And so they want to try to make things easier for Big Oil while trying to ensure that conservation and hunting and fishing and recreation and renewables, and everything else that these Federal lands might be used for, has to take a back seat to drilling.

The entire premise of this bill is that President Obama is shutting off access to Federal lands and driving oil production down. The premise is false. We are not here because we need this legislation to increase our domestic production of oil and gas, and it certainly has nothing to do with prices at the pump. We are not here because the bill will have any impact on the world price of oil or gasoline at the pump. We are not here because anyone thinks this bill has a chance of becoming law either. We are here because we have a deeply divided Republican caucus, and one of the few things that unites this caucus is the belief that Big Oil should enjoy higher profits, and those profits should come from publicly owned land.

We are here because bills to convert our priceless national treasures into profits on Big Oil's balance sheets are about the only idea that our Republican colleagues can agree on among themselves.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chair, I am very pleased to yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), a former chairman of the Natural Resources Committee.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Chairman, it is amazing as I sit on this floor after 40 years of listening to so much nonsense from the other side when it comes to energy. This increase of production in the United States came from private lands and State lands, not the Federal lands, and those are the facts. And we are still not independent from oil from the Middle East that caused us disruption in our economy. To hear the same litany of words over and over again, we have to save, we can't produce, but we have to have employment. We will have a stimulus package. And, in fact, we will have more government borrowing for the economy and forget real jobs.

But I am going to talk about title V in this legislation. The Federal Lands Jobs and Energy Security Act contains a number of measures to promote energy development by and for the benefit of Indians and Alaska Natives.

Specifically, title V contains a range of measures requested by a number of Indian tribes and Alaska Native corporations to streamline burdensome Federal regulations and legal procedures that hinder exploration, development, and production of energy on their lands.

There are 56 million acres of lands held in trust by the Federal Government for the benefit of Indians, 56 million. In Alaska, there are 44 million acres, a total land mass larger than the State of California.

Many of these areas are in untapped energy resources. It is estimated that up to 10 percent or more of our Nation's energy is contained in Native lands.

The problem is that outdated Federal policies thwart the ability of tribes to use their lands for their benefit. Leases of Indian trust lands require Federal review and approval, which arguably brings little or no value to the tribes involved. If Federal review and approval of energy leases created any economic value, then private landowners and State governments would be clamoring to have their projects reviewed and approved by the Federal Government, too.

There are few better measures of how ineffective Federal supervision of Indian affairs has been than the fact that since 2010 nearly $5 billion has been paid by the government to Indians to settle Federal mismanagement of their trust lands.

While many Indian tribes and Alaska Native corporations have made great strides in building businesses and strengthening their economies, tribal communities remain at the bottom of nearly every economic and social indicator. The sad fact is in 21st-century America, severe poverty wears a Native face.

□ 1430

Instead of helping tribes make positive strides in energy development, the Obama administration is erecting new hurdles. The EPA canceled a valid permit for the largest tribe to operate a large power plant on its land with its coal. The Department of the Interior has proposed a hydraulic fracturing rule which makes Indian lands less competitive and less attractive to industry, again, taking away from the American Indians.

Fortunately, several tribes are seeking to shed the current Federal system altogether and to take over management of their lands and energy resources. It is these tribes which asked for the provisions in title V of the bill today.

It is with great pleasure that the standalone bill on which title V is based, H.R. 1548, has been endorsed by the National Congress of American Indians and several individual tribes.

It is time to stop treating Indian trust lands as public lands—they are not public lands; they are private lands—and increase tribes' powers of self-governance over their energy resources for the good of their members and for the good of the United States' energy security.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. YOUNG of Alaska. Let's make the principle of tribal self-governance, which you talk about and never follow—you never give the Indians a break for anything. You pat them on the head, give them a blanket and half a beef, and expect them to be quiet. That is that side over there. You do not support the American Indians. You never have. You pat them on the head and give them a side of beef.

Mr. HOLT. Madam Chair, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. DINGELL), a lifelong stalwart supporter of the environment and of energy production.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Madam Chairman, I rise first to pay respects to the distinguished gentleman on the majority side handling the legislation to tell him that I have affection and respect for him, but he is handling a bad bill. I also want to thank my good friend for yielding me this time.

I have been to Alaska many times. I have hunted there. I have fished there. I have been to the NPR–A. I have been to all of the refuges in the national forests and national parks and the BLM lands up there. I have seen what a treasure it is. I have also supported, actively, the idea that this Nation must make it possible for us to easily produce energy, but not at the price of throwing away things like our basic fundamental environmental protection laws.

This legislation is not going to significantly increase production of oil. All it is going to do is throw away the things that are necessary to protect it against unwise use. This has been a battle that we have had in this body many times, where the majority will consistently seek to make it easier to drill for oil that either isn't there or isn't there in the amounts or that is not going to be produced by the oil companies, because we are finding that there is a lot of oil where there is authorization for drilling where they just got the drilling permits and they sit there and look at the drilling permits. Oil is not produced.

Having said this, the Secretary in the last year or so has increased the ability of this Nation to continue producing more and more oil from the public lands. One of the problems with Alaska is the public lands are cold, they are intractable, they are harsh, and they are hard to produce oil from; so it is necessary that it takes longer for us to produce oil on those lands, and that is properly so. It is easy to produce it in the warmer, more gentle climates here in the United States. Given that fact, we can expect that we will see more rapid increases in production here than we will see up there.

We have a tremendous national treasure in Alaska. It produces fish, wildlife, open spaces, salmon, all kinds of riches of renewable resources of all kinds.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. Madam Chair, I gladly yield the gentleman an additional 1 minute.

Mr. DINGELL. I express my thanks to my dear friend.

Madam Chairwoman, we should not throw away those protections, nor should we open those lands up to being blasted, drilled, ditched, and dug without wise protection. After all, good conservation is wise conservation and wise use of the resources.

We are going to find, as time passes, the predictions of our Department of Energy and the Department of the Interior, that this oil is not present in NPR–A and in the arctic game range and is not there in the amounts that we would like, and there is no real reason for increasing that oil production, especially by permits that will not yield any additional production of oil to this Nation.

I urge my colleagues to reject the legislation. Let the administration continue its production of oil according to wise use and see to it that we protect the treasures that we have in Alaska against unwise use.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 4 minutes to the gentleman from Colorado (Mr. LAMBORN), the sponsor of this legislation,

Mr. LAMBORN. Madam Chairman, I thank the chairman of the committee, DOC HASTINGS.

I rise in strong support of H.R. 1965, the Federal Lands Jobs and Energy Security Act, which incorporates four additional bills into my bill. This legislation takes significant steps toward moving our country forward on a path to energy independence by streamlining government regulations and reducing government red tape that hinders onshore energy production. It will create new American jobs, promote energy and economic development, and increase revenues to the State and Federal governments.

This legislation also sets firm timelines for Applications for Permit to Drill, or APD, approvals and dedicates funds from APD solar and wind right-of-way fees to the permitting field offices. It will require the Bureau of Land Management to lease at least 25 percent of the nominated acreage not previously made available for lease. It will inject certainty into the leasing process and terms to give energy developers the certainty they need to move forward with production.

It also requires the Secretary of the Interior to develop a 4-year plan for onshore energy development, similar to the 5-year plan they are required to develop for offshore development. It opens up the National Petroleum Reserve in Alaska for energy production and allows the BLM to conduct leasing through the Internet.

Since taking office, despite the claims to the contrary, President Obama has waged a war on energy development. Under the administration, a simple permit, which in my home State of Colorado on average takes 27 days to approve, takes nearly a year on Federal land. And only minuscule areas of land have been leased for energy development, despite significant interest in many more acres. In fact, the Obama administration has had the 4 lowest years of Federal acres leased for energy production going back to 1988. The Obama administration has even taken the shocking and questionable step of canceling leases that have been legally bought and paid for.

Energy companies are practically fleeing from developing energy on Federal lands in favor of the more reliable and efficient State and private permitting processes. Further, the Obama administration has made it harder for oil shale technology to develop so that companies are showing little interest in developing this promising technology.

While the President tries to take credit for increased energy production under his administration, the reality is that the vast majority of any increased production occurs on State and private land that the Federal Government has no jurisdiction over. In fact, since 2009, total Federal oil production is down 7.8 percent, and total natural gas production on Federal lands is down 21 percent.

My legislation would interject much-needed certainty into nearly every step of the onshore energy production process. It will ensure that permits are approved in a timely fashion, would prohibit the administration from changing lease terms or revoking leases after they have been legally won, would ensure that onshore leasing moves steadily forward, and will allow the Secretary to plan for this Nation's future energy needs.

Energy that is available and affordable creates more jobs for Americans here at home rather than overseas. It lowers the price of essential goods that American families buy every day, and it leaves more of the hard-earned money in the pockets of Americans after they pay their gas and utility bills. There is no reasonable objection to this bill.

I urge my colleagues to support this critical legislation to create new American jobs and establish an efficient process to produce both renewable and conventional energy on Federal lands. We can do this while meeting the extensive environmental standards that are already in place.

Madam Chairwoman, I urge support for this bill.

Mr. HOLT. Madam Chair, let's summarize what is in this legislation.

H.R. 1965 is a compilation of a number of wishful bills, wishful legislation from the other side. It would shortcut environmental reviews, discourage public participation in energy development decisions, and eliminate thoughtful leasing reforms.

It would require that any public entity or individual that wanted to challenge a leasing decision post a $5,000 protest fee just to be able to access the process.

It would require that the Department of the Interior lease at least 25 percent each year of oil and gas nominated areas, whether or not they are suitable for drilling now.

And, Madam Chair, I get this. It would elevate oil and gas leasing decisions above all other uses of public lands, such as hunting, fishing, grazing, conservation, recreation, and other energy uses.

It would also require a plan to crisscross the National Petroleum Reserve in Alaska with roads and pipelines, a network that would be a bonanza for some contractor, I am sure, ignoring the management plan that was approved this year. Why? Not for a good reason. We don't need all these relaxations—''relaxation'' is too mild a word—the gutting of environmental review, the removal of public participation, because oil production is doing very well, thank you.

Let's deal with facts.

Federal onshore oil production, which is what this bill is about, has increased 35 percent. It is actually a faster growth rate than oil production overall in the United States. I am not sure why the other side refuses to acknowledge that. I would think they would want to take that as good news. If you look past their talking points at the actual data, you will see that Federal onshore oil production has increased every year since 2008. That doesn't include Indian lands, where production has also increased every year since 2008. So the fundamental premise of this bill is flawed.

There are, right now, 37 million acres of Federal land under lease for oil and gas development, but two-thirds of that is not in production or exploration. Go figure. Let's go ask these companies why they are bidding on these lands. When you lease land, it is because you think it will be productive, yet they are sitting on them. We don't need to streamline. We don't need to remove any environmental controls in order to stimulate leasing, because 37 million acres of Federal land are under lease now.

Furthermore, even if the other side was right about their flawed premise, even if it was a problem in production, onshore Federal oil is only 5 percent or 6 percent of total production. That is all it will be. So if there were a production problem, if it were not the case that we were producing more than we have produced—we are in better shape than we have been in decades—further drilling on Federal land would not be the answer.

□ 1445

So there is no reason for this bill. It sets back the use of these Federal lands to a free-for-all, unprotected state, and this is bad legislation.

Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairwoman, I am very pleased to yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), a member of the committee.

Mr. TIPTON. Thank you, Mr. Chairman, for yielding me time on this critical matter.

I appreciate that my Planning for American Energy Act was incorporated as title II of the Federal Lands Jobs and Energy Security Act of 2013. This final, commonsense package seeks to put in place responsible American energy plans that will reduce energy costs for consumers while also spurring economic growth and job opportunities.

The legislation before us today would unleash the potential for thousands of new jobs and establish a reliable, affordable, and secure source of American energy through responsible production. Title II of this act seeks to establish commonsense steps to create an all-of-the-above American energy plan for using Federal lands to meet America's energy needs.

Under title II of this legislation, the nonpartisan Energy Information Administration provides the projected energy needs of the United States for the next 30 years to the Secretaries of the Interior and Agriculture. The Secretaries would use this information to establish an environmentally responsible, 4-year energy production plan.

The bill allows for energy development on public lands in order to promote the energy and national security of the United States in accordance with multiple-use management standards established by the Federal Land Policy and Management Act.

Title II requires an all-of-the-above approach to energy development responsibly in this country. The bill specifically cites wind, solar, hydropower, geothermal, oil, gas, coal, oil shale, and minerals needed for energy development to be included in the plan. These goals would be accomplished responsibly, without repealing a single environmental regulation or review process.

Earlier this year, an important study entitled ''Energy Cost Impacts on American Families'' was released. This study, which relies on government data, had some troubling findings, including that more than 50 percent of U.S. households are expected to spend at least 20 percent of their family budgets on energy costs in 2013. This figure has nearly doubled in the last 10 years alone.

Even more troubling is the fact that these energy increases have disproportionately impacted families on lower incomes and seniors on fixed incomes. This stands to reason, given the decline in energy production on Federal lands under this administration.

Since President Obama took office, production on Federal lands has declined significantly, including a staggering 21 percent decline in Federal natural gas production.

Colorado, along with our neighboring Western States, is in a unique position to contribute to our Nation's energy security and ensure that the United States remains competitive in the world market.

By promoting a commonsense regulatory framework embracing domestic energy research and development, and applying environmental and safety standards already on the books rather than adding costly new mandates, we can help meet America's energy needs right here at home, providing energy and economic security that will benefit American families.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. TIPTON. An all-of-the-above approach in energy, this responsibly increases production on federal lands and is needed to ensure that the prosperity of our Nation is ensured. This is exactly what H.R. 1965 will accomplish. It creates a framework to responsibly meet America's energy needs, lower energy costs for consumers, and create much-needed American jobs.

I urge the immediate passage of this bill.

Mr. HOLT. Madam Chair, I am pleased to yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished whip of the Democratic Party, someone who understands the economic importance of protecting the environment.

Mr. HOYER. Madam Chair, I thank the gentleman from New Jersey for yielding.

Madam Chair, this bill, and the other two House bills we will consider this week, were put forward, in my opinion, to fill time. Yes, they are unifying issues on the Republican side of the aisle, Madam Chair, but they are not pressing. Even if they were good policy, they are not pressing.

We stand here without a budget. We stand here with 10 days left to go.

Madam Chair, it is now quarter of 3:00, and it was about 2:30, and our business is through for today. No budget, no unemployment insurance extension, no farm bill, no conference report even on the budget, no immigration bill, no ending discrimination, ENDA, bill—a raft of critically important issues that this House ought to be considering.

So this is somewhat the fiddle on which we are playing while Rome is burning.

We shut down the government for 16 days, for the first time in 17 years, a

conscious decision to shut down government, and 147 of my Republican colleagues, Madam Chair, voted to keep the government shut down and voted against paying our bills. Yet, we consider this legislation.

Now, I am against this legislation substantively, but even more egregious is the wasting of 4 of the 12 days we had available to address the issues I have just discussed. America is rightfully disgusted with the Congress of the United States. Me too.

Energy security remains an important issue. I agree with my colleagues on that. But these bills offer partisan solutions to energy production that are taking our time away from pressing matters, as I have explained, like the budget conference, unemployment insurance, comprehensive immigration reform, the farm bill, Medicare physician payment formula, and tax extenders.

We are all going to be wringing our hands just a few days from now saying, Of course we want to make sure there is a doc fix so that people with Medicare can make sure their doctors are paid appropriately so they will continue to serve them. We will say, Of course we want to do that.

Well, why did you waste a week?

We won't have an answer to that, unless the answer is, Well, we are really not going to address them; we would rather address these issues that bring our party together and make us look like we are doing the work that our base wants us to do.

Tomorrow's legislation seeks to block a proposed Bureau of Land Management regulation that is not even yet in effect and overreaches to cover all Interior Department lands.

The first of these bills sets an arbitrary deadline on leases, permits, and reviews that stand in the way of regulators doing their job to protect citizens and affected communities.

I think citizens want to be protected. Yes, they want it done in an efficient, effective manner, but they want to be protected.

These bills were put forward in the name of achieving energy security, when, in truth, ironically, America is now more energy secure than it has been in decades.

The Acting CHAIR (Mr. HULTGREN). The time of the gentleman has expired.

Mr. HOLT. I yield 2 minutes to the gentleman.

Mr. HOYER. We are more energy independent than we have been in decades. As a matter of fact, when I talk about the Make It In America agenda of making manufacturing jobs and making things here in this country, one of our assets is, we are the abundant energy supply in the world today. There are more oil rigs in America today than the rest of the world combined.

Yet, we are talking about energy security. We have it. Do we need to enhance it? Of course. Just days ago, the Energy Information Administration announced that we produced more crude oil last month, Madam Chair, than we imported for the first time in almost 20 years. Under President Obama, oil production is up, and we now have more rigs operating, as I said, than the rest of the world combined.

Domestic natural gas extraction has also grown to an all-time record, and energy companies already hold more than 20 million acres of public land onshore on which they have yet to produce oil or gas. That is 56 percent of leased public lands onshore. The gentleman from New Jersey (Mr. HOLT) was speaking of that.

These bills distract and delay this body's critical attention to the issues of critical concern to all America, and, yes, indeed, to the rest of the world that wants to see and needs a responsible, fiscally secure America.

No budget, no budget conference, no farm bill, no immigration bill, no ENDA bill, all which passed the Senate in a bipartisan fashion. They are worthy of debate. That doesn't mean either side has to agree, but that is what we ought to be debating, ladies and gentlemen of this House, because they are the critical issues confronting us before the end of this year.

Yet, we waste our time, and frankly, we let ourselves off early because we don't have enough work to do.

I urge opposition to these three bills. I urge the majority party to bring the important pieces of legislation to the floor that America needs.

Mr. HASTINGS of Washington. Mr. Chairman, before I yield to my colleague from Ohio, I yield myself 1 minute to respond to my good friend, the minority leader. He characterized these bills as being not pressing.

Mr. Chairman, I would point out that probably the biggest issue facing America that we have heard from our constituents probably on both sides of the aisle is the need to have a growing economy and jobs. American energy—we have a chance to capture American energy and jobs with this legislation. So while it is not pressing, as the gentleman says, it is certainly very, very important.

Now, I would also point out the gentleman, the minority leader, was talking about several issues that are important. I would just suggest that probably number one on Americans' minds right now actually started on October 1, when the signup for the health care plan passed. Now, if there is something that is absolutely pressing that needs to pass this Congress before the end of the year, it is to rectify how people can keep the health care policies that they wanted.

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

Mr. HASTINGS. Mr. Chair, I yield myself an additional 30 seconds.

I might add, last week, last Friday, in a bipartisan vote, 39 Members of my colleagues on the other side of the aisle joined us to ensure that if people like their health care policies they can keep their health care policies.

Now, that bill is waiting in the Senate. We have a bicameral legislature. We know they have to act. But if there is one thing that is absolutely pressing before we get done is to resolve that issue.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, today I rise in support of the Federal Lands Jobs and Energy Security Act. This important legislation will help streamline onshore energy production and create jobs right here in America.

I want to thank the chairman for including legislation I have introduced, the BLM Live Internet Auctions Act, as a title in this legislation.

As we are all aware, oftentimes the Federal Government is behind the private sector when it comes to technological innovation. As a former chief information officer of a publicly traded company, I understand how much more efficient the Federal Government could become if we were able to provide some much-needed technological innovation.

□ 1500

The BLM Live Internet Auctions Act will allow the Federal Government to come into the 21st century and do what the private sector has already been doing for over a decade.

This legislation fixes an unintended consequence of a 26-year-old law that requires that BLM conduct auctions by oral bidding. Back in 1987, the Internet hadn't even been created by a certain former Vice President, and this bill simply gives the Bureau of Land Management the option to conduct auctions for their lease sales over the Internet. Traditional in-person auctions will still be held, but we can more effectively speed up sales, reduce fraud, and ensure the best return to Federal taxpayers for oil and gas leases by conducting them securely online.

Most importantly, this legislation will ensure efficient and timely lease sales so that developers can more quickly begin producing homegrown energy for American consumers and create much-needed jobs for Americans.

We know that BLM has the capability to do this because back in 2009 BLM conducted a test run of the program, selling 28 land parcels via live Internet auctions. By all accounts, they were very successful. The pilot program resulted in 1,500 unique visitors from 46 States, increasing the number of bidders and the sale price when compared with traditional in-person auctions. Even the administration supports this legislation, and I am hopeful that the Senate will act on it quickly so that we can bring the BLM process into the 21st century.

I urge all of my colleagues to support the underlying legislation.

Mr. HOLT. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Oregon (Mr. DEFAZIO), the

minority member of highest rank on our committee, the Natural Resources Committee.

Mr. DEFAZIO. I thank the gentleman.

Mr. Chairman, I was listening with interest to some of the statements made earlier in the debate about the administration deliberately restraining the oil and gas industry in this country. Actually, the facts belie those statements.

The Federal lands oil production is growing faster than that on private lands—plus 30, plus 35. Obviously, they start with a larger base, but still it is growing faster. So that hardly shows any deliberate attempts by the Obama administration to limit this production.

And, again, Republicans talk about that the President had not leased an adequate amount of land. But if you look, these little photos are of former President George Bush, and when the lines start to go up, these are from the current President, Barack Obama, and onshore oil production on Federal lands is up 35 percent.

So let's deal with what the real intent here is. The Obama administration has an all-of-the-above strategy. They are trying to produce these resources responsibly. The other side of the aisle would have us believe that environmental laws and other restrictions and an intentional campaign by the Obama administration are making us vulnerable to foreign influences. Actually, our imports were at the lowest level in recent history in the last year. We are producing more and more of our own oil and are headed toward self-sufficiency. But we also have to deal with climate change, and we also have to deal with prices to consumers.

Now, with this legislation, we are actually celebrating Thanksgiving a week early. I would call the bill a turkey. But it is not just a turkey; it is leftovers from Turkey Day, because we have actually passed this legislation previously, and it went nowhere previously, as will this legislation here today.

But they want to pretend that this will somehow benefit consumers and that somehow there is a campaign by the Obama administration to restrain the supply. Nothing could be further from the truth. I will have an amendment later.

If we want to drive down prices at the pump tomorrow by 70 cents, it is pretty simple: just stop the speculation on Wall Street. But I will talk about that more later.

There are a number of provisions in this bill that are egregious. I don't have time to go into all of them, but there are a few things. As I mentioned earlier, basically do away with environmental protections, muzzle the public's voice in terms of them appealing decisions by the distant Federal Government to develop in their backyard or next door, you know, to elevate oil and gas drilling to the predominant use on any Federal public lands—yes, predominant use over and above hunting, fishing, recreation. Anything else, oil and gas is predominant.

Now, the President also said, You know what? I think that we ought to go out and look at these parcels before we lease them. That is something they didn't do in the Bush era. We have 25-year-old land use plans at many of these agencies. They are understaffed. They are behind. They haven't revised their land use plans in a long time. A lot of things have happened in the last 25 years, and it might be that there is now a ski resort right next to an area that was previously available or was potentially available for oil and gas leasing.

The Obama administration said we ought to go out and look to see how it can impact other activities that have come to the floor in the last 25 years. They are being criticized for that. Now, that does take a little bit of time, but they are saying, hey, some States are allowing private lands to go forward in 10 days. These aren't private lands. These are the lands of the people of the United States of America. I think a little more due diligence is in order. We don't want to mimic a State that says, Oh, you want to drill there? Okay. Here you go. No one gets to say anything about it. It is your land. You go right ahead.

Then, this is amazing. This is kind of a fun math issue. They say that the industry can nominate land, which is the current law, but they are saying the government must lease 25 percent of whatever the industry chooses to nominate in a given year. So there are 130 million acres available for oil and gas leasing in the United States, predominantly in the West. So in the first year, the industry nominates 130 million acres. That means the Interior Department has to offer 32 million acres to lease. Now, next year, well, we have only got 100 million left, so they would get 25 percent of that. That is 25 million acres.

As you can figure it out, we are sort of infinitely headed toward zero here. The gentleman from New Jersey (Mr. HOLT) is a scientist. He can probably figure it out better. I don't know if we would ever get to zero. But it would be in ever and ever smaller increments that we were leasing here. And yet there are 25 million acres that the industry has under lease that they haven't yet developed, but they could get this astonishing increase.

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

Mr. HOLT. I yield an additional 1 minute to the gentleman from Oregon.

Mr. DEFAZIO. I was thinking of bringing a map of all the leasable land, but it would be difficult to produce. But you can get it in your imagination.

So let's deal with the real problems before us. If we are going to produce energy on Federal lands, make sure there is no real conflict. Let's keep the multiple use concept. I think most members of the public support that, not give oil and gas a predominant use. Let's also keep in mind that we have to look at alternative energy development on Federal lands so that we can deal with climate change, which some of us believe in.

This warmed-over leftover turkey proposal will pass the House, of course, but that will be the last that anyone hears of it. Happy Thanksgiving.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), another member of the Natural Resources Committee.

Mrs. LUMMIS. Mr. Chair, I would like to put a couple things straight that have been said. We are not talking about all Federal lands in this bill. We are not talking about National Park Service lands. National parks and national monuments are excluded from this bill. We are not talking about wilderness. We are not talking about lands that have been recommended for wilderness status. Those are managed as de facto wilderness. We are not talking about wildlife refuges. We are not talking about Department of Defense lands. We are not talking about Bureau of Reclamation lands. We are only talking about Bureau of Land Management lands that are managed for multiple use now. We are also talking about a Nation that desperately needs jobs.

Mr. Chair, I was in a country in the Arab world last weekend. They have 6.5 percent employment in the private sector. Everyone else is either unemployed or works for the government. Their neighbors prop up their economies to keep their problems from spilling over the borders into their countries. For a country that has been clamoring for jobs to smack down this bill as being irrelevant indicates to me that Congress has lost its way, that it doesn't understand that what the American people want is to work. They want earned success. They want self-respect. They want jobs.

H.R. 1965 would streamline the leasing and permitting process to put our public land resources back to work for the people who own them, the American people, particularly those who live near these resources and know the importance of a quality environment.

I represent the whole State of Wyoming. I have lived there my entire life. Nobody cares more about the environment of Wyoming than I do—nobody. This is also good fiscal policy.

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

Mr. HASTINGS of Washington. I yield an additional 30 seconds to the gentlewoman from Wyoming.

Mrs. LUMMIS. Wyoming's payments to the U.S. Treasury for oil, gas, and coal royalties nearly pays for the entire BLM budget.

And I would point out that, contrary to what the gentleman said about the increase in production on Federal land, between the year 2000 and 2007, in Wyoming, the number of new leases issued

was 873, on average; during the Obama administration, it is 599. In my book, that is a decline of 31 percent.

Mr. Chairman, I want to thank Messrs. Hastings and Lamborn for making this bill possible. I urge the Members to support it.

Mr. HOLT. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Texas (Mr. POE), the gentleman from the State that certainly knows what oil production is about.

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Chairman, for the first time in nearly 20 years, the United States is producing more crude oil than it imports. U.S. oil output is soaring due to the fracking boom in North Dakota and, yes, in Texas and some other areas. That is the reason.

The Energy Information Administration said this week that oil production by barrels is up 11 percent from last year and 63 percent over the last 5 years. If this trend continues, with the expanded use of renewables, and, of course, the completion of the Keystone XL pipeline, it is entirely possible that we could see total energy independence in this country in the next 10 years. Imagine what our foreign policy could be if we were energy independent. We could make Middle Eastern oil, turmoil, and politics irrelevant.

However, all of this progress has been made despite the current administration. How ironic it is the administration takes credit for all the oil production boom when it does everything it can to stonewall this boom.

Oil and natural gas production on Federal lands is down 40 percent compared to 10 years ago. Most of the new drilling is on private and State land, not Federal land. Under this administration, 2010 had the lowest number of offshore leases since 1984. Imagine what we could do if we could speed up the permitting process on Federal land.

To address this, H.R. 1965 expands onshore oil and natural gas production on Federal lands and streamlines the leasing and permitting process, among many other commonsense provisions, to help get the government out of the way of progress.

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

I would like to address the talking points that have been parroted without thinking by speaker after speaker from the other side.

The fact is oil production on onshore public lands, the subject of this legislation, is up by 35 percent. It is not down. It is not flat. It is up. It is up even more than oil production in the country overall. So what is the problem here?

As for employment, it is worth pointing out that oil and natural gas industry employment has increased.

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Clearly, there was a falloff with the recession—or let's call it a depression—but in the last half-dozen years, industry employment has increased by more than 162,000—a 40 percent increase. Oil and gas industry jobs decreased in 2009 as a result of the recession, but now the jobs are increasing at a rate even faster than before.

And I have to emphasize that in connection with this because this legislation says that oil and gas would take precedence over all other uses of Federal lands. Federal lands don't exist solely for the purpose of oil and gas extraction.

As I have said before, there is one thing that the Republicans seem to agree on, that we should give away whatever we can to the oil companies. That is why we are doing this legislation, because they don't have any other legislation that they can agree on well enough to bring to the floor. But multiple uses of our Federal lands, aside from oil and gas production, are important to Americans.

As for jobs, the government shutdown that the folks who are proposing this legislation voted for and supported caused the closure of over 400 units of our National Park Service and cost local economies hundreds of millions of dollars and caused delays in the approval of pending permits, by the way.

It is also worth pointing out that this week the Interior Department announced that, because of revenues from oil and gas extraction, the Department of the Interior was able to disburse $14.2 billion—a 17 percent increase over the previous year—to State, local, and tribal accounts. This money goes for the land and water conservation fund, the reclamation fund, historic preservation, and so forth.

So this is a bill to address a problem that doesn't exist—and to do it in a way that does not address the interests of the people at large. It is a giveaway to the oil and gas industry. I urge my colleagues to vote this down.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Washington has 5¼ minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, just let me talk about what this bill is about. This bill is about attempting to open Federal lands to energy production.

All the talk has been on oil and gas. That is very important. But this is also for renewable by doing what? By saying that in the process of using Federal lands for energy production, those lands that have the potential for the most production should be the first leased. What a remarkable idea: go where the potential energy is. And that is what this bill does.

But let me respond to my good friend from New Jersey who talked about how much we are producing in this country and so forth. I would suggest that he left out a few important points.

First of all, it takes some length of time in order to get an active lease into production, and the gentleman didn't talk about that. Why? Because it generally takes 4 to 6 years. And sometimes it is 8 to 10 years.

But in the last administration—the Bush II administration—they were very active in letting leases. And as a result of that, at the time that this administration took over, there were a number of active leases that were ready to produce. That is why the production was high in the early part of this administration.

And just put it this way: again, we are talking about Federal lands that are being leased for production. When the President took office, roughly 1.9 million acres were leased for energy production. That was in 2009. In 2012, that figure dropped to 1.75 million acres that were open for production. That is, obviously, a reduction.

But another way to look at it is the application permits to drill, which is really where I guess it meets the road, so to speak. In 2001, there were a little over 2,000 permits that were issued; and in 2012, there were a little over 1,700 permits issued. That is a 15 percent drop. If you drop the permits, you are obviously going to have less production.

So I think that needed to be pointed out to kind of set the record straight.

As to my good friend, Mr. DINGELL, who is not on the floor now, I want to talk about the National Petroleum Reserve in Alaska one more time.

Ninety years ago, that was set aside as a reserve. In all the years that Democrats controlled Congress, from the mid-fifties all the way to the nineties, nothing was ever done to change that policy until this administration decided, without any direction from Congress, to set aside one-half of that.

Why is that important?

I mentioned in my opening remarks that the Trans-Alaska Pipeline is a very important part of our pipeline system. There is no question that there is a movement in this country to try to dry up that pipeline by slow-walking oil exploration in Alaska, whether they are talking about offshore or onshore.

The NPR was designed to be a petroleum reserve. Why should we not build an infrastructure to utilize that?

It has been said, well, there's not that much oil there. Well, that will come out when leases are offered. Those that want to take advantage of this and think there is some production there will make the leases. The market will dictate that. But to unilaterally close it off doesn't make any sense. This bill corrects that. It makes NPR what it was supposed to be historically since 1923.

So those are just a couple of issues, Mr. Chairman, I wanted to touch on.

I urge my colleagues to support this legislation, and I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–26 is adopted. The bill, as amended, shall be considered as the 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. 1965

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 ''Federal Lands Jobs and Energy Security Act of 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—FEDERAL LANDS JOBS AND ENERGY SECURITY
Sec. 1001. Short title.
Sec. 1002. Policies regarding buying, building, and working for America.
Subtitle A—Onshore Oil and Gas Permit Streamlining
Sec. 1101. Short title.
CHAPTER 1—APPLICATION FOR PERMITS TO DRILL PROCESS REFORM
Sec. 1111. Permit to drill application timeline.
Sec. 1112. Solar and wind right-of-way rental reform.
CHAPTER 2—ADMINISTRATIVE PROTEST DOCUMENTATION REFORM
Sec. 1121. Administrative protest documentation reform.
CHAPTER 3—PERMIT STREAMLINING
Sec. 1131. Improve Federal energy permit coordination.
Sec. 1132. Administration of current law.
CHAPTER 4—JUDICIAL REVIEW
Sec. 1141. Definitions.
Sec. 1142. Exclusive venue for certain civil actions relating to covered energy projects.
Sec. 1143. Timely filing.
Sec. 1144. Expedition in hearing and determining the action.
Sec. 1145. Standard of review.
Sec. 1146. Limitation on injunction and prospective relief.
Sec. 1147. Limitation on attorneys' fees.
Sec. 1148. Legal standing.
CHAPTER 5—KNOWING AMERICA'S OIL AND GAS RESOURCES
Sec. 1151. Funding oil and gas resource assessments.
Subtitle B—Oil and Gas Leasing Certainty
Sec. 1201. Short title.
Sec. 1202. Minimum acreage requirement for onshore lease sales.
Sec. 1203. Leasing certainty.
Sec. 1204. Leasing consistency.
Sec. 1205. Reduce redundant policies.
Sec. 1206. Streamlined congressional notification.
Subtitle C—Oil Shale
Sec. 1301. Short title.
Sec. 1302. Effectiveness of oil shale regulations, amendments to resource management plans, and record of decision.
Sec. 1303. Oil shale leasing.
Subtitle D—Miscellaneous Provisions
Sec. 1401. Rule of construction.
TITLE II—PLANNING FOR AMERICAN ENERGY
Sec. 2001. Short title.
Sec. 2002. Onshore domestic energy production strategic plan.
TITLE III—NATIONAL PETROLEUM RESERVE IN ALASKA ACCESS
Sec. 3001. Short title.
Sec. 3002. Sense of Congress and reaffirming national policy for the National Petroleum Reserve in Alaska.
Sec. 3003. National Petroleum Reserve in Alaska: lease sales.
Sec. 3004. National Petroleum Reserve in Alaska: planning and permitting pipeline and road construction.
Sec. 3005. Issuance of a new integrated activity plan and environmental impact statement.
Sec. 3006. Departmental accountability for development.
Sec. 3007. Deadlines under new proposed integrated activity plan.
Sec. 3008. Updated resource assessment.
TITLE IV—BLM LIVE INTERNET AUCTIONS
Sec. 4001. Short title.
Sec. 4002. Internet-based onshore oil and gas lease sales.
TITLE V—NATIVE AMERICAN ENERGY
Sec. 5001. Short title.
Sec. 5002. Appraisals.
Sec. 5003. Standardization.
Sec. 5004. Environmental reviews of major Federal actions on Indian lands.
Sec. 5005. Judicial review.
Sec. 5006. Tribal biomass demonstration project.
Sec. 5007. Tribal resource management plans.
Sec. 5008. Leases of restricted lands for the Navajo Nation.
Sec. 5009. Nonapplicability of certain rules.

TITLE I—FEDERAL LANDS JOBS AND ENERGY SECURITY

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Federal Lands Jobs and Energy Security Act''.

SEC. 1002. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

(a) CONGRESSIONAL INTENT.—It is the intent of the Congress that—

(1) this title will support a healthy and growing United States domestic energy sector that, in turn, helps to reinvigorate American manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources;

(2) to ensure a robust onshore energy production industry and ensure that the benefits of development support local communities, under this title, the Secretary shall make every effort to promote the development of onshore American energy, and shall take into consideration the socioeconomic impacts, infrastructure requirements, and fiscal stability for local communities located within areas containing onshore energy resources; and

(3) the Congress will monitor the deployment of personnel and material onshore to encourage the development of American manufacturing to enable United States workers to benefit from this title through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) REQUIREMENT.—The Secretary of the Interior shall when possible, and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral resource development under this title.

Subtitle A—Onshore Oil and Gas Permit Streamlining

SEC. 1101. SHORT TITLE.

This subtitle may be cited as the ''Streamlining Permitting of American Energy Act of 2013''.

CHAPTER 1—APPLICATION FOR PERMITS TO DRILL PROCESS REFORM

SEC. 1111. PERMIT TO DRILL APPLICATION TIMELINE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)) is amended to read as follows:

''(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

''(A) TIMELINE.—The Secretary shall decide whether to issue a permit to drill within 30 days after receiving an application for the permit. The Secretary may extend such period for up to 2 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) NOTICE OF REASONS FOR DENIAL.—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) APPLICATION DEEMED APPROVED.—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, except in cases in which existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

''(D) DENIAL OF PERMIT.—If the Secretary decides not to issue a permit to drill in accordance with subparagraph (A), the Secretary shall—

''(i) provide to the applicant a description of the reasons for the denial of the permit;

''(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary; and

''(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary.

''(E) FEE.—

''(i) IN GENERAL.—Notwithstanding any other law, the Secretary shall collect a single $6,500 permit processing fee per application from each applicant at the time the final decision is made whether to issue a permit under subparagraph (A). This fee shall not apply to any resubmitted application.

''(ii) TREATMENT OF PERMIT PROCESSING FEE.—Of all fees collected under this paragraph, 50 percent shall be transferred to the field office where they are collected and used to process protests, leases, and permits under this Act subject to appropriation.''.

SEC. 1112. SOLAR AND WIND RIGHT-OF-WAY RENTAL REFORM.

(a) IN GENERAL.—Subject to subsection (b), and notwithstanding any other provision of law, of fees collected each fiscal year as annual wind energy and solar energy right-of-way authorization fees required under section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g))—

(1) no less than 25 percent shall be available, subject to appropriation, for use for solar and wind permitting and management activities by Department of the Interior field offices responsible for the land where the fees were collected;

(2) no less than 25 percent shall be available, subject to appropriation, for Bureau of Land

Management solar and wind permit approval activities; and

(3) no less than 25 percent shall be available, subject to appropriation, to the Secretary of the Interior for department-wide solar and wind permitting activities.

(b) LIMITATION.—The amount used under subsection (a) each fiscal year shall not exceed $10,000,000.

CHAPTER 2—ADMINISTRATIVE PROTEST DOCUMENTATION REFORM

SEC. 1121. ADMINISTRATIVE PROTEST DOCUMENTATION REFORM.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is further amended by adding at the end the following:

''(4) PROTEST FEE.—

''(A) IN GENERAL.—The Secretary shall collect a $5,000 documentation fee to accompany each protest for a lease, right of way, or application for permit to drill.

''(B) TREATMENT OF FEES.—Of all fees collected under this paragraph, 50 percent shall remain in the field office where they are collected and used to process protests subject to appropriation.''.

CHAPTER 3—PERMIT STREAMLINING

SEC. 1131. IMPROVE FEDERAL ENERGY PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall establish a Federal Permit Streamlining Project (referred to in this section as the ''Project'') in every Bureau of Land Management field office with responsibility for permitting energy projects on Federal land.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section with—

(A) the Secretary of Agriculture;

(B) the Administrator of the Environmental Protection Agency; and

(C) the Chief of the Army Corps of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request that the Governor of any State with energy projects on Federal lands to be a signatory to the memorandum of understanding.

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date of the signing of the memorandum of understanding under subsection (b), all Federal signatory parties shall, if appropriate, assign to each of the Bureau of Land Management field offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) the consultations and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under the National Forest Management Act of 1976 (16 U.S.C. 472a et seq.); and

(E) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the Bureau of Land Management Field Managers in the office to which the employee is assigned;

(B) be responsible for all issues relating to the energy projects that arise under the authorities of the employee's home agency; and

(C) participate as part of the team of personnel working on proposed energy projects, planning, and environmental analyses on Federal lands.

(d) ADDITIONAL PERSONNEL.—The Secretary shall assign to each Bureau of Land Management field office identified in subsection (a) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) FUNDING.—Funding for the additional personnel shall come from the Department of the Interior reforms identified in sections 1111, 1112, and 1121.

(f) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency whose employees are participating in the Project.

(g) DEFINITION.—For purposes of this section the term ''energy projects'' includes oil, natural gas, coal, and other energy projects as defined by the Secretary.

SEC. 1132. ADMINISTRATION OF CURRENT LAW.

Notwithstanding any other law, the Secretary of the Interior shall not require a finding of extraordinary circumstances in administering section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942).

CHAPTER 4—JUDICIAL REVIEW

SEC. 1141. DEFINITIONS.

In this chapter—

(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 on Federal lands of the United States; and

(2) the term ''covered energy project'' means the leasing of Federal lands of the United States for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy, 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. 1142. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the district court where the project or leases exist or are proposed.

SEC. 1143. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action must be filed no later than the end of the 90-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 1144. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

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

SEC. 1145. 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. 1146. LIMITATION ON INJUNCTION AND 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. In addition, courts shall limit the duration of preliminary injunctions to halt covered energy projects to no more than 60 days, unless the court finds clear reasons to extend the injunction. In such cases of extensions, such extensions shall only be in 30-day increments and shall require action by the court to renew the injunction.

SEC. 1147. 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.

SEC. 1148. LEGAL STANDING.

Challengers filing appeals with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as challengers before a United States district court.

CHAPTER 5—KNOWING AMERICA'S OIL AND GAS RESOURCES

SEC. 1151. FUNDING OIL AND GAS RESOURCE ASSESSMENTS.

(a) IN GENERAL.—The Secretary of the Interior shall provide matching funding for joint projects with States to conduct oil and gas resource assessments on Federal lands with significant oil and gas potential.

(b) COST SHARING.—The Federal share of the cost of activities under this section shall not exceed 50 percent.

(c) RESOURCE ASSESSMENT.—Any resource assessment under this section shall be conducted by a State, in consultation with the United States Geological Survey.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of $50,000,000 for fiscal years 2014 through 2017.

Subtitle B—Oil and Gas Leasing Certainty

SEC. 1201. SHORT TITLE.

This subtitle may be cited as the ''Providing Leasing Certainty for American Energy Act of 2013''.

SEC. 1202. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE LEASE SALES.

In conducting lease sales as required by section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)), each year the Secretary of the Interior shall perform the following:

(1) The Secretary shall offer for sale no less than 25 percent of the annual nominated acreage not previously made available for lease. Acreage offered for lease pursuant to this paragraph shall not be subject to protest and shall be eligible for categorical exclusions under section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942), except that it shall not be subject to the test of extraordinary circumstances.

(2) In administering this section, the Secretary shall only consider leasing of Federal lands that are available for leasing at the time the lease sale occurs.

SEC. 1203. LEASING CERTAINTY.

Section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)) is amended by inserting ''(1)'' before ''All lands'', and by adding at the end the following:

''(2)(A) The Secretary shall not withdraw any covered energy project issued under this Act without finding a violation of the terms of the lease by the lessee.

''(B) The Secretary shall not infringe upon lease rights under leases issued under this Act by indefinitely delaying issuance of project approvals, drilling and seismic permits, and rights of way for activities under such a lease.

''(C) No later than 18 months after an area is designated as open under the current land use plan the Secretary shall make available nominated areas for lease under the criteria in section 2.

''(D) Notwithstanding any other law, the Secretary shall issue all leases sold no later than 60 days after the last payment is made.

''(E) The Secretary shall not cancel or withdraw any lease parcel after a competitive lease

sale has occurred and a winning bidder has submitted the last payment for the parcel.

''(F) Not later than 60 days after a lease sale held under this Act, the Secretary shall adjudicate any lease protests filed following a lease sale. If after 60 days any protest is left unsettled, said protest is automatically denied and appeal rights of the protestor begin.

''(G) No additional lease stipulations may be added after the parcel is sold without consultation and agreement of the lessee, unless the Secretary deems such stipulations as emergency actions to conserve the resources of the United States.''.

SEC. 1204. LEASING CONSISTENCY.

Federal land managers must follow existing resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or revised, until such time as a new record of decision is signed.

SEC. 1205. REDUCE REDUNDANT POLICIES.

Bureau of Land Management Instruction Memorandum 2010–117 shall have no force or effect.

SEC. 1206. STREAMLINED CONGRESSIONAL NOTIFICATION.

Section 31(e) of the Mineral Leasing Act (30 U.S.C. 188(e)) is amended in the matter following paragraph (4) by striking ''at least thirty days in advance of the reinstatement'' and inserting ''in an annual report''.

Subtitle C—Oil Shale

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the ''Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act'' or the ''PIONEERS Act''.

SEC. 1302. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

(a) REGULATIONS.—Notwithstanding any other law or regulation to the contrary, the final regulations regarding oil shale management published by the Bureau of Land Management on November 18, 2008 (73 Fed. Reg. 69,414) are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement those regulations, including the oil shale leasing program authorized by the regulations, without any other administrative action necessary.

(b) AMENDMENTS TO RESOURCE MANAGEMENT PLANS AND RECORD OF DECISION.—Notwithstanding any other law or regulation to the contrary, the November 17, 2008 U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement the oil shale leasing program authorized by the regulations referred to in subsection (a) in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

SEC. 1303. OIL SHALE LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of oil shale resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

(b) COMMERCIAL LEASE SALES.—No later than January 1, 2016, the Secretary of the Interior shall hold no less than 5 separate commercial lease sales in areas considered to have the most potential for oil shale development, as determined by the Secretary, in areas nominated through public comment. Each lease sale shall be for an area of not less than 25,000 acres, and in multiple lease blocs.

Subtitle D—Miscellaneous Provisions

SEC. 1401. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to authorize the issuance of a lease under the Mineral Leasing Act (30 U.S.C. 181 et seq.) to any person designated for the imposition of sanctions pursuant to—

(1) the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability and Divestiture Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a), or the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.);

(2) Executive Order 13622 (July 30, 2012), Executive Order 13628 (October 9, 2012), or Executive Order 13645 (June 3, 2013);

(3) Executive Order 13224 (September 23, 2001) or Executive Order 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

TITLE II—PLANNING FOR AMERICAN ENERGY

SEC. 2001. SHORT TITLE.

This title may be cited as the ''Planning for American Energy Act of 2013''.

SEC. 2002. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

(a) IN GENERAL.—The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY.

''(a) IN GENERAL.—

''(1) The Secretary of the Interior (hereafter in this section referred to as 'Secretary'), in consultation with the Secretary of Agriculture with regard to lands administered by the Forest Service, shall develop and publish every 4 years a Quadrennial Federal Onshore Energy Production Strategy. This Strategy shall direct Federal land energy development and department resource allocation in order to promote the energy and national security of the United States in accordance with Bureau of Land Management's mission of promoting the multiple use of Federal lands as set forth in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) In developing this Strategy, the Secretary shall consult with the Administrator of the Energy Information Administration on the projected energy demands of the United States for the next 30-year period, and how energy derived from Federal onshore lands can put the United States on a trajectory to meet that demand during the next 4-year period. The Secretary shall consider how Federal lands will contribute to ensuring national energy security, with a goal for increasing energy independence and production, during the next 4-year period.

''(3) The Secretary shall determine a domestic strategic production objective for the development of energy resources from Federal onshore lands. Such objective shall be—

''(A) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil and natural gas from the Federal onshore mineral estate, with a focus on lands held by the Bureau of Land Management and the Forest Service;

''(B) the best estimate, based upon commercial and scientific data, of the expected increase in domestic coal production from Federal lands;

''(C) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of strategic and critical energy minerals from the Federal onshore mineral estate;

''(D) the best estimate, based upon commercial and scientific data, of the expected increase in megawatts for electricity production from each of the following sources: wind, solar, biomass, hydropower, and geothermal energy produced on Federal lands administered by the Bureau of Land Management and the Forest Service;

''(E) the best estimate, based upon commercial and scientific data, of the expected increase in unconventional energy production, such as oil shale;

''(F) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil, natural gas, coal, and other renewable sources from tribal lands for any federally recognized Indian tribe that elects to participate in facilitating energy production on its lands; and

''(G) the best estimate, based upon commercial and scientific data, of the expected increase in production of helium on Federal lands administered by the Bureau of Land Management and the Forest Service.

''(4) The Secretary shall consult with the Administrator of the Energy Information Administration regarding the methodology used to arrive at its estimates for purposes of this section.

''(5) The Secretary has the authority to expand the energy development plan to include other energy production technology sources or advancements in energy on Federal lands.

''(b) TRIBAL OBJECTIVES.—It is the sense of Congress that federally recognized Indian tribes may elect to set their own production objectives as part of the Strategy under this section. The Secretary shall work in cooperation with any federally recognized Indian tribe that elects to participate in achieving its own strategic energy objectives designated under this subsection.

''(c) EXECUTION OF THE STRATEGY.—The relevant Secretary shall have all necessary authority to make determinations regarding which additional lands will be made available in order to meet the production objectives established by strategies under this section. The Secretary shall also take all necessary actions to achieve these production objectives unless the President determines that it is not in the national security and economic interests of the United States to increase Federal domestic energy production and to further decrease dependence upon foreign sources of energy. In administering this section, the relevant Secretary shall only consider leasing Federal lands available for leasing at the time the lease sale occurs.

''(d) STATE, FEDERALLY RECOGNIZED INDIAN TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.—In developing each strategy, the Secretary shall solicit the input of affected States, federally recognized Indian tribes, local governments, and the public.

''(e) REPORTING.—The Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of meeting the production goals set forth in the strategy. The Secretary shall identify in the report projections for production and capacity installations and any problems with leasing, permitting, siting, or production that will prevent meeting the goal. In addition, the Secretary shall make suggestions to help meet any shortfalls in meeting the production goals.

''(f) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—Not later than 12 months after the

date of enactment of this section, in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall complete a programmatic environmental impact statement. This programmatic environmental impact statement will be deemed sufficient to comply with all requirements under that Act for all necessary resource management and land use plans associated with the implementation of the strategy.

''(g) CONGRESSIONAL REVIEW.—At least 60 days prior to publishing a proposed strategy under this section, the Secretary shall submit it to the President and the Congress, together with any comments received from States, federally recognized Indian tribes, and local governments. Such submission shall indicate why any specific recommendation of a State, federally recognized Indian tribe, or local government was not accepted.

''(h) STRATEGIC AND CRITICAL ENERGY MINERALS DEFINED.—For purposes of this section, the term 'strategic and critical energy minerals' means those that are necessary for the Nation's energy infrastructure including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production and those that are necessary to support domestic manufacturing, including but not limited to, materials used in energy generation, production, and transportation.''.

(b) FIRST QUADRENNIAL STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress the first Quadrennial Federal Onshore Energy Production Strategy under the amendment made by subsection (a).

TITLE III—NATIONAL PETROLEUM RESERVE IN ALASKA ACCESS

SEC. 3001. SHORT TITLE.

This title may be cited as the ''National Petroleum Reserve Alaska Access Act''.

SEC. 3002. SENSE OF CONGRESS AND REAFFIRMING NATIONAL POLICY FOR THE NATIONAL PETROLEUM RESERVE IN ALASKA.

It is the sense of Congress that—

(1) the National Petroleum Reserve in Alaska remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transportation of oil and natural gas from and through the Reserve.

SEC. 3003. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

Section 107(a) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a(a)) is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the reserve in accordance with this Act. Such program shall include at least one lease sale annually in those areas of the reserve most likely to produce commercial quantities of oil and natural gas each year in the period 2013 through 2023.''.

SEC. 3004. NATIONAL PETROLEUM RESERVE IN ALASKA: PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior, in consultation with other appropriate Federal agencies, shall facilitate and ensure permits, in a timely and environmentally responsible manner, for all surface development activities, including for the construction of pipelines and roads, necessary to—

(1) develop and bring into production any areas within the National Petroleum Reserve in Alaska that are subject to oil and gas leases; and

(2) transport oil and gas from and through the National Petroleum Reserve in Alaska in the most direct manner possible to existing transportation or processing infrastructure on the North Slope of Alaska.

(b) TIMELINE.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timeline:

(1) Permits for such construction for transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary has issued a permit to drill shall be approved within 60 days after the date of enactment of this Act.

(2) Permits for such construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved within 6 months after the submission to the Secretary of a request for a permit to drill.

(c) PLAN.—To ensure timely future development of the Reserve, within 270 days after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a plan for approved rights-of-way for a plan for pipeline, road, and any other surface infrastructure that may be necessary infrastructure that will ensure that all leasable tracts in the Reserve are within 25 miles of an approved road and pipeline right-of-way that can serve future development of the Reserve.

SEC. 3005. ISSUANCE OF A NEW INTEGRATED ACTIVITY PLAN AND ENVIRONMENTAL IMPACT STATEMENT.

(a) ISSUANCE OF NEW INTEGRATED ACTIVITY PLAN.—The Secretary of the Interior shall, within 180 days after the date of enactment of this Act, issue—

(1) a new proposed integrated activity plan from among the non-adopted alternatives in the National Petroleum Reserve Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013; and

(2) an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) for issuance of oil and gas leases in the National Petroleum Reserve-Alaska to promote efficient and maximum development of oil and natural gas resources of such reserve.

(b) NULLIFICATION OF EXISTING RECORD OF DECISION, IAP, AND EIS.—Except as provided in subsection (a), the National Petroleum Reserve-Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013, including the integrated activity plan and environmental impact statement referred to in that record of decision, shall have no force or effect.

SEC. 3006. DEPARTMENTAL ACCOUNTABILITY FOR DEVELOPMENT.

The Secretary of the Interior shall issue regulations not later than 180 days after the date of enactment of this Act that establish clear requirements to ensure that the Department of the Interior is supporting development of oil and gas leases in the National Petroleum Reserve-Alaska.

SEC. 3007. DEADLINES UNDER NEW PROPOSED INTEGRATED ACTIVITY PLAN.

At a minimum, the new proposed integrated activity plan issued under section 3005(a)(1) shall—

(1) require the Department of the Interior to respond within 5 business days to a person who submits an application for a permit for development of oil and natural gas leases in the National Petroleum Reserve-Alaska acknowledging receipt of such application; and

(2) establish a timeline for the processing of each such application, that—

(A) specifies deadlines for decisions and actions on permit applications; and

(B) provide that the period for issuing each permit after submission of such an application shall not exceed 60 days without the concurrence of the applicant.

SEC. 3008. UPDATED RESOURCE ASSESSMENT.

(a) IN GENERAL.—The Secretary of the Interior shall complete a comprehensive assessment of all technically recoverable fossil fuel resources within the National Petroleum Reserve in Alaska, including all conventional and unconventional oil and natural gas.

(b) COOPERATION AND CONSULTATION.—The resource assessment required by subsection (a) shall be carried out by the United States Geological Survey in cooperation and consultation with the State of Alaska and the American Association of Petroleum Geologists.

(c) TIMING.—The resource assessment required by subsection (a) shall be completed within 24 months of the date of the enactment of this Act.

(d) FUNDING.—The United States Geological Survey may, in carrying out the duties under this section, cooperatively use resources and funds provided by the State of Alaska.

TITLE IV—BLM LIVE INTERNET AUCTIONS

SEC. 4001. SHORT TITLE.

This title may be cited as the ''BLM Live Internet Auctions Act''.

SEC. 4002. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting '', except as provided in subparagraph (C)'' after ''by oral bidding''; and

(2) by adding at the end the following:

''(C) In order to diversify and expand the Nation's onshore leasing program to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods. Each individual Internet-based lease sale shall conclude within 7 days.''.

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted under the amendment made by subsection (a), the Secretary of the Interior shall analyze the first 10 such lease sales and report to Congress the findings of the analysis. The report shall include—

(1) estimates on increases or decreases in such lease sales, compared to sales conducted by oral bidding, in—

(A) the number of bidders;

(B) the average amount of bid;

(C) the highest amount bid; and

(D) the lowest bid;

(2) an estimate on the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the Federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

TITLE V—NATIVE AMERICAN ENERGY

SEC. 5001. SHORT TITLE.

This title may be cited as the ''Native American Energy Act''.

SEC. 5002. APPRAISALS.

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISAL REFORMS.

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal

conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of subsections (2) and (3) below.

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

SEC. 5003. STANDARDIZATION.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

SEC. 5004. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) IN GENERAL.—For any major Federal action on Indian lands of an Indian tribe requiring the preparation of a statement under subsection (a)(2)(C), the statement shall only be available for review and comment by the members of the Indian tribe and by any other individual residing within the affected area.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 5006 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 5005. JUDICIAL REVIEW.

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109-58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92-203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SEC. 5006. TRIBAL BIOMASS DEMONSTRATION PROJECT.

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years 2014 through 2018, the Secretary shall enter into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than September 20, 2015, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including

forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.''.

SEC. 5007. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 5008. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

SEC. 5009. NONAPPLICABILITY OF CERTAIN RULES.

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 113–271. Each such further amendment may be offered only in the order printed in the report, 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. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–271.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 17, strike ''$10,000,000'' and insert ''$5,000,000''.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, this amendment makes adjustments in the bill to the amount of funds authorized to be made available to BLM field offices for energy permitting. This change is made to ensure the bill meets its goal of reducing the deficit, not increasing spending.

According to information from the Congressional Budget Office, after adoption of this amendment the underlying bill would reduce the deficit by $26 million, while generating more American energy and new jobs for American workers.

This amendment sets the funding directed to wind and solar energy permitting in local BLM field offices at $5 million each fiscal year. Currently, under existing law, no funds get sent to those doing the work to permit these renewable projects. After the amendment, the amount to help foster renewable energy on Federal lands is less than currently in the bill, but is far more than the zero dollars allocated today.

A vote for this amendment is a vote for an all-of-the-above approach to American energy. It is a vote for more American-made energy, and it is a vote to support renewable energy that uses its own funds and not taxpayers' subsidies; and, Mr. Chairman, it is a vote to reduce the deficit.

I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I wanted to point out a curious, but revealing, point about this amendment.

In order to get the bill to score properly to fit with the policy of the Republican Conference, it was necessary to cut $5 million out of the authorization in the bill.

So where did they go? To cut $5 million out of renewable energy and let the tens of millions of dollars of authorized funds for the oil and gas to sit untouched.

But I would really like to address something else that the gentleman said that has to do with the whole reason we are here today on this bill instead of doing that important work that Mr. HOYER spoke of earlier.

The gentleman talked about how we have to increase the supply of oil so that we can drive down prices at the pump and talked about how the policies of President Bush were responsible for the undeniable increases in onshore oil production.

They say that gas was as much as $4 a gallon in 2008. You know whose fault that was.

And then, in 2009, it was $2 a gallon.

Did the supply in the United States change that much in 1 year? No. This shows quite clearly that it is not because of the amount of drilling on public lands. That has nothing to do with it. It has a scant effect on the price at the pump.

It is amazing, Mr. Speaker. When confronted with something uncomfortable, the Republicans always have a convenient excuse.

Gas prices were $4 a gallon in 2008. Oh, that is because NANCY PELOSI was Speaker of the House.

Gas prices plummet later that year to half that amount. Well, that is because President Bush said we need to drill more.

Then, gas prices shoot up after JOHN BOEHNER becomes Speaker of the House, but that is because President Obama is in office.

And, now, oil production on Federal lands skyrockets under President Obama, and it is a boom. But that is really because of President Bush.

So if gas prices go down further this year, maybe that is because of, I don't know, was it Eisenhower or Reagan?

Give me a break.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–271.

Ms. JACKSON LEE. 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 9, line 9, strike the closing quotation marks and the following period, and after line 9 insert the following:

''(C) RIGHT TO PETITION PRESERVED.—This paragraph shall not be construed to abridge the right of the people to petition for the redress of grievances, in violation of the first article of amendment to the Constitution of the United States.''.

The Acting CHAIR. Pursuant to House Resolution 419, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank Mr. HOLT and Mr. HASTINGS and the Rules Committee for admitting this amendment.

Mr. Chairman, we could all engage in discussions about our commitment to a national energy policy. I would venture to say that we would not find one Member of this body that was not committed to the idea of individuals being

able to have low costs at the pump and to be able to have heat in the severe winters and air conditioning for those of us in the heat of summer in places like Texas and elsewhere. We are committed to doing so.

□ 1530

I said this earlier this morning on the rule. Let me thank the Rules Committee for this amendment that has been admitted on my behalf, but let me also say that we will do better if we come across the aisle and talk about the issues—again, sustainable environment, sustainable energy policy, the creation of jobs, and addressing the needs of low-income families. That is the American way. The American way is also the ability to petition your government in the system of laws that we have.

My amendment is simple. It indicates that the underlying bill should not be construed to abridge the right of the people to petition for the redress of grievances in violation of the first article of the amendment to the Constitution in the Bill of Rights.

It is important to note that there is a $5,000 fee for anyone who wants to protest the particular structure in this bill, upon aggrieved parties, to challenge the award by the agency of a lease, of a right-of-way, of a permit to drill on public lands. This $5,000 fee is supposed to give comfort because, on the larger entities—the businesses—it is a $6,500 fee. For many parties, that may adversely affect the individuals, who would be homeowners, small businesses, nonprofits, and community organizations. A filing or a documentation fee of this amount, in many cases, is prohibitive and will discourage many injured parties from taking the actions necessary to vindicate their rights.

My amendment seeks to avoid this undesirable result by making it plain that it is not the intent of Congress to discourage parties from seeking relief where necessary or to deny access to justice to any party with a legitimate claim. I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. Chairman, my amendment is simple and straightforward. The Jackson Lee Amendment provides that nothing in section 1121 of the bill:

"[S]hall not be construed to abridge the right of the people to petition for the redress of grievances, in violation of the first article of amendment to the Constitution of the United States."

Section 1121 amends the Mineral Leasing Act (30 U.S.C. 226(p)) to impose a $5,000 "documentation fee" upon aggrieved parties to challenge the award by the agency of a lease, right of way, permit to drill on public lands.

For many parties that may be adversely affected by these types of agency actions—individuals, home owners, small businesses, nonprofits and community organizations—a filing or documentation fee of this amount in many cases is prohibitive and will discourage many injured parties from taking the action necessary to vindicate their rights.

My amendment seeks to avoid this undesirable result by making plain that it is not the intent of Congress to discourage parties from seeking relief where necessary or to deny access to justice to any party with a legitimate claim.

The Jackson Lee Amendment is intended to provide flexibility to the agency and the courts in considering a request to waive all or a portion of the "documentation fee."

It does not direct or require the agency to grant such waivers. The amendment is intended only to permit and encourage such waivers in appropriate cases.

Mr. Chairman, we should never take for granted the precious and unique right—even for democracies—of citizens to hold their government accountable and answerable to the judiciary for redress for legally cognizable injuries.

As the Member of Congress from Houston, the energy capital of the nation, I have always been mindful of the importance and have strongly advocated for national energy policies that will make our nation more energy independent, preserve and create jobs, and keep our nation's economy strong.

I am pro-energy independence, "pro-jobs," "pro-growing economy" and pro-sustainable environment. As a senior member of the Judiciary Committee, I am also "pro-fairness."

The Jackson Lee Amendment seeks to establish fairness and restore balance in the application and implementation of this law.

I urge my colleagues to support this amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

To be clear, nothing in this act prohibits individuals from asserting their rights to petition the government. In fact, it would be ridiculous for us to try to write a statute that would negate the First Amendment, so nothing in this bill does that at all. Let me talk about the process here.

The BLM undertakes multiple layers of rulemaking and environmental review when going through its Federal actions. Nearly every layer of this process allows for the opportunity for public comments, involvement, and questions regarding BLM's actions. Nothing, Mr. Chairman, in this legislation impacts an individual's right to comment, petition, and object to the actions of BLM under this bill. Nothing, by the way, in this legislation stops individuals from filing lawsuits. That is important in this debate on this amendment.

H.R. 1965 simply implements a cost recovery fee for the formal process of filing protests of oil and gas leasing. These formal protests require a direct BLM response, using staff time, energy, and resources to address what is, simply, often a delaying tactic. This paperwork recovery fee will ensure that BLM has the resources necessary to address the protests but that it has the necessary resources to carry out the functions of the Bureau of Land Management, which is for multipurpose use in this country.

So it is for these reasons, Mr. Chairman, that I oppose this amendment, because it does not add anything to what people already have a constitutional right to do.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I take issue with my good friend from Washington State.

This bill has a $5,000 documentation fee on the stage of protest and petition. Obviously, our good friends on the industry side don't even pay anything to nominate land, but it is a $5,000 barrier.

My friend refers to the administrative process. I am a lawyer. It is under the APA code. That is different from being able to go to a higher level and to be able to comment under the Federal Register and write that ''I don't like this,'' and then you are ruled against anyhow. Then your next level of protest is to be able to protest at the level that requires you to pay $5,000, not even $1,000. We are scoring this, and we are doing it on the backs of citizens.

My amendment does make sense because what it says is that we are committed as a Congress not to block people from being able to have an equal opportunity to protest. They may not prevail, Mr. Chairman, but they should have an equal opportunity.

I believe it would be senseless for Republicans and Democrats not to go on record to say that we support the opportunity for protest and petition. I am pro-energy independence, pro-jobs, pro-growing the economy, pro-fairness, pro-sustainable environment, and I believe that there are opportunities for us to come together. We haven't listened to each other. The gentleman from New Jersey (Mr. HOLT) just made some very important statements. I am making a statement about the idea.

I believe it is egregious to have a $5,000 fee on individuals—nonprofits, farmers, ranchers, neighbors, et cetera. I will say to you, if you want to understand what it means, in my town, there is a group going to court to fight against a high-rise. That high-rise, Mr. Chairman, went through every process—the planning commission, the city council—and they were rejected, but they are going into a lawsuit. They happen to be a little bit more prosperous. Farmers, ranchers, and others who are having to pay $5,000 and neighbors who are having to pay $5,000, I simply think that is excessive.

My colleagues, since the amendment that I had was to eliminate the $5,000, I welcome a compromise of $1,000; but I offer this simple statement that what we do today shall not be construed to abridge the right of the people to petition for the redress of grievances in violation of the first article of the amendment, and it protects the Fifth Amendment as well, which is due process—the right to protect your property.

Frankly, I believe that it is extremely important because there are entities that are near Federal lands.

So, with a generosity of spirit, I would ask my colleagues to support the Jackson Lee amendment.

I yield back the balance of my time.

Mr. HASTINGS of Washington. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 3 minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

First of all, Mr. Chairman, this bill has nothing to do with high-rises, so we should set that apart, and I know the gentlelady was using that as an example.

I have to say this in a larger sense, which is that, in the time that I have had the privilege to chair this committee, we have seen over and over and over what I would call ''frivolous action'' by people with lawsuits who are trying to slow down the process. The gentlelady used her example of high-rises in Houston. I will use another example that, I think, this House needs to address, and that is the issue of the Endangered Species Act and how it affects development in other parts of the country.

In setting that aside for now, this bill simply says that, in going through the process, there should be something up front if you are serious about your issue. It is nothing more than that. This is a modest way to say, if people are serious about the actions that they are trying to take, then there ought to be nothing more than some skin in the game. That is what this bill does. This amendment would take that out. That is why I oppose the amendment and why 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 gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. 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 gentlewoman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113–271.

Mr. LOWENTHAL. 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 12, beginning at line 20, strike section 1132.

Beginning at page 16, line 24, strike '', except that'' and all that follows through page 17, line 2 and insert a period.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

The amendment I offer today maintains the Interior Department's ability to review oil and gas activities for significant impacts on public health and safety, among other extraordinary circumstances.

While predictable, it is unfortunate that the majority again and again is willing to throw out basic health and safety protections in order to speed up oil and gas extractions for industry. Whether it is in this oil and gas industry bill today, in last week's mining industry bill, or in tomorrow's natural gas industry bill, the majority's common theme is that of getting rid of transparency and protections for public health and safety and of threatening our environment in the name of increased profits for industry.

This is not okay with me. This is not why I came to Washington.

The oil and gas industry is the most profitable in the world, and the rates of domestic extraction have increased under the Obama administration. ExxonMobil reported a net income of over $44 billion in 2012. I know it and Wall Street knows it, and their balance sheets prove it. These companies are doing fine. So why are we stripping our oversight agencies and the ability of the public to ensure that extraction is done responsibly and not at the expense of the welfare of this and future generations? I think it is shortsighted; I think it is irresponsible; and I think it is wrong.

H.R. 1965, as it is currently written, would prevent the Interior Department from reviewing oil and gas activities that would otherwise qualify for skipping the National Environmental Policy Act for extraordinary circumstances.

Section 390 of the Energy and Policy Act of 2005 allows certain qualifying oil and gas activities to potentially skip a full NEPA process through a categorical exclusion. Title 43 of section 46.205 of the Code of Federal Regulations requires that the Interior Department test for extraordinary circumstances in which a normally excluded action may have a significant environmental effect and require additional analysis and action. Title 43 of section 46.215 of the Code of Federal Regulations goes on to list the types of extraordinary circumstances to be tested before proceeding with a categorical exclusion for the oil and gas activity.

Thus, before the Interior Department bypasses NEPA, this is what it currently checks for:

Are there significant impacts upon public health or safety? Are there violations of Federal, State, local, or tribal law? Are there limits to access and ceremonial use of Indian sacred sites? Is there the introduction, continued existence, or spread of noxious weeds or of nonnative invasive species? It also lists eight other potential significant problems.

This is what the existing law and regulation does. It helps to protect the public and the environment during oil and gas activities. Simply speaking, H.R. 1965 eliminates these protections. My amendment would simply preserve them, and I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

This amendment would increase regulatory red tape and opportunities for frivolous lawsuits to stop what we are trying to do here—American energy production and job creation. It would achieve the exact opposite of what our Nation needs and what the bill provides.

H.R. 1965 seeks to streamline and expedite the onshore oil and gas and renewable permitting process, and it does so in a safe and responsible way. This amendment would simply reinject the same uncertainty and bureaucracy into the permitting process that this legislation seeks to do away with.

The Energy Policy Act of 2005, Mr. Chairman, established in a broad, bipartisan fashion the use of categorical exclusions for energy projects in specific and limited circumstances. This provision was intended to expedite the permit approvals of certain energy projects on disturbed land, on operations with a small footprint, or in areas that were previously approved in recent years. Again, the Energy Policy Act of 2005 was a bipartisan attempt, and this provision which I just described was part of the 2005 Act.

□ 1545

These pro-energy reforms are designed to allow minor actions that do not significantly affect the environment to move forward without the burdensome and lengthy full costly environmental review.

To the point the gentleman is making and what the gentleman's amendment addresses, this legislation clarifies the Department's ability to use the categorical exclusion tool to quickly permit energy projects. This amendment, unfortunately, would require the Department of the Interior to unreasonably review what we call ''extraordinary circumstances'' which require additional NEPA reviews, thereby essentially negating any value from expediting a project and inserting more certainty into an already uncertain energy permitting process.

The intent of this legislation is to streamline and simplify projects that are held up, often for years, in bureaucratic red tape and regulatory uncertainty. This amendment backtracks

from the goal by injecting more bureaucracy and regulatory hurdles into the process.

Mr. Chairman, I don't think this amendment adds anything to what we are trying to accomplish. In fact, I think it goes the other way. It goes the other way in such a way that negates what the Energy Act of 2005 in a bipartisan manner said.

I urge rejection of the amendment, and I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. LOWENTHAL. Thank you.

Mr. Chairman, the gentleman from Washington is saying that, if we remove the extraordinary circumstances part of seeing whether, in fact, we grant a categorical exemption—what my amendment does by saying ''no'' is that the public must have an opportunity, if we are going to grant an exemption, which we think is fine, but what is wrong with finding out whether there is going to be a significant impact on health and safety? What is wrong with finding out if there is going to be a violation of State, Federal, local, or tribal law? What is wrong with understanding what are the limits to access to ceremonial use of sacred sites? He says that by asking these questions before we give an exemption, that this imposes regulatory red tape that is exactly the opposite of what the Nation needs, it is more bureaucracy.

It is just the opposite. This protects the Nation. This allows us to understand, when we are given a categorical exemption, that we are protecting the public health of the Nation.

I urge an ''aye'' vote on my amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Notwithstanding what my good friend from California said, I just want to make this point, which ironically was not brought out at all in the gentleman's argument. That is the issue of categorical exclusion.

That has been in place on energy projects now for 8 years. If there is something wrong with that or there is an example of where it has been abused, then maybe the gentleman has a case, but the gentleman didn't speak at all—not at all—to the point that that provision in the 2005 Energy Act has been abused. That alone should be enough to reject this amendment.

In any case, I do not believe that his amendment adds to what we are trying to do to streamline the process of energy creation and creating American energy jobs.

I urge rejection of this amendment, and I yield back the balance of my time.

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

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

Mr. LOWENTHAL. 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 California will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–271.

Ms. JACKSON LEE. 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 15, beginning at line 4, strike section 1147.

The Acting CHAIR. Pursuant to House Resolution 419, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I yield myself 3 minutes.

I again thank the managers, Mr. HOLT and Mr. HASTINGS.

Mr. Chairman, I again make the same comment about what I have heard on this floor from Members on both sides of the aisle: that they are pro-energy policy, pro-environment, pro-jobs, pro-sustainable environment. They simply want an opportunity to work on legislation to activate or to ensure that that occurs.

There is a prohibition contained in section 1147 of this legislation with respect to the recovery of attorney fees and costs by a prevailing party pursuant to the Equal Access to Justice Act. My amendment removes the prohibition, a prohibition that has been established law for a very long time.

This amendment is needed to level the playing field and conform the bill to current law and practice. I think that if we listen to each other, it will be a simple answer of ''yes'' if we ask any citizen should they have a right to sue, and if they prevail under the Equal Access to Justice Act, that they are able to get attorney fees.

I think the answer, when clear heads would respond, is not whether it is an energy bill or not, or who the defendant is; they would say, Why shouldn't this bill be subjected to the law that exists?

The Equal Access to Justice Act allows individuals, small businesses, and nonprofits to recover attorney fees from the Federal Government. This act is used to vindicate a variety of Federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

Therefore, to eliminate that is again to cut into—to cut into—the very Bill of Rights of your right to petition, to the right to counsel, all of that, because it indicates that you have a right to prevail in attorney fees.

It is a simple process that does not undermine, if you will, the question of the energy policy in the United States.

If we look at the first poster, we will acknowledge the fact that, interestingly enough, the average amount of money under these cases was $1.8 million annually over the last 8 years. The EPA only paid out $280,000 annually over the last 5 years. I venture to say with the average payment of $100,000 this is not busting the bank. This is allowing citizens who prevail to be able to have attorney fees. I clearly believe that the legislation that we have warrants a fix, a fair fix, to be able to ensure that anyone that has a disagreement post the administrative process and goes into court can, in fact, utilize.

This is one that shows that, in fact, local environmental groups and national environmental groups are no more than others. The largest amount goes to various State governments, individuals, various unions and workers that got a minimal amount or may not have even prevailed.

So I think it is important to recognize that this is not one that is going to destroy this bill, it is going to enhance the bill.

With that, I reserve the balance of my time.

Mr. Chairman, my amendment removes the prohibition contained in Section 1147 with respect to the recovery of attorney fees and costs by a prevailing party pursuant to the Equal Access to Justice Act (5 U.S.C. § 504 and 28 U.S.C. § 2412).

This amendment is needed to level the playing field and conform the bill to current law and practice.

For more than three decades, since its enactment in 1980, the Equal Access to Justice Act (EAJA) has enhanced parties' ability to hold government agencies accountable for their actions and inaction.

EAJA allows individuals, small businesses and nonprofits to recover attorney fees from the federal government.

The EAJA is used to vindicate a variety of federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

The EAJA promotes public involvement in laws have a significant impact on the public health and safety such as the National Environmental Policy Act, Clean Air Act and Clean Water Act.

EAJA also helps deter government inaction or erroneous conduct and encourages all parties, not just those with resources to hire legal counsel, to assert their rights.

Mr. Chairman, fee awards under the EAJA are NOT available in any and every case. Rather, attorneys' fees are only recoverable in cases where plaintiffs prevail and the government cannot demonstrate that its legal position was ''substantially justified.''

The amount of attorney fees awarded cannot exceed $125 per hour, a figure is far below the amount currently charged by big city law firms.

No law firm or public interest group is getting rich off a practice relying upon EAJA awards for its attorney fees.

A new report, Shifting the Debate: In Defense of the Equal Access to Justice Act, concludes that EAJA has been cost-effective, applies only to meritorious litigation and that existing legal safeguards and the independent discretion of federal judges will continue to ensure its prudent application.

Moreover, the claim that large environmental groups are getting rich on attorney fees simply is not supported by available evidence.

A recent GAO study (requested by House Republicans) of cases brought against EPA found: most environment lawsuits (48%) were brought by trade associations and private companies; attorney fees were awarded only about eight percent of the time; among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups; and the average award under the EAJA was only about $100,000.

In reality, EAJA ''reforms'' would have the effect of watering down the implementation and enforcement of law enacted to protect the public health and safety.

Much has been made about environmental groups obtaining fees in suits that are ''merely'' procedural.

Both public-interest and industry litigants agree that ''procedural'' litigation under the Administrative Procedure Act is essential to checking executive power on a range of issues.

Additionally, it should be pointed out that procedural requirements and deadlines contained in environmental laws are paramount to ensuring the protections that Congress has enacted.

Indeed, in the case of the National Environmental Policy Act, the nation's foundational environmental statute, following sound procedure is the entire point of the law.

NEPA requires agencies to take a ''hard look'' at the consequences of their actions and to carefully consider alternatives, but compels no particular outcomes.

Mr. Chairman, the provision in the bill that prohibits recovery of attorney fees under the EAJA is not ''reform''; it is a step backwards.

Instead of providing an important tool by which the public can hold the federal government accountable for its actions, Section 1147 wold deny the benefit of this proven accountability tool to unwelcome legal challenges and to prejudice a subset of disfavored plaintiffs.

I urge my colleagues to support the Jackson Lee Amendment.

JACKSON LEE AMENDMENT #4

1. EAJA attorney fees awards do not cost a lot of money

According to GAO, the EAJA attorney fees paid to successful plaintiffs on average: by the Treasury Department: $1.8 million annually over the last 8 years; by EPA: $280,000 annually over the last 5 years; average Payment: $100,000.

2. EAJA attorney fees awards are infrequently awarded

Attorney fees were awarded only about eight percent (8%) of the time according to a July 2013 report by the Environmental Law Institute, ''The Environmental Relevance of the Equal Access to Justice Act.''

3. Most environmental cases are brought by industry trade associations and private companies

In August 2011 GAO conducted study of cases brought against EPA and found: most suits were brought by trade associations and private companies; and, among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups.

4. Largest EAJA attorney fees have been awarded in actions brought by industry trade group plaintiffs, private companies, and state or local government agencies

$500,000: National Cotton Council;

$150,000: Honeywell International, Inc.;

$95,000: National Pork Producers Council & American Farm Bureau;

$92,000. American Trucking Association;

$22,000: American Corn Growers Association.

$400,000: State of New Jersey;

$100,000: State of North Carolina;

$127,500: Commonwealth of Massachusetts;

$198,000: State of New York;

$240,000: South Coast Air Quality Management District (Calif.).

In August 2011 GAO conducted a study of cases brought against EPA and found:

1. most suits were brought by trade associations and private companies; and

2. among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups.

Share of environmental cases by lead plaintiff type: FY 1995–2010 by type of group	Number of cases	Percentage
Trade associations	622	25
Private companies	566	23
Local environmental and citizens' groups	388	16
National environmental groups	338	14
States, territories, municipalities, and regional government entities	297	12
Individuals	185	7
Unions, workers' groups, universities, and tribes	46	2
Other	33	1
Unknown	7	1
Total	2,482	100

On average, EAJA attorney fees paid to successful plaintiffs:

Treasury: $1.8 million annually over the last 8 years;

EPA: $280,000 annually over the last 5 years; average payment: $100,000.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I say, I rise to oppose this amendment.

The Equal Access to Justice Act, or the EAJA, was created, rightfully so, to level the playing field between citizens seeking to do the right thing and a well-funded Federal Government. Unfortunately, wealthy activist groups have been able to distort the intended purpose of the EAJA by exploiting the program as a cash register to file thousands of lawsuits, many based on frivolous technicalities.

Further, Federal payments to lawyers fighting lawsuits come out of each agency's budgets, which, of course, hinders the agency's ability to do their job and forces tighter budgets on the agencies working on behalf of Americans.

Every year, numerous energy projects are held up by burdensome legal challenges by activist groups whose aim is to hold up or simply stop energy production in this country.

Under the guise of ''responsible development,'' these groups file lawsuit after lawsuit that force the government to use Federal resources and millions of dollars in taxpayer funds to litigate these lengthy and burdensome lawsuits. These well-funded activist groups have the resources to hire, in some cases, multiple lawyers to sue the Federal Government.

These unnecessary delays in energy projects result in a domino effect of delays in economic development, of delays, obviously, in job creation, of delays in income generation for local, State, and, indeed, the Federal Government, and delays in making the United States becoming energy independent.

Further, many small communities depend on a robust energy sector to provide jobs for its residents and generate income for their local schools and for their communities. These well-funded activist organizations should not be rewarded, Mr. Chairman, with taxpayer dollars for delaying American job creation and the generation of funds for our local communities.

I urge my colleagues to vote ''no'' on the amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, let me be very clear that the awards under the EAJA are not available for any and every case. Only when the plaintiff prevails. Is that not fair?

When an individual, a nonprofit, who has sought to even the playing field, who wants to make sure that we have a strong energy policy but they are praying that you listen to them as to how it is destroying their property, their house, their quality of life, they have a right to petition.

So I want to correct the gentleman's interpretation. I heard on the floor of the House that he mentioned the word ''frivolous.'' As a lawyer, and one who adheres to the Constitution, I would like to not think that if you are concerned about an issue, that you cannot get into the court of justice and that you cannot make your case. You may not win, but I want to surprise him with the fact that the large number of cases that went under this act and sued the EPA were trade associations—622; private companies—556. There are a variety of others, not collectively together. State territories and municipalities—297. Should they not recover if they prevail? Should environmental groups not recover if they prevail—only at 388? Should individuals at 185 cases not prevail if they win? Should workers groups and universities and tribes not prevail if they should win?

I think that we are wrongheaded if we simply do not adhere to the existing law; not use the terminology ''frivolous'' but applaud Americans who are willing to stand up for their rights.

My example was correct. It was an analogy. These homeowners are fighting Big Business, but what they decided to do is, after they were ruled against by every administrative local body, they have gone into the courthouse. They happen to be more prosperous than someone else, but why would you fault an individual who is using their meager pennies with an attorney to try and prevail on something that they believe will harm them?

My amendment is very simple. It just indicates, if you prevail, you should not be denied the attorney fees that anyone else would get and, if you will, debunks and rebuts the proposition that only those groups that we might not enjoy their position—trade associations, private big companies—I ask my colleagues to support the Jackson Lee amendment for fairness and justice in America.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of the time.

I would just simply say that what this bill and the bill tomorrow, for that matter—this bill is designed to create an atmosphere for more American energy production, which I think is badly needed in our economy, because we know that a growing economy by any measure has to have a predictable energy source. That has been lacking on our Federal lands. That is what the underlying bill does.

What we have seen, and what we have observed in our committee, is the fact that the courtroom is used to slow down so many projects on Federal land. This provision in the current bill simply, I think, clarifies and rectifies that we can have some certainty in the law. That, I think, is the important part of creating American energy. I don't think that this amendment adds anything to that.

I urge rejection of the amendment, and I yield back the balance of my time.

□ 1600

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. 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 gentlewoman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–271.

Ms. HANABUSA. 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 25, on line 15, strike ''and'', on line 20, strike the period and insert ''; and'', and after line 20 insert the following:

''(H) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of geothermal, solar, wind, or other renewable energy sources from 'available lands' (as such term is defined in section 203 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), and including any other lands deemed by the Territory or State of Hawaii, as the case may be, to be included within that definition) that the agency or department of the government of the State of Hawaii that is responsible for the administration of such lands selects to be used for such energy production.

The Acting CHAIR. Pursuant to House Resolution 419, 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. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is nearly identical to one I proposed last Congress to a similar Natural Resources bill numbered H.R. 4480, which was agreed to by a voice vote.

This amendment simply adds to title II, the Planning for America Energy Act of 2013, a subsection (h), which essentially mirrors the language found in a prior subsection addressing Native American tribal lands. This particular amendment requires the inclusion of Hawaiian Homes Commission Act lands.

As you know, Hawaii is in a unique situation in that, in 1920, this Congress created the Hawaiian Homes Commission Act; and there is a special body of approximately 203,000 acres of land which is under the control of Congress. Congress approves whether or not things can be amended in the act. Even upon statehood, that right was retained.

This amendment seeks to have those Hawaiian Home lands that the State agency or department responsible for the administration of these lands has selected to be used for the very development of geothermal, solar, wind, and other renewable energy sources included in the Quadrennial Federal Onshore Energy Production Strategy. It has no implications other than the fact that these lands could be used for renewable energy development and that these lands have somehow become forgotten, but do necessarily fall under Federal jurisdiction.

Mr. HASTINGS of Washington. Will the gentlelady yield?

Ms. HANABUSA. I yield to the gentleman.

Mr. HASTINGS of Washington. I have no problem with your amendment. As you rightfully said, in the last Congress this was accepted by a voice vote. I think it adds more lands for energy production; and as the gentlelady knows, we are in favor of that. So we accept the gentlelady's amendment.

Ms. HANABUSA. Mr. Chairman, 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 amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–271.

Mr. MARINO. 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 26, after line 4, insert the following:

''(6) The Secretary shall include in the Strategy a plan for addressing new demands for transmission lines and pipelines for distribution of oil and gas across Federal lands to ensure that energy produced can be distributed to areas of need.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, I yield myself such time as I may consume.

Study after study proves that pipelines are the safest, most environmentally friendly, and most efficient method for transporting oil and natural gas. A company in my district tried to expand a current pipeline or build a new pipeline through a recreation area, but was unable to do so because of bureaucratic red tape and mess.

Instead of expanding a pipeline that was in the ground before the recreation area was created, the company had to loop the pipeline around the recreation area in order to provide natural gas to residents in New Jersey. This forced the company to add seven additional miles of pipeline, even though it would be more environmentally friendly to build a pipeline through the park. Yet the level of bureaucratic red tape in trying to construct oil and gas pipelines through Federal lands is nothing short of ludicrous.

My amendment wouldn't solve the problem we experienced in my district; however, this amendment takes a small step in addressing the difficulties in constructing pipelines by requiring the Secretary of the Interior to include a plan for addressing new demands for transmission lines and pipelines for distribution of oil and gas across Federal lands to ensure that energy produced can be distributed to areas of need.

Common sense tells us that without the necessary pipeline infrastructure to transport the energy, it will be much more difficult to meet America's future oil and gas demands.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MARINO. I yield to the gentleman.

Mr. HASTINGS of Washington. I want to thank the gentleman for bringing this amendment to the floor. I think it adds a great deal to what we are trying to do with energy development in this country, and I am prepared to accept the amendment. I thank the gentleman for yielding to me.

Mr. MARINO. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–271.

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:

Add at the end the following:

TITLE ____—MISCELLANEOUS PROVISIONS

SEC. __01. STUDY OF EFFECTS OF FLOODING ON OIL AND GAS FACILITIES.

The Secretary of the Interior shall enter into an arrangement with the National Academy of Sciences under which the Academy shall study and report to the Congress on the effect of flooding on oil and gas facilities, and the resulting instances of leaking and spills from tanks, wells, and pipelines.

The Acting CHAIR. Pursuant to House Resolution 419, 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, I yield myself such time as I may consume.

Mr. Chairman, I offer my amendment along with Representative HUFFMAN from California. It is a very simple amendment. It would require the National Academy of Sciences to study and report to Congress about the impact of flooding on oil and gas facilities and the resulting instances of leaking and spills from tanks, wells, and pipelines.

Sadly, this is an issue that hits very close to home. In my district in Colorado, we recently suffered from the great flood of 2013. Many counties in my district were declared Federal disaster areas. Many of those counties are also home to significant extraction operations. Floods can happen anywhere, and this one occurred well outside of a floodplain; but it is important to understand how to minimize damage to oil and gas infrastructure in the event of a flood. Constituents in my district in Colorado are rebuilding. We are working hard, and we wish we had the kind of information that this study would produce years before the flood so we could have better prepared with regard to our oil and gas infrastructure and the safeguards around it.

We do know a few things about the impact of the floods so far with regard to oil and gas facilities in northern and northeastern Colorado. Over 43,000 gallons of oil and 26,000 gallons of produced water have spilled from the tanks, wells, and pipelines in the floodwater.

If we learn a lot from this experience, I hope that future areas impacted by flooding, as well as ours, because we never know whether the next flood is decades or years or centuries away, will be able to avoid these kinds of spills in our communities.

On September 25, I did join Representative DEFAZIO in sending a letter to Chairman HASTINGS requesting a hearing to understand the consequences resulting from the flood. I continue to hope that the gentleman will be open to scheduling that hearing with regard to the impact of flooding, or perhaps more generally disasters, and how we can better safeguard our oil and gas infrastructure in this country.

The floods in Colorado did shed a light on the need to better understand how we can safeguard our oil and gas infrastructure from disasters generally and, in our case, a terrible flood that had seven confirmed fatalities and hundreds of millions of dollars of property damage.

We would all benefit from learning more about how disasters like the Colorado flood can impact communities, States, and, indeed, the Federal Government. Local elected officials, first responders, experts in oil and gas technology innovation, and the Academy of Sciences can help enhance our understanding of how to prevent damage to oil and gas infrastructure and avert spills and leaks in other communities. We don't want our communities to have to learn the hard way, as ours has done. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in light of the recent flooding in the gentleman's home State of Colorado, I can appreciate his concern about this issue. However, this amendment contains no restrictions on the scope and breadth of this study, and it seems to be endless. In fact, the study is not focused on the tragic flooding in Colorado, and it is so expansive it can include all flooding anywhere, and the term ''oil and gas'' facilities is undefined. That is what the amendment says.

''Oil and gas'' facilities could be interpreted to mean many things, much of which is outside of the jurisdiction of this committee. This could include corner gasoline stations or private gas meters. And ''leaking and spills from tanks, wells, and pipelines'' does not have to be associated with natural gas. It can be anything, such as a septic or water or sewer tanks and pipelines.

Further, this amendment does not specify that the study be conducted in conjunction with production on Federal land, which of course is what this legislation specifically deals with. The result is a nationwide study that can touch a variety of sources, right down to private homes, the results of which will have nothing to do with the energy production process that this legislation seeks to streamline.

This study, undoubtedly at the expense of taxpayer dollars, will have no impact on energy production; and, frankly, it has no clear goal.

Finally, the proper place to examine the effects of flooding in Colorado is in Colorado. In testing done by the Colorado State Department of Public Health and the Environment, they found pollutants from oil and gas in the aftermath of the spills at 29 specific sites, but no pollutants in Colorado's waterways. However, the incidence of E. coli and raw sewage was measurable and did have an impact on public health, which is not limited to one industry and is not even covered by this study.

Mr. Chairman, for a variety of reasons, and I think I have tried to touch on the major ones that I just enunciated, I urge rejection of this amendment.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, again, regarding the language of the amendment, of course it is not designed to apply narrowly to Colorado. That would be considered an earmark, prohibited under the rules of the House. In addition, it is not designed just to serve the needs of my district.

This amendment is designed to learn from this so other areas of the country don't go through the same damage from flooding to our oil and gas infrastructure that occurred in my district.

The language is very limiting with regard to the report to Congress, very boilerplate language that we have used for other studies which have been successfully accomplished by the Academy of Sciences, reporting to Congress ''on the effect of flooding on oil and gas facilities, and the resulting instances of leaking and spills from tanks, wells, and pipelines,'' precisely what has occurred as a result of the flooding in Colorado and could, of course, occur as a result of flooding in other areas of the country that have a significant presence of the extraction industry.

I hope that my colleagues will support this measure that Mr. HUFFMAN and I have brought forward. I think it would be a commonsense report that would be of great value to this Congress in protecting our infrastructure and our environment from the impact of flooding.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN), the author of this legislation.

Mr. LAMBORN. Mr. Chairman, I thank the full committee chairman for yielding me this time.

I want to applaud and commend my colleague from Colorado for his concern and thoughtfulness to the people impacted in Colorado, many of which were in his and Representative CORY GARDNER's district, some even further south in my district where there was, unfortunately, some loss of life also. So we all share that same concern.

□ 1615

To put things in perspective, though, when we look at the oil and gas impact of the flooding, there was no hydraulic fracturing going on during the flooding, and the spillage that was later determined to have taken place was relatively minor. There were about 1,000 barrels of oil and gas spilled, with about 400 barrels of production water. That is about 1,500 barrels, which is about 62,000 gallons. To put that in perspective, this was considered a 1 trillion-gallon rainfall in a period of 7 days or so. That would amount to more than that every second. Every single second would have 67,000 barrels of river flow. So 1 second's worth of oil and gas in the entire horrific rainfall, I think, puts things in perspective.

So I ask for a ''no'' vote on this amendment. It is a lot broader than just the Federal lands that this legislation talks about, and so it goes beyond the scope of the legislation and I don't think it is really called for.

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

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. LAMBORN. Just to conclude, when you put things in perspective, I think that there were a lot more serious issues with the flooding, some of which continue to today and will continue far into the future. Those are the issues we should really concentrate on.

For that reason, I ask for a ''no'' vote on this amendment.

Mr. POLIS. Mr. Chairman, I do want to again elaborate a little bit. The gentleman from Washington brought up germaneness and jurisdictional issues.

This amendment has been advanced to the floor by the Rules Committee with the necessary waivers granted, so it does not need to go through any other committee. It is here for the full House to consider. I appreciate it being included in the rule. I encourage Members to make the decision on the merits. It has been granted the necessary waivers to be considered on the House floor. Again, I do think this study would be of value to Congress, if, in fact, the 43,000 gallons of oil don't represent any kind of danger or risk that will be included in the report.

The National Academy of Sciences will have access to the information that we as policymakers will need and my State will need for future planning and other States that have an extraction industry will benefit from in the event of a flood. This can save the health of people, it can save lives, and it can save costly infrastructure in the oil and gas industry. It is a commonsense measure, a useful study.

I encourage my colleagues to vote ''yes,'' and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

As I mentioned in my initial remarks, this amendment really is very broadly written. And when we had other amendments talking about potential lawsuits, boy, adopting this amendment here would really be a litigant's dream if it were to be part of the legislation.

I urge rejection of this amendment, and 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.

AMENDMENT NO. 8 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113–271.

Mr. DEFAZIO. 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:

At the end of the bill, add the following (and conform the table of contents accordingly):

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 6001. CERTAIN REVENUES GENERATED BY THIS ACT TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION TO LIMIT EXCESSIVE SPECULATION IN ENERGY MARKETS.

The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. REVENUES TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION.

''(a) ESTABLISHMENT OF TREASURY ACCOUNT.—The Secretary of the Treasury (in this section referred to as the 'Secretary') shall establish an account in the Treasury of the United States.

''(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) the first $10,000,000 of the total of the amounts received by the United States under leases issued under this Act or any plan, strategy, or program under this Act.

''(c) AVAILABILITY AND USE OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the amounts in the account established under subsection (a) shall be made available to the Commodity Futures Trading Commission to use its existing authorities to limit excessive speculation in energy markets.

''(2) SUBJECT TO APPROPRIATIONS.—The authority provided in paragraph (1) may be exercised only to such extent, and with respect to such amounts, as are provided in advance in appropriations Acts.''.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, much of the majority's argument here is based on providing relief to the American consumer, and this amendment would provide a real and potentially immediate relief to American consumers.

Two years ago in the Senate, in the spring when we were having a big runup in oil prices, they had the head of Exxon Mobil testify. He said, Hey, don't blame us for those high prices. He said, Blame Wall Street. He basically said that 60 cents to 70 cents per gallon at the pump is going to Wall Street speculators. So if we want to provide real relief to the American people, we need to rein in speculation.

But the Republicans only have one watchdog out there—the Commodity Futures Trading Commission. They are supposed to set up position limits for nonparticipants, people just speculating on price, not people actually utilizing these commodities. That hasn't been done, and they are otherwise under relenting attack, including a $10 million cut in their budget by the Republicans.

So if we really wanted to do something to help consumers, we would pass this amendment, get a few more watchdogs downtown, put in place those position limits on speculators, and next May you wouldn't see prices run up $1, $1.25, $1.50 a gallon like we see every May. That has to do with two things: refinery manipulation by the industry and speculation by Wall Street. We are not addressing either of those things.

Today, we are talking about putting more land up for leasing. And today, we have a total of 35,397,010 acres of active leases, and the nonproducing leases are 30,019,256, i.e., that is about 85 percent of the leases that are nonproducing leases.

They have got plenty of places to go now. It is in their interest to constrain supply somewhere along the way. It hasn't been on the side of production because we are exporting crude oil. We are still exporting gasoline, even. It has been on the refinery side and has been speculation by Wall Street that has driven up the price.

I urge adoption of this amendment and reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, let me be very clear that I do oppose this amendment.

This amendment is costly and wasteful. The amendment would redirect $10 billion away from Federal permitting streamlining, which we know would help lower costs and produce more energy, and instead funnel the money to another fruitless study of the unfounded position of somehow market speculation is impacting energy prices.

Mr. Chairman, earlier this year, researchers Christopher Knittel and Robert S. Pindyck from the Massachusetts Institute of Technology, Sloan School of Management, MIT, found that speculation wasn't driving up energy prices. I will quote them, Mr. Chairman.

> Back to those pesky speculators for a moment: surely, their bets on oil have had at least some effect on prices?
>
> According to our latest research, the answer is: not really. In our recent paper, we explore the link between speculation and inventory changes. We calculate a series of speculation-free prices by creating a stable inventory of oil, providing us with a picture of what the market might look like in the absence of speculation. We focus on inventory for a simple reason: if oil prices are changing because of speculators, then there would have to be commensurate changes to inventories—a buildup when prices are increasing and a drawdown when prices are falling.
>
> But when the economy was strong and oil prices were increasing, we didn't see large increases in inventories. In fact, they fell somewhat. This means that peak prices would have actually been higher if you take away any effects of speculation.

And let me repeat that final part:

> But when the economy was strong and oil prices were increasing, we didn't see large increases in inventories. In fact, they fell somewhat. This means that peak prices would have actually been higher if you take away any effects of speculation.

Time and time again, we have heard from those opposed to oil and gas drilling that it is the shady Wall Street speculator, the man behind the curtain who is driving up energy prices. The truth is that the best way to fight speculators, or foreign cartels, is simply to outproduce them, and that should be our solution here today.

We should be working to figure out how to use more than just 2 percent of our Federal lands for energy development. We should find a way to have Federal lands keep pace with private lands in the revolution of energy production as currently taking place in the United States. Yet the Congressional Research Service tells us:

> All of the increase from fiscal year 2007 to fiscal year 2012 took place on non-Federal lands, and the Federal share of total U.S. crude oil production fell by about 7 percentage points.

Yet, instead of reversing this trend, streamlining permitting, the author of this amendment wants to siphon off money for studies.

The legislation before us today is designed to streamline and produce more onshore energy production. This will create jobs and reduce our dependence on foreign imports. It demands an all-of-the-above energy agenda, and I would like to think that the folks on the other side could at least embrace that part of it.

I urge my colleagues to reject this amendment and support the underlying bill, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, may I inquire as to how much time I have left?

The Acting CHAIR. The gentleman from Oregon has 2½ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of the gentleman's amendment today, which helps ensure that our derivatives regulator can protect our financial markets and economy. This amendment improves the funding situation of the CFTC by giving back $10 million that my Republican colleagues proposed to cut earlier this year.

Many Americans are unaware that the CFTC is charged with enforcing laws designed to thwart Wall Street from manipulating the cost of commodities, which affects the price at the pump and the cost of food on our plates. Just as importantly, the CFTC has been tasked with writing and enforcing rules reforming the financial markets and participants like AIG that contributed to the worst financial crisis since the Great Depression.

For these reforms to have teeth, we need a cop with the resources and staff to hold the financial industry accountable. And yet, despite the overwhelming need, House Republicans want to cut the CFTC's budget, deciding this year to provide the CFTC a funding level that is 40 percent below the President's request. This funding level is in addition to sequester cuts, which have caused temporary staff layoffs as well as the agency-wide closure for 2 weeks during the Republican shutdown.

Mr. Chairman, we are witnessing a multifaceted effort by the Republican majority to undercut laws and regulations with which Republicans and certain special interests disagree, halting Dodd-Frank rulemaking through litigation and legislation, while simultaneously depriving our market cops of resources.

The DeFazio amendment is a first step towards countering this offensive, by funding Wall Street's cop, at a minimum, with the same resources as last year.

I thank my thoughtful friend from Oregon and urge adoption of this amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I am prepared to close if the gentleman is prepared to close, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, according to MIT, then, the head of Exxon Mobil perjured himself under oath at the Senate and the Federal Reserve Bank in St. Louis is wrong because they have an in-depth study not paid for by the industry that says, indeed, speculation is a major factor.

Here is over 1 month where you see the price vary by up to $11 per day.Now, you tell me that the supply changed by $11 worth in a day and then, whoops, the next day it is back down? Then, Ben Bernanke said he saw a further decline coming and the industry tanked oil futures by $6.

This is pure speculation. Don't defend it. Support the amendment and give the American people real relief from high gas prices that are unnecessary.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I know there is no truism specifically in economic theory, but one thing we do know about crude oil is that it is subject to international pricing.

□ 1630

We do know that a big part of the international pricing and production is conducted by a cartel, namely, OPEC. The last figure I saw was about 45 percent of the international market. Well, when you have 45 percent controlled by one entity, you are going to have some price pressures that are coming. Indeed, you probably have some speculation.

Mr. Chairman, this is the important part of what this underlying bill and the bill that we will have on the floor tomorrow does.

The only way that you are going to beat cartels is to outproduce them. I don't care if you are talking about crude oils or if you are talking about apples or you are talking about potatoes or you are talking about timber. The whole idea, if you have somebody that controls a big part of the marketplace, the way you beat them is to outproduce them.

This bill allows America to outproduce our foreign competitors. This amendment adds nothing to that. I urge rejection of the amendment.

Mr. Chairman, I yield back the balance of my time.

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

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

Mr. DEFAZIO. 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 Oregon will be postponed.

Mr. HASTINGS of Washington. 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. LAMBORN) having assumed the chair, Mr. HULTGREN, 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. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1900, NATURAL GAS PIPELINE PERMITTING REFORM ACT

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–272) on the resolution (H. Res. 420) providing for consideration of the bill (H.R. 1900) to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PEPFAR STEWARDSHIP AND OVERSIGHT ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1545) to extend authorities related to global HIV/AIDS and to promote oversight of United States programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1545

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 ''PEPFAR Stewardship and Oversight Act of 2013''.

SEC. 2. INSPECTOR GENERAL OVERSIGHT.

Section 101(f)(1) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(f)(1)) is amended—

(1) in subparagraph (A), by striking ''5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013'' and inserting ''coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2018''; and

(2) in subparagraph (C)—

(A) in clause (ii)—

(i) in the heading, by striking ''SUBSEQUENT'' and inserting ''2010 THROUGH 2013''; and

(ii) by striking ''the last four plans'' and inserting ''the plans for fiscal years 2010 through 2013''; and

(B) by adding at the end the following new clause:

''(iii) 2014 PLAN.—The plan developed under subparagraph (A) for fiscal year 2014 shall be completed not later than 60 days after the date of the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

''(iv) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2015 through 2018, respectively.''.

SEC. 3. ANNUAL TREATMENT STUDY.

(a) ANNUAL STUDY; MESSAGE.—Section 101(g) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(g)) is amended—

(1) in paragraph (1), by striking ''through September 30, 2013'' and inserting ''through September 30, 2019'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

''(2) 2013 THROUGH 2018 STUDIES.—The studies required to be submitted by September 30, 2014, and annually thereafter through September 30, 2018, shall include, in addition to the elements set forth under paragraph (1), the following elements:

''(A) A plan for conducting cost studies of United States assistance under section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2) in partner countries, taking into account the goal for more systematic collection of data, as well as the demands of such analysis on available human and fiscal resources.

''(B) A comprehensive and harmonized expenditure analysis by partner country, including—

''(i) an analysis of Global Fund and national partner spending and comparable data across United States, Global Fund, and national partner spending; or

''(ii) where providing such comparable data is not currently practicable, an explanation of why it is not currently practicable, and when it will be practicable.''; and

(4) by adding at the end the following new paragraph:

''(4) PARTNER COUNTRY DEFINED.—In this subsection, the term 'partner country' means a country with a minimum United States Government investment of HIV/AIDS assistance of at least $5,000,000 in the prior fiscal year.''.

SEC. 4. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.

(a) LIMITATION.—Section 202(d)(4) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''2013'' and inserting ''2018'';

(B) in clause (ii)—

(i) by striking ''2013'' and inserting ''2018''; and

(ii) by striking the last two sentences; and

(C) in clause (vi), by striking ''2013'' and inserting ''2018''; and

(2) in subparagraph (B)—

(A) by striking ''under this subsection'' each place it appears;

(B) in clause (ii), by striking ''pursuant to the authorization of appropriations under section 401'' and inserting ''to carry out section 104A of the Foreign Assistance Act of 1961''; and

(C) in clause (iv), by striking ''2013'' and inserting ''2018''.

(b) WITHHOLDING FUNDS.—Section 202(d)(5) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended by—

(1) in paragraph (5)—

(A) by striking ''2013'' and inserting ''2018'';

(B) in subparagraph (C)—

(i) by inserting ''in an open, machine readable format'' after ''site'';

(ii) by amending clause (v) to read as follows:

''(v) a regular collection, analysis, and reporting of performance data and funding of grants of the Global Fund, which covers all principal recipients and all subrecipients on the fiscal cycle of each grant, and includes the distribution of resources, by grant and principal recipient and subrecipient, for prevention, care, treatment, drugs, and commodities purchase, and other purposes as practicable;'';

(C) in subparagraph (D)(ii), by inserting '', in an open, machine readable format,'' after ''audits'';

(D) in subparagraph (E), by inserting '', in an open, machine readable format,'' after ''publicly'';

(E) in subparagraph (F)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon; and

(ii) by striking clause (ii) and inserting the following new clauses:

''(ii) all principal recipients and subrecipients and the amount of funds disbursed to each principal recipient and subrecipient on the fiscal cycle of the grant;

''(iii) expenditure data—

''(I) tracked by principal recipients and subrecipients by program area, where practicable, prevention, care, and treatment and reported in a format that allows comparison with other funding streams in each country; or

''(II) if such expenditure data is not available, outlay or disbursement data, and an explanation of progress made toward providing such expenditure data; and

''(iv) high-quality grant performance evaluations measuring inputs, outputs, and outcomes, as appropriate, with the goal of achieving outcome reporting;''; and

(F) by amending subparagraph (G) to read as follows:

''(G) has published an annual report on a publicly available Web site in an open, machine readable format, that includes—

''(i) a list of all countries imposing import duties and internal taxes on any goods or services financed by the Global Fund;

''(ii) a description of the types of goods or services on which the import duties and internal taxes are levied;

''(iii) the total cost of the import duties and internal taxes;

''(iv) recovered import duties or internal taxes; and

''(v) the status of country status-agreements;''.

SEC. 5. ANNUAL REPORT.

Section 104A(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(f)) is amended to read as follows:

''(f) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than February 15, 2014, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report in an open, machine readable format, on the implementation of this section for the prior fiscal year.

''(2) REPORT DUE IN 2014.—The report due not later than February 15, 2014, shall include the elements required by law prior to

the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

''(3) REPORT ELEMENTS.—Each report submitted after February 15, 2014, shall include the following:

''(A) A description based on internationally available data, and where practicable high-quality country-based data, of the total global burden and need for HIV/AIDS prevention, treatment, and care, including—

''(i) estimates by partner country of the global burden and need; and

''(ii) HIV incidence, prevalence, and AIDS deaths for the reporting period.

''(B) Reporting on annual targets across prevention, treatment, and care interventions in partner countries, including—

''(i) a description of how those targets are designed to—

''(I) ensure that the annual increase in new patients on antiretroviral treatment exceeds the number of annual new HIV infections;

''(II) reduce the number of new HIV infections below the number of deaths among persons infected with HIV; and

''(III) achieve an AIDS-free generation;

''(ii) national targets across prevention, treatment, and care that are—

''(I) established by partner countries; or

''(II) where such national partner country-developed targets are unavailable, a description of progress towards developing national partner country targets; and

''(iii) bilateral programmatic targets across prevention, treatment, and care, including—

''(I) the number of adults and children to be directly supported on HIV treatment under United States-funded programs;

''(II) the number of adults and children to be otherwise supported on HIV treatment under United States-funded programs; and

''(III) other programmatic targets for activities directly and otherwise supported by United States-funded programs.

''(C) A description, by partner country, of HIV/AIDS funding from all sources, including funding levels from partner countries, other donors, and the private sector, as practicable.

''(D) A description of how United States-funded programs, in conjunction with the Global Fund, other donors, and partner countries, together set targets, measure progress, and achieve positive outcomes in partner countries.

''(E) An annual assessment of outcome indicator development, dissemination, and performance for programs supported under this section, including ongoing corrective actions to improve reporting.

''(F) A description and explanation of changes in related guidance or policies related to implementation of programs supported under this section.

''(G) An assessment and quantification of progress over the reporting period toward achieving the targets set forth in subparagraph (B), including—

''(i) the number, by partner country, of persons on HIV treatment, including specifically—

''(I) the number of adults and children on HIV treatment directly supported by United States-funded programs; and

''(II) the number of adults and children on HIV treatment otherwise supported by United States-funded programs;

''(ii) HIV treatment coverage rates by partner country;

''(iii) the net increase in persons on HIV treatment by partner country;

''(iv) new infections of HIV by partner country;

''(v) the number of HIV infections averted;

''(vi) antiretroviral treatment program retention rates by partner country, including—

''(I) performance against annual targets for program retention; and

''(II) the retention rate of persons on HIV treatment directly supported by United States-funded programs; and

''(vii) a description of supportive care.

''(H) A description of partner country and United States-funded HIV/AIDS prevention programs and policies, including—

''(i) an assessment by country of progress towards targets set forth in subparagraph (B), with a detailed description of the metrics used to assess—

''(I) programs to prevent mother to child transmission of HIV/AIDS, including coverage rates;

''(II) programs to provide or promote voluntary medical male circumcision, including coverage rates;

''(III) programs for behavior-change; and

''(IV) other programmatic activities to prevent the transmission of HIV;

''(ii) antiretroviral treatment as prevention; and

''(iii) a description of any new preventative interventions or methodologies.

''(I) A description of the goals, scope, and measurement of program efforts aimed at women and girls.

''(J) A description of the goals, scope, and measurement of program efforts aimed at orphans, vulnerable children, and youth.

''(K) A description of the indicators and milestones used to assess effective, strategic, and appropriately timed country ownership, including—

''(i) an explanation of the metrics used to determine whether the pace of any transition to such ownership is appropriate for that country, given that country's level of readiness for such transition;

''(ii) an analysis of governmental and local nongovernmental capacity to sustain positive outcomes;

''(iii) a description of measures taken to improve partner country capacity to sustain positive outcomes where needed; and

''(iv) for countries undergoing a transition to greater country ownership, a description of strategies to assess and mitigate programmatic and financial risk and to ensure continued quality of care for essential services.

''(L) A description, globally and by partner country, of specific efforts to achieve and incentivize greater programmatic and cost effectiveness, including—

''(i) progress toward establishing common economic metrics across prevention, care and treatment with partner countries and the Global Fund;

''(ii) average costs, by country and by core intervention;

''(iii) expenditure reporting in all program areas, supplemented with targeted analyses of the cost-effectiveness of specific interventions; and

''(iv) import duties and internal taxes imposed on program commodities and services, by country.

''(M) A description of partnership framework agreements with countries, and regions where applicable, including—

''(i) the objectives and structure of partnership framework agreements with countries, including—

''(I) how these agreements are aligned with national HIV/AIDS plans and public health strategies and commitments of such countries; and

''(II) how these agreements incorporate a role for civil society; and

''(ii) a description of what has been learned in advancing partnership framework agreements with countries, and regions as applicable, in terms of improved coordination and collaboration, definition of clear roles and responsibilities of participants and signers, and implications for how to further strengthen these agreements with mutually accountable measures of progress.

''(N) A description of efforts and activities to engage new partners, including faith-based, locally-based, and United States minority-serving institutions.

''(O) A definition and description of the differentiation between directly and otherwise supported activities, including specific efforts to clarify programmatic attribution and contribution, as well as timelines for dissemination and implementation.

''(P) A description, globally and by country, of specific efforts to address co-infections and co-morbidities of HIV/AIDS, including—

''(i) the number and percent of people in HIV care or treatment who started tuberculosis treatment; and

''(ii) the number and percentage of eligible HIV positive patients starting isoniazid preventative therapy.

''(Q) A description of efforts by partner countries to train, employ, and retain health care workers, including efforts to address workforce shortages.

''(R) A description of program evaluations completed during the reporting period, including whether all completed evaluations have been published on a publically available Internet website and whether any completed evaluations did not adhere to the common evaluation standards of practice published under paragraph (4).

''(4) COMMON EVALUATION STANDARDS.—Not later than February 1, 2014, the Global AIDS Coordinator shall publish on a publically available Internet website the common evaluation standards of practice referred to in paragraph (3)(R).

''(5) PARTNER COUNTRY DEFINED.—In this subsection, the term 'partner country' means a country with a minimum United States Government investment of HIV/AIDS assistance of at least $5,000,000 in the prior fiscal year.''.

SEC. 6. ALLOCATION OF FUNDING.

(a) ORPHANS AND VULNERABLE CHILDREN.—Section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(b)) is amended—

(1) by striking ''2013'' and inserting ''2018''; and

(2) by striking ''amounts appropriated pursuant to the authorization of appropriations under section 401'' and inserting ''amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2)''.

(b) FUNDING ALLOCATION.—Section 403(c) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(c)) is amended—

(1) by striking ''2013'' and inserting ''2018''; and

(2) by striking ''amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 401'' and inserting ''amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask that all of our Members have 5 legislative

days to revise and extend their remarks and to include any extraneous materials that they might wish to include on this resolution.

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

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1545. They call this the PEPFAR Stewardship and Oversight Act of 2013.

It was just over a decade ago that AIDS threatened to decimate an entire generation of men and women and children around the world, and particularly in Africa. Without access to lifesaving treatment, there was then no incentive to get tested. Without testing, it was impossible to detect and prevent new infections.

In the hardest-hit countries, an estimated 35 percent of the population was HIV positive, and life expectancy in those countries dropped to as low as 34 years.

The global AIDS pandemic was a massive humanitarian challenge, but it also threatened our economic and national security. The pandemic struck down men and women in their most productive years. The economies of emerging trade partners contracted. Socioeconomic conditions deteriorated.

Tens of millions of orphaned children, forced to fend for themselves, became vulnerable to trafficking. They became vulnerable to criminality and recruitment by extremists.

Infections among security forces in southern Africa was disturbingly high.

It was against this backdrop that the United States mounted the most significant effort of any nation to combat a single disease in history. Authorized by Congress in 2004, and reauthorized in 2008, the President's Emergency Plan For AIDS Relief, or PEPFAR, as we call it today, was a game-changer, and has since become among the most successful U.S. foreign aid programs since the Marshall Plan. Like many of my colleagues, I have been to Africa and witnessed the saved lives.

Today, nearly 10 million people receive treatment supported by PEPFAR. Thirteen countries have reached a tipping point in their AIDS epidemic, the point where the number of adults on treatment exceeds the number of new infections. So across Africa, the new infections have declined by 33 percent.

There is now hope that an AIDS-free generation may be within reach. We should be proud of that effort. But the United States cannot and should not do this alone. It is in our interest to ensure that our bilateral programs, our programs like PEPFAR, are complemented by an effective, efficient, and accountable global fund to fight AIDS, malaria, and tuberculosis.

The PEPFAR Stewardship and Oversight Act of 2013 provides a framework for the continuation of PEPFAR's success. Among other things, this legislation locks in important social values provisions mandated in the 2004 and 2008 bills that could be jettisoned if we don't move forward with this legislation.

It improves transparency and reporting in a way that reflects the current direction of the program, and it extends limitations on U.S. participation in the Global Fund, including a 33 percent limitation on U.S. contributions and a 20 percent withholding requirement linked to transparency and management reforms at the Global Fund.

So this bill is time-sensitive. During the week of December 1, the Global Fund will convene a donors' conference. Without the 33 percent cap and 20 percent withholding requirements firmly in place, which is what the bill does, the ability of the United States to leverage both our contributions and our reforms would be diminished.

So I urge my colleagues to support this important, timely measure.

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

Mr. ENGEL. Mr. Speaker, I rise in strong support of S. 1545, the PEPFAR Stewardship and Oversight Act, and I yield myself as much time as I may consume.

I echo the words of my friend, the chairman. This important legislation, which passed the Senate by unanimous consent, reauthorizes key authorities that have helped the President's Emergency Plan For AIDS Relief, called PEPFAR, change the trajectory of the HIV/AIDS epidemic around the world.

Before President Bush announced PEPFAR in his 2003 State of the Union address, and Congress passed authorizing legislation in May of that year, HIV and AIDS were ravaging the continent of Africa. By then, more than 25 million people had died from HIV/AIDS, and 14 million children had been left as orphans.

Another 42 million people were infected and, though lifesaving treatments had been developed, far too many people had no access to the medications necessary to save their lives. Therefore, PEPFAR became and remains the largest commitment by any nation to combat a single disease internationally.

Today, nearly 6 million people are receiving life-sustaining anti-retroviral treatment.

Last year, more than 46 million people received HIV testing and counseling. Of these, more than 11 million were pregnant women, and, as a result of treatment, the one-millionth baby was born HIV-free this year.

HIV/AIDS is no longer threatening to wipe out an entire generation on the continent of Africa. In fact, a sustained commitment by the United States to fighting this epidemic has made it possible for experts and researchers to talk about achieving an AIDS-free generation.

PEPFAR is in the midst of an important transition as countries take on greater ownership of their HIV/AIDS programs. At this critical juncture, the PEPFAR Stewardship and Oversight Act is an important demonstration of our ongoing, bipartisan support for the fight against HIV/AIDS.

This legislation also contains critical provisions that will enable Congress to provide the oversight necessary to ensure PEPFAR continues to save millions of lives, while protecting our taxpayers' hard-earned money.

The bill calls for continued coordination by the inspectors general for the State Department, Department of Health and Human Services, and the U.S. Agency for International Development in conducting audits and oversight of the PEPFAR program.

It also requires a more robust annual report from the Office of the U.S. Global AIDS Coordinator, which will ensure better accountability.

This legislation also extends key funding requirements for the treatment and care portion of the program, as well as funding for orphans and vulnerable children.

Historically, the United States contribution to the Global Fund has been capped at 33 percent of total contributions. This cap has been an effective tool to leverage contributions from other countries, as well as to push for reforms, if necessary, within the Global Fund.

However, when PEPFAR's authorization ended at the end of September, this 33 percent cap lapsed as well. I believe it is crucial that this 33 percent cap be reinstated going into the Global Fund replenishment conference, which will be held the first week of December here in Washington, and this legislation would accomplish this important policy objective.

Mr. Speaker, by all accounts, PEPFAR has been an incredible success and a program we should all be proud to be a part of.

I would like to thank Ambassador Eric Goosby, the recently departed United States Global AIDS Coordinator, for his hard work on behalf of PEPFAR and his lifelong dedication to those living with HIV/AIDS.

I commend Chairman ROYCE, Representative LEE, and Representative ROS-LEHTINEN, as well as Senator MENENDEZ and Senator CORKER, for their hard work on this legislation. It has been a pleasure working with all of them in such a bipartisan and bicameral manner.

I would like to thank the House leadership for allowing this to come to the floor in a timely manner. Again, I think that Chairman ROYCE and I have shown that bipartisanship does exist in this Congress. It certainly exists on our Foreign Affairs Committee, and this is a product of that bipartisan comity.

So I urge my colleagues to support this legislation.

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

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is my honor to yield 4 minutes to the gentlewoman from California (Ms. LEE), who has been so instrumental in fighting for this legislation and other AIDS legislation for so many years in the Congress.

Ms. LEE of California. Mr. Speaker, first, let me thank our ranking member for yielding, but also, let me just thank you so much for your tremendous leadership on this issue and on the Foreign Affairs Committee, and for your recognition and hard work in achieving and seeking to achieve an AIDS-free generation.

I want to say it is a real pleasure to be with you today and to be back with you today, actually, with the committee that I served on for 8 years. So thank you, again, so much.

Let me also thank the chair of the Foreign Affairs Committee, Chairman ROYCE, for ensuring that PEPFAR continues as a bipartisan effort, and for your commitment to an AIDS-free generation. I just want to thank you for that leadership because, oftentimes, we wonder if there is bipartisanship in this body. Well, I think today, once again, we can cite that when it comes to saving lives, PEPFAR is a clear example of how we work together to do just that.

□ 1645

And, of course, I must thank my cochair on the Congressional HIV/AIDS Caucus, Congresswoman ILEANA ROS-LEHTINEN from Florida. I have to thank her for her work on HIV/AIDS initiatives, both international and domestic.

I am very proud to have played a role in the creation of PEPFAR and am proud of the leadership of the Congressional Black Caucus and our chair at that time, the gentlewoman from Texas, Congresswoman EDDIE BERNICE JOHNSON. Even before the world knew about this program, Congresswoman JOHNSON knew the importance of Presidential leadership and put this on the Congressional Black Caucus' agenda during our very first meeting with President Bush.

To quote from a 2002 letter to President Bush, the CBC called for an ''expanded U.S. initiative'' to respond to the greatest plague in recorded history. And then following that, in President Bush's 2003 State of the Union speech, he laid out what this important initiative should look like and made a serious commitment to this effort.

So over the last decade, we have worked closely with the late Chairman Hyde, Chairman Lantos, as well as Senator Kerry, the late Senator Jesse Helms, Senator Bill Frist, Congressman Jim Leach, Congressman MCDERMOTT, Congresswoman DONNA CHRISTENSEN, Leader PELOSI, and so many others. And I share this because I think it is important that society recognize that the history of this has been bipartisan because we kept our eye on the prize. We knew that we wanted to save lives and we wanted to see an AIDS-free generation, and so many people, so many Members of this body, so many outside organizations, and our staff have worked so hard to get us to this point.

So now, a decade later, I am especially proud, once again, to be a coauthor of the bill before us today. As I said, this is a bipartisan compromise, and in the end, I think we have a very good bill.

We agreed on the need to protect funding for HIV treatment and programs for orphans and vulnerable children. We agreed on the need to preserve support and extend the expired 33 percent cap on United States contributions to the Global Fund. This cap is a proven tool for leveraging donor funding and is especially important as the United States prepares to host the Fourth Replenishment Conference for the Global Fund next month.

Our bill also updates the annual report to better guide PEPFAR's transition toward greater country ownership while enhancing oversight. And I am especially pleased that we included reporting requirements on efforts to engage key stakeholders, including faith-based organizations and United States minority-serving institutions.

I can tell you, as a member of the Appropriations Committee, PEPFAR has transitioned from—and this is very important. And I want to thank Ranking Member ENGEL and Chairman ROYCE for helping us realize the need to transition from an emergency response to a means of supporting country leadership in their work towards an AIDS-free generation. So this bill will fundamentally help continue to move our programs in that direction.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. I yield an additional 30 seconds to the gentlewoman.

Ms. LEE of California. Thank you very much.

I want to thank Ambassador Goosby for his tremendous leadership, who actually lives in my congressional district in northern California, and also Dr. Mark Dybul, who now leads the Global Fund, and so many more.

PEPFAR has supported nearly 6 million people on lifesaving treatment, more than 11 million pregnant women who have received HIV testing and counseling, and 1 million babies born HIV-free this year. So this bill represents the real achievements that we can make when we put aside our differences and work together to achieve an AIDS-free generation.

Mr. ROYCE. I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is my great honor now to yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Democratic leader who has, I think, done more than anyone else to fight for these things from almost the time that she came to Congress.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his kind words.

It is just that I have been here such a long time, when I first came to Congress, the mere mention of the word ''AIDS'' on the floor was something I thought was the most natural thing to do but was something that some of my colleagues squirmed at. We have, indeed, come a long way from that time.

So today is a proud day as Democrats and Republicans come together to extend and reauthorize our efforts to fight the global HIV/AIDS and infectious diseases in the poorest countries around the world.

I thank Chairman ROYCE and Ranking Member ENGEL for working together to bring this important legislation to the floor today, and I thank Congresswoman BARBARA LEE for her unwavering leadership on these issues since day one that you came to the Congress. So many of our colleagues deserve recognition, and the gentlewoman has acknowledged some of them.

I will just add that this marks the 10th anniversary of the historic Tom Lantos and Henry Hyde U.S. Global Leadership Against AIDS, Tuberculosis, and Malaria Act. This legislation has been the foundation of the U.S. initiative to provide sustained constructive leadership in the global fight against AIDS.

The original PEPFAR authorizing legislation, followed by the excellent work of the Appropriations Committee over the last decade, has provided lifesaving antiretroviral treatment, care, and prevention for millions of people, especially focused on the most vulnerable infants and children.

I have traveled on this AIDS issue for a very long time in our country and abroad, and I have seen firsthand the difference that PEPFAR has made. I have been to clinics, as have my colleagues Mr. MCDERMOTT, Congresswoman LEE, the head of the Congressional Black Caucus Health Braintrust, Congresswoman CHRISTENSEN, as well as others who are here, and now newer Members, Messrs. HIMES and CICILLINE.

What was wonderful about it was we went to places where people were so poor and so desperate, but they were not so desperate that they were without hope. And PEPFAR gave them hope because, as they said, Originally we wouldn't even want anybody to know that we had AIDS. Why would we even be tested for AIDS? People found out that we had AIDS, but why would we even come to a clinic? What hope did we have?

Well, PEPFAR gave them hope. It gave them a path.

So today we know—and Congresswoman LEE mentioned some of the figures. Some bear repeating and some others I will mention:

Treatment for over 5 million people; antiretroviral drugs for 750,000 pregnant women living with HIV to prevent mother-to-child transmission of HIV averted 230,000 infant HIV infections in 2012 alone; HIV testing and counseling for almost 47 million people; and this

year, the 1 millionth baby will be born HIV-free because of PEPFAR support. That means a child that might have been born HIV-infected.

Congresswoman LEE mentioned that Dr. Goosby lives in her district. His parents and where he was raised is in my district. So we all take great pride in his work.

Over the years, we have made tremendous progress. First, with President Clinton, we increased the bilateral programs to fight HIV/AIDS, and we helped create, authorize, and fund the Global Fund. Then, under the leadership of President Bush—and this has to be a source of great pride for President Bush and an important part of his legacy—we established PEPFAR and provided the necessary funding to ramp up the emergency response to the crisis.

And I might add my thanks to Bono for the role that he played in, again, ramping up the resources and making sure the public understood, as did those of us in elected office and especially in the executive branch, where maybe this was a newer issue to them, that we needed to have the resources to make this happen. So thank you to Bono. Not only did he help us with the loan forgiveness to some of these same countries, but now to the alleviation of poverty, the eradication of disease. That is part of his agenda. And he worked with us to enhance our efforts.

President Obama has provided leadership as well and has strengthened those efforts and has boosted our investments to put us on the brink of an AIDS-free generation. President Obama also is to be commended for lifting the travel ban on those with HIV, enabling the International AIDS Conference to return to the United States in 2012.

I remember, as a brand-new Member attending the conference in 1987 when this ban was in existence, it was an embarrassment that scientists could not come here or people coming here with HIV/AIDS from whom we could learn and there could be scientific collaboration. Well, that was not allowed because of the travel ban. So thank you, President Obama, for lifting it so that we could have a truly scientific, truly comprehensive conference in 2012 in the United States, very proudly.

Today the Congress will pass legislation to extend our global AIDS investment. Even in these difficult fiscal times, we know that cutting back is a false economy that costs us more in the future. HIV/AIDS is still adapting, and so must we. It is a very resourceful virus. It just keeps finding ways, mutating and finding ways, and we have to be more resourceful in our fight against it.

I thank the authors of the legislation, to the chair and ranking minority member, for bringing the bill to the floor and adapting our policies to meet the continued challenges posed by AIDS, TB, malaria, and deadly diseases around the world. I am so pleased that we will probably have a unanimous vote on this important bill, and that is, indeed, an honor to be a part of.

Mr. ROYCE. I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I now yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a very valued member of the Foreign Affairs Committee.

Mr. CICILLINE. I thank the gentleman for yielding, and I thank Chairman ROYCE, Ranking Member ENGEL, Leader PELOSI, and my colleague Congresswoman LEE for their strong leadership.

Mr. Speaker, as a longtime advocate for a strong government response to the HIV/AIDS public health crisis in my home State of Rhode Island and now as a member of the House Foreign Affairs Committee, I rise today to strongly support the President's Emergency Plan for AIDS Relief reauthorization.

This year, we mark the 10th anniversary of PEPFAR, which has always enjoyed broad bipartisan support. First, in 2003, there was bipartisan support for addressing this public health emergency; then, in 2008, in response to some progress, PEPFAR transitioned into a more sustainable program with greater country ownership.

Over the past decade, PEPFAR has significantly expanded access to antiretroviral therapy for those suffering from HIV and AIDS, which has led to a decrease in deaths from this devastating disease all around the world. We have made real progress because of PEPFAR, and we must remain vigilant and build upon this progress.

The fight is not over. According to the World Health Organization, to date, almost 70 million people have been infected with the HIV virus, and about 35 million have died of AIDS. It is critical that the United States continue to be a leader in an increasingly international effort to eradicate this disease.

Mr. Speaker, the role of the United States remains critical to combating the worldwide HIV/AIDS epidemic, and the PEPFAR Stewardship and Oversight Act is a necessary and commonsense piece of legislation. This bill extends vital authority and strengthens oversight of the PEPFAR program. Most importantly, the bill would also extend the expired 33 percent limitation on U.S. contributions to the Global Fund. This cap has proven to be an effective tool for leveraging funding from other donor countries.

Just 30 years ago, we knew almost nothing about HIV and AIDS, and we were not able to treat those who were suffering from this disease. To have made such progress since then is remarkable, and it is a real testament to what we can achieve when we work together in a bipartisan way.

I urge my colleagues to vote ''yes'' and to continue our efforts toward an AIDS-free generation which, for the first time, may be within our reach.

Mr. ROYCE. I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I now yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT), a classmate of mine.

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I associate myself with all the remarks of my friends.

We have had a remarkable occurrence in my time in the Congress. This was once a death sentence. Today, we are on the verge of being able to produce an AIDS-free generation.

Now, it is great and we are always excited when we do something new and big and exciting, but maintaining and pushing forward to finish the project is really where we are. This bill will pass without a vote against it, I am quite sure. But the real question is: What do we put in the budget? Because if we don't maintain what is going on in the world today, we will lose. We will go backward.

□ 1700

It is like we have built a dike and we are holding back the sea. But the fact is if we don't have the drugs available when mothers deliver children and you do that intervention right at the appropriate time, you will not prevent the children from getting it. You will not be able to give the long-term care to the mothers as they raise these children.

In my view, that is really where we are.

This was the crowning achievement, I think, of the administration of George Bush. His starting this was a statement to the world that the United States cared about an epidemic that affected the entire face of the universe. And we have done a good job.

But I say this because I worry about the sequester. What does sequester mean to this? What will be the reductions? Because I am getting calls from my friends in South Africa, Zambia, Zimbabwe, Uganda, and Kenya, saying, How much money is there going to be next year? Will we be able to expand the program, keep it the same, or are we going to have to retrench?

That is what the world is watching as we face this upcoming vote on the budget.

I hope that we have as many votes for funding the program as we do for reauthorizing it here today in this bill.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands, Dr. DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. I thank my colleague for yielding.

Mr. Speaker, I, too, rise today in strong support of H.R. 3177, the PEPFAR Stewardship and Oversight Act of 2013.

This year marks the 10th anniversary of PEPFAR, a program that has literally saved lives in Africa and other hard-hit nations around the globe. Thanks to PEPFAR, more than 5 million people have received HIV/AIDS

treatments; more than 46 million have received confidential HIV testing and counseling. In 2012 alone, 750,000 pregnant women living with HIV received antiretroviral drugs to prevent transmission to their babies.

This bill builds on the enormous strides that PEPFAR has made in its 10 years and bolsters oversight and reporting requirements. It also includes provisions that will expand international donor support, as well as continue to empower and enhance country ownership in health, thus promoting sustainability.

Mr. Speaker, more than 100 organizations, most of which are on the front lines fighting this pandemic throughout Asia, Africa, Middle East, the Caribbean, and other highly affected countries, strongly support this bill. Our HBCUs, who have an important role to play, have also been advocates for it.

I have visited PEPFAR programs in Africa and the Caribbean and seen their effectiveness firsthand. They save lives.

As a physician who practiced for more than 20 years before coming here, I know what happens when individuals who are at great risk for HIV infection do not get accurate testing, education, and counseling, or when those who are infected do not receive antiretroviral drugs. The outcome is disastrous.

As a Member representing a U.S. territory in the Caribbean—the world's second hardest hit region by HIV/AIDS—I cannot stress more strongly how vitally important our passing the PEPFAR Stewardship and Oversight Act of 2013 is today. The lives of millions of individuals in our global community who are currently battling HIV/AIDS depend upon it. The health and wellness of millions more who are at risk for infection but currently HIV-free depend on it.

We have not agreed on much that is health and health care-related as of late, but this is one bill that we can, and I am sure will, agree on. So I strongly urge all my colleagues to support H.R. 3177.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, may I ask how much time is remaining.

The SPEAKER pro tempore. The gentleman for New York has 4 minutes remaining.

Mr. ENGEL. I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Speaker, I thank Mr. ENGEL for yielding.

I would like to thank the chairman and the ranking member of the Foreign Affairs Committee for the bipartisanship with which they led this bill and which I think we will accomplish some very good things tomorrow.

The figures around this program speak for themselves: the millions of lives saved, the orphanages which are no longer full, the many pregnant women who will not transmit a deadly virus to their children. These things speak for themselves.

Without question, PEPFAR and the Global Fund are two of the most effective foreign aid programs ever conceived in this Chamber. But Americans might ask in good faith, Why spend money in places like Africa, Asia, and in the Caribbean when the needs are so intense right here at home? And the answer to that question could not be clearer.

Africa and Asia, where PEPFAR and the Global Fund do the most good, are areas of great instability but of great promise, where countries like China are buying up commodities, are exerting their influence, and are throwing their weight around.

We have the opportunity through the continuation of programs such as PEPFAR and the Global Fund to win for generations the hearts and minds of people who will think back on American assistance as the reason that their family had continuity, as the reason that their country continued to develop.

So the question we are answering when we think about continuing these programs and our involvement and our taxpayer dollars should really be, Are we a country that offered the opportunity to continue to save lives? Will we do that? Do we want to save lives, if we can? Do we want to be known just for our economic and military strengths, or do we want to also be known as an unqualified force for good in this world?

I would say that at this point in our history our ability to say that it is not just about economic and military power, but it is about a quality of mercy that we all cherish. And this is a wonderful opportunity for us to say who we are by supporting this legislation.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I am very happy to yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, we can celebrate PEPFAR's 10 years of success in saving millions of lives by passing the bipartisan PEPFAR Stewardship and Oversight Act.

Nearly 6 million people are receiving life-sustaining anti-retroviral treatments and providing care and support to more than 4.5 million orphans and vulnerable children. That is PEPFAR.

This bill extends critical authorities and strengthens program oversight to ensure access to essential prevention and treatment services. Most importantly, this bill extends existing funding requirements for treatment of orphans and vulnerable children.

We have brought to the world a tipping point in the fight against AIDS, and I urge all my colleagues to vote ''yes'' on this very important bill. I thank my colleagues, like BARBARA LEE, who have supported and initiated this amazing help for saving millions of lives.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

In closing, let me just, again, say what I said at the outset. I want to thank Chairman ROYCE. I am really proud of this legislation. It is truly a bipartisan product.

We are doing something really, really good here today. We are doing something that we can be proud of today. We are saving lives, and we are showing once again that the United States is the most compassionate Nation on Earth. When all is said and done, isn't this really one of the greatest things that we can do?

So I urge my colleagues on both sides of the aisle to support this bill, and I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I do think Mr. Eliot Engel of New York should feel proud about this bill. He is the original author of the House-passed version.

I would say that, in the interest of expediting this measure, we on the Foreign Affairs Committee worked, frankly, not only across party lines but across Chambers in order to draft legislation that preserves congressional prerogatives, that advances U.S. interests, and, as Eliot Engel said so succinctly, that saves lives. This bill does that. It achieves these objectives. We worked in tandem with the Senate on Mr. ENGEL's original draft to get this done.

This bill does not affect direct spending. It doesn't affect revenues. It does not create new programs or include major new policy provisions. I want the Members to understand that.

It is a streamlined, bipartisan measure that does extend critical PEPFAR authorities that expired, and it maintains the gains achieved through the 2008 reauthorization process.

Besides the leadership of Mr. ENGEL on this bill, I would like to recognize the work of Representatives Ros-Lehtinen and Lee to shape this measure, as well as efforts by our leadership to ensure that we do not miss this narrow window of opportunity to send this bill to the President's desk without further delay.

I would also share with our Members that it helps get us on a path towards graduating countries from assistance. It conditions and limits assistance to the Global Fund.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise today in support of S. 1545, the PEPFAR Stewardship and Oversight Act. Since its establishment in 2003, the U.S. President's Emergency Plan for AIDS Relief, known as PEPFAR, has become arguably the most effective global health program that the U.S. government has ever administered. Already, nearly 15 million AIDS victims have been served; let us not stop there.

The HIV/AIDS epidemic threatened to eliminate an entire generation in Africa. Economies were threatened and health care systems were wholly unequipped to handle the magnitude of the epidemic. Through PEPFAR, the

U.S. government and its local partners provided diagnostic testing, administered antiretroviral treatment (ART), and expanded HIV/AIDS programs to lower the rate of transmission. These efforts achieved significant success. This year the millionth HIV-free baby was born due to PEPFAR-supported prevention of mother-to-child transmission. In 13 countries, the rate of infection is below the increasing rate of adults requiring treatment. Now we can finally work toward an AIDS-free generation.

S. 1545 extends our commitment to PEPFAR and the U.N. Global Fund through 2018. It maintains the 10 percent funding requirement for orphans and vulnerable children, and at least 51 percent for treatment programs. This bill does not address the changing priorities in the second phase of PEPFAR, giving PEPFAR the bandwidth to strengthen health systems, explore public-private partnerships, and increase country ownership.

Local partnership and ownership is essential to the sustainability of PEPFAR's programs. This partnership has already begun; the effects can be seen in broader administration of medical services, though the parallel expansion of social services for the HIV community has lagged. The continuation of the 33 percent funding cap for the U.N. Global Fund ensures local partnership to address such problems.

One of the most notable changes to this legislation is its increase in oversight. I look forward to receiving the annual, joint oversight and auditing plans that will be developed by the Inspectors General of the Department of State, USAID, and HHS, thus increasing Congressional oversight as well. It will include per-patient cost studies and analysis of the shift toward greater country ownership. PEPFAR is no longer a start-up program, and the oversight associated with its shift toward long-term sustainability must be adjusted accordingly.

Yesterday, the Senate passed this bill with unanimous consent. It is our turn to do the same.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of S. 1545, The President's Emergency Plan for AIDS Relief Stewardship and Oversight Act (PEPFAR). Eleven years ago, as the Chair of the Congressional Black Caucus, I initiated PEPFAR talks with President George Bush to discuss the necessity of an international response to the HIV/AIDS pandemic. President Bush helped make a $15 billion commitment to worldwide AIDS relief.

Not only has PEPFAR driven down the cost of commodities, it has seen real success targeting each country's specific epidemic by coordinating resources within numerous AIDS responses.

PEPFAR is a vital emergency response and it has been able to transition to long-term sustainability through country ownership. This bill not only strengthens all that PEPFAR has achieved, it extends critical oversight and authority in order to continue its success.

While PEPFAR has been a major accomplishment, we must continue to support its efforts. The U.S. investment in the Global Fund is key to the success of PEPFAR.

Our contributions have not only secured resources but also helped to increase coverage of health services and saved millions of lives. I urge my colleagues to vote in favor of S. 1545 and continue to support this critical program.

The SPEAKER pro tempore (Mr. WENSTRUP). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 1545.

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.

REPUBLICAN SOLUTIONS TO HEALTH CARE

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

Mr. MESSER. Mr. Speaker, I rise today for an important Special Order—this time, to focus on Republican solutions to our national health care crisis.

The President's health care law has hurt more people than it has helped. Taxes are going up, premiums are rising to unaffordable levels, workers' hours are being cut, and people are losing the plans they like. After more than $500 million spent, the Web site doesn't even work. The truth is that, despite all these problems, the American people needed genuine health care reform before President Obama signed his signature law—and we still do.

The American people deserve an alternative to the failures of the President's health care law, and we have one: The Affordable Health Care Reform Act. This important bill replaces the President's health care law with patient-centered reforms that genuinely lower costs while keeping you in charge of your health care.

I have a few colleagues with me here today to join in this conversation. I certainly would like to start by yielding to Congressman BARTON.

Thank you for your leadership on this important issue.

Mr. BARTON. Thank you. I want to recognize your leadership on the Republican Study Committee and the Health Task Force on preparing the legislation that you just referred to.

I am the past chairman of the Energy and Commerce Committee, the past ranking member of that committee; and when the Affordable Care Act came through the Congress, I was the senior Republican on the committee of jurisdiction.

□ 1715

I don't want to tell you and the American people that I told you so, but I told you so. We knew that this wasn't going to work.

For example, we had a hearing today about the Affordable Care Act in the Energy and Commerce Subcommittee on Oversight and Investigations. It was focusing on the security of the Web site and on all of the problems and when the administration knew about those problems and what they did or didn't do. In the course of that hearing, Congressman CORY GARDNER of Colorado was asking the senior civil servant, Mr. Chao from CMS, some questions.

The gentleman from CMS just kind of, off the cuff, said, You know that 60 to 70 percent of the programs haven't been developed yet.

Congressman GARDNER followed up and said, What are you talking about?

He said, All we are working on right now is the Web site to get people registered. We haven't completed that portion of the program about billing, that portion about accounting for treatment, how we interact with the hospitals and the patients and the doctors. Basically, 60 to 70 percent of the system has not been programmed yet.

Mr. MESSER. Unbelievable.

Mr. BARTON. Can you imagine that, if we are having the horrendous problems we are having on just getting people interacted with making choices of which kind of coverage they are going to choose, the problems you are going to have when you actually begin to have to use the system for real health care in January?

So I and, I think, you and the other members of the Republican Study Committee task force on health, who helped prepare the legislation that you are talking about, are going to begin to push to delay the Affordable Care Act.

I have a bill, H.R. 3348, that makes it voluntary the first year in that we are not going to impose the individual mandate on people. The President has already delayed the employer mandate for a year. My bill, H.R. 3348, would delay the individual mandate so that, as we work through all of the problems, people can choose to participate or can choose not to participate.

I think it is becoming more apparent every day that the Affordable Care Act is like that shiny automobile that you see when you go into the showroom or go to the car lot. You see it, and the salesman says, Man, this thing is great. It gets 30 miles a gallon. It doesn't use much oil. Everything is power steering, and it has air-conditioning and a great stereo system. So you put down your down payment, and you take it out on the road. Son of a gun. The thing doesn't go above 50. It burns oil like it is going out of style. The air-conditioning doesn't work. The stereo system barely works. It is just a lemon.

The Affordable Care Act is a lemon, and the American people and the Democrats on the other side of the aisle who voted for it are having buyer's remorse.

So what we need to do is to delay it or to repeal it or to at least make it voluntary. Then let's look at some of these alternatives like the legislation that we put into play in which we give people real choices. It is a patient-centered, client-centered system. We allow insurance to be sold across State lines. We beef up affordable savings accounts, Health Savings Accounts. We do cover preexisting conditions, which I know you will talk about later on, but we do

it with a high-risk pool on a State-by-State basis.

The Democrats have told us time after time in the general debate that you Republicans are against the Affordable Care Act, but you don't have an alternative.

We have an alternative, and I think it is a good alternative. I am a sponsor of the legislation, and I am here to support you in this Special Order. As we go through and outline what is in it, I think the American people and the other Members of the House who are watching these proceedings—more and more of them—will say, We don't like that lemon that we have. Maybe we ought to go back, and maybe we ought to start over. Maybe some of these ideas in the alternative we should take a serious look at.

So I commend you for your work on the legislation, and I also commend you for leading this Special Order this evening.

Mr. MESSER. Thank you. Once again, I appreciate the gentleman's leadership. I appreciate your longstanding leadership on this important issue and your longtime leadership in Texas as well.

As you have said, nobody wants to say, ''I told you so,'' but, unfortunately, what has unfolded in the most recent weeks and months is exactly what was predicted by folks on your committee and elsewhere because you could see from the beginning that the bill was fundamentally flawed and just didn't work.

I want to cite to this Chamber the number 701. According to the Department of Health and Human Services, that is the number of Hoosiers who have successfully signed up for health insurance on the Affordable Care Act exchanges. Indiana isn't alone. States across the country are experiencing dismal enrollment numbers. What is worse is that millions of Americans, including 108,000 Hoosiers, are getting policy cancelation notices from their health insurance companies. These notices are coming at a faster rate than people are able to sign up for the health care plans under the President's health care bill.

The President called a press conference once again last week to announce to the American people that, if you like your health care plan, you can keep it. The problem is, no matter how many times the President makes that promise, the promise still isn't true. Saying the promise over and over again doesn't magically make it true.

One of my constituents, Michael Sturgis of Greensburg, called to let me know that he received a cancelation letter from his insurance company. He was told his monthly premium was going to increase from $397 a month to $831 a month—an almost $500 increase per month. His $5,000 deductible will now go up to $7,300. So he is spending more money for a plan that gives him less.

This is unacceptable, and it is certainly not affordable. That is why we need to pass the American Health Care Reform Act. It is so people like Michael and the millions of Americans like him all across this country can remain in charge of their own health care.

Now I would like to yield to a colleague of mine, another person who has shown great leadership on this important issue and who is a close personal friend of mine as well, the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. I thank the gentleman. I thank, more importantly, his heart on representing the people of the great State of Indiana and on the fact that he is concerned on a daily basis. We have had conversations a number of times on not only how this health care law is affecting families but, truly, on how we must find a way to work together in a bipartisan way to stop the harmful effects on those men and women whom we call neighbors, friends, and constituents. So I thank the gentleman for yielding.

Americans across the country are already feeling the impacts of ObamaCare, and many of them are fearful of what lies ahead. I know, in my State alone, we have had over 473,000 people who have lost their health care coverage due to cancelations because of ObamaCare. They keep asking, What is coming next? What is the next thing? Whether it is a Web site that doesn't work, whether it is the cancelation of policies, whether it is security concerns over the Web site that are existing, they are all concerned.

I held a town hall meeting last night, and 85 percent of the callers' questions were related to ObamaCare. I don't think we have ever seen it so overwhelmingly lopsided in terms of one issue. Yet it was all about families, and for me, it was the families of western North Carolina.

I had veterans asking me, Does this mean that I am going to lose my health care coverage? Is TRICARE going to be sucked into ObamaCare? Even though we have had promises to the contrary, we know that there is a real move afoot to minimize and to bring it down. So our commitment to our veterans is one that has to stay strong, and we have to be committed to that. I know that you agree with me on that particular issue.

There was a wife who was worried about how she and her husband were going to be able to afford the premiums because their premiums had tripled. They said, We just don't know how we are going to be able to afford it. Then I had a business owner who employs, he said, between 26 and 28 people. He said, I am not sure how we are going to be able to continue to provide health care coverage as premiums escalate. It is all about trying to make sure that I keep them gainfully employed, and now I am having to try to figure out how we pay for these premiums that have increased.

These are real people. This is not politics. They have faces and names, and we have got to address it.

People across the country have become gravely concerned. A recent poll showed more than 58 percent of the people believe that ObamaCare is not ready for prime time. In spite of this overwhelming stress over ObamaCare, the one question I continue to hear is: What is your solution?

Many of the Democrats have claimed that Republicans only want to repeal the law rather than to try to fix it, but I can tell you that that is not the case because, even in this Congress, Republicans have offered over 102 bills to fix some of the problems with the Affordable Care Act while the Democrats have only offered 17 solutions.

Now, last week, we passed one of those solutions, the Keep Your Health Plan Act, to make sure that if you like your health care plan that you can keep it, but much more needs to be done. The American Health Care Reform Act, which you were talking about, now has over 102 cosponsors. It is a comprehensive solution that was put forth by House Republicans to address the serious problems that we have in our Nation's health care system.

It is a multifaceted piece of legislation that provides an array of reforms and lower costs, which is something that the current bill really doesn't do. We talk about affordable care, but it hasn't really been lowering the costs. This is one that keeps it patient-centered and makes sure that health care is a decision between the doctor and the patient, not between the government and the patient. It provides those tax reforms for families and companies, and it levels the playing field in providing for health care for all Americans. It fully repeals the President's health care law. It eliminates billions in taxes and thousands of pages of unworkable regulations and mandates that we have already seen, and we are only now starting to find out what the implications are. It spurs competition to lower health care costs as we know that competition will do that. Yet it allows for the purchase of health insurance across State lines, enabling small businesses to kind of pool together in order to lower those health care costs, but it is really about reforming what we are seeing.

It reforms medical malpractice laws in a commonsense way that limits trial lawyers' fees, but yet, at the same time, it does not diminish the protection for our patients if something were to go wrong. It expands Health Savings Accounts so that they can use pretax dollars to provide for their health care expenses.

Ultimately, it is a safeguard. It safeguards us against those preexisting conditions. I know you have heard from your constituents, as I have from mine, that one of the good things about the Affordable Care Act is it makes sure those preexisting conditions are

covered. This does the same thing. It makes sure that they are protected. Yet, at the same time, it makes sure that those high-risk pools are extended and guaranteed that availability—a protection that many Americans depend on and need.

I just want to thank you for your leadership on this particular issue. I believe it is time we worked together in a bipartisan way to fix this problem piece of legislation. We have put forth a proposal, and I urge my colleagues across the aisle to join us. I thank you for your leadership in highlighting this this evening.

Mr. MESSER. Thank you. I certainly appreciate the gentleman and his leadership. I am sure you have been asked by many, both privately and publicly, the same thing that I have been asked, which is: Aren't you just really rooting for ObamaCare to fail?

□ 1730

The comment I make every time I am asked that question is, no, I am rooting for the millions of Americans who are now being harmed by this bill. All the moms and dads that are worried about whether they are going to have insurance that had it before. The people who were promised things, that they would suddenly magically have insurance, and now they are not getting it.

In the areas across the country where there were promises that rates would go down and now rates are going up, those folks now are caught at this point. I do think we have a responsibility. You and I both know, anybody that has been following here, we were opposed to ObamaCare and led efforts, along with many others, to try to make sure that we didn't have it.

We also have always recognized that the status quo wasn't acceptable in health care either. That while we had a lot of great things in our system—certainly some of the best health care treatment in the world—we had a program that was unaffordable and rates were going up.

We have free enterprise-based, patient center-based solutions that can make a difference.

I appreciate your leadership and highlighting this.

Mr. MEADOWS. You are absolutely right. I know that I have got physicians in North Carolina that are looking at retiring because of dealing with the bureaucracy of this new law. We have got hospitals who thought it was going to be a great advantage to them in covering those costs that are now looking and saying, well, the implementation of it is really—what we were promised and what we are getting may not be exactly the same.

We need to make sure that we right this ship, that we do what is right.

I am honored to be able to cosponsor this legislation with you and look forward to your leadership, and I thank you.

Mr. MESSER. Thank you very much.

For months, the President has unilaterally enacted modifications, repeals, and delays to his own law, yet none of those so-called ''fixes'' have fixed this flawed law. Health care costs have continued to skyrocket. This is a huge burden on employers, individuals, and families.

The American Health Care Reform Act will drive down the cost of health care through increased competition, individuals will be able to purchase health insurance across State lines and, as my colleague highlighted, businesses can pool together to get the same buying power as large corporations.

Under the American Health Care Reform Act, families will have the flexibility to pick the coverage that best fits their needs. When people are in charge of their own health care, they become better consumers, which will encourage competition in the health care market. Real savings will only happen when people, not Washington bureaucrats, are in charge of their own health care.

Next up, I would like to highlight a real leader on this important issue of providing an alternative to the failed programs of the President's health care law, my friend and colleague from Louisiana, the chairman of the Republican Study Committee, Mr. SCALISE. Great to have you here.

Mr. SCALISE. I want to thank my friend and colleague, Mr. MESSER from Indiana, for yielding and for your leadership in talking about this here on the House floor.

I think a lot of us over the last few years that this law has been on the books, while we have been pointing out all of the many problems that it is creating for families, we predicted, unfortunately, we saw this coming. This ''train wreck,'' as it was called by the lead sponsor in the Senate who rammed the bill through, he called it a train wreck recently because he finally acknowledged how devastating this would be. Of course, the President, we all remember that promise that was repeated time and time again: If you like what you have, you can keep it. Something we all embrace.

Of course, I knew, you knew, so many of us knew, I think even the President knew, unfortunately, when he was making that promise time and time again for the last 3 years, that that promise could not be kept under the President's health care law; just with all the mandates, all the unworkable taxes and mandates and these government bureaucrats that come between patients and doctors and get in the middle of health care, and IRS agents coming with the hammer to enforce this law.

We all knew. We saw that there would be no way people would be able to keep the health care that they liked. While we repeated it many times, it wasn't real until recently when millions—millions—of families started getting cancelation notices, losing the good health care that they have today and enjoy.

I have gotten letters from so many of my constituents. We reached out through social media with Facebook and Twitter and Share with Steve and asked for their stories. I remember Shaun from Covington who said, I am losing the good health care I have.

I posed the question to Secretary Sebelius at a hearing. I said, here is a guy in my district, we are hearing this over and over again, he is losing his health care, what do you tell him? She said, well, just go in the marketplace. Of course this is the Web site that doesn't work that spent over $500 million of taxpayer money. Not one person has been held accountable, by the way, for that failure.

As we point out all these failures, we also said there is a better way. We as conservatives stepped forward and said, we ought to put down on paper the things we stand for: market-driven, consumer-patient oriented health care reforms that actually lower costs, that will actually increase access. We put it together in a bill called the American Health Care Reform Act, H.R. 3121, a bill anybody can go look up and read. In fact, a bill that is less than 200 pages long with all the great reforms in it. Of course, comparing and contrasting that to the President's health care law with over 2,700 pages, all these unworkable mandates.

What the bill does is just basic commonsense reforms that should have been done years ago. We, of course, as you mentioned, allow people to buy across State lines. People in America, probably some of the best consumers in the world, with the Internet with so many options, people go online every day and find good products for their family. They don't care where that product is from. If it is good for their family, they are going to buy it.

With health care you really can't do that. You don't really have that opportunity. The health care law has taken those options away from families. So we say, let's empower people again, let's put patients back in charge of their health care decisions.

I am from Louisiana. If I find a better deal for my family in the State of Maryland, I can go buy that plan. I should be able to buy that plan. Right now I really can't. Yet you do that with car insurance and so many other products. You are able to buy across State lines, and it gives you opportunities.

We do so many other things to make sure people with preexisting conditions can't be discriminated against, allowing small businesses to pull together.

Again, this is a bill that has been put together by conservatives in the House. In fact, a number of medical doctors, actual medical doctors, people with real world experience in health care, helped draft this bill and, ultimately, we brought it forward and we have over 100 cosponsors.

So I think the momentum is building as the President's law just continues to

collapse and, frankly, the President's credibility collapses with it. People I think are looking for that better way, and we have it with the American Health Care Reform Act.

Again, I thank the gentleman from Indiana for his leadership, and I yield back.

Mr. MESSER. I certainly appreciate the gentleman from Louisiana and his leadership. I know you were quoted over the weekend on FOX News by George Will describing the tragic circumstances that most Americans see themselves in, those that have lost their health care plan. I would like you to expand on that just a little bit, if you don't mind.

Mr. SCALISE. Sure. One of the things we have heard so much from this administration about health care as they have referred to people's plans, good plans, they refer to many of them as ''lousy'' plans. I have been in hearings where we have had Obama administration officials, in fact the President himself goes around chastising people and saying, you might be losing your plan, but it probably wasn't that good of a plan anyway.

Who is it for some Washington politician to tell somebody, and in Covington, Louisiana, as a constituent of mine, Shaun, said, who is it for the President to say that Shaun's plan was lousy when Shaun liked his plan? The President's promise was not, ''If Barack Obama likes what you have, you can keep it.'' The promise was, ''If you like what you have, you can keep it.'' No Washington politician or bureaucrat or IRS agent should be able to take that away from you.

Yet, as that was happening and they are berating people saying, your plan wasn't that good, it was a lousy plan, I said it is kind of like a guy who burns down your house and then he shows up with an empty bucket of water and then he sits there and gives you a lecture on how bad and lousy your house was before the fire. All you want is your house back. You didn't want somebody to burn it down in the first place.

People just want their good health care. They sure don't want to be lectured by some bureaucrat or politician in Washington saying, hey, your plan really wasn't that good because I don't think it was that good; when, in fact, the person back home is saying, I thought it was good, it was good for my family, my doctor can go see my kids, and I want to continue that relationship with my doctor, and they are about to lose it. They are losing it with these Washington politicians who helped ram this bill through.

That is why I think, as the President's health care law collapses on all the weight of these unworkable mandates and taxes, we need to put up an alternative, and we have an alternative called a better way—the American Health Care Reform Act.

We want to help bail those people out with a real bucket of water and a real relief sign that there is something that we are doing, not only to point out how bad the law is—they are seeing it play out every day—but also how we can actually fix the problems that are becoming even worse because of this law.

Mr. MESSER. Again, I thank the gentleman. Thank you for your leadership.

As we have talked about before, the American people needed health care reform before the disaster of ObamaCare rolled out. Obviously, we need it now more than ever given the failings of recent days. H.R. 3121, the American Health Care Reform Act, is an answer.

There are several principles upon which we should all be able to agree when it comes to genuine health care reform.

First, patients should not be denied health insurance because of preexisting conditions.

Second, any Federal policy changes must be designed to drive costs down, not up, as we have seen under the so-called Affordable Care Act.

Third, you should be able to keep your health care plan if you like it. I agree with former President Bill Clinton when he has said that, given that very clear promise that was made by President Obama on behalf of the Federal Government to the American people, we need to pass legislation—we have already passed a bill in the House—but we need to pass legislation that makes sure that promise is kept.

Fourth, we need commonsense medical liability reform that puts an end to the expensive system of defensive medicine that we have now.

Health care decisions should be left up to you and your doctor, not Washington bureaucrats.

The American Health Care Reform Act is centered on these five principles.

Frivolous lawsuits are driving up health care costs and forcing good doctors out of the medical field. The American Health Care Reform Act improves medical liability law. Frankly, Indiana has been a leader in this area because of leadership from former Governor ''Doc'' Bowen, a physician back in the 1960s. The Indiana medical malpractice reform approach would be a great Federal model, and its principles from that plan is a part of H.R. 3121, which we are talking about today.

We need improved medical liability law that allows doctors to continue practicing medicine without fear of excessive and unfair penalties.

I also would like to talk to you a little bit about the importance of medical savings accounts. Fellow Hoosier Pat Rooney is known as the ''father of health savings accounts'' from his work as the president and CEO of Golden Rule. They were established in 2003 while Pat Rooney was the chairman of the Golden Rule Insurance Company. Pat believed people should own their own health care.

Health savings accounts have proven to be a useful tool for individuals and families while navigating the health care system. Our plan, H.R. 3121, expands health savings accounts and enhances their performance by increasing the cap on contributions and expanding the allowable uses of health savings account funds. This gives people more control over how they spend their health care dollars and allows them to invest pretax dollars toward their future health care needs.

Mr. Speaker, no one doubts that real reform is needed, but there are two distinct visions for the future of health care in our Nation.

The President's plan expands the Federal Government's role in health care, raises taxes, and imposes unfair and unworkable mandates on the American people. Our plan, H.R. 3121, the American Health Care Reform Act, puts people in charge of their own health care. It encourages competition to lower costs and expand coverage.

American families, businesses, and individuals deserve real solutions to the very serious problems that exist in health care in America today. The American Health Care Reform Act provides a path to true reform.

Mr. Speaker, I yield back the balance of my time.

□ 1745

DEVASTATING TORNADO HITS ILLINOIS

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise today to talk about the devastating tornado that hit my region of Illinois this past Sunday.

The tornado, which has been classified as an EF–4, hit speeds of up to 190 miles per hour. The city of Pekin in my district was especially hard hit. More than 200 structures in this city of 35,000 people were damaged, and 75 homes were left uninhabitable. Many people lost not only their homes, but all their possessions.

To give just one personal story, Gary and Selena Cleer were in church on Sunday when the tornado hit. They took shelter with the rest of the congregation in the hallway. Finally, when they were able to drive safely back home, they didn't even recognize their house. Much of their roof was gone. Their garage had been torn away, and their battered car lay amid rubble.

Illinoisans are generous and compassionate people, as well as being resilient and hard working. I have no doubt we will recover from the storm, but this type of disaster could happen anywhere.

As we continue to debate the issues of the day, I call on all of us to keep in mind the people who have been hit hard by natural disasters. We owe it to them to be there for them in their time of need.

BUILDING INFRASTRUCTURE CREATES JOBS

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

Mr. GARAMENDI. Mr. Speaker, thank you very much for this opportunity. At least once a week we come before the House to talk about jobs, that little four-letter word that is so important on everybody's mind—can I get a job, will I have a job, what does it take to get a job in America. We still have far too high unemployment, and we still have a great need to ensure that our jobs produce the kinds of wages and opportunities that Americans really want. They want to be able to buy a home, have a car, raise their families, provide the necessities, and see their kids get a great education and opportunity.

We have a long way to go. We have come a long way, but we still have a long way to go. One of the critical ways that America can and must build jobs is build the infrastructure, to make sure that those foundations of the economy will grow, upon which cities will be built, those things that allow us to prosper, the critical investments. In this case, the physical investments are the issue that we are going to talk about today.

We have an opportunity. Beginning tomorrow, a conference committee will be formed here in the Capitol made up of Senators, Republican and Democrat, and Members of the House of Representatives, both Republican and Democrat, sitting down together. Oh, yeah, together, actually at the same table, tomorrow morning, 9:30, to beginning a conference committee on the Water Resources Reform and Development Act, otherwise known as WRRDA. If you are around here long enough, you know what that means, but I guess the rest of the world really needs to know it is the Water Resources Reform and Development Act.

And so 13 million jobs, 13 million jobs in America depend upon how well that conference committee does its work. The House of Representatives a few weeks back put out its version of the bill. The Senate did several months ago. Senator BARBARA BOXER from the State of California, my colleague, will be chairing that committee. We have work to do. We have the task of making sure that 13 million American jobs that depend upon the Water Resources Reform and Development Act will be secure. It is a big one.

So what is involved in the Water Resources Reform and Development Act? Well, how about this: 99 percent of America's international trade travels through our ports and waterways. That is a big number. I suppose there is some 1 percent that travels on airplanes, and those are probably very high-ticket, high-priced items. But if you are talking about the great, almost the entire, majority of America's work, that goes through our ports and waterways. This is what the Water Resources Reform and Development Act is all about. It is about our ports, the great ports of America. It is about the waterways of America. It is about the locks and the dams on the rivers.

Let me put this up for just a second. This is an interesting map. I don't know if many Americans have really considered the map of the United States and the waters of the United States. Obviously, the coastline, we don't have Alaska on this map, but it should be there also. The great coasts, the east coast, the gulf coast, the Pacific coast, and of course on and around Alaska. That is not all. Each of these rivers also is a waterway upon which commerce flows; and tomorrow, with the conference committee for the WRRDA bill, we will be discussing how to make these rivers more attuned to the environment and to commerce.

On the great Mississippi River, the Missouri, the Ohio, and the Illinois Rivers and all the way up into Wisconsin, an enormous amount of America's commerce flows along those rivers. And joining me in just a moment will be Representative BILL ENYART from the State of Illinois, and he will be talking about some of these issues as they relate to that part of the world. But this great river system in the central part of America is a major highway. There are interstate roads, to be sure, and there are local and county roads, but most of them feed into this great system that moves up and down the Mississippi River. The Water Resources Reform and Development Act is all about that. It is all about that commerce on that great river and about whether the locks and the levees that are on that river are adequate to meet the needs of commerce and the needs of public protection.

For those of us on the west coast and the east coast and even into the gulf, it is about the ports. It is about the ports of America and whether those ports are adequate for the commerce that we need to have. So when you happen to go by a port and you see one of these tied up at the dock, you can think about the American economy and about 99 percent of the international trade that goes in and out of our ports. It is a big deal. It is a very, very big deal, and most of America's ports are antiquated. The shoals, that is the mud and sand at the bottom of the ports, have been accreted, that is, built up over the last several years; and it needs constant dredging. And so part of what we will be dealing with at the WRRDA conference committee is the dredging of the ports and quite possibly the shore side, what is going on there.

These are subjects that we will come to in the next few minutes as we talk more about how we can build jobs in America and simultaneously build the American economy by building the great infrastructure.

One more issue I want to put up here before I call on Mr. ENYART is this one. You see all of these rivers here; they are critically important. They are critically important for commerce and trade and obviously water and agriculture and all the rest. But sometimes—virtually every year—they are also a major problem for America.

This happens to be a picture of a levee break on the Sacramento River system. I happen to represent 200 miles of the Sacramento River. This break is all too common across America; and so the Water Resources Reform and Development Act, which will be up tomorrow in the conference committee—it is not going to be finished but at least it will make some progress toward completion—will deal with the levees.

The Army Corps of Engineers is the responsible Federal agency for the maintenance of the rivers, for the waters of America, whether they are in the rivers or along the shore. They are responsible for the ports, that is, for the maintenance of the ports, not the ports themselves. And in my district, the Army Corps of Engineers plays a major role in public safety because it is their responsibility to make sure that these levees are adequate to the challenge of a flood. When those levees are not adequate, great damage is done across America. It is approximately $22.3 billion of annual unspent American treasure that is still in the pockets of America and the governments of America when these levees work. When they fail, it is a huge expense—floods, flood damage, and the like.

I would like now to call on the gentleman from Illinois (Mr. ENYART) to share with us his view of the necessity for the Water Resources Reform and Development Act and the way it protects and helps his district.

Mr. ENYART. I thank the gentleman from California for this time to speak about the importance of the Water Resources Reform and Development Act.

Mr. GARAMENDI was talking about the coast, the east coast and the west coast and the great coastlines of our Nation. I always like to tell folks out here that I represent the west coast of Illinois. I always get a strange look when I say that, and sometimes a chuckle. But I represent the westernmost counties of Illinois, the river counties, reaching from Alton, Illinois, just north of St. Louis, all the way to Cairo, the very southern tip of Illinois. That piece of Illinois encompasses the great maritime highway that is the economic backbone of our inland agriculture industry, indeed, all of our inland industries.

Just north of my district, the Illinois River, which transits from the Mississippi up to the Great Lakes, flows into the Mississippi. Directly across from my district, the Missouri River feeds into the Mississippi; and then as you go downstream, the Mississippi and the Ohio converge at the very southern tip at Cairo, Illinois.

So we understand in southern Illinois the importance of these river systems. We understand the importance of port

authorities. Port authorities aren't just limited to Los Angeles and New York and the east coast and the west coast or the gulf coast, but they are very important to our inland maritime industry also.

Back when I served as the adjunct general or the commanding general of the Illinois National Guard, I had the unfortunate problem of dealing with floods on the Mississippi and on the Ohio. Back when I was a young officer, we had the terrible flood of 1993. We had the flood of 2008 and then the flood of 2011. And then just last winter, we had the terrible drought that wound up dropping the river levels in the Mississippi so low that it nearly stopped navigation on the river. So we need to work on this infrastructure for the three reasons that I ran for Congress. When I ran for Congress, I said I ran for jobs, jobs, and jobs. And that is what this is about.

When the rivers started drying up and when that drought hit and those barges couldn't transit the Mississippi and were having to go up and down the Mississippi with significantly lighter loads, it did several things to impact our economy. First, the barges couldn't transport nearly as much corn or as much soybeans; and at one point, the world's corn supply was down to less than 30 days, 30 days for the entire world. The world needed that corn from Illinois and from Iowa, the Dakotas and Missouri. That corn gets shipped on the Mississippi River and the Missouri River. When that river was drying up, that corn didn't flow.

□ 1800

Coming upstream is the oil that goes into the refineries at Wood River, Illinois, the steel that gets processed at the steel mills in Alton, Illinois, and Granite City, Illinois, and the fertilizer that goes on the fields throughout southern and central Illinois.

There are several provisions in this bill that have passed through the Senate that we think need to be added to the House bill that would help those navigation requirements on the Mississippi River.

Additionally, we have provisions in the bill that, as Mr. GARAMENDI talked about, would improve the levee system. The levee system is critical not only throughout my district, but, indeed, up and down the rivers because of the problems with flood insurance. I have families who have lived for generations in homes located near the Mississippi River and other contributory rivers who, because of the potential rise in flood insurance rates, will be unable to afford to pay the insurance and unable to sell their homes, to relocate as necessary. We need to improve those levees.

By the way, while we are improving those levees, what are we doing? We are putting people to work.

This bill is supported by multiple groups throughout our Nation. It is truly a bipartisan bill. It passed the House 417–3 and the Senate by a vote of 84–14. You can't get much more bipartisan than that.

Let's look at the supporters of this bill. Labor supports the bill because they understand the importance of these jobs, and they understand the importance of maritime industry along that river. The Chamber of Commerce supports this bill. The National Association of Manufacturers, the American Farm Bureau, the Illinois Farm Bureau all support this bill because it is important to all of those industries and to all of those jobs. It is not just the local economy of southern Illinois. It is the regional economy, the national economy, and, indeed, even the world economy.

Remember when I was talking about when the world's corn supply was down to less than 30 days. If we can't ship corn from Illinois and Iowa and the Midwest and out to the world, we will have a very serious food problem.

The bill provides provisions for the Corps of Engineers to maintain navigation on the river, to improve the navigation aids that were virtually useless during the drought. Some of those navigation aids are simply lines painted on bridges. Those are navigation aids that date back to the 19th century, back to Mark Twain. Today I think we can do a little bit better than painting lines on bridge abutments to provide navigation aids for our maritime industry.

Additionally, the Corps, at this point, is restricted to working in the 300-foot congressionally mandated channels. So 300 feet going down the river the barges transit through is the only place the Corps is allowed to work. This bill would give the Corps more authorities to work outside that channel to ensure that we have safe navigation for those barges filled with oil and with fertilizer and other industrial materials.

The bill would also provide for a Greater Mississippi River Basin extreme weather management study. Today, we don't understand how the river system operates, and we don't treat it as a system. When you look at that map that Mr. GARAMENDI showed you of the river system, you see an entire system. You see the Mississippi, the Ohio, the Missouri, the Illinois. Those aren't separate entities. But today, in the law, we treat them as separate entities. The Missouri River is governed under completely different legislation than the Mississippi River is. And the Corps of Engineers, even if everybody agreed, couldn't release water from those Missouri River dams down into the Mississippi River to help the navigation because they didn't have the authorities to do so. That doesn't make a whole lot of sense, and I think we need a commonsense solution to that: we treat the entire system as it is, indeed, a system.

Another issue that we need to consider is the locks and dams. Many of those locks and dams are 70 years old. They are in need of maintenance. They are in need of improvement. Those locks and dams, many of them are only 600 feet, and for efficiencies they need to be 1,200 feet in order to get the barge tows through. That will do several things. It will help the economy by lessening shipping costs, by making the cost of transportation for that corn, for that fertilizer, for that oil that gets refined into gasoline, dropping those transportation costs, making it less expensive to process and to buy.

It would also be good for the environment, because by using bigger tows, you are burning less fuel to ship the same amount of goods. Shipping by barge in the inland waterways is by far the most fuel efficient method of transportation compared to either rail or trucking.

Clearly, for all of those reasons, we need to get this bill passed. We need it for my three issues: jobs, job, and jobs, for southern Illinois, for the region, for the Nation.

Mr. GARAMENDI. Thank you very much. Sometimes I want to call you Congressman, and sometimes I want to call you General. Always we are going to say that you really know the Mississippi. You served there in the National Guard, providing the protection to the people, and to have a very good sense of what is necessary in that part of Illinois and beyond.

As you were talking about the issues of moving goods and services up and down the great Mississippi River system—Ohio, Missouri, and the other rivers—there is about $1.4 trillion of goods that move down that river into the other ports across America and is shipped out across the entire world. That is 30 million jobs. You were talking about that.

You also raised a point that is very important, and that is that it is not just the ongoing jobs of the tugboats and the barges, the granaries and all of that, but it is also the job of building the infrastructure itself. The men and women that are going to get out there and put together the new docks, the new levee systems—all of those things require manpower. And we know that there is an enormous benefit. Every dollar that is invested in infrastructure returns well over $3 back into the economy immediately, to say nothing of the long-term benefit that comes of having that new lock system in place, more efficient, longer locks so, as you said, more of those barges than just one towline can work their way through the lock and not have to be broken up into smaller towlines.

So there are a lot of issues in this piece of legislation. It is going to be an extremely important moment in moving the economy forward. This is the first time in 6 years. It has been 6 years since the Congress and the Senate got together to do a water resource reform and development program. Why? I guess we just couldn't quite figure it out, but we have to do it this time.

There is a need for very serious reform in this system. We know that many of the projects that are undertaken, that the Corps of Engineers is working on, are forever trying to get in line and get in place.

We know that many projects simply are derelict; they never should be built. So the bill removes $12 billion of derelict projects that should never be built and replaces them with new projects that are critically important. Some of those are the locks along the Mississippi and the Ohio system and some of the other dams that are out there.

For me in California, we know that these projects are critically important. The city of Sacramento, Mr. ENYART, is one of the most flood-risk cities—in fact, it is No. 2 in flood risk; probably No. 1, now that New Orleans has had an opportunity to have its flood walls rebuilt following the devastation of Katrina. Now it is Sacramento. It is a huge population in a very risky area, a population that I represent part of and share with Congresswoman MATSUI, the city of Sacramento.

It is a little different than New Orleans. When Katrina came through, it was flooded, to be sure, and terribly damaged. Many lives were lost. But the water was warm. In Sacramento, if the levees were to break on the American River or the Sacramento River system and flood that system, we are talking about very cold water, water that people would not survive in for more than a few minutes because of the temperature and hypothermia. So we really need to build those levees.

As I go into this task of being on the conference committee where I will serve as one of the representatives of the House of Representatives, I will be looking at those kinds of projects that are really about human life, the safety of my constituents and the safety of constituents all around this Nation where these levees need to be built to a high standard. Many of them need to be repaired in my district, the delta of California. Many of the levees are over 100 years old and were never built to standards that would be applicable today.

So we have work to do. We have levees to build. We have ports to build. We have channels to dredge. We have jobs that will be created when we pass this bill and adequately fund it.

One other thing that is possible here is not only will we create jobs directly in building the ports, dredging the rivers and channels, building the levees and repairing them—those are direct jobs. Not only will we do that. We will also have the long-term foundation, the investment necessary for future economic growth. We will also, if we do one more thing—and I hope to get this into the legislation. That is to make sure that there is a strong buy America provision.

This is going to be American taxpayer money that is going to be used for the steel in the locks, for the cement, for the pilings in the piers and probably the dredges that will be used for the channel. This is all American taxpayer money that will be used to buy and maintain that equipment. If it is American taxpayer money, then, by golly, you ought to be buying American goods. So buy American. Use our taxpayer money to build the rest of the manufacturing sector of America. Build our steel industry by buying American steel for the locks and for the piers and for the cement and for the other work that needs to be done. Make it in America. It is very simple. Use American taxpayer money to make it in America and to buy American goods.

So I am going to be working very diligently on that conference committee to make sure that this buy America provision is strongly embedded in the legislation. I know that if we are able to do that, we will not only improve our levees, dredge the channels, build the ports, but we will also have the opportunity to make American jobs in the manufacturing sector.

Mr. ENYART, you may have some additional thoughts that you would like to bring to our attention. If so, please have at it.

Mr. ENYART. Thank you, Mr. GARAMENDI. Actually, I do.

I would like to point out that the Democratic motion to instruct conferees—as you pointed out, you serve on that conference committee—passed on November 14 with bipartisan support. That motion encouraged the conferees to reauthorize an effective dam security program.

The goal here is to reduce risks to people, to life and property from dam failure. With the age of some of these dams and the aging infrastructure in place, the potential loss of life and limb and property is astronomical. By putting money into maintenance now, we are saving not only lives and property, but saving money downstream because we know that sooner or later, with the age of that infrastructure, that it is going to fail. That is one of the important things that the Democratic motion to instruct conferees did.

Additionally, Mr. GARAMENDI, I signed the bipartisan letter to the House leadership of both parties requesting a speedy conference report. We need to move this conference report. As you pointed out earlier, Mr. GARAMENDI, this has been waiting for 6 years. We can't afford to wait another 6 years. So we need a speedy conference report between the Senate and between the House so that we can merge that legislation, add the items that we believe are on the House bill that need to be part of that Senate bill and vice versa so that we can begin bringing these jobs back to America and bringing the use of these American products to our districts.

That letter emphasized the importance of WRRDA, not only to the district, but also the difficulties which it imposes on business and on labor and on the trades if this bill is not moved in a prompt manner.

One of the other important aspects of the bill for my particular district—you were talking about the Sacramento River. But one of the particular parts of bill that we want to see added that has passed the Senate establishes the Metro East Flood Risk Management Program. What we are talking about there is the urban industrial area in southwestern Illinois across from St. Louis, running all the way from Alton, down through east St. Louis, south to Columbia, Illinois.

□ 1815

It encompasses three counties, with a population of about 600,000 folks. So it is very significant. It includes oil refineries, steel mills, chemical plants, residential areas, and many of the bridges, both rail and passenger car, that transit the Mississippi there. So it is critical that we get this taken care of.

Mr. GARAMENDI. Well, we also, Mr. ENYART, in California we have those same issues. Let me swap places with you. I want to put up one of the maps here of California.

Mr. ENYART, you were talking about the central part of America. You certainly can see it here, as you were discussing the Mississippi River system and your area, up here in the Illinois area.

In California, we think we are a real big State and we have got a lot of people, and this legislation is extremely important for California. I am going to just point out some of the—San Francisco Bay, one of the great maritime bays in the world. We would argue there is none more beautiful nor more important than the San Francisco Bay.

In and out of this Bay flows a vast amount of commerce to the Port of Oakland, and also up to the rivers, into the central part of California, through the delta on the Sacramento and the San Joaquin River, where trade now goes, international trade, to the Port of Sacramento and the Port of Stockton.

Very, very important because, like Illinois and the great Midwest, we have a vast agricultural economy here in the central valley of California, and a lot of that, particularly rice from my district, goes out of the Port of Stockton and Sacramento.

Both of those ports now have channels that are of insufficient depth to bring in the large ships, and so it becomes much more expensive. The issue you raised, Mr. ENYART, about the cost of shipping, if you have small ships that can't carry a full cargo because of the depth of channel, it gets more expensive.

So in this area, channel maintenance at the Port of Oakland, channel maintenance for the Ports of Sacramento and the like and, of course, up along the Contra Costa County area, where the refineries and the oil tankers come and go.

As you move further south, we have got the ports, mostly fishing down here along the coast and, of course, Monterey, which is famous, Pebble Beach and the Monterey Bay area.

Then you get down to Los Angeles, and the two great, great harbors of America, side by side, together form the largest harbor system in this Nation, and you can argue whether it is the largest in the world, but it is surely big, the Port of Los Angeles, represented by Congresswoman HAHN, and the Port of Long Beach, side by side there in the Los Angeles area, Long Beach represented by Mr. LOWENTHAL.

Those ports are really one of the major engines of international trade and economic growth, and of course, from those ports, those great cargos move in and out, all across America on the railways and highways. So we have that.

Then of course you can get down here to San Diego, some other harbors along the way in Orange County, and then the harbor of San Diego, which is extremely important for the military. Any time you happen to get to San Diego, you will see the aircraft carriers there from the U.S. Navy and other critical equipment and ships of the U.S. Navy. All of that is important.

Here in my district—I am going to put up another map, and this is where I really get involved. This is a map of, obviously, San Francisco Bay here, with the harbor of San Francisco, the Port of San Francisco, the Port of Oakland, Alameda in here and up along the Contra Costa coast.

As you get into the delta, this is the largest inland delta, or the largest delta on the west coast of the Western Hemisphere, and one of the great inland deltas of the world. There are more than 1,000 miles of waterways here in this delta area.

I represent about half of that area, the Sacramento River going up here and the San Joaquin River coming here, and then down into the great San Joaquin Valley. These areas are all protected by levees, and so the rivers are confined within those levees, and many of those levees, as I said a while ago, are more than 100 years old, and they need protection.

The water system of California, water flowing from the north, across these, through these waterways that are channeled by the levees to the great pumps down here, delivering water to southern California and the San Joaquin Valley, depends upon these levees.

This is part of the WRRDA bill, and so these levees and protecting the water system of California and the great agricultural enterprises of the delta are critically important, and the Water Resource Reform and Development Act provides money for the maintenance and the continuing studies of these levees, as well as for many of the critical environmental habitats in the area.

As you move up the Sacramento River, you will come to the great metropolis of Sacramento, which I talked about, and here, the American River coming in with the Sacramento River. Right in this area is, arguably, the highest flood danger area in America, and there is a project right here in the Natomas area that is absolutely crucial, crucial to life and limb.

Then as you move on up in the rest of my district, going up 200 miles from here to here, you have Yuba City and Marysville, again, communities that have flooded in the past, with the loss of life, and those too are dependent upon the success of the WRRDA bill.

Now, what we are going to do tomorrow, and in the days ahead as we move through this conference committee—and my task, is to get the policy set. But the other side of it is the money. Where's the money coming from?

Well, the austerity budgets that have been such the prize of our Republican colleagues really have stripped money away from the projects that we have been talking about, stripped money away from the maintenance of the ports, the dredging of the channels, and the protection and enhancement of the levees. That money has been stripped away.

So, with the first sequestration that took place about 8 months ago, $250 million of money that the Corps of Engineers would have for the ports, for the channels, and for the levees, disappeared. That was Sequestration 1.

On January 15, Sequestration 2 hits, with another $90 billion hit, and we are not sure exactly how much the Corps of Engineers will lose, but they are going to lose a vast amount of money.

So all of the talk, all of the energy that we are putting into writing the appropriate policies to reform, to improve, to put programs in place for the American economy, aren't going to happen. Well, many of them are not going to happen because of the austerity budgets and the two sequestrations.

This is a critical problem, a critical problem, and I would reach out to my colleagues, both Democrat and Republican, and say, but there is money. There is money available, but we are not spending it in the right place.

In the budget bill that passed the House of Representatives a few months ago, there was an increase in the authorization well above what the President wanted to build and rebuild nuclear bombs, over $12 billion over the next decade, for just one life-extension program on a nuclear weapon, the B–61—$12 billion.

Now, it can be argued, and I would argue this, that that was an extraordinarily inappropriate place to spend money. We don't need that bomb for deterrence, I don't believe. The military may argue that we do, but then they can never get enough of these things.

My argument is, we need to spend the money where real danger exists, and that real danger exists on America's rivers when these levees are not up to standard. When the levees protecting New Orleans were not up to standard, people died, billions upon billions were lost.

When the levees in Sacramento are not up to standard, billions will be lost and people will die, and that is an immediate threat.

We have got plenty of other nuclear weapons for deterrence, but to spend $12 billion in a way that I believe would be better spent on things that protect real people in real-life situations—so we are making judgments here. First of all, we are making a judgment—well, I wouldn't say either you or I, Mr. ENYART, are making this judgment, but our colleagues, particularly on the Republican side, are making a judgment that they believe you can build the American economy with austerity; that is, to cut the Federal expenditures. I disagree.

There are critical investments that the Federal Government should and must make. This is not new. Often we hear the talk around here, the Founding Fathers.

Mr. ENYART, have you heard people talk about, well, the Founding Fathers would do thus and so? We hear it all the time.

The Founding Fathers, let's take Washington and Hamilton, shortly after he was inaugurated—

Oh, by the way, Washington refused to be inaugurated in a suit made in England. He was inaugurated in a suit made in America. There was only one tailor at the time that would do that, but he did it.

Then he told Hamilton, I want a policy to build the American manufacturing sector. Hamilton came back some days later, probably 2 or 3 months, with a program, not 2,000 pages, but probably a couple of hundred pages at the most, and he said: We need, in America, to do the following things: to build the American economy and the American manufacturing base.

He said, one, we need to build ports. We need to build canals, and we need to protect American industry by using American taxpayer dollars to buy American-made goods. He said, beware of trade policies.

Hamilton and Washington wanted trade policies that protected the American manufacturing sector and American agriculture.

Interestingly, in the next few days, or in the next few weeks, we are going to have the question of trade policy before us here in the House of Representatives, and it is likely to be the Trans-Pacific Trade Program.

What is it?

Well, they want to fast-track it, where not one person on this floor will be able to say, wait a minute; we ought to change this, or we ought to change that. So we ought to be paying attention to the Founding Fathers who said, watch trade policy. Protect American jobs.

So as we go through all of this, in my district, we are going to have to have the money, American taxpayer money, plus a lot of local taxpayer money to protect the citizens in my district and the ports.

About $1.8 billion is collected at the ports to rebuild, to dredge, and to maintain the ports. About half that money is siphoned off for other projects.

Beware of austerity budgets. No more sequestration. This Nation cannot afford that terrible policy of sequestration because it will rip the heart out of the critical investments that America has to make.

I have rambled on here for a little while and went off to some other things. Mr. ENYART, would you like to pick it up for a while?

Mr. ENYART. Thank you, Mr. GARAMENDI. I appreciate that.

You know, what we are really talking about here, Mr. GARAMENDI, it seems to me is, are we spending money, or are we investing in America?

I like to tell folks at home that when that roof starts getting old on your house, and you know those shingles need to be replaced, do you want to replace those shingles?

Do you want to put a new roof on that house before it starts to leak?

Yes, you want to do that because you are going to save the money then of the damage that is going to be caused when this roof does start to leak.

We are really talking about the same thing. We are talking about investing in America. We are talking about investing in our house, investing in our home, protecting that infrastructure, protecting that roof before it does begin to leak.

It is interesting you were talking about how money gets siphoned off, and this bill does change that. This bill would increase—you know, we have a special fund that is supposed to go to the maintenance of harbors and of ports, and this bill would increase the investments in improving our Nation's ports by increasing the percentage of the money that is collected each year through the Harbor Maintenance Trust Fund.

□ 1830

As you pointed out, it is unfortunate, but half of the money that is collected to maintain harbors gets siphoned off and spent on other things.

Now, I believe and you believe, we believe, and the folks who voted for this bill believe that we should spend that money for the purpose for which it is collected, and that is to maintain and improve our harbors and our ports.

Now, you know, some of the Democrats on the committee have said that the bill is a compromise. Some of the folks don't like the fewer environmental reviews. But, you know, we voted for it. We pushed it forward even though it was a compromise. And sometimes in this business, you have to give a little to get a little. And it is like I talk about at home. When you go buy that new pickup truck, the dealer wants one price, and you want another price, you have got to meet somewhere in the middle to get there.

Mr. GARAMENDI. But ''compromise'' is not a dirty word in my lexicon. Compromise is absolutely necessary. There are things in the bill that I would have written differently. In the conference committee, there are going to be differences between the House and the Senate in how we do.

You have mentioned some of the issues. The environmental issues, some of them are controversial. But there is a major part of this bill to speed these projects forward and to hold the Corps of Engineers responsible for getting things done. Part of it is they have got 3 years to do the initial study, and they have got $3 million to get that study done, and their feet are going to be held to that commitment to get these projects moving forward. So there is a lot of reform in here, in the bureaucracy of the way this system has worked. There is also a lot of reform in this on allowing the local partnerships.

All of these programs are partnerships. They are partners with the local governments, ports, as you described earlier, local levee districts, and the like. Those partnerships, under present law, have a very difficult time to start a program early, to get it going without the Corps' permission. So what we have, we call it ''crediting.'' And that allows these local governments, local ports to begin a project. Eventually, there is a whole new process in here for selecting which projects will be done.

By the way, we are not going to do earmarks. There are no earmarks in this legislation. No earmarks are allowed in the future. But there is a process to prioritize projects across the Nation, and ultimately, Congress is taking back some of its power to set the priorities for the Nation.

But that crediting that allows the local governments to get started, we are going to want to move that a little bit forward because in my district, because of the austerity budgets and the sequestration, many necessary projects are not allowed to move forward. But with a little tweaking of this language, which I will be working to get done, it will allow some of these projects to go forward. And the local share would then be counted if and when—if and when the Federal Government, the Corps of Engineers, actually decides to make that a national project.

So this is going to be very important. It is probably important in your area, for some of the levees in your area that are maintained now by the local levee districts and flood protection districts.

We spent a lot of time in the House and also in the Senate. We are going to have to work out some of the differences, some of the compromises. Not so much Democratic and Republican, but some regional differences and some differences about how the system should work, so we will work on that.

We have got about another 5, 7 minutes, so if you would like to wrap, and then I will wrap. And then I am going to do something that is not too common here. I am going to take this ball of some of this international trade and I am going to toss it to my Republican colleague, and we will let him bat it around for a while.

Mr. ENYART. Wonderful.

Well, you know, Mr. GARAMENDI, while you are working on that conference committee, I would really appreciate it if you could see fit to—and this goes back to the environmental piece a little bit.

The Senate bill includes the Middle Mississippi River Environmental Pilot Program, which gives the Army Corps of Engineers authority to restore and protect fish and wildlife habitat along the Middle Mississippi River while they are undertaking navigation projects.

Right now, they are just constrained working on navigation. Well, doesn't it make a lot of sense, by the way, while you are working on navigation to also, when you can, improve the fish and the wildlife habitat.

In southern Illinois, fishing is a big sport. We have a lot of tourists come in. Hunting, goose hunting is a big sport and deer hunting. And if you can improve that wildlife habitat, it is going to help the environment as well as help our tourist economy in southern Illinois.

Now, that was part of the bill that I introduced, but it got stripped out before it passed the House. But it did pass the Senate. So as part of your conference, if you could help me out with that, I would really appreciate it.

Mr. GARAMENDI. Well, this is part of what we ought to be doing, and that is looking at these issues and maximizing the potential and the benefit that comes from a project. Let me give you another example of the same thing, and it is along the environmental line.

Right now the Corps of Engineers, while dredging in the San Francisco Bay area—let's just say the Port of Oakland over here. When they dredge there, they have to use the cheapest way of disposing of the dredging materials, called spoils, mostly sand and clay. They take it out here to Alcatraz, and they dump it in Alcatraz, and the tide takes it out past the San Francisco Golden Gate.

Well, we are saying, wait a minute. That is extremely valuable material to build habitat in areas that have been despoiled over the years. For example, down here in the southern part of the bay, these were great salt flats where the salt industry used the bay and evaporated the bay water to get salt. Well, those need to be restored. And it is quite possible that the material from the dredging could be used in that way or another habitat program, even up here into the delta. But it is not the cheapest.

So we are looking at a little tweak here that would allow the Port of Oakland or the other ports in the San Francisco Bay area and, really, around the Nation to do an environmental project along with the dredging project very similar to what you are talking about on the Mississippi River.

So I see common cause here. I see common cause where we can maximize

the total benefit for the Nation. It could be an additional cost that the port will have to pick up. Okay. But we get a twofer. We get environmental benefits as well as the economic benefits to the port.

Have you got any other things on your list?

Mr. ENYART. I will just close out with saying, Mr. GARAMENDI, thank you for the time this evening. I think this has been a true team effort from manufacturers and business groups, labor unions, port authorities, and the Agriculture Committee.

You know, I sit on the Agriculture Committee, and the ag community knows how critical this legislation is for Illinois. And Congress needs to get things done for the American people, and no job is more important than keeping our economy strong right here at home.

Mr. GARAMENDI. General Enyart, Congressman ENYART, or Bill, thank you so very, very much. I really appreciate working with you tonight on this critical issue, the fundamental investment.

Let's remember, this is not new. The Army Corps of Engineers has been around since the very earliest days of our democracy. The Army Corps has been responsible for the waterways of America, and the Water Resources Reform and Development Act is going to be an opportunity for America to really move its infrastructure, particularly the trade.

Remember, just to review, we are talking 13 million jobs immediately depend upon the Water Resources Reform and Development Act. We are talking about 99 percent of our trade travels through our ports and waterways, whether it is on the Mississippi, the Sacramento, the San Joaquin Rivers, or the great ports and the coastal part of America. It is critically important.

And as we do these things, we have the opportunity to reach back into the history of America and remember what the Founding Fathers talked about way back in George Washington's very early days: that these fundamental investments in what they called canals and ports and roads were critical to the growth of the United States at the very, very outset. George Washington and Alexander Hamilton also recognized the importance of international trade and that we get those trade policies correct.

So as we get ready to do the Water Resources Reform and Development Act, which is critical—and the conference committee starts tomorrow, and I have the honor of being on that conference committee—we also think about the way in which the trade of America is dependent upon our work in getting sound policies in place.

And it is also critically important in dealing with the issue of international trade agreements, whether it is the transpacific trade program or the new one that is being worked on with Europe, we have to protect our own jobs. We have to protect the American economy. And in doing so, we must carry out our constitutional responsibility given to us by the United States House of Representatives and the Senators. The Constitution says that it is the legislature, Congress and the Senate, that shall set trade policy, and that requires that we have the opportunity to look at the details of every trade policy and not fast-track trash through the House.

Joining me and taking up, as I wrap up my hour, is my colleague on the Republican side. Why don't you take my last couple of minutes, and then you can have your own half hour.

Mr. FORTENBERRY. Well, first of all, let me thank the gentleman for yielding to me. I know it is a bit unusual when Democrats and Republicans come down and share portions of the time. I think it is actually what the American people want a little more of. We should do this more often.

I am giving a talk in a few moments on health care. You and I will probably disagree to some fundamental philosophical approaches to that, and that is fine. You are in one party; I am in another. You have your own inclinations; I have my own inclinations and approaches. But to try to work constructively toward problem solving, I think it would behoove us all if we could figure out a better pathway to do that.

And that is why I am grateful to you for just leaving me a few moments because as I was listening to your speech, you talked about something I didn't know, that George Washington refused to wear a suit made in England and went back and said, Give me a manufacturing policy for this country. It was a very curious but good story to demonstrate a particular dynamic that, as you rightly pointed out, is part of our modern-day debate about how we do trade agreements in this fast-track authority. I think we have to be very, very cautious about this.

Trade can have the potential benefit to raise all boats. It has to be fair. It has an element of free, but it also has to be enforceable. And there are other dynamics to trade other than just the economic benefit that should be measured, such as the human cost of production in various societies. And we have glossed over those things in the past.

So I just wanted to commend you and thank you for raising this issue of giving, basically, over our authority by saying, we will vote to deny our authority to review the fullness of a trade agreement should one come through to us. I think that is a serious concern. So I want to commend the gentleman for raising the issue.

Mr. GARAMENDI. Well, thank you so very much. And I look forward to working with you on that issue. I know it is going to be coming.

Well, we don't know exactly when. But they are trying to wrap up. Our trade rep, our ambassador is trying to wrap this up and present it to us. And they are talking fast-track. And I am going, time-out, guys. Time-out. We need to review. We need to make sure that it is fair trade. Not just free trade, but fair trade—fair to the American worker, fair to the American manufacturer, farmer, and the like.

Mr. FORTENBERRY. If I could add something, I think we ought to call it ''smart'' trade.

Mr. GARAMENDI. I like that word, too. Can we compromise on that?

Mr. FORTENBERRY. Yes, sounds good.

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

HEALTH CARE

The SPEAKER pro tempore (Mr. DESANTIS). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, thank you for the time.

I don't have to tell you all that there is a debate raging in our country about the future of health care. I want to share, first of all, a story that I received by email from Yvonne who lives in the town of Firth, Nebraska, right near me. She says this:

> We are a farming family of five in southeast Nebraska and recently received notification from Blue Cross/Blue Shield of Nebraska—an insurance company—that our insurance premiums are increasing from $578 per month to $1,092 per month. That is $514 more, resulting from the misnamed ''Affordable Care Act.''

Yvonne goes on and says:

> Even if I play with the numbers and drop our family income to be eligible for subsidies, my family has never needed government assistance in the past to pay for health insurance. Why should we need it now, other than Washington's interference? Would you please tell me how I am supposed to find an extra $500 in my monthly budget to afford this new improved policy.

Mark, who lives in Lincoln, says he is 49. He said he had his insurance canceled, and he had a very good policy. And this is what he had to say:

> I had a $5,000 deductible policy; and after that, everything was covered. My policy was not a junk insurance policy. And it was canceled.

□ 1845

Mr. Speaker, many Americans are awakening to sticker shock and are feeling, frankly, very betrayed by the earlier comments that if you like your health care plan, you can keep it. Clearly, there is a significant problem here. And what has happened?

Well, Mr. Speaker, we need the right type of health care reform—health care that is actually going to reduce costs and improve outcomes while also protecting vulnerable persons. But what we have gotten instead through the new law is a shift of cost to more unsustainable spending by government, a shift of cost from one American to

another; and we also have a serious erosion of health care liberties.

This is another email that I received from Joan. She talked about her son. She has maintained her son's policy—a young man—in case of a catastrophic event so it would not be a burden to the hospital.

She said:

He does not make enough money to file taxes, but his premium goes from $85 to $220. So my son will no longer have insurance of any kind. My son's new policy is required by law to include things he can never, ever use—maternity for a male and pediatric services for an adult. Please at least allow the insurance carriers to call this what it is—an insurance subsidy from my son to others.

This young man is 30 years old. I don't know the circumstances of the family as to why they are providing a policy for their 30-year-old son, but clearly the family is trying to do the right thing and help one another; but they are being forced by escalating costs to reconsider the very idea of carrying health insurance themselves and doing the right thing.

Mr. Speaker, when I was a much younger man in my twenties, I had an individual insurance policy that I bought. I thought it was the right thing to do. I didn't want to impose the risk of my own health care needs—in case something went wrong—on the rest of society. And I bought this policy. It was a pretty big burden to carry for someone in their twenties. It was fairly expensive. So I decided to raise the deductible to $1,000 to basically help better manage the costs.

Well, one day I had a very severe headache, and it just didn't seem to go away; and as this went on, I decided it was necessary for me to seek medical attention.

So thinking about it, I decided to simply bypass the family doctor, assuming that they would probably refer me to the ear, nose, and throat specialist. And so I made an appointment with the ENT doctor, probably saving myself about $50 by simply going to the specialist.

When I got there, she examined me and they took an x-ray. Afterward, the doctor said, I really can't tell from the x-ray what the problem is. I'm going to need to do a CAT scan. I interrupted her at that moment and injected in the conversation and said, Doctor, I understand if you might be worried about liability and there might be this test that is normal protocol for you to run. She interrupted me and said, Why are you saying this to me? I said, Because I need to know if you really need this test. I'm actually paying for it.

Again, I had the $1,000 deductible.

She said, Oh, let's think about this. I'm only looking at your sinuses. So that means that we could probably ask one of the two entities in town with a CT scan machine if they will widen the cross-section and let's see if they'll give you a discount for doing that.

So she asked her assistant to help. They called both places in town, found out the price, found out if they would lower the price based upon a wider cross-section for this test, and one of them did. And I don't remember the exact amount, but I think it was $75.

Mr. Speaker, I saved $75 by simply asking a simple question. The doctor got the test that she needed and the community resource was more properly allocated, all because I had the incentive to watch the cost.

This is one of the problems here that we have in the whole health care debate. Because, again, the Affordable Care Act, sometimes called ObamaCare—and there are a lot of people who want to move away from that expression ''ObamaCare,'' and I respect that, because it has always seemed to me to be a bit disrespectful toward the President, so let's call it the Affordable Care Act. The Affordable Care Act shifts costs to more government spending and actually is moving costs from one individual to another.

Now, how did we get here?

Well, you remember in the Bush administration the number that was being talked about was that there were 50 million Americans who were uninsured. It has been a while now since I looked at that statistic. From memory, as I recall, that was actually an aggregate statistic that reflected the number of people within a year who had some trouble accessing affordable, quality health insurance. It was not necessarily a snapshot in time.

So the number might have been bigger than what was suggested, but it laid the ground work for where we are now. Of course, President Obama and the administration used that number as well; but when you parse the number down and look at Americans who were having problems accessing affordable, quality health insurance, whether because of preexisting condition or some other issue, that number may have come down to perhaps 10 million to 15 million persons.

Now that is a real problem. That is a lot of people who need help. And the right response is to engage in policy debate that will actually help them access affordable, quality health insurance; but we have done so by turning the entire health care system inside out. And it is creating havoc, sticker shock; and many Americans are feeling betrayed, particularly those who are buying their insurance in the open market, the individual market.

Soon, many more will be receiving the price shock who have employer-based insurance because of a couple of factors. And what are those factors?

First of all, in the new law what has happened is there is a shrinkage of the age ratio. It used to be six categories, as I recall—now it is three—by which you can price the product. That means younger people are actually subsidizing older people. You can have a debate about the merits of that, but that is one of the cost drivers.

Secondly, there are all types of new mandated benefits. You heard it in the emails that I received. First of all, a very young man is having his insurance rates skyrocket simply because he is a young male. In Nebraska, we have one of the highest rate increases for single males. It is second only to Arkansas. It is 220-plus percent, as I recall.

Why is that? We were somewhat a less regulated State, if you will. But what that created were market conditions whereby a young person who was relatively healthy could get an affordable, quality health insurance policy that protected them from catastrophic incidents. If they were in an accident or an unfortunate disease happened to strike them, they were covered; but now it is pushing those policies to a level where people are questioning as to whether or not they can afford it. A policy designed to help people is hindering those who have been doing the right thing from purchasing insurance.

The mandated benefits issue: as the older gentleman writing me pointed out, I don't need maternity services. Again, those were incorporated into the law. An inability to customize an insurance policy based upon one's particular needs after us deciding what is a reasonable set of basic coverages that are necessary, which used to occur State by State.

The third is no denials. Now, this one is a little bit more sensitive because, again, we do have Americans who are being held by this law and who had previously been either denied because of preexisting conditions or, for one reason or another, were having problems accessing affordable, quality health insurance.

So as we move forward into a debate as to how we are going to reform the system and perhaps get this right, it is necessary that we carry forward either this way or another way. It used to be the government's subsidy of high-risk pools in which we allowed people to have access to more affordable insurance. Either that way or the way whereby we all absorb the cost across insurance policies and that we take care of people who rightfully need access.

And so there are a few embedded policies in this Affordable Care Act that do make some sense. The first one was allowing young people to stay on their parents' policies a little bit longer—until the age of 26. I supported that before the Affordable Care Act made sense. It replenishes your insurance pool, helps enculturate the concept of buying insurance at a young age, and hopefully that carries forward into creating a more robust, dynamic marketplace.

Second is, again, dealing appropriately with people who have preexisting conditions. There are a lot of ways to do that—either, again, by subsidizing the market directly, since it was somewhat broken, or absorbing the cost across all insurance products.

The third issue was removing insurance caps for those who actually

bumped up to their total maximum benefit.

I know of cases where families were struggling with a severe disease condition that would meet their insurance cap. The response was they simply had to leave their job and go find another job and get employer-based insurance to basically start the clock over. That doesn't save the system any money. It just burdens the family.

So those are three aspects of the current health care bill that makes some sense, but we did not have to do so by turning the entire system inside out and harming disproportionately large numbers of Americans who have been doing the right thing: protecting themselves and not relying on society for the imputed costs of their own health care risk; who were trying in a marketplace to find the right product for themselves, but now who have lost access to basic products like good catastrophic coverage, which will lower costs for younger people. That is a very strong disincentive for young people to actually enter the insurance market, and that needs to be corrected.

I think it is also part of our responsibility, for those of us who have said ''no'' to the Affordable Care Act and who have said there are better ways to reform the health care system to start laying out some specifics.

Well, one of the specifics should be that we all ought to try to agree that the health savings account idea is a way in which we form a hybrid model that actually benefits the marketplace, benefits individuals, and retains the robustness of what private market competition can give you.

Let's take, for instance, the case of the surgical procedure called LASIK. Now, I am not aware of insurance policies that regularly carry that procedure whereby the eye is operated on to correct vision. Large numbers of Americans have been helped by this extraordinary technological invention. And it appears to me from a cursory look at that market that prices have fallen, outcomes have improved, and the doctors who do this surgery seem to do pretty well with basically no insurance involved.

So let's look at the health savings account model as a hybrid model whereby we retain the government subsidy in a certain sense by allowing people to set aside an account on a tax-free basis and they accumulate monies that go toward their first dollar of health care costs, taking better control over those first dollars that are expended.

Now, Mr. Speaker, I recently had a medical issue. I had a sore spot on my ear. I didn't think much about it, but after about 3 weeks of it being there, I thought at my age maybe it is good to get that checked.

So I went to the dermatologist, and he looked at it and he said, JEFF, I think this is 50–50 it may be a cancerous-type condition. I said, All right. He said, I'm going to put you on a medicine that we can go ahead and get started now while we wait for the biopsy to come back.

So I went to the pharmacist to get the medicine. My co-pay was $5. I am very grateful for that. It was very easy for me, and I am thankful I had the insurance to be able to do this. It was $5.

I asked the pharmacist, How much does this medicine cost? He said, I don't know. Let me check. He came back and said, It's $500. I said, Well, this is Friday. I'm not sure on Monday if I'm going to need this medicine or not. It's 50–50. Maybe we just ought to wait, And I chose to wait.

So on Monday the doctor called back and said it was benign—not cancerous—nothing to worry about, and I didn't have to take the medicine.

Well, I had no incentive not to take the medicine. The doctor didn't necessarily think through the question with me. He didn't have to because my co-pay was $5. Again, I am grateful for that. But the point being that $495 of waste would have occurred in the system had I not simply asked a question, and I didn't have an incentive to ask a question. I was simply trying to make sure that we weren't imprudently using that much medicine when it may go to waste; and I am glad I turned it down.

Again, that is the point. If you have your own health savings account, which is coupled with a catastrophic policy, two things are occurring at once: first of all, you are controlling your first dollar costs. You have a normal conversation with your doctor about ordinary health care. Is this the pathway we need to go? What are our alternatives? Who can provide those in town—maybe at a cheaper rate, with the same quality?

For that, we need price transparency in medicine. It is an important part of market reform that needs to occur. But if something really goes wrong and you are on the hospital gurney getting rolled into an operating room, you shouldn't have to pull off your mask and say, Can somebody give me the price of the anesthesia around here? That is not the point. That is different. That is a catastrophic condition. With catastrophic insurance, you should be protected from having to worry about those market dynamics.

So I think this is a good hybrid model whereby, again, the government incents you to put a little bit of money aside in a tax-free account which, by the way, can accumulate over time. Most people don't get sick in their life, and a lot of this money could grow to a substantial amount over time and actually be a supplement in retirement or a supplement to Medicare. We have got long-term cost problems in the Medicare program.

□ 1900

So, again, it is thinking dynamically, creatively as to how we restructure health care and give improved opportunities for a robust marketplace for health insurance that doesn't just consolidate the marketplace into fewer and fewer companies. It has been suggested that what is happening now is this is becoming like a utility system whereby there are going to be a few insurance carriers that work with hospitals, and that is it. The government will have a role in setting certain rates, and that is it. So you lose the dynamic of the competitive model for the insurance market. We should protect people's access. We should allow people to have access to affordable, quality insurance and not simply be denied for preexisting conditions. There are a lot of ways to do that. If we do that, we can keep the market dynamic basis for controlling health care costs.

We do this in all other areas of our lives, and it is normal to us. There is no reason that we have to put on blinders when we are dealing with ordinary health care costs and simply submit to the system whatever they tell us to do. There is no reason for that. What we could see—again, if we inject this sort of competitive marketplace for ordinary costs—is competition in the marketplace for ordinary processes and procedures in medicine, for drugs. Then you could see, like in the LASIK surgery example, prices falling, innovation occurring, and a health care system making reasonable returns for its efforts. Right now, we have a health care system that is very, very frightened. Doctors are very frightened of the next steps in terms of the evolving dynamic of the Affordable Care Act. You have many doctors who are saying they are not going to be able to afford to take on any more Medicare patients. You already have this problem in Medicaid. So you want a robust, dynamic market in which people are innovating, in which costs are falling, and in which health care outcomes are improving.

Health Savings Accounts give people the opportunity to control that first-dollar cost, but if they are really sick or have an accident, they are protected and don't have to worry about those costs. That makes a lot of sense to me, Mr. Speaker. In the Affordable Care Act, unfortunately, though, what we have is a dampening of the marketplace for the Health Savings Account idea. It ought to be exactly the opposite. Now, there is a reasonable argument that some have made that this is not appropriate for people who are older, who have increasing health care costs, and who don't have the time to set enough money aside to meet their normal, ordinary expenses—fair enough—but it is an important model that we should be eagerly embracing for the young generation so that they can have affordable, quality catastrophic insurance, so that they have incentive to move into the market, and so that the market responds to their questions as to:

Why does this cost this much? Who is providing the best service? Does this really make sense?

With our simply trying with the diminished marketplace and with a lack

of incentive to actually watch those first-dollar costs that the Health Savings Account gives us, then there are not really those incentives to, again, force transparency and to ask simple questions as to how you best manage the resources that you have in partnership with the medical community, like I did when I was trying to reduce my own costs for that CAT scan. The doctor very willingly accommodated my request, and that community resource was better allocated.

To me, that is a commonsense solution that we all ought to be embracing. Instead, what we have now is a huge shift of cost to more unsustainable government spending and to many Americans being disproportionately hurt because of skyrocketing premiums or because they are losing the health care that they were promised they could keep. Now, that is simply not fair. There is a better way to fix this system.

In the last few weeks, because of the problematic rollout of the marketplace Web site—the ''exchange'' as it is called—it has brought more and more attention to this issue. It is my hope, Mr. Speaker, that we just don't get into finger-pointing and ''we told you so,'' for those of us who are against this, but that we actually sit down and try to construct something that is much more reasonable and fruitful for the entire system.

Mr. Speaker, the formal definition of a ''law'' is: an ordinance of reason given by those in authority for the common good. You have a real question here as to the reasonableness of this law, because it is so unfairly and disproportionately hurting a lot of people, and whether that meets the definition of its being for the common good.

As I suggested, there are aspects of the current law that we can retain—keeping young people on insurance longer, removing the caps on insurance, and protecting people who have preexisting conditions. Those should be retained, I feel; but as we move forward with a robust debate, we ought to keep in mind: let's do everything—let's do all we can—to give America a better path forward, the path that they deserve, so that any health care reform meets the true definition of a truly just law in that it promotes the common good, which means society's well-being.

What does that common good look like?

It is a vibrant marketplace for affordable, quality insurance. Persons who have had a condition shouldn't be denied. There should be a dynamic by which the person controls his first-dollar cost because he owns those dollars, and he is protected, if something really goes wrong, through catastrophic policies.

That shift to the health care paradigm could lend itself to the right type of reform for the next generation for Medicare, for instance. If you have had a huge savings account accumulate over time because you are not one of the unfortunate—you are one of the majority of people who, fortunately, does not get stricken by something serious over your lifetime—then you will be able to potentially use that money for your own well-being and retirement or as a further supplement to the Medicare program.

This is what is called ''thinking outside the box.'' Let's think dynamically as to how these programs can mutually reinforce one another—the current health care reform and our important health safety nets in retirement. That is what we ought to be thinking about.

So, Mr. Speaker, I just submit these comments this evening because I think it is important to try to unpack what has gone wrong and why and to frame the debate in a manner that is actually constructive so that America gets the type of health care reform that we deserve—a robust health care system that leads the world, that improves health care outcomes while reducing costs, and that also protects vulnerable persons.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMPSON of Pennsylvania (at the request of Mr. CANTOR) for after 1:30 p.m. today on account of official business.

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 20, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3727. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's ''Major'' final rule — Enhancing Protections Afforded Customers and Customer Funds Held by Futures Commission Merchants and Derivatives Clearing Organizations (RIN: 3038-AD88) received November 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3728. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Farm Loan Programs; Clarification and Improvement (RIN: 0560-AI14) received November 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3729. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-13-0010; FV13-946-1 FIR] received November 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3730. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Capital Planning (RIN: 3052-AC80) received November 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3731. A letter from the Under Secretary, Department of Defense, transmitting account balance in the Defense Cooperation Account as of September 30, 2013; to the Committee on Armed Services.

3732. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Public Housing Capital Fund Program [Docket No.: FR-5236-F-02] (RIN: 2577-AC50) received October 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3733. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to China Southern Airlines Co. Ltd. (China Southern) of Guangzhou, China; to the Committee on Financial Services.

3734. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Korean Air Lines Co., Ltd. (KAL) of Seoul, South Korea; to the Committee on Financial Services.

3735. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Bulgaria pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3736. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Minsheng Financial Leasing Co., Ltd. of Tianjin, China; to the Committee on Financial Services.

3737. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3738. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Removal of References to Credit Ratings in Certain Regulations Governing the Federal Home Loan Banks (RIN: 2590-AA40) received November 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3739. A letter from the Acting Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final Priority. Rehabilitation Training: Rehabilitation Long-Term Training Program—Vocational Rehabilitation Counseling [CFDA Number: 84.129B] received November 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3740. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received November 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3741. A letter from the Secretary, Department of Health and Human Services, transmitting the second biennial report concerning the Food Emergency Response Network mandated by the FDA Food Safety

Modernization Act (FSMA); to the Committee on Energy and Commerce.

3742. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Addition of ortho-Nitrotoluene; Community Right-to-Know Toxic Chemical Release Reporting [EPA-HQ-TRI-2012-0111; FRL-9902-12-OEI] (RIN: 2025-AA35) received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3743. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio: Bellefontaine; Determination of Attainment for the 2008 Lead Standard [EPA-R05-OAR-2012-0779; FRL-9902-33-Region 5] received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3744. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Deadline for Action on the Section 126 Petition from Eliot, Maine [EPA-HQ-OAR-2013-0671; FRL-9902-55-OAR] received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3745. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances; Removal of Significant New Use Rules [EPA-HQ-OPPT-2013-0399; FRL-9902-16] (RIN: 2070-AB27) received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3746. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spirotetramat; Pesticide Tolerances [EPA-HQ-OPP-2012-0107; FRL-9399-4] received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3747. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Creation of a Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations [MM Docket No.: 99-25] [MB Docket No.: 07-172] [RM 11338] received November 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3748. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Amendments to Material Control and Accounting Regulations [NRC-2009-0096] (RIN: 3150-AI61) received November 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3749. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Revisions to Radiation Protection [NRC-2012-0268] received November 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3750. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Qualification Tests for Safety-Related Actuators in Nuclear Power Plants; Regulatory Guide 1.73, Revision 1 received November 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3751. A letter from the Assistant Secretary, Department of Defense, transmitting a report that the Department intends to utilize a contribution to the Cooperative Threat Reduction (CTR) Program from the Foreign Office of the Federal Republic of Germany; to the Committee on Foreign Affairs.

3752. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

3753. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

3754. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3755. A letter from the Archivist, National Archives, transmitting a draft bill entitled, ''Federal Register Modernization Act''; to the Committee on Oversight and Government Reform.

3756. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's semi-annual report on the activities of the Inspector General for April 1, 2013 through September 30, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

3757. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery [Docket No.: 120109034-2171-01] (RIN: 0648-XC823) received November 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3758. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 48, Framework Adjustment 50; 2013 Sector Operations Plans, Contracts, and Allocation Annual Catch Entitlements [Docket No.: 120814336-3739-04] (RINs: 0648-BC27, 0648-BC97, and 0648-XC240) received September 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3759. A letter from the Register of Copyrights and Director, Copyright Office, transmitting a schedule of proposed new copyright fees and the accompanying analysis; to the Committee on the Judiciary.

3760. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to appeal the decision of the district court in the case of Free Speech Coalition v. Holder, No. 09-4607 (E.D. Pa.); to the Committee on the Judiciary.

3761. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Civil Monetary Penalty Inflation Adjustment Rule [FRL-9901-98-OECA] (RIN: 2020-AA49) received November 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3762. A letter from the General Counsel, National Tropical Botanical Garden, transmitting a letter notifying of a delay in the submission of the annual audit report; to the Committee on the Judiciary.

3763. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter regarding the Department's decision to no longer defend section 3 of the Defense of Marriage Act; to the Committee on Veterans' Affairs.

3764. A letter from the Director, Legislative Affairs, Office of the Director of National Intelligence, transmitting the 2013 Annual Report of Advisory Intelligence Committees; to the Committee on Intelligence (Permanent Select).

3765. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting a report entitled, ''DHS Privacy Office 2013 Annual Report to Congress''; to the Committee on Homeland Security.

3766. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting third periodic Report to Congress: Summary of Significant Safety-Related Issues at Operating Defense Nuclear Facilities; jointly to the Committees on Energy and Commerce and Armed Services.

3767. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual reports that appear on pages 119-146 of the June 2013 ''Treasury Bulletin'', pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Transportation and Infrastructure, Natural Resources, Agriculture, Education and the Workforce, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 420. Resolution providing for consideration of the bill (H.R. 1900) to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects, and for other purposes (Rept. 113–272). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MEADOWS (for himself, Mrs. CAPITO, Mr. MURPHY of Florida, and Mr. BUTTERFIELD):

H.R. 3529. A bill to provide exemptions from certain mortgage, servicing, and appraisal requirements for non-profit low-income housing providers, and for other purposes; to the Committee on Financial Services.

By Mr. POE of Texas (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. NOLAN, Mrs. MILLER of Michigan, and Ms. GRANGER):

H.R. 3530. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

By Mr. RENACCI (for himself, Mr. PRICE of Georgia, Mr. WEBSTER of Florida, Mr. KELLY of Pennsylvania, Mr. STIVERS, Mr. CARNEY, Mr. BARBER, Ms. FUDGE, Mr. BUCSHON, and Mr. KILMER):

H.R. 3531. A bill to amend title XVIII of the Social Security Act to eliminate the 3-day

prior hospitalization requirement for Medicare coverage of skilled nursing facility services in qualified skilled nursing facilities, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself and Mr. GEORGE MILLER of California):

H.R. 3532. A bill to promote State requirements for local educational agencies and public elementary and secondary schools relating to the prevention and treatment of concussions suffered by students; to the Committee on Education and the Workforce.

By Mr. AMODEI:

H.R. 3533. A bill to amend the Endangered Species Act of 1973 to permit Governors of States to regulate intrastate endangered species and intrastate threatened species, and for other purposes; to the Committee on Natural Resources.

By Mr. WALBERG (for himself, Mr. CONYERS, Mr. HUIZENGA of Michigan, Mr. DINGELL, Mrs. MILLER of Michigan, Mr. BENISHEK, Mr. PETERS of Michigan, Mr. BENTIVOLIO, Mr. UPTON, Mr. CAMP, Mr. ROGERS of Michigan, Mr. LEVIN, and Mr. KILDEE):

H.R. 3534. A bill to designate the facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, as the ''Officer James Bonneau Memorial Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MCNERNEY (for himself and Mr. GARY G. MILLER of California):

H.R. 3535. A bill to amend the Internal Revenue Code of 1986 to authorize a new empowerment zone designations for urban areas with high unemployment and high foreclosure rates, and for other purposes; to the Committee on Ways and Means.

By Mrs. BEATTY (for herself, Ms. NORTON, Ms. SEWELL of Alabama, Mr. LOEBSACK, and Mr. CARTWRIGHT):

H.R. 3536. A bill to amend the Elementary and Secondary Education Act of 1965 to support teacher and school professional training on awareness of student mental health conditions and suicide prevention efforts; to the Committee on Education and the Workforce.

By Ms. EDWARDS (for herself, Ms. NORTON, Mr. CUMMINGS, Ms. TSONGAS, Mr. CICILLINE, Mr. WELCH, and Mr. HOLT):

H.R. 3537. A bill to amend the Internal Revenue Code of 1986 to make permanent the credit for increasing research activities, to increase such credit for amounts paid or incurred for qualified research occurring in the United States, and to increase the domestic production activities deduction for the manufacture of property substantially all of the research and development of which occurred in the United States; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself and Mr. GEORGE MILLER of California):

H.R. 3538. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Education and the Workforce.

By Mr. LONG:

H.R. 3539. A bill to amend title X of the Public Health Service Act with respect to adoption and other pregnancy options counseling; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. MARINO, and Mr. DEUTCH):

H.R. 3540. A bill to amend chapter 26 of title 35, United States Code, to require the disclosure of information related to patent ownership, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas (for himself and Mr. GARDNER):

H.R. 3541. A bill to prevent a taxpayer bailout of health insurance issuers; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio:

H.R. 3542. A bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H. Res. 421. A resolution recognizing people of African Descent and Black Europeans; to the Committee on Foreign Affairs.

By Mr. VAN HOLLEN (for himself and Mrs. BLACKBURN):

H. Res. 422. A resolution recognizing the campaign of genocide against the Kurdish people in Iraq; to the Committee on Foreign Affairs.

By Ms. WILSON of Florida (for herself, Ms. SPEIER, Ms. CHU, Mr. HONDA, Mr. FARR, Ms. ESHOO, Ms. LEE of California, Mr. WAXMAN, Mrs. CAPPS, Ms. JACKSON LEE, Mr. MCGOVERN, Mr. SWALWELL of California, Mrs. NAPOLITANO, Mr. LOWENTHAL, Mr. GEORGE MILLER of California, Mr. CROWLEY, Mr. MORAN, Mr. BARROW of Georgia, Mr. HASTINGS of Florida, Mr. DELANEY, and Mrs. LOWEY):

H. Res. 423. A resolution honoring the life, legacy, and example of Congressman Leo J. Ryan 35 years after his tragic death; to the Committee on House Administration, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MEADOWS:

H.R. 3529.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. POE of Texas:

H.R. 3530.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RENACCI:

H.R. 3531.

Congress has the power to enact this legislation pursuant to the following:

Congress created a health care program called Medicare that is operated by the federal government. This bill would improve the efficiency and fairness of that program, especially access to care, while affecting interstate commerce, which Congress has the power to regulate under Article I, Section 8, Clause 3.

By Mr. BISHOP of New York:

H.R. 3532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3, and 18.

By Mr. AMODEI:

H.R. 3533.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WALBERG:

H.R. 3534.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7.

By Mr. MCNERNEY:

H.R. 3535.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mrs. BEATTY:

H.R. 3536.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. EDWARDS:

H.R. 3537.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. HINOJOSA:

H.R. 3538.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LONG:

H.R. 3539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power to . . . '' provide for the common Defense and general Welfare of the United States . . .''

Article 1, Section 8, Clause 18—''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. POLIS:

H.R. 3540.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the U.S. Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 3541.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. JOHNSON of Ohio:

H.R. 3542.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 120: Ms. EDWARDS.
H.R. 259: Mr. KINGSTON.
H.R. 270: Mr. ELLISON and Mr. HONDA.
H.R. 274: Mr. KEATING.
H.R. 351: Mr. MCKEON.
H.R. 543: Mr. BISHOP of New York.
H.R. 647: Mr. MULVANEY, Mr. AUSTIN SCOTT of Georgia, Mr. COLLINS of Georgia, and Ms. JACKSON LEE.
H.R. 669: Mrs. CHRISTENSEN.
H.R. 676: Ms. MCCOLLUM.
H.R. 685: Mr. VELA, Mr. MESSER, Mr. DUNCAN of Tennessee, and Mrs. MCMORRIS RODGERS.
H.R. 713: Mr. GIBBS, Mrs. WAGNER, Mr. LAMALFA, and Mr. HONDA.
H.R. 715: Mr. MCNERNEY and Mr. PERLMUTTER.
H.R. 809: Mr. FINCHER.
H.R. 919: Mr. RYAN of Ohio.
H.R. 997: Mr. LATHAM and Mrs. MILLER of Michigan.
H.R. 1020: Ms. FOXX.
H.R. 1024: Mr. BARROW of Georgia.
H.R. 1124: Mrs. BEATTY.
H.R. 1179: Mr. COHEN and Mrs. CHRISTENSEN.
H.R. 1199: Mr. GARCIA.
H.R. 1209: Mr. GIBBS, Mr. GRAVES of Georgia, Mr. PITTENGER, Mr. BEN RAY LUJÁN of New Mexico, Mr. KING of New York, and Ms. FUDGE.
H.R. 1248: Mr. BACHUS.
H.R. 1310: Mr. LAMBORN.
H.R. 1339: Mr. LIPINSKI and Mrs. CAPITO.
H.R. 1428: Mr. PRICE of North Carolina.
H.R. 1429: Mr. BISHOP of New York.
H.R. 1449: Mr. ROSS, Mr. DIAZ-BALART, Mrs. LUMMIS, and Mr. SOUTHERLAND.
H.R. 1461: Mr. HUNTER and Mr. NUGENT.
H.R. 1518: Mr. RODNEY DAVIS of Illinois, Mr. CRENSHAW, and Mr. BILIRAKIS.
H.R. 1563: Ms. FRANKEL of Florida, Ms. WASSERMAN SCHULTZ, and Mr. GRAVES of Missouri.
H.R. 1601: Mr. CARTWRIGHT.
H.R. 1616: Mr. GIBSON.
H.R. 1666: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LIPINSKI, and Ms. ESHOO.
H.R. 1717: Mr. DAVID SCOTT of Georgia and Ms. KUSTER.
H.R. 1726: Ms. FRANKEL of Florida.
H.R. 1761: Mr. ROE of Tennessee.
H.R. 1779: Mr. PETERSON.
H.R. 1830: Ms. ESTY.
H.R. 1851: Ms. KUSTER and Mr. HORSFORD.
H.R. 1852: Mr. ROSS, Mr. DIAZ-BALART, Mrs. LUMMIS, Mr. LABRADOR, and Ms. BROWNLEY of California.
H.R. 1869: Mr. WITTMAN.
H.R. 1878: Ms. FRANKEL of Florida.
H.R. 1920: Mr. RIGELL.
H.R. 1985: Mr. GOODLATTE.
H.R. 1992: Mr. KINZINGER of Illinois and Mr. SIRES.
H.R. 2027: Mr. CASSIDY.
H.R. 2028: Mr. TIERNEY.
H.R. 2144: Mr. DUNCAN of South Carolina.
H.R. 2305: Mr. THOMPSON of Pennsylvania.
H.R. 2385: Mrs. WAGNER.
H.R. 2446: Mrs. WAGNER.
H.R. 2553: Ms. MOORE, Ms. SCHWARTZ, Ms. TITUS, and Mr. GEORGE MILLER of California.
H.R. 2560: Mr. RANGEL.
H.R. 2607: Mrs. CAROLYN B. MALONEY of New York, Mr. ISRAEL, and Mr. POCAN.
H.R. 2619: Mr. LOWENTHAL.
H.R. 2663: Mr. ROSS.
H.R. 2697: Mr. BISHOP of New York, Ms. KUSTER, and Mr. JOHNSON of Georgia.
H.R. 2703: Mr. DOYLE.
H.R. 2725: Mr. TIBERI, Mr. STUTZMAN, and Ms. WASSERMAN SCHULTZ.
H.R. 2785: Mr. RENACCI.
H.R. 2791: Mr. GIBSON and Mr. HUIZENGA of Michigan.
H.R. 2818: Mr. GRIJALVA.
H.R. 2945: Mr. ROSKAM.
H.R. 3040: Mr. GENE GREEN of Texas.
H.R. 3105: Mr. GOODLATTE and Mr. COTTON.
H.R. 3111: Mr. JOHNSON of Ohio.
H.R. 3121: Mr. RENACCI.
H.R. 3125: Mr. BUTTERFIELD, Mr. BRALEY of Iowa, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Mr. COHEN, Mr. RODNEY DAVIS of Illinois, and Mr. LOEBSACK.
H.R. 3135: Ms. MCCOLLUM.
H.R. 3143: Mr. ISRAEL.
H.R. 3163: Mr. MORAN.
H.R. 3169: Mr. BURGESS.
H.R. 3189: Mr. POE of Texas.
H.R. 3206: Ms. FRANKEL of Florida.
H.R. 3211: Mr. FITZPATRICK.
H.R. 3240: Mr. FOSTER.
H.R. 3297: Ms. SCHAKOWSKY.
H.R. 3299: Mr. RIBBLE, Mr. HARRIS, Mr. BENTIVOLIO, Mr. BOUSTANY, and Mr. ROSKAM.
H.R. 3303: Mr. BILIRAKIS.
H.R. 3308: Mr. PITTENGER.
H.R. 3309: Mr. JOHNSON of Ohio and Mr. LARSEN of Washington.
H.R. 3322: Mr. RANGEL.
H.R. 3327: Mrs. BUSTOS.
H.R. 3333: Mr. PETERS of California.
H.R. 3335: Mr. POE of Texas, Mr. JOHNSON of Ohio, Mr. BOUSTANY, and Mr. COLLINS of New York.
H.R. 3349: Ms. LOFGREN, Mr. DEFAZIO, and Mr. WELCH.
H.R. 3360: Ms. SLAUGHTER.
H.R. 3362: Mr. LONG.
H.R. 3392: Mr. ROGERS of Kentucky.
H.R. 3395: Mr. ISRAEL.
H.R. 3407: Mr. COURTNEY.
H.R. 3416: Mr. HUNTER and Mr. PITTENGER.
H.R. 3429: Mr. MEEHAN.
H.R. 3430: Mr. LOWENTHAL.
H.R. 3435: Mr. LYNCH.
H.R. 3436: Mr. WOLF and Mr. PERRY.
H.R. 3464: Ms. HERRERA BEUTLER and Mr. JONES.
H.R. 3469: Mr. VELA, Ms. CASTOR of Florida, Mr. VEASEY, Mrs. ELLMERS, Mr. VAN HOLLEN, Mr. POCAN, and Mr. BISHOP of New York.
H.R. 3470: Mr. STOCKMAN.
H.R. 3480: Mr. MCGOVERN.
H.R. 3482: Mr. PITTENGER.
H.R. 3484: Ms. SPEIER.
H.R. 3485: Mr. BROUN of Georgia, Mr. WOODALL, and Mr. THORNBERRY.
H.R. 3486: Mrs. BACHMANN and Mr. PITTENGER.
H.R. 3488: Mr. YOUNG of Alaska, Mr. VEASEY, Mr. TURNER, Mr. CALVERT, Mr. OLSON, and Mr. LARSON of Connecticut.
H.R. 3490: Mr. MCGOVERN, Ms. NORTON, and Mr. HANNA.
H.R. 3509: Mr. CRENSHAW and Mr. SHERMAN.
H.R. 3516: Mr. THOMPSON of Pennsylvania.
H.R. 3526: Mr. WEBER of Texas, Mr. FORTENBERRY, and Mr. MCGOVERN.
H.R. 3527: Mrs. CHRISTENSEN and Mr. FORTENBERRY.
H. Con. Res. 16: Mr. GIBBS and Mr. CHABOT.
H. Con. Res. 64: Mr. JOHNSON of Ohio.
H. Res. 72: Mr. CÁRDENAS.
H. Res. 147: Mr. PEARCE.
H. Res. 188: Mr. HOLDING and Mr. HIGGINS.
H. Res. 227: Mr. GEORGE MILLER of California.
H. Res. 231: Mr. THOMPSON of Pennsylvania and Ms. PINGREE of Maine.
H. Res. 238: Mr. CARSON of Indiana.
H. Res. 250: Mr. KINGSTON.
H. Res. 284: Mr. COBLE.
H. Res. 345: Mr. PRICE of North Carolina.
H. Res. 401: Ms. SINEMA, Ms. LOFGREN, and Mr. QUIGLEY.
H. Res. 402: Mr. GERLACH, Ms. KAPTUR, Mr. LEVIN, Mr. PITTS, Mr. PRICE of North Carolina, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIRES, Mr. FALEOMAVAEGA, Mr. RANGEL, Ms. SCHWARTZ, and Ms. FRANKEL of Florida.
H. Res. 404: Mr. MCCAUL.
H. Res. 405: Mr. THOMPSON of Pennsylvania.
H. Res. 407: Mr. LEWIS, Mr. MICHAUD, and Ms. BASS.
H. Res. 410: Mr. HANNA, Mr. HUELSKAMP, Mr. BUCHANAN, and Mr. CHABOT.
H. Res. 417: Mr. SMITH of New Jersey.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 8 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendments to be offered by Representative HASTINGS of Washington, or a designee, to H.R. 1965, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative TONKO, or a designee to H.R. 3301, the North American Energy Infrastructure Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 or rule XXI.

The amendment to be offered by Representative TONKO, or a designee to H.R. 1900, the Natural Gas Pipeline Permitting Reform Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.