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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
September 18, 2014.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Seretta McKnight, Union Baptist Church, Hempstead, New York, offered the following prayer:

Good morning, Lord God. I acknowledge that You are God alone, large and in charge, and I thank You for being a loving, a forgiving, and a just God.

As I stand in these hallowed halls of this House, this chapel of democracy, I ask You to give all those who have the responsibility to represent, provide, and protect we, the people, the courage, conscience, and heart to do the right thing by choosing the principled position over political posturing.

Lord God, allow these to enact the laws that will help and heal, not hurt and harm, we, the people. Give this august body the courage to decrease the divide between the haves and the have-nots, the conscience to consider all of our children as precious, and the heart to lead with love so that this House turns from a house of pain to one of purpose, of promise, and of productivity for we, the people.

Lord God, please bless Speaker BOEHNER; Leader PELOSI; my Congresswoman, Mrs. MCCARTHY; and all those who have the challenge to lead for such a time as this.

Lastly, Lord, before I ask You to continue to bless America, bless our President Barack Obama and all those who are in service to this great Nation. Teach us how to bless You, Lord, so that You, God, may continue to bless America.

It is in the name that is above every name that I offer up this petition to the Throne of Grace. I am speaking of my personal Lord and Savior; Jesus Christ is the name in which I pray.

And we all say together, amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New York (Mrs. MCCARTHY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MCCARTHY of New York 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 SERETTA MCKNIGHT

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 1 minute.

There was no objection.

Mrs. MCCARTHY of New York. First of all, Mr. Speaker, I would like to certainly welcome the family and friends of our sister, Reverend Seretta McKnight, who just delivered that wonderful prayer opening today's session in the House of Representatives.

Reverend McKnight serves at the Union Baptist Church in Hempstead, New York, on Long Island. She is a product of the Roosevelt Public School System and is a graduate of Syracuse University. Currently, Reverend McKnight is a candidate for a master of divinity degree.

It has been my honor and pleasure to know Reverend McKnight for many years, and I take this time to recognize her for the outstanding service she has provided to local people throughout our unique district and organizations.

I want you to know that she has worked tirelessly with Sisters in the Struggle and several other community-based organizations. She focuses on programs for women and young people. Reverend Seretta McKnight is affectionately known as the ''sister minister'' to all who are enriched by her sermons and wisdom.

Again, I thank Reverend McKnight, her family, her friends, and her mother for traveling to join us today in Washington. I salute her for her years of service to the people of the Fourth Congressional District and to the people of this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by His Excellency Petro Poroshenko, President of Ukraine, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced.

Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, September 11, 2014, the House stands in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 5 minutes a.m.), the House stood in recess.

□ 0950

JOINT MEETING TO HEAR AN ADDRESS BY HIS EXCELLENCY PETRO POROSHENKO, PRESIDENT OF UKRAINE

During the recess, the House was called to order by the Speaker at 9 o'clock and 50 minutes a.m.

The Assistant Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort His Excellency Petro Poroshenko, President of Ukraine, into the Chamber:

The gentleman from California (Mr. MCCARTHY);

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Oregon (Mr. WALDEN);

The gentlewoman from Kansas (Ms. JENKINS);

The gentleman from California (Mr. MCKEON);

The gentleman from California (Mr. ROYCE);

The gentleman from New Jersey (Mr. FRELINGHUYSEN);

The gentlewoman from Texas (Ms. GRANGER);

The gentleman from Michigan (Mr. ROGERS);

The gentleman from Pennsylvania (Mr. GERLACH);

The gentleman from Ohio (Mr. TURNER);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from New York (Mr. ISRAEL);

The gentleman from California (Mr. BECERRA);

The gentlewoman from New York (Ms. SLAUGHTER);

The gentleman from Illinois (Mr. QUIGLEY);

The gentlewoman from Ohio (Ms. KAPTUR);

The gentleman from New Jersey (Mr. PASCRELL);

The gentleman from Michigan (Mr. LEVIN);

The gentlewoman from Florida (Ms. BROWN); and

The gentlewoman from Connecticut (Ms. DELAURO).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Petro Poroshenko, President of Ukraine, into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from Connecticut (Mr. MURPHY);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Missouri (Mr. BLUNT);

The Senator from Wyoming (Mr. BARRASSO); and

The Senator from Tennessee (Mr. CORKER).

The Assistant Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency H.E. Bockari Kortu Stevens, the Ambassador of the Republic of Sierra Leone.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 10 o'clock and 12 minutes a.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced His Excellency Petro Poroshenko, President of Ukraine.

The President of Ukraine, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you His Excellency Petro Poroshenko, President of Ukraine.

(Applause, the Members rising.)

President POROSHENKO. Mr. Speaker, Mr. Vice President, Majority Leader, Members of the House, Members of the Senate, ladies and gentlemen, it is impossible to imagine what I am feeling right now. How symbolic is the unity of the United States Congress in solidarity with Ukraine.

This is exactly what Ukraine now needs the most, unity and solidarity, not only with the United States Congress, not only with the United States, but with the whole world.

Let me thank you for your warmth and hospitality. Addressing both Houses of the Congress is one of the highest political privileges.

Standing here, I am grateful and fully aware that this honor goes not to me, but to the people of Ukraine, those brave men and women who are today on the forefront of the global fight for democracy. Forty-five million Ukrainian people are watching this speech in this session of the Congress, seeing and absolutely sure about our solidarity and our joint and common strength. And please allow me to speak on their behalf.

I will focus on the one thing that is at the core of Ukraine's existence today: freedom. There are moments in history when freedom is more than just a political concept. At those moments, freedom becomes the ultimate choice which defines who you are as a person or as a nation.

Ukraine has lived this moment over the last 10 months and became the scene of the most heroic story of the last decade, a synonym for sacrifice, dedication, and the unbreakable will to live free.

The people of Ukraine stood up to the corrupt regime of Yanukovych. They stood their ground during this dramatic winter. More of you were together with us during the last winter, and I thank you for this very important—for us—gesture of solidarity.

The defenders of freedom were willing to sacrifice their lives for the sake of a better future. What is even more amazing is that they and we won. Armed with only sticks and shields, they attacked the special police and chased them away.

The victory gained on Independence Square in Kiev, now known to the whole world as the very international word of ''Maidan,'' was a victory against police brutality, harassment by the state-controlled media, violence, and intimidation.

There is nothing more impressive than seeing hundreds of thousands of peaceful people forcing out a violent dictator and changing the course of history—the second time in our history.

Day after day, week after week, month after month, thousands upon thousands streamed into the streets of Kiev simply because their dignity didn't allow them to remain passive and silent while their liberties were at stake.

The standoff on the Maidan lasted a long 3 months. It culminated on February 20 and 21, when over 100 protesters in 1 day were shot by snipers.

We call them the ''Heavenly Hundred.'' We revere them as true national heroes, and we applaud their heroism.

Dear ladies and gentlemen, in February, when the world saw that no one could take away Ukraine's freedom, an external aggressor decided to take away a part of Ukrainian territory. The annexation of Crimea became one of the most cynical acts of treachery in modern history.

I just want to call your attention to the fact that Ukraine gave up the third largest nuclear potential in exchange for security assurance and was stabbed in the back by one of the countries who gave her that assurance.

Allow me to remind you that 20 years ago—exactly 20 years—in the Budapest Memorandum, Russia, along with the United States, the United Kingdom, France, and China, vowed to provide for the inviolability of Ukraine's state borders and territorial sovereignty.

In reality, what we got from Russia was annexation and a war that has brought Ukraine to the brink of its survival.

The Soviet Union had collapsed too quickly, creating the illusion that this chapter in history was closed and that this story had come to the end; but, unfortunately, in the minds of the people, it has not ended. The imperialistic mindset is still there. Nostalgia for the Soviet Union and the dismissal of the settlement that ended the cold war has been cultivating revisionist instincts.

In the year 2008, Russian troops occupied Abkhazia and South Ossetia. Now, they have invaded Ukraine. The right to protect ethnic Russians and even Russian speakers can and already has become a reason to fan the flames of war. Besides Ukraine, Russian speakers reside now in Moldova, Georgia, Kazakhstan, the Baltic States, Poland—even in Germany there is a very big majority—and Bulgaria.

Moldova, Georgia, Ukraine—who is next? Many things, including the effectiveness of the global nonproliferation system, will be put to a severe test and judged depending on the response of America and of the whole world to this very simple question.

Even NATO allies are at risk. As if to underline this point, 2 days after President Obama's visit to Estonia, the day the NATO summit ended, an Estonian intelligence officer was abducted and accused of espionage.

The security assurances that were extended to Ukraine then have failed to work, proving that no agreements or treaties can secure world order.

So what can bring peace and what can maintain it? Common values, cooperation, interdependence, leadership, and responsibility. These are the things that can defend global security; so I urge you not to let Ukraine stand alone in the face of this aggression.

It is very important that the whole world will see this gesture of solidarity. Ukraine is not alone. We are together, we are united, and we will win because our fighting is fighting for freedom and fighting for democracy. I have absolutely no doubt that our victory will be very close.

I am absolutely sure that the United States made a commitment that it would stand behind Ukraine's territorial integrity, and we hope that it will live up to that promise because it is very simple: democracies must support each other. They must show solidarity in the face of aggression and adversity; otherwise, they will be eliminated one by one.

The aggression against Ukraine has become one of the worst setbacks for the cause of democracy in the world in years. With just one move, the world has been thrown back in time to a reality of territorial claims, zones of influence, criminal aggression, and annexations.

Can you imagine, within 2 weeks, Crimea was invaded and annexed. Why? Because Ukraine simply was not prepared to face this aggression. We were not prepared to face this enemy. That was exactly at the time of the revolution of dignity, and they used this opportunity, without any doubt.

The postwar international system of checks and balances was effectively ruined. The world was plunged into the worst security crisis since the U.S.-USSR standoff of 1962.

Today, we are witnessing another attempt at dividing the world, and Ukraine stands in the center of this attempt.

The outcome of today's war will determine whether we will be forced to accept the reality of a dark, torn, and bitter Europe as part of a new world order.

This Ukrainian Army—imagine these young boys, underequipped and often unappreciated by the world—is the only thing that now stands between the reality of peaceful coexistence and the nightmare of a full relapse into the previous century and into a new cold war.

Ukrainian soldiers, Ukrainian people, and Ukrainian boys and girls are now on the front for freedom and democracy. They need your support.

The war that these young men are fighting today is not only Ukraine's war. Everybody should understand that. It is Europe's, and it is America's war too. It is a war of the free world—and for a free world.

Today, aggression against Ukraine is a threat to the global security everywhere. Hybrid proxy wars, terrorism, national radical and extremist movements, the erosion of national and international agreements, the blurring and even the raising of the national identities, all these threats now challenge Europe. If they are not stopped now, they will cross European borders and spread absolutely throughout the world.

To prevent this, thousands of Ukrainian soldiers are in the line of fire exactly right now when we have a so-called cease-fire. From the date we started the cease-fire, Ukraine lost 17 lives of the Ukrainian soldiers, 67 are wounded. This is the cease-fire. This is the price Ukraine now paid for the peace.

Speaking in the United States Congress, from this high beacon of freedom, I want to thank them for their sacrifice. Thank you for the United States Congress. And I urge the world to recognize and endorse their fight. They need more political support throughout the world. They need more military equipment, both lethal and nonlethal, urgently needed.

Please understand me correctly, blankets, night-vision goggles are also important, but one cannot win the war with blankets. Even more, we cannot keep the peace with a blanket, and this is the most important of our values, of our aim: not to win the war, but keep the peace. For keeping the peace, we should be strong enough, and there is not any doubt that we will be strong because of you, because of our solidarity, and because of the combat, the very strong spirit of the Ukrainian soldiers.

I thank all of those in America who realize and appreciate the historic importance of this fight.

Just like Israel, Ukraine has the right to defend her territory, and it will do so with all the courage of her heart and dedication of her soul.

I urge America to help us and to rise and to be equal to its natural and manifest role. I urge America to lead the way.

Ukraine has a special bond with the United States. Today, Ukraine is taking shape as America's natural and consequential partner in the region. This partnership is not circumstantial. It has not come because we find ourselves ''in the same boat.'' It came about because in the moment of the existential crisis, Ukraine's choice was the same as America's. It is very simple: freedom, democracy, and the rule of law.

In a time of Europe's skepticism and Russia's open, unprovoked hostility, Ukrainian citizens have been ready to give their lives to see Ukraine democratic and free.

Circumstantial ''boats'' can change; the nature of the people cannot.

It is in the nature of the Ukraine people to tolerate no dictators and to strive for their freedom, no matter what. Given today's situation, Ukraine's democracy will have to rely on their own strong army.

In the upcoming years, building a strong military will be another existential test for Ukrainian democracy. I see it as my utmost duty to rectify the damage done to the Ukrainian military and to give Ukraine a strong, modern army that we can be proud of.

With this in mind, I strongly encourage the United States to give Ukraine a special security and defense status, which should reflect the highest level of interaction with non-NATO allies.

I also ask that the United States be forceful and stand by its principles

with respect to further sanctions against the aggressor.

Economic sanctions are important for many reasons. They help to distinguish between good and evil. They help us to defend and stand the moral high ground and not to sink into indifference disguised as pragmatism.

I understand that the wars of the last decade have taken a heavy toll on the economy of the West. And I understand, believe me, that Americans and American citizens and American taxpayers want peace, not war. So do Ukrainian citizens and taxpayers. However, there are moments in history, whose importance cannot be measured solely in percentages of GDP growth.

Ukraine's war is the only war of the last decade that is purely about values. Ukraine's war is the war, again, for the freedom, democracy, and European values, and the best evidence of that is the number of members of the Ukrainian Parliament which fortified our association agreement with the European Union.

Our nation decided to be free and democratic. Another nation decided to punish Ukraine for this. The world simply cannot allow this kind of behavior.

''Values come first''—this is the truth the world and the West would remind Ukraine of over the last years. Now it is Ukraine's turn to remind the West of this truth.

Allow me also to say this. There is no way, at no price, and under no condition that we will ever put up with Crimea's occupation. Ending the occupation and annulling the annexation is not only an integral precondition to a full normalization of the relation between Ukraine and Russia; it is also the integral precondition for Crimea's own prosperity and modernization.

Until this precondition is fulfilled, I urge America and the world to stand united in sending a signal to the aggressors of today and of the future that the policy and practice of annexation will never be tolerated.

And clearly, I am not talking about a military solution of the Crimean problem. This will be a dilemma for many years; a choice between two ways of life; and two political, economic, and social systems. But I have no doubt that in the long run the system that offers the greater freedom will prevail. It always does.

Dear ladies and gentlemen, the last half year has been a time of ultimate challenge for millions of Ukrainians. It was a time for heroism and sacrifice. For too many, it became the ultimate sacrifice. Let me share with you two human stories that illustrate my point.

On March 3, when the occupation of Crimea just started, there was one man in the Crimean city of Simferopol who did the unthinkable. When millions felt paralyzed and stunned at what was unfolding before their eyes, Reshat Ametov, a 39-year-old father of three, decided not to be silent.

This brave son of the Crimean Tatar people went on a one-man protest in front of the occupied city hall. He did nothing more than hold a sheet of paper that said: ''NO to Occupation!'' A group of unknown people arrested him and transported him away—in the plain sight of dozens of witnesses, in front of TV cameras. Two weeks later, he was found tortured and executed—Mafia style.

Just the thought of this man's final tormented minutes sends chills down my spine. I ask myself: what made this hero do what he did? And I can find no other answer than: he did it for freedom, so his children would not face slavery like that of a neo-Stalinist dictatorship.

I am convinced that years from now, when Crimea's occupation will belong to the past, the Crimean people will think about what he did and salute his braveness—just like I do now.

And I assure you that Ukraine will always stand together with the Crimean Tatar people, whose language, rights, and culture are being trampled upon right now—as they were many years ago under Soviet rule.

I urge America and the world not to be silent about these crimes.

It is Ukrainians and Crimean Tatars who are being oppressed in Crimea right now.

And it is time for all the people of goodwill to rephrase John Kennedy's words from over 50 years ago: ''I am a Crimean Tatar''—and there is nothing that would make me give up my freedom.

And let me also commemorate another Ukrainian hero—Volodymyr Rybak, a 42-year-old father of two and a member of the municipal parliament of East Ukrainian Horlivka.

On April 15, he confronted separatists and Russian special operations officers over a separatist flag that they were trying to hoist atop the local administration building. Exactly just like Reshat Ametov, he was abducted and tortured. His last hours must have been unthinkable. His body was badly mutilated.

Today, I stand here in awe of this tragedy and of the courage and sacrifice of this man and of the courage and sacrifice of the millions of Ukrainians.

From the bottom of my heart, I deeply believe that there will be a time—and I am sure very soon—when Horlivka's central square will be named after Volodymyr and when schoolchildren will bring flowers to his monument.

Dear ladies and gentlemen, make no mistake: Europe's, and the world's, choice right now is not the choice between a unipolar and a multipolar order. Neither is it a choice between different kinds of civilizations. It is a choice between civilization and barbarism.

And while standing at this juncture, before this great trial, the democratic world cannot shrink or hesitate. We don't want to see all the democratic accomplishments of the last decades to be erased and to have been for nothing.

The free world must stand its ground. With America's help, it will.

Yes, we live in a world that is mutually reliant and interconnected. In this world, the aggression on one democratic nation is aggression against all of us. We fully understand that.

If anyone had doubts about this—if anyone was hoping ''to sit it out'' while Ukrainians and Russians continue killing each other—this ended on July 17, when a Russian missile launched by a Russian mercenary shot down the civilian Boeing 777 Malaysian flight MH17. Two hundred and ninety-eight innocent, peaceful people, many of whom were flying on their vacations in the south, met their ultimate demise in the steppes of Ukraine.

Their cold-blooded killing—just like the barbaric treatment of their remains afterwards—showed that whoever floods Europe with uncontrolled weapons puts millions of lives at risk for years, for decades.

This was an undisputable brutal act of terror. Unfortunately, it was this tragedy that gave a wake-up call to many in the world about the situation in Ukraine.

Long after wars end, the fear and hate linger on.

How many more deaths will be caused by the handguns handed out, with absolutely no controls or accountability in those regions?

How many innocent children will step on landmines so massively utilized by the separatists?

How many lives will be ruined and souls poisoned by the propaganda machine?

The act of pumping the region full of uncontrolled arms represents a policy of state-funded terrorism—and it needs to stop now.

The cynical downing of the Malaysian Boeing revealed one more important thing: we are now at the forefront of the fight against the terrorism.

And we need to join our efforts to effectively respond to this challenge.

With this said, people throughout the world are asking the same questions:

''Are we on the eve of a new cold war?''

''Is the possibility of a new, terrible, and unimaginable European war there?''

''Is what until recently seemed unthinkable now becoming a reality?''

Sadly, today, the answer to all of these questions is ''yes.''

However, we cannot and must not accept this as an inevitability.

As recently as 2008, the then-President of Russia ran his election campaign under the slogan ''Freedom is better than non-freedom.'' And it was in Russia in the year 2008.

I am sure that, despite the Crimean annexation and the ongoing aggression, millions of Russians still remember that slogan and take it seriously.

Please, let's remind them. Let's show them that freedom is not a luxury—as some try to convince them—but a necessity, and a precondition for the true success of a nation.

I am convinced that the people of Ukraine and the people of Russia have enough goodwill to give peace one last chance and prevail against the spirit of hate between our countries.

That is why my Presidency began with a peace plan and a one-sided cease-fire, which will last a long 10 days, again, paying a very high price of the killing Ukrainian soldiers, hitting Ukrainian planes, and hundreds wounded. We keep this cease-fire a long 10 days.

Unfortunately, this was not accepted by Russian separatists. That is why we are holding our fire now. That is why two armies stand before each other without massively shedding each other's blood. And if things work out right, they will not have to.

I am in daily contact with the leaders of the world, including the leader of Russia.

The dialogue is not easy, believe me. Over these last months, too much goodwill was destroyed. Too much hate was generated, naturally and artificially. Too many people have died.

Based on that, I feel there is a growing mutual recognition that enough is enough. The bloodshed must stop. The pandemic of hate must be localized and contained.

As President, looking in the eyes of the mothers and wives of the dead soldiers and civilians, believe me, this is my hardest duty.

No one can take it lightly. Today, it is my burden and the burden of President Putin. As he lit a candle in a Moscow church to remember those who perished in this war last week, I did the same in Kiev.

And from the bottom of my heart, I deeply, profoundly wish that church candles would be the only things burned in Ukraine from now on.

□ 1050

Over the last months, Ukrainians have shown that they have the courage to stand up to the most powerful enemy. We will never obey or bend to the aggressor. We are ready to fight, but we are a people of peace, and we extend the hand of peace to Russia and to the Russian-inspired separatists.

I am ready to do my utmost to avoid a further escalation and casualties, even at this point, when the war has already started feeding on itself.

Sooner or later, I am absolutely sure peace will return to Ukrainian homes; and, despite the insanity of this war, I am convinced that peace can be achieved sooner rather than later. I am ready to offer the separatists more rights than any part of Ukraine has ever had in the history of the nation.

I am ready to discuss anything—Ukrainian independence, Ukrainian territory, Ukrainian sovereignty—except one thing, Ukraine's dismemberment. I am confident that, if this war is about the rights and not about the geopolitical ambitions, a solution must—and I am sure will—be found.

Ladies and gentlemen, in 1991, independence came to Ukraine at a very low cost and peacefully; yet the more real this independence became, the higher grew its cost. Today, that cost is as high as it gets.

While fighting this war, we learn to value independence and to recognize true friends, and at no point do we ever forget why we need independence. We need it to have a country worthy of the dreams of our ancestors. We need a state that would give its citizens a life of dignity, fairness, and equal opportunity.

To reach this goal, we will have to root out the sins that drained Ukraine's potential for such a long time and made the two decades of independence a time of lost opportunities. We are painfully aware of these sins—largely inherited from the era of Soviet Union decay—corruption, bureaucracy, and the self-preserving cynicism of political elites.

There is a saying that each people deserve the government it gets. Ukraine's two revolutions within a single decade show that Ukraine as a people is much better than Ukraine as a government. It shows that Ukraine needs and deserves deep and profound modernization in absolutely all spheres, of the kind that brought economic success to Poland.

Given the current situation in and around Ukraine, the implementation of comprehensive reforms is not a matter of Ukraine succeeding but of Ukraine surviving. Deeply aware of that, I gave my voters this pledge, and I will stick to it.

With the Ukraine-EU Association Agreement signed and ratified simultaneously in the Ukrainian and the European Parliament, we have a clear path of reforms before us. Never in the history of the European Union was there a document that was paid for so dearly, at such incredible human cost and sacrifice.

This sacrifice, the memory of the hundreds dead and wounded, will be one more reason and incentive to hold to this unique chance to make Ukraine live up to its potential.

Ukraine needs more than governance and noncorrupt public administration. Ukraine needs to delegate more powers to the local communities. Ukraine needs to rely more on its strong, vibrant, and dynamic civil society.

Ukraine is building a new model of managing its state and economic affairs, where merit and hard work are duly rewarded. Ukraine needs know-how, technology, and new startups to become better integrated with the global economy. And, for all that, we need America's help.

In particular, I ask the Congress to create a special fund to support investments of American companies in Ukraine and to help us with reforming our economy and our justice system. I assure you that all aid received from the West will be utilized by noncorrupt institutions and that the new generation of officials will make sure the funds are distributed effectively.

Ladies and gentlemen, we called our revolution the revolution of dignity. Human dignity was the driving force that took people to the streets. This revolution must result in an education of dignity, an economy of dignity, and a society of dignity.

Human dignity is what makes Ukraine's heart beat and Ukraine's mind look toward a new and better version of itself. Human dignity is the one thing we have to oppose the barbarism of those attacking us.

It is the one thing that we can set against the sea of lies in which the highly sophisticated and well-funded machine of Russian propaganda is trying to drown the truth about Ukrainian democracy.

In the coming years, too many things will depend on Ukrainian success. This success will be determined by Ukraine's new leadership, by its new political generation, and by the newly mobilized society of Ukraine. Ukraine truly makes a difference.

By supporting Ukraine, you support a new future for Europe and the entire free world. By supporting Ukraine, you support a nation that has chosen freedom in the most cynical of times.

In Ukraine, you don't build a democracy; it already exists. You just defend it. This is exactly what makes Ukraine unique and its struggle deeply and profoundly different from any other conflicts on the world scene. This is what makes Ukraine the ultimate test of adherence to the ideal of freedom.

''Live free or die'' was one of the mottos of the American Revolutionary War.

''Live free or die'' was the spirit of the revolutionary Maidan during the dramatic winter months of 2014, with the significant presence of the Members of the United States Congress, and we thank you for that.

''Live free or die'' are the words of Ukrainian soldiers standing on the line of freedom in this war.

''Live free'' must be the answer with which Ukraine comes out of this war.

''Live free'' must be the message Ukraine and America send to the world, while standing together in this time of enormous challenge.

Thank you.

(Applause, the Members rising.)

At 11 o'clock and 1 minute a.m., His Excellency Petro Poroshenko, President of Ukraine, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 11 o'clock and 2 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1201

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 12 o'clock and 1 minute p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 4, JOBS FOR AMERICA ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2014, THROUGH NOVEMBER 11, 2014

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 727

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from September 22, 2014, through November 11, 2014,—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my friend, 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. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, today, the House is considering a rule for the consideration of two bills, a package to boost America's energy production and a package to jump-start our American economy. Combined, these bills will help get America back to work with an America that we can afford.

First, the rule provides for consideration of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

This bill would accomplish three important goals for the American family: first, it would create up to 1.2 million good-paying jobs for Americans who are out of work or who are underemployed; second, it would lower—it would lower—energy prices in America; third, it would draw our country closer to an important goal that we should all share, and that is American energy independence.

Let's start by identifying the problem. The facts of the case are that the Federal Government is standing in the way of an American energy boom. That means they are standing in the way of American progress and progress for Americans to have jobs and a better life.

For over 6 years, the American people have waited for this administration to approve construction of the Keystone pipeline. Unfortunately, the approval process has been marred by indecision and unnecessary delays.

First, opponents of the pipeline argue that it would be an environmental disaster; since then, virtually all of the major environmental concerns surrounding the project have been not only addressed, but debugged.

Second, opponents of the pipeline argue that it was unsafe; yet study after study after study have shown the pipeline to be safe and an effective means to transport much-needed energies for America's resources.

The opponents of the Keystone pipeline have run out of excuses, but they continue to delay a decision.

Then there is the Department of Energy, which has been far too slow in approving applications to export liquefied natural gas. The Department has decided on only nine applications submitted to it for the last 4 years.

Twenty-six applications still await action—many, many of which have been delayed by this administration for purely political reasons—another reason to say they are getting in the way of Americans having jobs today. They are getting in the way of American independence for energy.

As a result of these delays, America is squandering an energy boom that could make America, which is the largest producer of natural gas, even better and add to the American economy.

The Department's broken application process destroys good-paying jobs and hampers our economic growth. The energy revolution already supports 1.7 million high-paying, great jobs in America, and we could add an additional 1.3 million new American high-paying jobs by 2020, but only if the Federal Government will get out of the way of its development.

It also allows our international competitors, such as Russia and Iran, not to be dominant in the marketplace and not to use domination for political power and economic power over other countries in Europe.

The Federal Government has ruled 87 percent of our offshore acreage currently off-limits to energy production. Even worse, the administration doesn't have a plan to develop these resources. In fact, the administration's offshore leasing plan for the next 3 years offers no new areas for lease and includes the lowest number of lease sales in history.

This administration's no new drilling policies have cost Americans jobs. We have forfeited revenue that would help us pay down our national debt and denied access to American oil and natural gas that would lessen dependence on foreign sources. More importantly, the American consumer continues to pay higher prices at the pump, nearly

double from the time this administration took office a scant 5-plus years ago.

My friends in the minority might rightly point out that U.S. oil and natural gas production is growing; however, the growth is entirely due to increased output on State and private lands, not on Federal lands. Our growth in energy production is in spite of the Federal Government, not because of it.

Combined, these policies hurt the American people. They hurt men, women, and families who need to be able to have a stable price at the pump with energy that is available in a constant supply throughout the seasons.

High energy costs drive up prices, they limit what American families can do with their individual resources, and it is a problem in our economy. That means that the American people have less money in their pockets to buy groceries, to pay the mortgage, or to purchase school supplies for their kids.

What are the solutions to these problems? First, the energy package considered under this rule would speed up approval of the Keystone pipeline. When completed, the Keystone pipeline will transport over 800,000 barrels of oil every single day, adding to the supply.

That means that we can wean ourselves off Middle East oil. The equivalent of half of our daily imports comes from the Middle East.

Second, the bill would force the Department of Energy to issue a final decision on applications to export liquefied natural gas within 30 days of completing the environmental review process, an important step in increasing our exports of LNG and adding to the 1.3 million jobs that are awaiting filling as a result of this delay by this administration.

Third, H.R. 2 would expand oil and natural gas production in the United States by rolling back the administration's overzealous environmental policies that have slowed our economic progress and made energy too expensive.

At a time when so many Americans are unemployed and underemployed, this job-creating legislation would unleash our vast energy resources to create these 1.2 million jobs. We need them now. We need America to have stable energy prices.

In short, the bill would finally pave a way forward for energy policies that would lower energy prices, strengthen our economy, create jobs, lessen our dependence on foreign energy sources, and give the American family and worker an opportunity to have gasoline at the pump at a lesser price.

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

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

□ 1215

Mr. Speaker, I rise today in opposition to the rule and the underlying bills, the so-called American Energy Solutions for Lower Costs and More American Jobs Act—it is H.R. 2—and the Jobs for America, so-called, Act, H.R. 4. Don't let the titles of these bills fool you. H.R. 2 and H.R. 4 won't create any new jobs but would continue to degrade the quality of life and health of the American people.

These bills put more money in the pockets of big industry, corporate welfare, undermine the efficiency of our regulatory activities, and continue to fail to provide opportunities for the middle class, while they continue to enrich international conglomerates and corporations.

Not only are these bills bad, but I should add, Mr. Speaker, the House has already voted on all of these bills that are already included in H.R. 2 and H.R. 4 this session—just another waste of taxpayer time and money here debating and voting on bills that have already been passed. Just as the Republicans have chosen to repeal the Affordable Care Act 53 times, so too we are passing many of these bills for the second time here today if that is the decision the House chooses to make.

Now, I think it is clear, all of us here know, that these bills will not become law, that the Senate did not take them up after the House passed them. There is no indication or reason to believe that in this new configuration and being lumped together in new and more sinister ways that the Senate will react any more positively.

Sadly, it is quite clear that the majority here in the House are either unable or unwilling to bring forth fresh ideas to jump-start the middle class.

These bills instead are bound to political pandering, rewarding of campaign donors and large corporations in advance of elections, instead of taking advantage of our precious few remaining days of session to address the real problems facing our Nation.

I am also dismayed that both of these bills are being reviewed under a closed rule here today. It was fairly recently here on the floor of the House that we celebrated the diamond jubilee of closed rules, 75 closed rules from the Republican Party. H.R. 2 and H.R. 4 are the 76th and 77th closed rules this Congress. Just before this Chamber breaks for a 6-week-long recess, the majority has shut down the process of regular order and not allowed Republicans or Democrats to offer our amendments to improve these bills.

Even though they are not bringing new legislation before us today, we should at least allow—at least allow—Democrats and Republicans to offer their ideas to make these bills better. What is the point in passing the exact same bills without even giving Members of this body the ability to make them better?

I offered two amendments in this bill, which I will speak about later, but, unfortunately, neither was made in order. Other Members of this body also offered great ideas to help improve this legislation, but none were allowed. Instead, we have a restricted rule which has shut out debate from Members on both sides of the aisle. If we can defeat this rule, we can move forward with an open process, encouraging and allowing amendments from both sides of the aisle.

We don't have the precious time left for political posturing. While we were talking here now, I got a text on my phone that votes are, in fact, canceled for tomorrow. I am not sure if my colleague is yet aware of that or if the Speaker is yet aware of that, but this, in fact, may be the last day that we are in session before the election.

And yet instead of dealing with immigration reform, there is a bill to pass of more than two-thirds. Instead of protecting LGBT Americans from being fired from their job just because of who they love or who they are, here we are today bringing forward bills that have already passed in different configurations, that would hurt the quality of life for American families, that would hurt the environment and hurt the health of the American people.

This compilation of bills in H.R. 2 is really an oil and gas industry wish list. Now, of course all of us support responsible energy development on Federal lands and private lands, make sure we balance production with our quality of life and our health. This bill, however, would prioritize development over all other uses of land and all other values that we hold as a country. This bill would also reduce important protections that we have in favor of speculative energy exploration and development.

Now is not the time to pass a massive corporate giveaway bill to the oil and gas industry, an industry that is already very profitable. They don't need more taxpayer subsidies just to add to their bottom line, especially not at the expense of our health, our environment, and the enjoyment of our public lands and our quality of life.

While there are many problematic provisions in the bill, several are particularly concerning. One provision in the bill would streamline pipeline approvals, so would even allow for the automatic approval of natural gas pipeline projects without any impact studies or opportunities for public comment.

This bill would also discourage environmental analysis, undermine agency decisions like curbing carbon pollution, and yet another provision would prevent the Federal Government from overseeing fracking activities on Federal lands, an issue near and dear to the hearts of my constituents in the State of Colorado.

It is particularly egregious that given that this bill has a wish list from the oil and gas industry, that somehow, for those of us who support an all-of-the-above energy approach, it left out the wind energy production tax credit.

The wind production tax credit is a solution that has allowed for rapid scaling of wind power over the past couple of decades. So why would we be doubling down with taxpayer subsidies for the oil and gas industry at the same time we are not even renewing the one important subsidy that wind energy has?

Now, I offered two different solutions for this, and I was hoping either one of them would have been a constructive way to approach this on the floor of the House. I offered an amendment with Mr. PERLMUTTER to simply extend the wind production tax credit for the next 2 years. Now, that would create jobs, encourage private investment, and allow wind energy to compete on a level playing field with the heavily subsidized oil and gas industry.

I also offered another solution—and I am certainly willing to support either—and that solution would be to eliminate the over $40 billion in taxpayer subsidies to the oil and gas industry. If we had gone that route, again, at least wind and solar energy would be able to compete on a level playing field because we would stop doling out our precious taxpayer dollars as subsidies to the legacy interests in the oil and gas industry.

That too was not allowed to even be debated, not for 10 minutes, not for 1 minute. Instead, apparently having Friday off was more important than allowing Democratic and Republican Members of this body to present their ideas on how to make a bad bill better.

H.R. 4, the Jobs for America Act, is a group of 15 bills that have also been previously passed by the House. Many of them serve to attack our processes we have in place to keep American consumers safe. The bill empowers polluters, bogs down agencies that are charged with protecting the public health. None of them have become law, having already been passed, and I think all my colleagues here know that none of them will become law in this new and more sinister configuration.

Now, I would love to see a balanced tax extender package that lowers the Federal deficit, strengthens our economy, can actually pass the Senate and be signed into law, but I think we all know that is not the bill before us today.

H.R. 4 would actually add to the deficit by making tax cuts for many special interests permanent. A $574 billion deficit-busting bill on our last day of session, what a great lead-in to the general election for the Republicans to present a massive, Big Government spending, $574 billion subsidy bill for our consideration. I think the American people understand the contrast and the different approaches that are in play this year.

Now, an amendment I offered with Mr. BLUMENAUER, which I mentioned earlier, would have offset some of that cost by eliminating the oil and gas industry subsidies to the tune of $40 billion. Now, the bill still would have cost $534 billion, but it would have cost $40 billion less if we had eliminated the oil and gas subsidies. But, again, apparently having a Friday off is more important to my colleagues on the other side of the aisle than having a full and open debate of the merits or lack of merits of the proposal I advanced with Mr. BLUMENAUER.

In summary, I oppose the closed rule in addition to the underlying bills.

Now, we could have shown the American people that Congress could end on a positive note, that we could come together and address our broken immigration system, that we could come together to address our deficit; but instead, we are providing yet another example of why Congress continues to have record low approval ratings: rehashed, repackaged, partisan bills costing taxpayers $574 billion, enriching the special interests in corporations, and then going on vacation. And people wonder why the American people aren't thrilled with the United States Congress.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Hood River, Oregon (Mr. WALDEN), from the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, the chairman of the Rules Committee has actually read the bills that are in this package and knows that they are much more than what my colleague and friend from Colorado just described. Because actually, the forestry legislation is something that passed this House 363 days ago in a big bipartisan vote, a big portion of which was written by my Democratic friends PETER DEFAZIO and KURT SCHRADER. That is in this package.

We have another bill coming up later that has twice passed this House unanimously. Those aren't partisan bills that are being put out, as you said, Mr. POLIS, to reward donors or anything else. This is about creating jobs in America.

By the way, lots of parts of the world, like my district, need jobs. They need the certainty of jobs. And I don't know about Colorado, but Oregon and California and a lot of places are going up in smoke, choked with smoke because of forest fires.

The legislation in this package that we are going to send back over to the Senate one more time, thanks to this rule and thanks to the leadership of this chairman, would allow us to get people back to work in the woods, address the problems of these fires, produce revenues for schoolteachers, for sheriffs and sheriff's deputies, for search and rescue, for all the basic, fundamental services that matter in rural communities and, I think, matter across the West.

So, if you don't believe in taking care of your forests, then vote ''no'' on this rule.

Mr. Speaker, 363 days ago, the House passed H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. Two days short of a year, the Senate has done nothing—nothing. They failed to pass a single active forestry bill—nothing. Our forests are going up in smoke. We are spending taxpayer dollars to fight the fires. We are devastating watersheds. This has to change.

The Federal Government controls over 50 percent of the land in Oregon. In 10 of the 20 counties I represent, they control over half of the land. Over the last 30 years, timber harvests on these lands, these Federal lands, has been decreased by 90 percent—nine-zero. Forests aren't static; they keep growing and they keep dying. We get beetle infestations; we get drought; and then we get fire. Nothing happens after the fire, other than the trees sit there and burn. Then they die; then they rot; then they fall over. There is no productive use. All that needs to change.

Ninety percent reduction in harvest of Federal lands.

Do you know what that means out in our areas where the Federal Government is supposed to be the steward? It means that we have lost 300 mills and 30,000 American jobs—30,000 American jobs. These are jobs bills we are talking about here. These same rural areas that I represent have poverty rates at 20, 25, 30, even as high as 33.9 percent in Josephine County, right down in here, 33.9.

You want to do something about poverty? Create a job. You want to do something about getting America on track? Pass these bills. Get the Senate to pass these bills. We will create jobs. We will generate revenue. We will have positive cash flow in this country for once. It doesn't have to be this way. We can put people back to work. So Chairman HASTINGS and Chairman BISHOP and myself and others worked on the bipartisan forestry legislation.

As I mentioned, we actually have run this bill through an independent evaluation process to say what does this mean for the people of Oregon, because there is a portion here that relates just to the O&C lands which are only in Oregon. Democratic Governor—Democratic Governor—John Kitzhaber, his team took a look at our bipartisan bill, and they concluded that it would create or save 3,000 Oregon jobs. These are real jobs. These are real people. These are real families that have been suffering. Three thousand Oregon jobs.

It would generate $100 million in revenue or thereabouts. That would pay—pay—for basic services, pay for basic services. 500 million board-feet of timber a year would be harvested. It would be predictable. You would have a private sector involvement here.

Twenty-nine Oregon counties, from Klamath, to Hood River, to Wallowa, including all 20 in my district, 29 Oregon counties passed resolutions supporting this bipartisan legislation. We passed it 363 days ago. The Senate, I don't know what they do over there, not much productive. We are going to give them another chance.

Yes, we are repackaging these bills. Yes, the House has passed these bills before. Yes, they passed in a bipartisan manner. We are at the end of our legislative session. It is time, one more time, to make another attempt to pass this into law, to wake up the Senate, to get them to do the right thing.

So support the rule. Let's move forward. We don't need more partisan rhetoric here. We need to help America get on its feet. We need to take better care of our forests. We need to take better care of our watersheds. We need to put people back to work in America. And that is what these bills do.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this rule. And for the benefit of my colleagues, I want to be very clear about one of the implications of the language in this rule that is before us.

□ 1230

A vote for this rule is a vote to shut off the mechanisms of the War Powers Resolution for the next 2 months. If any Member of this House has any concerns about the ongoing military operations in Iraq, the potential of U.S. military airstrikes in Syria, or the possible introduction of U.S. combat ground forces into either country, then this rule will tie their hands for the next 2 months.

If any Member introduces a privileged resolution under the terms of the War Powers Resolution, this rule freezes that resolution in place and stops the clock that would normally advance under the War Powers Resolution.

It is perfectly clear that the House will not debate and vote on an authorization on Iraq at this time. Unfortunately, it is not clear if any vote will ever happen at any time in this House, even after we come back in November, even though there is a growing bipartisan consensus that such an authorization is needed.

This rule freezes out each and every Member of this House from taking any action to move forward the possibility of a vote on Iraq or Syria under the terms put in place by the War Powers Resolution.

On August 8, the U.S. began daily bombing in Iraq—at first to protect the Yazidis trapped on Mount Sinjar. But almost immediately, the bombing campaign expanded to include infrastructure, and then to provide air support to ground operations to retake territory by Iraqi and Kurdish military forces, and then to protect more major infrastructure, and this week to dislodge ISIL from the environs of Baghdad. For 6 weeks, I have been waiting patiently for the leadership of this House to recognize that what we all know is true: the United States is engaged in hostilities and carrying out sustained combat operations in Iraq and that it is time for the House to debate and vote on an authorization.

Yesterday, this House voted to authorize training and equipping Syrian opposition forces. But we have yet to debate and vote on an authorization for the combat operations we are already carrying out in Iraq. Over 150 airstrikes—bombs falling nearly every day—in Iraq. And if that doesn't count as sustained combat, then I don't know what the hell does.

I hear the Senate is drafting an authorization, but no such leadership is happening here in the House. The Speaker says he is waiting for the White House to send a request for an authorization to the House. But as I have said before, the President has stated that he thinks he has all the authority in the world that he needs or wants. It is Congress that is failing to carry out its constitutional responsibilities. It is Congress that is shirking its duties. It is Congress that is sniping from the sidelines while avoiding any responsibility for the servicemen and -women that we are placing in harm's way.

In July, this House overwhelmingly passed a resolution that I offered, along with WALTER JONES and BARBARA LEE, requiring the House to vote on an authorization. And I have been waiting—patiently and respectfully—for the Speaker to schedule such a vote.

Instead, this rule goes in the opposite direction, shutting down the ability of any Member to introduce a privileged resolution and allowing it to mature, as we set forth in the War Powers Resolution.

Now, I understand that this restriction is often included when Congress is in recess for a prolonged period of time. But this time is different, Mr. Speaker, and every Member of this Chamber knows it is different.

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

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. MCGOVERN. Not only are we engaged in sustained combat operations in Iraq, but the President announced last week that he intends to escalate and expand those military operations, and quite likely extend them to Syria. This is a moment in history when the House should not and must not remain silent, let alone slink out of town. We have a responsibility to act.

Until that happens, until we get an ironclad commitment from the leadership of this House that we will debate and vote on an authorization, then I would urge my colleagues to vote down this rule. We have a constitutional responsibility when it comes to war.

Now, I don't believe we should go into another war, but whether you agree with me or you think we should launch into another war, we have an obligation, a constitutional responsibility, to debate and vote on that authorization. We are not doing that. I urge the Speaker to give us that commitment.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts well understands that we handled a privileged resolution on the floor where there was a vote a little bit more than a month ago before the last break.

What the gentleman wants to do is bring Congress back to come and grandstand on the floor for a privileged resolution during the break. The gentleman well understands the rules of the House, the privileges that he is given as a Member, and he knows that he has approached me numerous times, as well as the Speaker of the House, who has offered the gentleman every opportunity, under the rules of the House, that any Member would have.

What this very clearly says is we will not start that clock while we are on recess. That is a normal and regular thing for the House to do, for the rules of this House to protect all the Members.

Mr. MCGOVERN. Will the gentleman yield?

Mr. SESSIONS. I see no reason to. The gentleman just had time and spoke his words. I thank the gentleman very much.

At this time, I yield 5 minutes to the gentlewoman from Grandfather Community, North Carolina (Ms. FOXX), the vice chairman of the Rules Committee.

Ms. FOXX. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise in support of the rule and the underlying bill.

Each year, Washington imposes thousands of pages of rules and regulations on America's private sector employers, as well as State and local governments. Buried in those pages are costly Federal mandates that make it harder for businesses to hire and cash-strapped States, counties, and cities to serve their citizens.

There are some who may not understand why a bill to improve the regulatory process is also a bill about jobs. As a former small business owner, I understand firsthand the concerns job creators have about how lengthy, confusing rules affect their ability to conduct business and provide jobs and opportunities to their employees.

That is why I introduced H.R. 899, the Unfunded Mandates Information and Transparency Act, which we call UMITA, and am glad to see it included in H.R. 4, the Jobs for America Act.

The bill builds upon the bipartisan 1995 Unfunded Mandates Reform Act, also known as UMRA, and will ensure awareness and public disclosure of the cost—in dollars and jobs—that Federal dictates pose to the economy and local governments.

H.R. 899, as included in H.R. 4, does not seek to prevent the Federal Government from regulating. Rather, it seeks to ensure that its regulations are deliberative and economically defensible.

Asking regulators to thoroughly consider and understand the costs of a rule in addition to its benefits should not be

controversial—it is just plain common sense.

Regulators and legislators should know exactly what they are asking the American people to pay and whether the cost of compliance might make it harder for family businesses to meet payroll and stay afloat.

And no government body—on purpose or accidentally—should skirt public scrutiny when jobs and scarce resources are at stake.

In the nearly 20 years since UMRA's passage, weaknesses in the law have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited.

UMITA makes independent regulatory agencies subject to UMRA's requirements, ending a two-tier system that allowed regulations to be implemented without the required consideration, scrutiny, or public input.

H.R. 899 recognizes that the Federal Government's reach extends way beyond the taxes it collects and the money it spends. Regulations can advance government initiatives without using tax dollars.

Rather than count expenses for new programs, the government can require the private sector, as well as State and local governments, to pay for Federal initiatives through compliance costs.

This bill shines much needed light on the murky regulatory process and ensures the public has transparent access to proposed rules and regulations.

Both Democrats and Republicans recognize that appropriate regulations don't need to be issued in the dead of night or negotiated behind closed doors. That is why the House passed H.R. 899 with bipartisan support earlier this year.

I urge my colleagues to vote ''yes'' on the rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman.

I won't need 1½ minutes, but I want to be clear for Members. The privileges that are afforded to Members of this House to vote on the war, those privileges are taken away by this rule.

I want to assure the gentleman from Texas, my colleague and my friend, that I am not interested in grandstanding, and any such a suggestion I find offensive, quite frankly. What I am interested in is us doing our job.

And I want to remind my colleagues that war is a big deal. It is a big deal, and it is long past time that this House treated it as such. We have a constitutional responsibility that we are not living up to.

We voted in July overwhelmingly to say that if there are sustained combat operations in Iraq we are going to have a vote on that. Well, there are sustained combat operations in Iraq. We are much more deeply involved today than we were in July. And I predict by the time we come back in November we will be even more deeply involved.

When are we going to do our job? When are we going to vote? That is what my complaint is about, I would say to the gentleman from Texas. My complaint is that we are not living up to our constitutional responsibilities.

I thank the gentleman from Colorado for yielding.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

With great respect to the gentleman from Massachusetts, I appreciate his insistence on the floor and respect that very much.

I think that this House is, respectfully, doing its obligations and duties. That is what we are doing here today, trying to work with the American people so that we can once again move a jobs package forward.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the chairman for yielding.

I appreciate the opportunity to speak on this rule and the underlying legislation, which I support, because included in the underlying legislation is H.R. 1493, the Sunshine for Regulatory Decrees and Settlement Act, that I authored.

I support these bills that the House will debate and vote on because they will make a difference in the lives of and make them more affordable for families in Georgia and all across America.

You see, Mr. Speaker, the Republican solutions that are offered in these bills that are being brought to the floor today are solutions for moms and dads who can't find full-time employment, who can't afford to buy a full tank of gas, who sit down at the kitchen table with a heavy heart because they can't afford the basics that they just heard their child talk about that they wanted.

Mr. Speaker, America is searching for the things that matter. They are wanting their government to work and they are wanting their government to put ideas to paper. It is not the ideas simply spoken on the floor, but it is the ideas and the dreams and the hopes of every family as they come together wanting a better life, and they want the government not to impede those areas and actually to encourage them.

These bills don't represent just the hard work of my colleagues. They represent the hopes and dreams of Americans who have given up on our government.

House Republicans stand united with one goal: to restore what has been lost. To restore the jobs, the affordable housing, the quality education, the ability to start a business in your home and to see it flourish.

I support these bills to expand domestic energy production because each job it creates equals a family that can put food on the table, buy school uniforms, and do the things that they want to do, not what government dictates.

I am a Republican because I believe that government exists to help, not hinder its citizens. I support these solutions because I firmly believe every family in this Nation should be able to afford life and everything that it entails.

Remember, our Founders said it is the pursuit of happiness, not a guarantee of happiness. And too many times coming from Washington we want to say we will guarantee your happiness. That is not what the Founders said. In fact, what the Founders said is the government will provide the basis for you to go pursue your own happiness, to provide lifelong tools to those who have fallen on hard times, to help moms who are struggling to provide for their kids and have no one to help them. This is the type of government that I believe in, and this is the type of government Republicans in the House are committed to fighting for.

□ 1245

Unfortunately, many times what happens, I believe, is that the Republicans are the ones that have the ability and the track record to create a Federal Government who keeps our Nation safe from terrorism, who gives parents more control over their children's education, and encourages startups and businesses to grow and hire more and more people.

Unfortunately, many times in our debates over priorities and jobs, we come and paint with broad strokes. We paint with broad strokes, saying that if you want to get government out of the business of hindering businesses through regulation after regulation after regulation—not to destroy quality of life, but to improve business and maintain both—that you are simply destroying the things that built America.

Those are broad strokes that the American people, Mr. Speaker, are no longer buying. They are no longer buying a government that simply gets in the way and does not encourage.

I support these solutions on the floor today because I support a government that works, not a government that works against its people. The Republicans are putting forward on this floor today not just simply partisan bills that have been attacked, but these are bipartisan bills being put forward.

I agree with many on the floor today, but it is time that the system work, and it is time for the United States Senate to work. If they don't like our ideas, they should put their own ideas on paper and send them back over, instead of hindering what is going on and having a debate that simply rounds up in this room right here, with friends on both sides of the aisle frustrated with the process.

Before I came to Congress, I was a pastor. I am still a chaplain in the United States military. The greatest thing that I see for people today is that they have lost trust, unfortunately.

They have broke a breach of faith with us.

I believe when we decide that government should be about the people and for the people, then we are doing exactly what we are supposed to be doing; and that is to encourage, as our Founders said, the pursuit of happiness and not the guarantee of happiness.

When we do that, Mr. Speaker, that is Republican principles at play, that is Republican solutions, and that is what these bills offer today.

Don't buy the other argument. Buy the Republican principles that we will help those who need help, and that is the American citizen. That is what I believe in. That is the government I want to see work, not one that hinders people.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for asking and would respond back that I do not have any additional speakers.

Mr. POLIS. Mr. Speaker, I am prepared to close.

Mr. Speaker, I ask unanimous consent to bring up H.R. 15, the comprehensive immigration reform bill.

The SPEAKER pro tempore. Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. SESSIONS. Mr. Speaker, I do not.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thought it was worth a try here to reduce the deficit by over $200 billion, create several hundred thousand jobs for Americans, secure our border and restore the rule of law but, apparently, going on vacation on Friday is more important.

These are likely the last votes that this Chamber will take before the election. Unfortunately, rather than move forward on protecting our borders, rather than move forward on reducing our deficit, rather than move forward on so many of the important national priorities we have, we are simply taking up bills that have already passed, reconsidering them under new and more sinister forms, and sending them nowhere at no time.

These bills are not going to be law. They didn't become law last time. It is even harder for them to become law when they are packaged together in new and different ways. There is a word for this kind of legislative activity, and it isn't ''governing.'' It is called ''pandering.''

Rather than spinning our wheels, we should have taken up the bipartisan comprehensive immigration reform bill. I was hoping that I could have gotten the permission under unanimous consent to bring that up. I am confident we have strong support from Democrats and Republicans in this body to pass that bill and to send it on into law.

Unfortunately, more than a year after the Senate has passed immigration reform, the House still refuses to even allow a vote on our bipartisan immigration reform bill that secures our borders and restores the rule of law, reduces our deficit, and creates jobs for Americans; instead, the only votes the House has taken this year on the entire topic of immigration have been to subject DREAMers—who grew up here and know no other country—to deportation and send immigrant children fleeing violence back to their countries, where they face possible persecution or death.

Rather than continuing to waste the American people's time and taxpayer money debating recycled measures over and over again, I wanted to give this body, through my unanimous consent request, one more opportunity to tackle an issue that will get larger and harder to deal with the longer we wait, and that is immigration.

If there are 10 million people here illegally today, Mr. Speaker, if this body continues to object to every motion we make to bring up a law that would secure our borders and restore the rule of law, there is likely to be 15 million people here illegally in 10 years. You can count on it.

This Nation deserves to have secure borders, we deserve to restore the rule of law, and we deserve to reflect our values as a Nation in our immigration system. I know we have the votes for this bill.

I urge my colleagues to change their plans for tomorrow and, instead, allow us to come back and pass immigration reform so that we can finally solve this issue, reduce our budget deficit, create jobs for Americans, secure our border, and end this Congress on a positive note, a positive note of moving forward on solving an issue that the American people are screaming out for a solution to rather than rehashing and repackaging special interest bills into new and more sinister forms.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that will allow the House to consider six separate pieces of legislation that are true priorities for jump-starting the middle class: the Paycheck Fairness Act, the Fair Minimum Wage Act, the Bank on Students Emergency Loan Refinancing Act, the Healthy Families Act, the Strong Start for America's Children Act, and the Bring Jobs Home Act.

Mr. Speaker, I ask unanimous consent to insert the text of my 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. Mr. Speaker, I urge my colleagues to vote ''no'' to defeat the previous question. I urge a ''no'' vote on the rule.

I encourage us to stay here and address immigration reform so that we can solve this issue for our country, reduce our deficit, and secure our borders.

I encourage my colleagues to vote ''no'' on this closed rule, number 76 and 77 of this Congress, allowing no allowed amendments from either side, including the very reasonable all-of-the-above energy amendments that I offered with my colleagues Mr. PERLMUTTER and Mr. BLUMENAUER that either would have eliminated oil and gas subsidies or provided a similar and corresponding subsidy for the production tax credit and wind energy, so at least it can compete on a level playing field with the oil and gas industry.

I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Today, we have heard a number of speakers not only on the Republican side, but also the Democrat side, talk about the issues that need to be addressed today.

The Republican Party—the Republican majority—under the leadership of our great Speaker, JOHN BOEHNER, has gathered together today a group of bills that have passed the House of Representatives, many of them with overwhelming majorities.

We heard the gentleman from Oregon, GREG WALDEN, talking about the plight of the West—and not just in Oregon—where men and women who live in rural communities have found themselves losing their jobs as a result of the administration's policies of how they would treat their own natural resources.

Mr. WALDEN, an Eagle Scout, just as I am an Eagle Scout, has the forestry merit badge. We understand healthy forests and how they can provide a product, a service, and enjoyment to the American people if well-managed; instead, this administration, because of their unwise management techniques, have allowed the West to burn down over the last 5 years.

At record levels, these forests and resources are up in smoke, not allowing those communities the opportunity to properly replant and take care of their own resources.

What I would like to highlight, if I can, is the Tax Code of America and how America is increasingly becoming less competitive with the world as a result of President Obama's and the Democrats' insistence to continually raise taxes and stand in the way of allowing us to be competitive with the world.

I would like to highlight, if I can, a chart here that comes from the Tax Foundation. They say America currently ranks 32nd among 34 major international nations in international tax competitiveness. This competitiveness, as you see here, starting at the very top, would find America 32nd out of 34th.

What does this mean? This means that, at a time when economies around

the world are growing, we are finding that our country is stuck at an average rate of 2.2 percent.

We have other countries, for instance, like India, which has a 5 percent growth; Russia has surpassed ours over the last 4 years; and China finds their GDP growth at 7.7 percent over the last 2 years; and we are finding that, quarter after quarter, American is even or below, only to ''roar'' back at a 2 percent level.

Ladies and gentlemen, Members of the House, what the package on the floor today is about is to talk about our ability—America—to be competitive with the world so that America's businesses and America's employers find work not only in America but compete on a global basis.

What Republicans are talking about today is a chance to have America gain back its footing, not with supremacy, but with competitiveness on a world stage, in a world market, where American products made by Americans—not just manufacturing, but other important intellectual properties—are sold to the world.

When America is at its very best, we are leaders in not just freedom but also in economic opportunity, and it spurs competitors around the globe.

Mr. Speaker, what we are about today in our closing is that the Republican Party, through our great Speaker, JOHN BOEHNER, is sending a strong message to the American people that we in the United States House of Representatives recognize that for America to be competitive, for America's greatest days to be in our future, we must have a comprehensive view of not just the world and our competitiveness, but an opportunity for its citizens—as Congressman COLLINS has said today—to find work, to be entrepreneurial, and to move our country and the world forward. I believe that what we are talking about today makes a difference.

I urge my colleagues to vote ''yes'' on this resolution, ''yes'' on the underlying legislation.

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

AN AMENDMENT TO H. RES. 727 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, 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. 377) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the joint resolution shall be dispensed with. All points of order against consideration of the joint resolution are waived. General debate shall be confined to the joint resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the joint resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the joint resolution are waived. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the joint resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the joint resolution.

SEC. 8. Immediately upon disposition of H.R. 377, the Speaker shall, 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. 1010) to provide for an increase in the Federal minimum wage. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Immediately upon disposition of H.R. 1010, the Speaker shall, 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. 4582) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Immediately upon disposition of H.R. 4582, the Speaker shall, 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. 1286) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, the chair and ranking minority member of the Committee on House Administration, and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 11. Immediately upon disposition of H.R. 1286, the Speaker shall, 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. 3461) to support early learning. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 12. Immediately upon disposition of H.R. 3461, the Speaker shall, 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. 851) to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-

minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 13. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 377, H.R. 1010, H.R. 4582, H.R. 1286, H.R. 3461, or H.R. 851.

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 motion 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 rule, 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. SESSIONS. 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.

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

COMMUNICATION FROM THE CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, September 18, 2014.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On September 17, 2014, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 12 prospectuses. These 12 prospectuses include two alteration projects, one construction project, and three leases included in the General Services Administration's (GSA) FY 2014 and FY 2015 Capital Investment and Leasing Programs. Six of the prospectuses were included in the Department of Veterans Affairs Construction, Long Range Capital Plans. At the request of the Department of Veterans Affairs, the Committee authorized the leases to be executed pursuant to GSA's leasing authority in accordance with the provisions of the Public Buildings Act.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions include space reductions, consolidations into government-owned space, and reduction in project scopes, saving $225 million in avoided lease costs.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 17, 2014.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

ALTERATION—EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE, SAN DIEGO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the reconfiguration and alteration of space in the Edward J. Schwartz Federal Building and U.S. Courthouse located at 880 Front Street in San Diego, California to consolidate the U.S. Immigration and Customs Enforcement and backfill other tenant agencies, at a design and review cost of $1,997,317, an estimated construction cost of $16,042,940 and a management and inspection cost of $1,688,743 for a total estimated project cost of $19,729,000, a prospectus for which is attached to and included in this resolution. This resolution authorizes the prospectus as amended by the FY2014 Expenditures Plans for Major Repairs and Alterations Program submitted by the General Services Administration on February 7, 2014 and the revised Housing Plan dated August 2014.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

FY2014 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of space in the Edward J. Schwartz Federal Building and US Courthouse (Schwartz FB-CT) to consolidate the U.S. Immigration and Customs Enforcement Agency (ICE) and backfill other tenant agencies in space vacated by the Internal Revenue Service (IRS) and portions of the District Court upon their move to the new San Diego courthouse annex during the first quarter of FY2013. Approximately 184,000 rentable square feet (rsf) of space will be backfilled, building security will be improved to meet tenant requirements, and several of the building systems will be upgraded.

A prospectus for design was submitted in FY2011 which included a full modernization project for the Edward J. Schwartz Federal Building and US Courthouse with an estimated total project cost (ETPC) of $213,056,000. The project was not fully approved at the time. In an attempt to address only the most critical life safety components of the full modernization project and to allow ICE to collocate 3 leased locations into a Federal building, the proposed project has been reduced in scope and cost with a revised cost of $61,136,000.

The project will satisfy ICE's need for approximately 157,000 RSF to consolidate its regional operations from three leased locations. In addition to ICE, components of the Executive Office of Immigration Review, US Attorneys, US Trustees, Magistrate Court, US Bankruptcy Clerk, and Federal Protective Service will backfill the vacant space from leased locations. The backfill will allow the Government to release leased space, reducing the Government's rental payments to the private sector by over $2,000,000 annually.

FY2014 Committee Approval and Appropriation Requested

(Design, ECC and M&I).....$61,136,000

Major Work Items

Interior construction; security, electrical, fire protection and plumbing systems upgrades; exterior construction

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

Project Budget

Design	$6,292,000
Estimated Construction Cost (ECC)	49,127,000
Management and Inspection (M&I)	5,717,000
Estimated Total Project Cost (ETPC)*	**$61,136,000**

FY2014 Committee Approval and Appropriation Requested

(Design, ECC and M&I) $61,136,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule	**Start**	**End**
Design and Construction	FY2014	FY2017

Building

The 625,715 rentable square foot (rsf) Edward J. Schwartz Federal Building and US Courthouse, at 880 Front St. in downtown San Diego, was built in 1973. It consists of two adjacent structures, a six-story federal office wing, a five-story court wing, and underground parking and basement offices. The building's two wings share an upper basement and are connected by a bridge between the fifth and sixth floors. The last major capital project was a $14.2 million HVAC upgrade funded in FY2002.

Tenant Agencies

Judiciary, Department of Homeland Security, Department of Justice, GSA

Proposed Project

Approximately 184,000 RSF of vacated space will be reconfigured for occupancy by ICE, Executive Office of Immigration Review, US Attorneys, the U.S. Bankruptcy Court Clerk, U.S. Trustee, U.S. Magistrate Court, and the Federal Protective Service coming from leased locations in the San Diego area. Two public restrooms will be remodeled for compliance with the Architectural Barriers Act Accessibility Standard (ABAAS). The project includes wall hardening on several facades and the installation of bollards and an anti-ram barrier at the entrance to the garage. Building system upgrades including new automatic transfer switches, a new electric fire pump, new domestic water shut-off valves, a new emergency generator and new

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number:	PCA-0167-SD14
Congressional District:	53

quick response fire sprinkler heads will be installed. Precast concrete panels on the south elevation of the building's office wing will be cleaned and sealed.

Major Work Items

Security Upgrade	$4,483,000
Fire Protection Upgrade	1,338,000
Interior Construction	39,441,000
Electrical Upgrade	2,174,000
Plumbing Upgrade	1,294,000
Exterior Construction	397,000
Total ECC	**$49,127,000**

Justification

A prospectus for design was submitted in FY2011 which included a full modernization project for the Edward J. Schwartz Federal Building and US Courthouse with an ETPC of $213,056,000. The project was not fully approved at the time. In an attempt to address only the most critical life safety components of the full modernization project, the proposed project has been reduced in scope and cost.

In addition to addressing the critical life safety items necessary in the building the project will also backfill space at the Edward J. Schwartz Federal Building and U.S. Courthouse vacated by tenants moving to the new San Diego Courthouse, improve building security, upgrade building systems, and collocate ICE functions in the San Diego area.

Currently the building falls short of blast and security standards. In addition, failure to repair or replace the outdated and inefficient building systems will cause operating costs to continue to increase and would likely lead to costly system failures. Further deterioration of the building's systems will make it difficult to backfill the space vacated by tenants moving to the San Diego Courthouse Annex.

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
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Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Edward J. Schwartz Federal Building and U.S. Courthouse Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
Senate EPW	11/30/2010	$22,336,000	Repair & Alteration

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

New Construction $109,636,000
Alteration ..... $ 81,957,000
Leasing $152,228,000

The 30 year, present value cost of alteration is $27,670,000 less than the cost of new construction, an equivalent annual cost advantage of $1,562,000.

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

Recommendation

ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

August 2014

Housing Plan
Edward J. Schwartz FB-CT

PCA-0167-SD14
San Diego, CA

	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
Leased Locations												
401 West A Street-CA5939												
ICE	5	5	2,376	-	-	2,376						
185 West F Street-CA6431												
ICE	114	114	43,615	-	-	43,615						
610 W. Ash Street-CA6489												
ICE	40	40	7,954	-	-	7,954						
101 West Broadway - CA6274												
JD Office of the US Attorneys[1]	53	53	18,749	-	-	18,749						
101 West Broadway-CA6274												
Federal Protective Service	16	16	4,033	-	-	4,033						
402 West Broadway-CA6956												
JD US Trustees	35	35	8,746	-	-	8,746						
Subtotal:	**263**	**263**	**85,473**	**-**	**-**	**85,473**						
Edward J. Schwartz FB-CT (CA0167)												
Appeals Court	10	10	-	-	6,180	6,180	10	10	-	-	6,180	6,180
Circuit Library	3	3	4,920	134	1,733	6,787	3	3	4,920	134	1,733	6,787
District Court	45	45	22,130	-	69,532	91,662	45	45	22,130	-	69,532	91,662
Magistrate Court	25	25	2,536	-	19,050	21,586	25	25	2,536	-	19,050	21,586
District Court Clerk	3	3	182	-	168	350	3	3	182	-	168	350
Grand Jury	3	3	1,686	-	1,748	3,434	3	3	1,686	-	1,748	3,434
DHS (CIS)[2]	100	100	20,671	-	32	20,703	100	100	20,671	-	32	20,703
DHS-ICE	202	202	41,420	681	6,210	48,311	500	500	68,320	2,500	15,452	86,272
Federal Protective Service	9	9	1,996	-	-	1,996	25	25	3,512	195	1,163	4,870
JD US Trustee	-	-	-	-	-	-	19	19	4,679		2,184	6,863
DHS US Customs & Border Protection	6	6	287	-	234	521	3	3	521	-	-	521
GSA FAS Telecommunications Facilities	1	1	562	-	-	562	1	1	562	-	-	562
Federal Bureau of Investigation	1	1	153	-	-	153	1	1	153	-	-	153
FAS, All Other	1	1	201	-	-	201	1	1	201	-	-	201
Internal Revenue Service	27	27	5,824	387	-	6,211	27	27	5,824	387	-	6,211
Office Of U.S. Attorneys[1]	320	320	84,751	3,944	12,988	101,683	373	373	104,611	3,944	13,213	121,768
GSA PBS Field Office & San Diego Srvce Ctr [3]	15	15	5,786	1,291	-	7,077	-	-	-	-	-	-
Treasury IG for Tax Administration (TIGTA)[4]	3	3	445	-	-	445	5	5	499	-	200	699
US Marshals Service	52	52	10,331	4,429	19,831	34,591	52	52	10,331	4,429	19,831	34,591
US Tax Court	3	3	128	-	434	562	3	3	128	-	434	562
Joint Use	15	15	13,972	326	5,173	19,471	15	15	13,972	326	5,173	19,471
Vacant space	-	-	86,003	2,968	12,268	101,238	-	-	38,197	981	1,100	40,278
Subtotal:	**844**	**844**	**303,984**	**14,160**	**155,581**	**473,724**	**1,214**	**1,214**	**303,635**	**12,896**	**157,193**	**473,724**

August 2014

Housing Plan
Edward J. Schwartz FB-CT

PCA-0167-SD14
San Diego, CA

	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**

[1]US Attorney's move into Schwartz funded by tenants via RWA.

[2]While DHS CIS is reflected in proposed, it should be noted tenant is in process of going into leased space.

[3]GSA Field Office Relocating into Courthouse Annex.

[4]TIGTA will be relocating within the building to accommodate the ICE consolidation.

FY 2014 Prospectus Project for ICE ($19,729,000 in Spend Plan)
Consolidation - Moves as part of FY 14 Consolidation

Office Utilization Rate[5]		
	Current	Proposed
Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	186	147
All Building Office Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	201	171

Current Office UR excludes 21,561 usf of office support space. Proposed Office UR excludes

Current Office UR excludes 86,003 USF of vacant and 47,955 usf of office support space.

Total Building USF Rate [6]		
	Current	Proposed
Building Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	323	239
All Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	561	390

Special Space	
ADP	1,473
Conference	17,916
Courtroom	46,119
Food Service	5,510
Holding Cell	21,103
Judicial Chambers	42,917
Judicial Hearing	2,890
Laboratory	1,438
Law Enf, Legal, Commo	4,656
Mail Rooms	500
Physical Fitness	2,356
Restrooms	6,994
Sally Port, USMS	1,754
SCIF	1,050
Secured Circulation	367
Vaults	150
Total:	**157,193**

NOTES:

[5] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.

[6] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

AMENDED COMMITTEE RESOLUTION

ALTERATION—HARRY S. TRUMAN BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the final phase of the multi-phase modernization of approximately one-half of the Harry S. Truman (Main State) Building located at 2201 C Street, NW in Washington, D.C., including demolition and build out of the North Court area and the replacement of all HVAC, electrical and plumbing systems, the installation of a fire sprinkler system and replacement of elevators, at an additional estimated construction cost of $23,962,000 and an additional management and inspection cost of $1,577,000 for a total additional estimated project cost of $25,539,000, a prospectus for which is attached to and included in this resolution. This resolution authorizes the prospectus as amended by the revised Housing Plan dated August 2014. This resolution amends amounts authorized in the Committee on Transportation and Infrastructure resolution of August 1, 1996.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

FY2014 Project Summary

The General Services Administration (GSA) proposes the final phase of a multi-phase modernization of approximately one-half of the Harry S. Truman (Main State) Building, located at 2201 C Street, NW, Washington, DC. Alterations under this phase involve demolition and build out of the North Court area and the replacement of all HVAC, electrical and plumbing systems, the installation of a fire sprinkler system and replacement of the elevators.

This request amends prospectus PDC-00464, the last prospectus approved in support of the modernization of the Department of State Headquarters, a project that has spanned several decades with the design started in FY1991 and a revised construction completion anticipated for FY2016.

FY2014 Appropriation Requested [1]
(Phase V - ECC and M & I) $58,908,000

FY2014 Committee Approval Requested[2] **..... $25,539,000**

Major Work Items (Phase V)

Interior construction, HVAC, electrical and plumbing system replacement, fire protection upgrades, conveyance systems, exterior construction, demolition and abatement, special construction

Project Budget

Design

Phase I (FY88)	$3,650,000
Phase II (FY91)	2,216,000
Phase III (FY95)	980,000
Phase IV (FY96)	985,000
Phase IVa (FY07)	2,900,000
Phase V (FY09 ARRA)	4,435,000
Total Design	**$15,166,000**

[1] Estimated Total Project Costs: $184,611,000, Appropriations to Date Received: $125,713,000
[2] Estimated Total Project Costs: $184,611,000, Committee Approvals to Date Received: $144,337,000

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Estimated Construction Cost (ECC)

Phase I (FY99)	$27,756,000
Phase II (FY00)	9,768,000
Phase III (FY01)	26,835,000
Phase IV (FY03)	27,190,000
Phase IVa (FY07)	1,616,000
Phase IV (FY09 ARRA)	10,300,000
Phase V (FY14)	**55,808,000**
Total ECC	**$159,273,000**

Management and Inspection (M&I)

Phase I (FY99)	$2,023,000
Phase II (FY00)	743,000
Phase III (FY01)	1,940,000
Phase IV (FY03)	2,253,000
Phase IVa (FY07)	113,000
Phase V (FY14)	**3,100,000**
Total M&I	**$10,172,000**

Estimated Total Project Cost (ETPC)* **$184,611,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2014 Appropriation Requested
(Phase V - ECC and M & I) **$58,908,000**

FY2014 Committee Approval Requested **$25,539,000**

Schedule	**Start**	**End**
Design	FY1991	FY2011
Construction		
Phase I	FY1999	FY2005
Phase II	FY2000	FY2005
Phase III	FY2003	FY2005
Phase IV	FY2008	FY2012
Phase IVa	FY2008	FY2012
Phase V	FY2014	FY2016

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Building

The Harry S Truman building is located at 2201 C Street, NW, Washington, DC. The original portion of the State Department Building, the "Old War Building", was completed in 1938. It was originally constructed for the War Department, and is listed on the National Register of Historic Places. An addition, "New State", was constructed in 1960. The building provides approximately 2.6 million gross square feet of administrative and support spaces for the Department of State personnel and associated functions and has 905 inside parking spaces on the site.

Tenant Agencies

Department of State

Proposed Project

GSA is seeking to continue the on-going multi-phased modernization of the Harry S Truman (Main State) Building. The modernization project for the Main State Department was submitted and approved August 1, 1996.

Phase V work will include demolition and build-out of the west section of the North Court area. The build-out will include replacing all HVAC systems, electrical and plumbing systems, installing an automatic fire sprinkler system with fire pumps, replacing the elevators, and providing all new office and support spaces. In addition, technology has become more efficient since the construction documents were finished, so HVAC and electrical systems will be modified to take advantage of new efficiencies.

Major Work Items (Phase V)

Demolition and Abatement	$9,787,000
Special Construction	1,233,000
Exterior Construction	3,019,000
Interior Construction	12,197,000
Conveyance Systems	9,034,000
Plumbing Replacement	871,000
HVAC Replacement	10,644,000
Fire ProtectionUpgrades	3,212,000
Electrical Systems Replacement	5,811,000
Total ECC (Phase V)	**$55,808,000**

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Justification

The proposed project will mitigate fire and life safety risks to the building occupants by providing sprinkler protection and additional means of building egress.

Obsolete systems will be replaced and upgraded in order to reduce the chances of system failure, sustained outages and labor intensive maintenance and operations costs. The mechanical and electrical systems were the original equipment dating from the 1940s and were outdated, undersized, and under capacity for current demands. Maintenance of these obsolete systems was labor intensive, resulting in frequent and prolonged inconvenience to the tenants and effective mission accomplishment.

The project will also address security requirements through wall hardening, progressive collapse mitigation, and blast window installation. While these security improvements are being largely funded by State rather.than this prospectus, however the work must be coordinated for construction efficiency and to reduce taxpayer cost.

This prospectus provides for additional authority as a result of escalation of construction costs to complete Phase V.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Harry S. Truman Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
100-202	1988	$3,650,000	Design
101-509	1991	$2,216,000	Design
103-329	1995	$980,000	Design
104-52	1996	$985,000	Design
105-277	1999	$29,779,000	Phase I ECC & M&I
106-58	2000	$10,511,000	Phase II ECC & M&I

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

106-554	2001	$28,775,000	Phase III ECC & M&I
108-7	2003	$29,443,000	Phase IV ECC & M&I
110-5	2007	$4,629,000	Phase IVAdd'l Design, ECC & M&I
111-5 (ARRA)	2009	$14,735,000	Phase V Design, Phase IV ECC
Appropriations to Date		**$125,703,000**	

Prior Committee Approvals

Harry S. Truman Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House PWT	6/3/1987	$3,650,000	Design
House PWT	6/28/1990	$2,216,000	Design
Senate EPW	6/12/1990	$2,216,000	Design
House T & I	8/1/1996	$138,471,000	Add'l Design, ECC &M&I
Senate EPW	7/24/1996	$138,471,000	Add'l Design ECC& M&I

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30 year, present value cost analysis)

This project is a multi-year, multi-phased project. GSA is in the process of renovating the building therefore, there are no other feasible alternatives.

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Recommendation

ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

August 2014

Housing Plan
Harry S. Truman Building

PDC-0046-WA14
Washington, DC

Locations	CURRENT - Phase V						PROPOSED - Phase V					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Harry S. Truman Building												
Phase V (FY 2014)	839	839	162,266	2,650	13,832	178,748	935	935	137,485	1,621	23,768	162,874
Total	**839**	**839**	**162,266**	**2,650**	**13,832**	**178,748**	**935**	**935**	**137,485**	**1,621**	**23,768**	**162,874**

Office Utilization Rate[2] Phase V		
	Current	Proposed
Building Office Tenants	151	115

Current Office UR excludes 35,699 usf of office support space.
Proposed Office UR excludes 30,247 usf of office support space.

Total Building USF Rate[3] Phase V		
	Current	Proposed
agencies with less than 10 employees)	213	174

Special Space	USF
Conference/Training	8,743
SCIF/Vaults	1,087
Work Rooms/Files	13,938
Total	**23,768**

Locations	CURRENT - Phases 1 thru 5 and Balance of Building						PROPOSED - Phases 1 thru 5 and Balance of Building					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Harry S. Truman Building												
Phases I through III	885	885	250,861	14,458	37,040	302,359	1,032	1,032	233,725	6,567	71,435	311,727
Phase IV	512	512	121,205	26,050	32,100	179,355	638	638	96,541	539	75,075	172,155
Phase V	839	839	162,266	2,650	13,832	178,748	935	935	137,485	1,621	23,768	162,874
Subtotal Phases I - V	**2,236**	**2,236**	**534,332**	**43,158**	**82,972**	**660,462**	**2,605**	**2,605**	**467,751**	**8,727**	**170,278**	**646,756**
Balance of Building (future project)	3,231	3,231	755,085	4,536	147,639	907,260						
Total	**5,467**	**5,467**	**1,289,417**	**47,694**	**230,611**	**1,567,722**						

Office Utilization Rate[2] - Phases I-V		
	Current	Proposed
Building Office Tenants	186	140

Current Office UR excludes 117,553 usf of office support space.

Total Building USF Rate[3] Phase I-V		
	Current	Proposed
All Building Tenants	295	248

Special Space	USF
Auditorium/Conference/Exhibit	35,015
Kitchen	44,807
Computer/Telephone	16,424
Retail/Fitness/Medical	7,891
Print Plant	12,316
Outlease	27,097
Communication Equipment Rooms	1,525
SCIFs/Vault/Watch	4,662
Work Room/Files	20,541
Total	**170,278**

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
[3] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

COMMITTEE RESOLUTION

SITE AND CONSTRUCTION—FEDERAL BUREAU OF INVESTIGATION WINCHESTER, VA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the site and construction of a 256,425 gross square foot facility in Winchester, Virginia for the Federal Bureau of Investigation to support its current and future critical record management space needs at a site cost of $6,750,000, an estimated construction cost of $85,543,000 and a management and inspection cost of $5,560,000 for a total estimated project cost of $97,853,000, a prospectus for which is attached to and included in this resolution as amended by this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the delineated area of the procurement shall include Frederick County, Virginia and the City of Winchester, Virginia.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

FY2014 Project Summary

The General Services Administration (GSA) proposes the site acquisition and construction of a 256,425 gross square foot (gsf) facility in Winchester, Virginia for the Federal Bureau of Investigation (FBI). This facility will support the FBI's current and future critical record management space needs.

FY2014 House Committee Approval Requested
(Site, Construction and M&I).....$108,726,000

FY2014 Senate Committee Approval Requested
(Construction and M&I).....$11,666,000

FY2014 Appropriation Requested
(Site, Construction and M&I).....$108,726,000

Overview of Project

GSA proposes the design of a new Records Management Facility on an approximately 108-acre site, to be acquired by GSA in Winchester, Virginia. The facility will consolidate FBI's paper records currently housed within the Washington DC metropolitan area, at field offices across the country and in several national information technology centers. The facility will also provide for National Archives and Records Administration (NARA) compliant records storage for environmentally conditioned, fire-protected space in a secured facility. The proposed facility includes a record management building with office support, visitor screening center, secured service center, guard booth, and surface parking lot.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Description

Site Information
To Be Acquired ..... 108 acres

Building Area
Building without Parking ..... 256,425 gsf
Building with Parking ..... 256,425 gsf
Number of outside parking spaces 427

Project Budget

Site Acquisition $7,500,000
Design and Review* .....
Estimated Construction Cost (ECC) ($371 /gsf) 95,048,000
Management and Inspection (M&I) 6,178,000
Estimated GSA Total Project Cost (ETPC) $108,726,000**

* Tenant agency is funding the design
** Tenant agency may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2014 House Committee Approval Requested
(Site, Construction and M&I) $108,726,000

FY2014 Senate Committee Approval Requested
(Construction and M&I) $11,666,000

FY2014 Appropriation Requested
(Site, Construction and M&I) $108,726,000

Location

Winchester, Virginia

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Schedule	Start	End
Construction	FY2014	FY2016

Tenant Agencies

Federal Bureau of Investigation

Justification

Records management is crucial to the operations of the FBI. Many of the FBI records, which are an integral part of investigations, prosecutions and intelligence analyses the agency conducts, are currently primarily in paper form and dispersed throughout hundreds of locations nationwide.

The proposed centralized facility will promote timely access of FBI records to agents and analysts around the world; support FBI's long-term goal of converting applicable files into electronic, searchable format; provide a secure environment for FBI's valuable intellectual property; reduce records space requirements at FBI Field Offices redirecting field office positions to focus on FBI's operational mission; and enable greater consistency with NARA's Archive Standards as detailed in 36 CFR 1228 Subpart K. The proposed facility will also provide long term cost savings to the government.

To help FBI efficiently achieve its mission critical record management functions, GSA is proposing to utilize a more technologically advanced storage system known as an Automated Storage and Retrieval System (ASRS). ASRS, an automated and mechanized structure integral to the facility for moving files into storage locations and retrieving them when needed is proving to be a successful system in manufacturing, archival, security, food and beverage operations as well as conventional warehousing.

GSA and FBI have been partnering on this effort for several years. As part of its FY2006 Capital Investment and Leasing Program, GSA submitted a prospectus and received authorization to lease 947,000 rsf of space for 20 years. GSA subsequently amended that request as part of the GSA's FY2008 Capital Investment and Leasing Program in a prospectus for 626,488 rsf that was authorized by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure on December 18, 2007 and January 16, 2008, respectively. However, due to market conditions and the specialized nature of the space, GSA was unable to successfully award a lease. In 2010, the FBI determined that the number one priority was the Central Records Complex (CRC) portion of the project. It was decided that the best way to move forward with meeting FBI's long term need for its mission critical record management operation was through federal construction of the records management portion of the originally proposed project. This project was proposed as part of GSA's FY2012 Capital

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Investment and Leasing Program. The Senate Committee on Environment and Public Works approved $97,060,000 for the purpose of constructing FBI's CRC, but the funds have not been appropriated.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Federal Bureau of Investigation Central Records Complex Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
Senate EPW	12/8/2011	$97,060,000	Construction and M&I

Alternatives Considered (30-year, present value cost analysis)

New Construction $104,223,000
Lease $154,223,000

The 30 year, present value cost of new construction is $49,421,000 less than the cost of lease, an equivalent annual cost advantage of $2,789,000.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Recommendation

CONSTRUCTION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Housing Plan
FBI Central Records Complex

PVA-FBSC-FR14
Winchester, VA

	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
Locations	Office	Total	Office	Records	Special	Total	Office	Total	Office	Records	Special	Total
FBI Leased Locations												
6305 Gravel Avenue, Alexandria, VA	5	5	750	27,730	-	28,480	-	-	-	-	-	-
883-927 S. Pickett Street, Alexandria VA	172	172	24,500	111,388	-	135,888	-	-	-	-	-	-
1025 F Street, NW, Washington, DC[2]	27	27	7,176	-	-	7,176	-	-	-	-	-	-
170 Marcel Drive, Winchester, VA[3]	173	173	22,093	-	-	22,093	-	-	-	-	-	-
Lease Subtotal	**377**	**377**	**54,519**	**139,118**	**-**	**193,637**	**-**	**-**	**-**	**-**	**-**	**-**
FBI Government-Owned Locations												
J. Edgar Hoover Building, Washington DC												
Records Management Division (RMD)[4]	31	31	13,292	-	-	13,292	-	-	-	-	-	-
Government-Owned Subtotal	**31**	**31**	**13,292**	**-**	**-**	**13,292**	**-**	**-**	**-**	**-**	**-**	**-**
New FBI Central Record Complex												
Records Storage	-	-	-	-	-	-	401	401	44,195	92,609	41,297	178,101
Site Support Buildings	-	-	-	-	-	-	-	7	-	-	14,266	14,266
Subtotal	**-**	**-**	**-**	**-**	**-**	**-**	**401**	**408**	**44,195**	**92,609**	**55,563**	**192,367**
Total	**408**	**408**	**67,811**	**139,118**	**-**	**206,929**	**401**	**408**	**44,195**	**92,609**	**55,563**	**192,367**

Office Utilization Rate (UR)		
	Current	Proposed
Rate	130	86

UR=average amount of office space per person
Current UR excludes 14,753 usf of office support space
Proposed UR excludes 9,723 usf of office support space

Special Space	**USF**
Food Service/Break Rooms	1,848
Disintegrator Room	1,330
Conference/Training	5,201
Document Labs	28,795
ADP	4,123
Site Security Buildings	14,266
Total	**55,563**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Upon completion of the Central Records Complex, 27 persons located at 1025 F Street, NW will relocate to the new facility. FBI will continue their leasehold at 1025 F Street, NW for non records management personnel and operations.

[3] Upon completion of the Central Records Complex, 173 persons located at 170 Marcel Drive will relocate to the new facility. FBI will continue their other records management personnel and operations (FOIA and National Name Check) at 170 Marcel Drive (633 personnel and 102,931 usf).

[4] RMD will retain primary executive office space and space for on-site scanning at FBIHQ.

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF STATE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 343,000 rentable square feet of space, including 26 official parking spaces, for the Department of State to collocate the Bureau of Overseas Buildings Operations and the Bureau of Administration, Acquisitions and Logistics Management currently located at 1701 N. Ft. Myer Drive and 1735 N. Lynn Street, respectively, in Arlington, Virginia, at a proposed total annual cost of $13,377,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 182 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 182 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 343,000 rentable square feet of space for the Department of State (DOS) to collocate the Bureau of Overseas Buildings Operations (OBO) and the Bureau of Administration, Acquisitions and Logistics Management (ALM). OBO is currently housed at 1701 N. Ft. Myer Drive and ALM at 1735 N. Lynn Street, Arlington, VA, under leases that expire June 30, 2014 and December 19, 2015. DOS proposes to improve its office and overall utilization rates from 134 to 100 usable square feet (USF) per person and 201 to 182 USF per person, respectively, by housing an additional 148 personnel in the same amount of usable space as the total of its current occupancies.

Description

Occupant:	DOS
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	320,313 (Current RSF/USF = 1.12)
Proposed Maximum RSF[1]:	343,000 (Proposed RSF/USF = 1.20)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	201
Proposed Usable Square Feet/Person:	182
Proposed Maximum Lease Term:	15 years
Expiration Date(s) of Current Lease(s):	6/30/2014 and 12/19/2015
Delineated Area:	Rosslyn/Ballston, Crystal City/Pentagon City, VA
Number of Official Parking Spaces[2]:	26
Scoring:	Operating lease
Maximum Proposed Rental Rate[3]:	$39.00

[1] The RSF/USF at the current locations is approximately 1.12; however, to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] DOS security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

[3] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Proposed Total Annual Cost[4]:	$13,377,000
Current Total Annual Cost:	$11,727,871 (leases effective July 1, 2004 and December 20, 2012)

Acquisition Strategy

In order to maximize flexibility to acquire space that will house DOS and meet its requirements, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

The Bureau of Overseas Building Operations (OBO) and the Bureau of Administration's Acquisitions and Logistics Management (ALM) are the primary DOS occupants of space leased at 1701 N. Ft. Myer Drive and 1735 N. Lynn Street, Arlington, VA under leases that expire on June 30, 2014 and December 19, 2015. OBO and ALM will require continued housing to carry out their missions.

OBO directs the worldwide overseas buildings program for the DOS and the U.S. Government community serving abroad under the authority of the chiefs of mission. In concert with other DOS, foreign affairs agencies, and Congress, OBO sets worldwide priorities for the design, construction, acquisition, maintenance, use, and sale of real property and the use of sales proceeds.

OBO and ALM work extensively together and with the nearby Bureau of Diplomatic Security. The three bureaus are responsible for the operations and security of all of DOS's 19,000 plus assets worldwide and collaborate daily to support DOS's 260 plus embassies and consulates worldwide.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 30, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2014

Housing Plan
Department of State

PVA-02-WA15
Northern Virginia

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1701 N. Ft. Meyer Drive, Arlington, VA	1,198	1,198	208.782	2,486	37.283	248.551						
1735 N. Lynn Street, Arlington, VA	219	219	35,261	378	1.200	36.839						
Proposed Lease, Northern VA							1.565	1.565	199.773	8.562	77.055	285.390
Total	**1,417**	**1,417**	**244,043**	**2.864**	**38,483**	**285.390**	**1.565**	**1.565**	**199.773**	**8.562**	**77.055**	**285.390**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	134	100

UR=average amount of office space per person
Current UR excludes 53,689 usf of office support space
Proposed UR excludes 43,950 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	201	182

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	285,390	1.12	320,313
Proposed	285,390	1.20	343,000

Special Space	USF
Conference	13.870
Teaming	12.329
ADP	8,476
File Rooms	9.246
Break Rooms	4,808
SCIFs	24,000
Security	2,311
Copy Rooms	2,015
Total	**77,055**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF EDUCATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 290,000 rentable square feet of space, including 17 official parking spaces, for the Department of Education currently located at 550 12th Street SW, 555 New Jersey Avenue NW, and 1990 K Street NW, in Washington, D.C., at a proposed total annual cost of $14,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 180 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 180 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 290,000 rentable square feet (RSF) of space for the Department of Education (DoEd) in Washington, DC. This requirement is currently housed at three locations: 550 12th Street SW, 555 New Jersey Avenue NW, and 1990 K Street NW, in Washington, DC. Replacement of the leases will enable DoEd to provide continued housing for current personnel while meeting its mission requirements.

DoEd will improve its office utilization rate from 236 usable square feet (USF) per person to 128 USF per person and its overall utilization rate from 335 USF per person to 180 USF per person. In addition to the improved space utilization, the replacement lease will reduce the current requirement by 212,329 RSF.

Description

Occupant:	DoEd
Lease Type	Replacement
Current Rentable Square Feet (RSF)	502,329 (Current RSF/USF = 1.12)
Proposed Maximum RSF:	290,000 (Proposed RSF/USF = 1.20)
Expansion Space RSF[1]:	Reduction (212,329) RSF
Current Usable Square Feet/Person:	335
Proposed Usable Square Feet/Person:	180
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	3/31/2014 - 550 12th St. 3/10/2014 - 555 New Jersey Ave. 8/10/2013 - 1990 K St.
Delineated Area:	Washington, DC, CEA
Number of Official Parking Spaces:	17
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00

[1] The RSF/USF at the current location is approximately 1.12; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2017 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Proposed Total Annual Cost[3]:	$14,500,000
Current Total Annual Cost:	$19,752,901 (leases effective 4/1/04, 3/11/01, 8/12/99)

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house DoEd, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

The three leases housing this requirement expired as follows and are in holdover: 550 12th St. SW on March 31, 2014; 1990 K St. NW on August 10, 2013; and 555 New Jersey Ave. NW on March 10, 2014; and DoEd requires continued housing to carry out its mission. The personnel housed in the leases at 1990 K St. and 555 New Jersey Ave were originally planning to move to the federally owned Mary Switzer Building. However, the Department of Health and Human Services now plans to fully occupy this building. The current leases will require interim extensions until FY 2017 when the long-term requirement can be executed. The proposed 290,000 RSF will house all DoEd functions and personnel in 212,329 RSF less than the total at the three current leases.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 24, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

April 2014

Housing Plan
Department of Education

PDC-05-WA15
Washington, DC

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Potomac Center, 550 12th St. SW	951	951	266,776	-	20,152	286,928						
Capital Place, 555 NJ Ave NW	88	88	50,667		8,261	58,928						
1990 K Street NW	301	301	88,823		14,060	102,883						
Proposed Lease							1,340	1,340	220,390	-	20,810	241,200
Total	**1,340**	**1,340**	**406,266**	-	**42,473**	**448,739**	**1,340**	**1,340**	**220,390**	-	**20,810**	**241,200**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	236	128

UR = average amount of office space per person
Current UR excludes 89,379 usf of office support space
Proposed UR excludes 48,486 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	335	180

R/U Factor[4]			
	Total USF	RSF/USF	Max RSF
Current	448,739	1.12	502,329
Proposed	241,200	1.20	290,000

Special Space	USF
Event/MultiMedia	8,648
Health Unit	1,683
Snack Bar	1,151
Breakroom	5,417
Lan Room	1,584
Video Telecon Center	1,745
Locker Room	580
Total	**20,810**

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3] USF/Person = housing plan total USF divided by total personnel.
[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—FEDERAL BUREAU OF INVESTIGATION: BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 155,755 rentable square feet of space, including 184 official parking spaces, for the Federal Bureau of Investigation in Baltimore City and Baltimore, Anne Arundel, and Howard Counties, MD to co-locate and reduce requirements currently located at 2600 Lord Baltimore Drive in Woodlawn, Maryland, 11700 Beltsville Drive in Beltsville, Maryland and 1520 Caton Center Drive in Catonsville, Maryland, at a proposed total annual cost of $4,984,160 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 258 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 258 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 155,755 rentable square feet (RSF) for the Federal Bureau of Investigation (FBI) in Baltimore City and Baltimore, Anne Arundel, and Howard Counties, MD, to co-locate and reduce requirements now housed in three separate leased locations. FBI is currently housed at 2600 Lord Baltimore Drive, Woodlawn, MD, and occupies additional leased space at 11700 Beltsville Drive, Beltsville, MD, and 1520 Caton Center Drive, Catonsville, MD. The current leases expire on July 1, 2014; January 24, 2016; and March 31, 2015, respectively. The FBI requirements housed in Beltsville and Catonsville included in this prospectus represent portions of the space leased at these locations; these leases will be superseded or restructured as appropriate to accommodate the remaining FBI requirements.

FBI will improve its office utilization rate from 145 usable square feet (USF) to 82 USF per person and its overall utilization rate from 381 USF to 258 USF per person. This will be accomplished by terminating almost 40,000 RSF at two leased locations and collocating the functions and employees under the replacement lease for the third location in a total of 155,755 RSF. The consolidated replacement lease at the proposed $32.00 per RSF rental rate will save $2,380,000 annually in lease costs and reduce FBI's leased footprint by almost 40,000 RSF relative to current occupancies.

Description

Occupant:	FBI
Lease Type	Replacement
Current Rentable Square Feet (RSF)	195,676 (Current RSF/USF = 1.12)
Proposed Maximum RSF:	155,755 (Proposed RSF/USF = 1.12)
Expansion/Reduction RSF:	39,921 RSF Reduction
Current Usable Square Feet/Person:	381
Proposed Usable Square Feet/Person:	258
Proposed Maximum Leasing Term:	20 years
Expiration Dates of Current Leases:	July 1, 2014; January 24, 2016; and March 31, 2015

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Delineated Area:	Begin intersection of the Baltimore County west boundary and Route 140, southeast continuing on Route 140 to I-695 North (Baltimore Beltway) to Route 140 Southeast, including all of Baltimore City, and south of I-695 to I-97 South to Route 100 West to Route 170 South to Route 32 West to I-295 North to Route 175 North to Route 29 North back to Baltimore County west boundary.
Number of Official Parking Spaces:	184
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$32.00
Proposed Total Annual Cost[2]:	$4,984,160
Current Total Annual Cost:	$7,364,362 (leases effective 7/2/2004, 4/1/05, and 1/25/06)

Justification

The current lease at 2600 Lord Baltimore Drive, Woodlawn, MD, expired on July 1, 2014, and FBI requires continued housing to perform its mission. To improve the efficiency of its proposed housing solution, FBI will reduce the amount of space leased at two other locations and house all personnel and functions under the replacement lease for 155,755 RSF.

[1] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA will encourage offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 24, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2014

Housing Plan
FBI

PMD-01-BC15
Baltimore City and Baltimore,
Anne Arundel, Howard Counties, MD

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2600 Lord Baltimore Drive Woodlawn, MD	387	387	51,467	32,388	55,517	139,372						
11700 Beltsville Drive Beltsville, MD	35	35	27,200			27,200						
1520 Caton Center Drive Catonsville, MD		-		7,750		7,750						
Proposed Lease							487	487	51,467	32,388	55,517	139,372
Total	**422**	**422**	**78,667**	**40,138**	**55,517**	**174,322**	**487**	**487**	**51,467**	**32,388**	**55,517**	**139,372**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	145	82

UR=average amount of office space per person
Current UR excludes 17,307 usf of office support space
Proposed UR excludes 11,323 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	381	258

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	174,322	1.12	195,676
Proposed	139,372	1.12	155,755

Special Space	USF
Restrooms	2,156
Health Unit	675
Physical Fitness	3,125
Conference/Training	15,824
Workbench	563
Vehicle Bays	13,094
Gun Vault	375
Disintegrator	375
Mail	688
Mug and Fingerprints	250
Breakroom	1,563
Processing	1,063
ADP	14,005
Generator	375
Loading Dock	750
Visitor Screening	638
Total	**55,517**

NOTES:
[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel. Vehicle Bays and Workbench are not included in calculation.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SOUTH BEND, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a replacement lease of up to 96,394 rentable square feet of space, and 520 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in South Bend, Indiana, at a proposed unserviced annual cost of $3,466,615 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

South Bend, Indiana
Outpatient Clinic Lease

This proposal provides for leasing a replacement Outpatient Clinic in South Bend, IN, supporting the parent facility of the VA Northern Indiana Heath Care System in Fort Wayne, IN.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$4,038,450	$4,038,450	$1,893,450

II. Description of Project

This project proposes the lease of an approximately 39,000 net usable square foot (NUSF) Outpatient Clinic facility in South Bend, Indiana. The new leased facility will replace the existing Community Based Outpatient Clinic (CBOC) in South Bend, and will enable VA to expand services provided to include outpatient primary care and mental health services to better serve the needs of Veterans and their families.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses two critical issues that will enhance Veteran health care services in the South Bend area. First, the proposed facility will improve the quality of care delivered to Veterans by integrating outpatient care delivery, including primary care and mental health services, into a state-of-the-art building with improved adjacencies. Outpatient services currently contracted out to providers in the South Bend area will be provided at the new facility, allowing VA to have greater control over Veteran healthcare.

Second, the new facility will provide more accessible health care services to Veterans. The leased location will enable VA to expand its service offerings and improve access for Veterans who previously had to travel to other facilities, at a greater distance than the targeted 30-minute drive time, to obtain these outpatient services.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: Under the Status Quo, VA would continue to provide limited outpatient services in the South Bend area through contracting out services and an arrangement to house four VA mental health providers at the contracted facility, resulting in decreased continuity of care and costly outsourcing expenses. In addition, the time Veterans spend traveling to the Fort Wayne VA Medical Center (VAMC) for care that is not provided locally suggests the status quo is not acceptable to meet customer satisfaction. Therefore, this alternative is not the most optimal.

Alternative 2 – New Lease (Preferred alternative): This alternative proposes leasing a 39,000 NUSF facility close to the Veteran population that the South Bend CBOC currently serves, and expanding the services currently provided. By pursuing the lease option, VA will provide infrastructure that supports increased integration of services, coordination of care, provider productivity and efficiency, patient satisfaction, compliance with clinical guidelines, access, safety and security. This alternative also provides expanded state-of-the-art clinical space sooner than the new construction alternative, and provides an option that will give VA more flexibility to respond to the changing healthcare needs of Veterans and their families.

Alternative 3 - Contract Out Services: This alternative assumes that all health care services would be contracted out in the community. This alternative is not cost-effective and would result in a loss of quality control over Veteran healthcare. There also may not be sufficient, qualified, private-sector providers in the South Bend area to accommodate the Veteran workload. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative assumes the construction of a new, outpatient primary care and mental health facility of approximately 39,000 NUSF. It would provide infrastructure that supports the increased integration of services, coordination of care, provider productivity and efficiency, patient satisfaction, compliance with clinical guidelines, access, safety and security. Flexibility to expand services or change location to better align with workload demand would be difficult in this alternative. In addition, this alternative would require VA to acquire land in the South Bend area for the facility; this not only increases the cost but would delay activation. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change 2009-2029
Veteran Population	72,766	57,938	45,839	-37%
Enrollees	24,007	27,132	24,870	4%

*Data reflects the VISN 11 Indiana Market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Stops	15,836	20,821	317%
Mental Health Stops	3,150	5,133	63%

VI. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VII. Project Cost Summary

Estimated Annual Cost	$1,893,450
Proposed Rental Rate*	$48.55/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	39,000
Parking Spaces	312
Special Purpose Related Improvements**	$2,145,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SPRINGFIELD, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a replacement lease of up to 91,800 rentable square feet of space, and 544 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Springfield, Missouri to replace the existing Gene Taylor Outpatient Clinic currently located in Mount Vernon, Missouri, at a proposed unserviced annual cost of $2,749,240 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Springfield, Missouri
Community Based Outpatient Clinic

This proposal provides for a replacement Community Based Outpatient Clinic in Springfield, MO, supporting the parent facility of the Veterans Health Care System of the Ozarks in Fayetteville, AR.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$6,489,240	$6,489,240	$2,749,240

II. Description of Project

This project proposes the lease of an approximately 68,000 net usable square feet (NUSF) Community Based Outpatient Clinic (CBOC) in Springfield, Missouri, and will include 544 parking spaces. The new CBOC will relocate and expand the 41,000 NUSF Gene Taylor Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. Due to budget limitation, the State of Missouri has elected to close the Missouri Rehabilitation Center (MRC) in Mount Vernon, where the current clinic is located, and will be unable to continue to support the current lease agreement. Moving the CBOC to Springfield, Missouri, will better support the Veterans Health Care System of the Ozarks' (VHSO) strategic initiatives. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses three critical priorities that will enhance Veteran healthcare services in the Springfield area.

First, it will improve Veteran access to services by locating the replacement CBOC in an area with higher Veteran population. The Upper Western Market of VISN 16 has a significant primary care access gap identified by the Health Care Planning Model. This project will increase the number of unique Veterans within the 30-minute drive time for primary care access by 6,750 Veterans.

Second, the new CBOC will increase clinical capacity for primary and specialty care, mental health and ancillary services, improving patient satisfaction through expanded services, shorter wait times and more timely appointments, and allow for space

configurations consistent with patient-centered care principles. Expanding the CBOC by approximately 27,000 NUSF will address the utilization gap in the Upper Western Market by approximately 308,000 outpatient visits in primary care, mental health, specialty, and ancillary services.

Third, the relocated and expanded CBOC will improve efficiency and lower operating costs. The functional relationships in the new space will provide a more efficient layout of departments and rooms. The new building envelope will be more energy efficient than the current MRC. In addition, direct yearly operating costs are expected to be reduced by $2,550,000, including reduced beneficiary travel of $500,000; reduced contracting of diagnostic services of $1,900,000; and reduced contracting of sleep study services of $150,000.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: The status quo would continue to lease 41,000 NUSF for the Gene Taylor Outpatient Clinic in the MRC from the State of Missouri. This alternative would continue to contract out laboratory, radiology and sleep studies from the MRC. This option is not optimal for three reasons. First, the State of Missouri is proposing to close the MRC on June 30, 2011. In order to continue to support the existing lease, the MRC has proposed a surcharge to the existing lease of over $1 million per year. This additional funding is needed to staff MRC facility operations after the facility is closed for state operations. Second, due to a significant utilization gap in the VISN 16 Upper Western Market, it is necessary to expand the Gene Taylor Outpatient Clinic to meet demand. Additional space is needed to support in-house laboratory and radiology functions that are currently purchased by contract from the MRC. Third, the existing space at MRC is inefficient. A complete renovation would be needed to bring the space into compliance with VA space planning criteria and life safety guidelines.

Alternative 2 – New Lease (Preferred alternative): This project proposes a build-to-suit lease of approximately 68,000 NUSF to expand and relocate the Gene Taylor Outpatient Clinic to Springfield, Missouri. There are several reasons why this option is the most preferred alternative. First, relocating to Springfield, Missouri would bring the clinic closer to the Veteran population and would reduce the access gap in the VISN 16 Upper Western Market by 6,750 Veterans. Second, the lease would provide additional space for the expansion of services that would reduce the Upper Western Market utilization gaps in primary care, mental health, and specialty care. It would also allow VA to bring in-house, at lower cost, ancillary services such as laboratory and radiology that are currently contracted out. Finally, a build-to-suit lease provides VA with the flexibility to adjust services based on changes in enrollment and Veteran demographics without the up-front investment needed in the new construction alternative.

Alternative 3 – Contract Out Services: This alternative would seek to contract out all services currently offered at the Gene Taylor Outpatient Clinic as well as the projected workload increase. Challenges for this option include maintaining quality of care across numerous contracts and providers and finding sufficient health care capacity in the community to absorb current and projected VA workload. Health care demand in the area has already stressed capacity of private sector resources; nine of 11 counties in the catchment area served by the Gene Taylor Outpatient Clinic are medically underserved. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative proposes to purchase 10 acres of land in the Springfield area and construct a 68,000 NUSF outpatient clinic. This alternative shares many of the benefits of the preferred lease alternative. First, relocating in Springfield, Missouri brings the clinic closer to the Veteran population and will reduce the access gap in the VISN 16 Upper Western Market by 6,750 Veterans. Second, the VA-owned facility would provide additional space for expansion of services to reduce the Upper Western Market utilization gaps in primary care, mental health, and specialty care and bring in-house, at lower cost, ancillary services such as laboratory and radiology that are currently contracted out. Third, this alternative will have a longer implementation timeline than the preferred lease option. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	617,288	530,662	458,005	-26%
Enrollees	241,581	289,825	288,180	19%

*Data reflects the VISN 16 Upper Western Market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory stops	103,367	141,962	37%
Mental Health stops	14,675	24,680	68%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$2,749,240
Proposed Rental Rate*	$40.43/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	68,000
Parking Spaces	544
Special Purpose Related Improvements**	$3,740,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, BUTLER, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a lease of up to 226,800 rentable square feet of space, and 1,035 parking spaces, for the Department of Veterans Affairs for a Health Care Center in the vicinity of Butler, Pennsylvania, at a proposed unserviced annual cost of $6,582,000 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Butler, Pennsylvania
Health Care Center (HCC) Lease

This proposal provides for a new outpatient clinic lease in Butler, PA, to replace the current VAMC.

I. Budget Authority

Lease Through	2010 Request	2010 Auth. Request	Unserviced Annual Rent
2032	$16,482,000	$16,482,000	$6,582,000

II. Description of Lease

This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit Health Care Center (HCC) in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 180,000 net usable square feet (NUSF) to meet increased veteran demand. This clinic will serve veterans from the counties of Beaver, Armstrong, Butler, Clarion, Forest, Venango, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Approval of this prospectus will constitute authority for up to 20 years of leasing including the initial term, and any renewal options, as necessary, prior to the completion of the proposed lease.

III. Priorities/Deficiencies Addressed

This lease is designed to address quality, access and capacity for Primary Care, Specialty Care, Dental, Laboratory and Pathology, Radiology, Mental Health, and Ancillary and Diagnostic Services. The buildings in which treatment programs currently reside require renovation and significant expansion. By consolidating services in a single building, VA will be able to ensure that patient intake is handled quickly, professionally and privately, and that veterans' health care needs are fully met. A new facility will enhance the care provided to current veterans and provide proper infrastructure for future veteran care in Butler.

The new HCC will benefit the Butler veteran population in many ways. The efficiency of services provided will be enhanced by the collocation of all clinical categories, such as primary care, mental health and specialty care, in one central building. By expanding the available clinical space to meet projected increases in patient workload, quality of life for veterans will also improve due to reduced wait times. Adding space for both individual and group therapy visits will allow for significant expansion of mental health programs. Increasing the number of

services provided, particularly specialty care services, will increase veterans' geographic access to care and thereby improve the quality of life for rural veterans who previously had to drive approximately 60 minutes to Pittsburgh to access these services. The new facility will also provide adequate parking.

This project will allow VA Butler Healthcare to meet this growing workload, while also increasing its focus on long-term care. The HCC will have the capacity to serve more veterans (3,000 more unique veterans), accommodate the expected increase in clinic stops (projected to increase by 81 percent in Ambulatory Care Stops and increase by 151 percent in Mental Health Stops in the next 20 years) and increase panel provider size by 10 percent.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: This alternative assumes that the present physical space housing outpatient services at the Butler VAMC would continue to be used for outpatient care with general maintenance only. With this alternative, outpatient services would continue to be located in three separate buildings, maintaining existing inefficiencies and costly operational expenses.

Alternative 2 - Lease (Preferred Alternative): This option assumes the lease of a new, state-of-the-art HCC of approximately 180,000 NUSF. All VA Butler healthcare services, with the exception of the domiciliary and Community Living Center, will relocate to the HCC. It will provide infrastructure that supports the increased integration of outpatient services, coordination of care, provider productivity, efficiency, patient satisfaction, compliance with clinical guidelines, access and safety/security. This alternative solves VA Butler Healthcare's current space constraints cost effectively without requiring major up-front capital investment.

Alternative 3 - New Construction: This alternative assumes the construction of a new, free-standing comprehensive outpatient facility of approximately 180,000 NUSF. This option would consolidate all outpatient services in a modern outpatient facility. It would provide an infrastructure that supports the increased integration of outpatient services, coordination of care, provider productivity, efficiency, patient satisfaction, compliance with clinical guidelines, access and safety/security. Flexibility to expand/contract services and/or change location depending on workload demand would be difficult under this alternative.

Alternative 4 - Contract out: This alternative assumes the outsourcing of all outpatient care to the community. This alternative is not viable because the Butler community does not have sufficient capacity to support the veteran workload. This alternative is also the least cost effective alternative.

V. Demographic Data*

	2007	2015	2025	Change 2007-2025
Veteran population	487,868	356,166	364,287	-25%
Enrollees	182,025	168,749	141,724	-22%
Ambulatory Stops	73,692	116,732	133,726	81%
Mental Health Stops	25,958	47,102	59,316	129%

*Data for Western market and Butler catchment area

VI. Schedule

Award leases	August 2010
Complete construction	May 2012
Activation/Occupancy	June 2012

VII. Project Cost Summary

Estimated Annual Cost	$6,582,000
Proposed Rental Rate*	$36.57/NUSF
Proposed Lease Authority	20 Years
Net Usable Square Feet	180,000 NUSF
Parking Spaces*	1,035
Special Purpose Related Improvements**	$9,900,000

*Estimate based on 2009 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Lump sum payment to Lessor to upgrade space for special administrative or medical use; not included in rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, MOBILE, AL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a replacement lease of up to 87,919 rentable square feet of space, and 521 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in Mobile, Alabama, at a proposed unserviced annual cost of $2,984,028 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Mobile, Alabama
Outpatient Clinic Lease

This proposal provides for a Replacement Lease for the Mobile Community Based Outpatient Clinic, Mobile, AL, supporting the parent facility of the VA Gulf Coast Veterans Health Care System, Biloxi, MS.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$6,564,528	$6,564,528	$2,984,028

II. Description of Project

This project proposes the lease of 65,125 Net Usable Square Feet (NUSF) for a replacement Community Based Outpatient Clinic in Mobile, AL, to replace the existing 35,345 NUSF clinic. The lease will provide for administrative and clinical space consistent with VA CBOC requirements. Space will be allocated to the following general areas: Audiology and Speech Pathology, CCHT, canteen, clinic administration, education, environmental management, eye clinic, HBPC, lab, medical administration, medical specialty clinics, mental health, nursing, patient advocacy, pharmacy, police, primary care, radiology, surgical specialty clinics, Veterans' service organizations, warehouse, and women's health.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses functional, utilization and safety deficiencies. The existing clinic is housed in a functionally obsolete clinical building owned by the University of South Alabama. VA occupies 35,345 net usable square feet on the first and sixth floors of a 1940's era hospital, which has been sublet to various health-oriented businesses since the 1980's. Due to deteriorating conditions, rising crime rates, and the building's operational inefficiencies, many of the businesses have strategically relocated to other parts of the city. As a result, VA remains as one of the few tenants in an otherwise empty building. The Primary Care Clinic is run out of a 1970's era surgery suite and the Mental Health Clinic is housed on a separate floor, in an old inpatient ward. Hallways are narrow and turning radius for wheelchairs is limited. The main reception area is too small for the number of patients; the sub-waiting areas often overflow into the narrow corridors. Other services, such as Audiology and Radiology, also have small waiting rooms. The rest of the clinic is housed on a different floor; it is overcrowded and many new programs can't be implemented due to lack of square footage. Because of columns and bearing walls, the existing space does not work even in a renovated configuration.

As indicated by staff and Veteran complaints, the current environment is challenging, both logistically and aesthetically. Even before the patient enters the clinic, there are barriers to overcome. For example, the main entrance/reception area is co-located on the side of the building originally designed as an ambulance entrance. In fact, VA still uses the entrance for ambulance pick-ups. Although Veterans may be dropped off at this entrance, there is no parking available for family or other escorts.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: Maintain the existing lease. The clinic will continue to be housed in a functionally obsolete clinical building on the first and sixth floors of a 1940's era hospital. Space, safety and functional deficiencies will remain. Due to these constraints, this option is not preferred.

Alternative 2 – New Lease (Preferred alternative): This option proposes to lease 65,125 net usable square feet (NUSF) for the Mobile Clinic and would provide greater capacity for medical staff to perform in a more appropriately sized, modern facility. The new lease would incorporate all current services and include the addition of new services, such as Home Based Primary Care (HBPC) and the Patient Aligned Care Team (PACT) Model. The Clinic will need more operational and support space to improve staff and patient flow. Based on cost and the positive patient impact, this alternative is the preferred one.

Alternative 3 - Contract Out: This alternative would contract out all services currently provided by the CBOC to private health care providers in the community. This alternative would result in increased annual costs, which would be challenging to financially support. Also, this alternative would face challenges associated with limited existing capacity in the community to absorb VA's workload. Therefore, this option is the least preferred.

Alternative 4 - New Construction: New construction will address all functional, utilization and safety gap concerns, and agency strategic goals. However, there is a need to reside closer to the Veteran community when demographics change. This makes a permanent site less favorable. In addition, new construction would require land acquisition; this not only increases the cost but would delay activation by at least one year. Therefore, this alternative is the next preferred.

V. Demographic Data*:

	2009	2019	2029	Change (2009-2029)
Veteran Population	35,177	27,628	22,519	-36%
Enrollees	11,957	13,121	12,486	4%

*Data reflects the VISN 16 Central Southern market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Care Stops	66,894	112,975	69%
Mental Health Stops	18,996	36,986	95%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$2,984,028
Proposed Rental Rate*	$45.82/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	65,125
Parking Spaces	521
Special Purpose Related Improvements**	$3,580,500

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, ROCHESTER, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a replacement lease of up to 113,400 rentable square feet of space, and 672 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in Rochester, Monroe County, New York, at a proposed unserviced annual cost of $4,611,600 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Rochester, New York
Outpatient Clinic Lease

This proposal provides for a replacement leased Community Based Outpatient Clinic in Rochester, Monroe County, NY, supporting the parent facility of the Canandaigua VA Medical Center in Canandaigua, NY.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$9,231,600	$9,231,600	$4,611,600

II. Description of Project

This project proposes to lease a replacement, 84,000 net usable square feet (NUSF) Community Based Outpatient Clinic (CBOC), including 672 parking spaces. This leased facility will provide expanded outpatient services to address utilization and space gaps in the Monroe County sub-market area within the Finger Lakes/Southern Tier Market. The current leased Rochester CBOC is 49,190 gross square feet (GSF) and includes 184 parking spaces. Two additional leased sites nearby, at Mt. Hope Avenue (6,364 GSF) and Clinton Crossings (8,091 GSF), are used to offset the space and parking shortages at the CBOC. The current lease is set to expire in October 2016, and the building owner has indicated the lease cannot be renewed.

The replacement Rochester lease will include primary care, women's health, Operation Enduring Freedom / Operation Iraqi Freedom (OEF/OIF), mental health, homeless outreach, home-based primary care (HBPC), specialty services, ancillary services, compensation and pension (C&P), research, residency programs with local affiliates, Veterans Benefits Administration (VBA), Veteran Service Organizations (VSO), and volunteer programs.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses the continuing need to provide primary care, mental health, and specialty care services to Veterans residing in Rochester, NY.

Several programs currently provided at the Rochester CBOC were shown to have both workload and space gaps by the Strategic Capital Investment Plan (SCIP). These services include: ambulatory primary care, geriatrics, and urgent care; medical and other non-surgical specialties; mental health programs; surgical specialties; dental clinic; laboratory and pathology; and radiology and nuclear medicine. These gaps will be addressed in the proposed CBOC replacement facility.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: The status quo would continue to provide outpatient services in Rochester, Monroe County, NY, in the current, 49,190 GSF leased building until the lease termination date in 2016. After lease termination, this primary care access point would be eliminated, significantly decreasing access to care for Veterans. This alternative would require Veterans in Monroe County to travel to alternative VA facilities to receive primary care, mental health, and specialty care services. Therefore, this option is not the most optimal.

Alternative 2 – New Lease (Preferred alternative): This project proposes to replace the existing lease with a replacement, 84,000 NUSF CBOC to include 332 parking spaces. This replacement lease will allow VA to continue to provide services in Monroe County, and will allow for the required expansion of services to meet current utilization and space gaps at the current CBOC. This alternative was selected because the lease would enable VA to serve a greater number of Veterans, reduce Veteran travel time for some clinical services, and consolidate the three leases into a single location. Furthermore, the lease alternative will provide expanded, state-of-the-art clinical space sooner than the new construction alternative and will provide a more functional and effective healthcare environment to the benefit of Veterans, Veterans' families and medical staff.

Alternative 3 - Contract Out Services: This alternative would seek to contract out all ambulatory, mental health, and specialty care services in the community. This alternative is not cost-effective and would result in a loss of quality control over Veteran healthcare. There also may not be sufficient, qualified, private-sector providers in the Monroe County area to accommodate the Veteran workload. Therefore, this alternative is the least preferred.

Alternative 4 - New Construction: This alternative would require VA to purchase a land parcel and construct a new, 84,000 NUSF facility in Monroe County. This alternative solves utilization and space gaps in the same manner as the lease alternative. However, a permanent site limits the ability to relocate services in the future to adapt to changes in Veteran demographics. In addition, new construction would require land acquisition; this not only increases the cost but would delay activation by approximately one year. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	49,357	33,821	23,579	-52%
Enrollees	16,966	16,244	13,613	-20%

*Data reflects the VISN 2, Monroe County, NY market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Stops	66,653	73,116	10%
Mental Health stops	24,231	27,392	13%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$4,611,600
Proposed Rental Rate*	$54.90/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	84,000
Parking Spaces	672
Special Purpose Related Improvements**	$4,620,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SAN JOSE, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, a replacement lease of up to 97,200 rentable square feet of space, and 576 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in San Jose, California, at a proposed unserviced annual cost of $5,586,000 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

San Jose, California
Outpatient Clinic Lease

This proposal provides for leasing a replacement Community Based Outpatient Clinic in San Jose, CA, supporting the parent facility of the VA Palo Alto Health Care System in Palo Alto, CA.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$9,545,760	$9,545,760	$5,585,760

II. Description of Project

This project will replace the existing 72,000 net usable square foot (NUSF) San Jose Community Based Outpatient Clinic (CBOC) in San Jose, CA. The existing 72,000 NUSF San Jose CBOC lease is set to expire in 2016 with no additional option years remaining on the existing lease and no opportunity to renew. The replacement lease will be for up to 72,000 NUSF and include at least 576 parking spaces. The San Jose CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses the need to provide ongoing primary care, mental health and specialty care services to Veterans residing in San Jose, CA. The San Jose CBOC is a busy, multi-specialty clinic that treats over 10,000 Veterans annually. The San Jose CBOC is located in Santa Clara County where over 75,000 Veterans currently reside. Maintaining a presence in the San Jose region is critical to ensuring access to health care services for these Veterans, improving the likelihood that Veterans will seek care and comply with clinical treatment plans. A new 20-year lease is required since VA will have to vacate the existing facility no later than November 2016.

Replacing the San Jose CBOC with a new facility in the San Jose region will enable VAPAHCS to provide a state-of-the-art treatment facility using integrated design concepts. The new facility will be designed around the principles of Veteran- and family-centric care; providing space for interdisciplinary team delivery; integration of the family into the treatment plan; and creating space to optimize health and wellness. Continuing service in this region also embodies the goal of being patient-centric by

delivering care in a community setting where a substantial number of Veterans live, thereby reducing wait and drive times and eliminating service disparities.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: The status quo would continue to provide outpatient services in the existing San Jose CBOC clinic until the current lease expires in 2016. The primary care access point in southern Santa Clara County would be eliminated, significantly decreasing access to care for Veterans. This alternative would require that Veterans residing in Santa Clara County, specifically in the City of San Jose, travel through densely congested traffic corridors to receive basic services in either Palo Alto or Monterey. In addition, this alternative does not provide any opportunity to decompress the Palo Alto Division. As it is the goal of VAPAHCS to improve access to services for Veterans, this option is not the most optimal.

Alternative 2 - New Lease (Preferred alternative): This project proposes to replace the 72,000 NUSF CBOC in San Jose, CA with a new, leased facility after the expiration of the existing lease in 2016. The replacement lease will be for up to 72,000 NUSF and include a minimum of 360 parking spaces. Through the competitive procurement process, this alternative will allow VAPAHCS to identify the best value land parcel and facility for the new clinic. The clinic will be designed to provide state-of-the-art services and incorporate the latest VA clinical delivery models, to include Patient Aligned Care Team practices. Therefore, leasing a facility in the San Jose area to ensure the continued provision of medical services is the preferred alternative.

Alternative 3 – Contract Out Services: This alternative would seek to contract out all ambulatory, mental health and specialty care in the community. As a national health care system, VA has gained a unique level of expertise in providing Veterans services, including the maintenance of a comprehensive medical record, expertise in mental health issues and provision of wellness outreach and education that would be extremely difficult to replicate in a community setting. Relying on a community or contract provider that potentially lacks expertise in Veteran issues to provide treatment to this potentially vulnerable and at-risk patient population poses a risk to Veteran safety. In addition, relying on contract providers to offer these services remains cost prohibitive and is subject to the availability of mental health providers within the community. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative would require VAPAHCS to acquire a land parcel and construct a new, 72,000 NUSF facility. A permanent site limits the ability to relocate services in the future to adapt to changes in Veteran demographics and is therefore less favorable. In addition, new construction would require land acquisition; this not only increases the cost, but would delay activation by approximately one year. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	225,428	167,749	129,722	-42%
Enrollees	71,246	72,179	65,915	-7%

*Data reflects the VISN 21 South Coast Market and 55% of Alameda County. Note: Alameda County is a shared county that is serviced by both VAPAHCS and VANCHCS. All of the workload for this county is included in the North Coast Market.

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory stops	32,331	37,105	15%
Mental Health stops	19,111	24,517	28%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$5,585,760
Proposed Rental Rate*	$77.58/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	72,000
Parking Spaces	576
Special Purpose Related Improvements**	$3,960,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. **Rochester, NY - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. **Mobile, AL - Outpatient Clinic Lease**

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. **Springfield, MO - Outpatient Clinic**

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 p.m.), the House stood in recess subject to the call of the Chair.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 1 o'clock and 30 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 2014.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 18, 2014 at 11:29 a.m.:

That the Senate passed S. 2651.

That the Senate passed S. 2141.

That the Senate passed without amendment H.R. 4751.

That the Senate passed without amendment H.R 4809.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 727; and adopting H. Res. 727, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 4, JOBS FOR AMERICA ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2014, THROUGH NOVEMBER 11, 2014

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 727) providing for consideration of the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes; providing for consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes; and providing for proceedings during the period from September 22, 2014, through November 11, 2014, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 226, nays 195, not voting 10, as follows:

[Roll No. 510]

YEAS—226

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
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
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
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
McAllister
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
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
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—195

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
Clark (MA)
Clarke (NY)
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
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
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
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
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barton
Capito
Conaway
DesJarlais
Gingrey (GA)
Hastings (FL)
Nunnelee
Owens
Rush
Wasserman Schultz

□ 1359

Messrs. RICHMOND, DAVID SCOTT of Georgia, Ms. SINEMA, Messrs.

GRAYSON and HOYER changed their vote from ''yea'' to ''nay.''

Messrs. AMODEI and COLLINS of Georgia changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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. POLIS. 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 227, noes 193, not voting 11, as follows:

[Roll No. 511]

AYES—227

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
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
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
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
McAllister
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
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—193

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
Clark (MA)
Clarke (NY)
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
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
McCarthy (NY)
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)
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
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barton
Capito
Conaway
DesJarlais
Hastings (FL)
Nunnelee
Ribble
Rush
Sánchez, Linda T.
Wasserman Schultz
Wolf

□ 1408

Ms. SINEMA changed her vote from ''no'' to ''aye.''

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.

JOBS FOR AMERICA ACT

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to House Resolution 727, the bill is considered read.

The text of the bill is as follows:

H.R. 4

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 ''Jobs for America Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. PAYGO scorecard.

DIVISION I—WAYS AND MEANS

TITLE I—SAVE AMERICAN WORKERS

Sec. 101. Short title.
Sec. 102. Repeal of 30-hour threshold for classification as full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replacement with 40 hours.

TITLE II—HIRE MORE HEROES

Sec. 201. Short title.
Sec. 202. Employees with health coverage under TRICARE or the Veterans Administration may be exempted from employer mandate under Patient Protection and Affordable Care Act.

TITLE III—AMERICAN RESEARCH AND COMPETITIVENESS

Sec. 301. Short title.
Sec. 302. Research credit simplified and made permanent.
Sec. 303. PAYGO Scorecard.

TITLE IV—AMERICA'S SMALL BUSINESS TAX RELIEF

Sec. 401. Short title.
Sec. 402. Expensing certain depreciable business assets for small business.
Sec. 403. Budgetary effects.

TITLE V—S CORPORATION PERMANENT TAX RELIEF

Sec. 501. Short title.
Sec. 502. Reduced recognition period for built-in gains of S corporations made permanent.
Sec. 503. Permanent rule regarding basis adjustment to stock of S corporations making charitable contributions of property.
Sec. 504. Budgetary effects.

TITLE VI—BONUS DEPRECIATION MODIFIED AND MADE PERMANENT

Sec. 601. Bonus depreciation modified and made permanent.
Sec. 602. Budgetary effects.

TITLE VII—REPEAL OF MEDICAL DEVICE EXCISE TAX

Sec. 701. Repeal of medical device excise tax.
Sec. 702. Budgetary effects.

DIVISION II—FINANCIAL SERVICES

TITLE I—SMALL BUSINESS CAPITAL ACCESS AND JOB PRESERVATION

Sec. 101. Short title.

Sec. 102. Registration and reporting exemptions relating to private equity funds advisors.

TITLE II—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION

Sec. 201. Short title.
Sec. 202. Registration exemption for merger and acquisition brokers.
Sec. 203. Effective date.

DIVISION III—OVERSIGHT

SUBDIVISION A—UNFUNDED MANDATES INFORMATION AND TRANSPARENCY

Sec. 101. Short title.
Sec. 102. Purpose.
Sec. 103. Providing for Congressional Budget Office studies on policies involving changes in conditions of grant aid.
Sec. 104. Clarifying the definition of direct costs to reflect Congressional Budget Office practice.
Sec. 105. Expanding the scope of reporting requirements to include regulations imposed by independent regulatory agencies.
Sec. 106. Amendments to replace Office of Management and Budget with Office of Information and Regulatory Affairs.
Sec. 107. Applying substantive point of order to private sector mandates.
Sec. 108. Regulatory process and principles.
Sec. 109. Expanding the scope of statements to accompany significant regulatory actions.
Sec. 110. Enhanced stakeholder consultation.
Sec. 111. New authorities and responsibilities for Office of Information and Regulatory Affairs.
Sec. 112. Retrospective analysis of existing Federal regulations.
Sec. 113. Expansion of judicial review.

SUBDIVISION B—ACHIEVING LESS EXCESS IN REGULATION AND REQUIRING TRANSPARENCY

Sec. 100. Short title; table of contents.

TITLE I—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

Sec. 101. Short title.
Sec. 102. Office of Information and Regulatory Affairs publication of information relating to rules.

TITLE II—REGULATORY ACCOUNTABILITY ACT

Sec. 201. Short title.
Sec. 202. Definitions.
Sec. 203. Rule making.
Sec. 204. Agency guidance; procedures to issue major guidance; presidential authority to issue guidelines for issuance of guidance.
Sec. 205. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision.
Sec. 206. Actions reviewable.
Sec. 207. Scope of review.
Sec. 208. Added definition.
Sec. 209. Effective date.

TITLE III—REGULATORY FLEXIBILITY IMPROVEMENTS ACT

Sec. 301. Short title.
Sec. 302. Clarification and expansion of rules covered by the Regulatory Flexibility Act.
Sec. 303. Expansion of report of regulatory agenda.
Sec. 304. Requirements providing for more detailed analyses.
Sec. 305. Repeal of waiver and delay authority; additional powers of the Chief Counsel for Advocacy.
Sec. 306. Procedures for gathering comments.
Sec. 307. Periodic review of rules.
Sec. 308. Judicial review of compliance with the requirements of the Regulatory Flexibility Act available after publication of the final rule.
Sec. 309. Jurisdiction of court of appeals over rules implementing the Regulatory Flexibility Act.
Sec. 310. Establishment and approval of small business concern size standards by Chief Counsel for Advocacy.
Sec. 311. Clerical amendments.
Sec. 312. Agency preparation of guides.
Sec. 313. Comptroller General report.

TITLE IV—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT

Sec. 401. Short title.
Sec. 402. Definitions.
Sec. 403. Consent decree and settlement reform.
Sec. 404. Motions to modify consent decrees.
Sec. 405. Effective date.

DIVISION IV—JUDICIARY

TITLE I—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY

Sec. 101. Short title.
Sec. 102. Purpose.
Sec. 103. Congressional review of agency rulemaking.
Sec. 104. Budgetary effects of rules subject to section 802 of title 5, United States Code.
Sec. 105. Government Accountability Office study of rules.

TITLE II—PERMANENT INTERNET TAX FREEDOM

Sec. 201. Short title.
Sec. 202. Permanent moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce.

DIVISION V—NATURAL RESOURCES

SUBDIVISION A—RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES

Sec. 100. Short title.

TITLE I—RESTORING THE COMMITMENT TO RURAL COUNTIES AND SCHOOLS

Sec. 101. Purposes.
Sec. 102. Definitions.
Sec. 103. Establishment of Forest Reserve Revenue Areas and annual volume requirements.
Sec. 104. Management of Forest Reserve Revenue Areas.
Sec. 105. Distribution of forest reserve revenues.
Sec. 106. Annual report.

TITLE II—HEALTHY FOREST MANAGEMENT AND CATASTROPHIC WILDFIRE PREVENTION

Sec. 201. Purposes.
Sec. 202. Definitions.
Sec. 203. Hazardous fuel reduction projects and forest health projects in at-risk forests.
Sec. 204. Environmental analysis.
Sec. 205. State designation of high-risk areas of National Forest System and public lands.
Sec. 206. Use of hazardous fuels reduction or forest health projects for high-risk areas.
Sec. 207. Moratorium on use of prescribed fire in Mark Twain National Forest, Missouri, pending report.

TITLE III—OREGON AND CALIFORNIA RAILROAD GRANT LANDS TRUST, CONSERVATION, AND JOBS

Sec. 301. Short title.
Sec. 302. Definitions.

Subtitle A—Trust, Conservation, and Jobs

CHAPTER 1—CREATION AND TERMS OF O&C TRUST

Sec. 311. Creation of O&C Trust and designation of O&C Trust lands.
Sec. 312. Legal effect of O&C Trust and judicial review.
Sec. 313. Board of Trustees.
Sec. 314. Management of O&C Trust lands.
Sec. 315. Distribution of revenues from O&C Trust lands.
Sec. 316. Land exchange authority.
Sec. 317. Payments to the United States Treasury.

CHAPTER 2—TRANSFER OF CERTAIN LANDS TO FOREST SERVICE

Sec. 321. Transfer of certain Oregon and California Railroad Grant lands to Forest Service.
Sec. 322. Management of transferred lands by Forest Service.
Sec. 323. Management efficiencies and expedited land exchanges.
Sec. 324. Review panel and old growth protection.
Sec. 325. Uniqueness of old growth protection on Oregon and California Railroad Grant lands.

CHAPTER 3—TRANSITION

Sec. 331. Transition period and operations.
Sec. 332. O&C Trust management capitalization.
Sec. 333. Existing Bureau of Land Management and Forest Service contracts.
Sec. 334. Protection of valid existing rights and access to non-Federal land.
Sec. 335. Repeal of superseded law relating to Oregon and California Railroad Grant lands.

Subtitle B—Coos Bay Wagon Roads

Sec. 341. Transfer of management authority over certain Coos Bay Wagon Road Grant lands to Coos County, Oregon.
Sec. 342. Transfer of certain Coos Bay Wagon Road Grant lands to Forest Service.
Sec. 343. Land exchange authority.

Subtitle C—Oregon Treasures

CHAPTER 1—WILDERNESS AREAS

Sec. 351. Designation of Devil's Staircase Wilderness.
Sec. 352. Expansion of Wild Rogue Wilderness Area.

CHAPTER 2—WILD AND SCENIC RIVER DESIGNATED AND RELATED PROTECTIONS

Sec. 361. Wild and scenic river designations, Molalla River.
Sec. 362. Wild and Scenic Rivers Act technical corrections related to Chetco River.
Sec. 363. Wild and scenic river designations, Wasson Creek and Franklin Creek.
Sec. 364. Wild and scenic river designations, Rogue River area.
Sec. 365. Additional protections for Rogue River tributaries.

CHAPTER 3—ADDITIONAL PROTECTIONS

Sec. 371. Limitations on land acquisition.
Sec. 372. Overflights.
Sec. 373. Buffer zones.
Sec. 374. Prevention of wildfires.
Sec. 375. Limitation on designation of certain lands in Oregon.

CHAPTER 4—EFFECTIVE DATE

Sec. 381. Effective date.

Subtitle D—Tribal Trust Lands

PART 1—COUNCIL CREEK LAND CONVEYANCE

Sec. 391. Definitions.
Sec. 392. Conveyance.
Sec. 393. Map and legal description.
Sec. 394. Administration.

PART 2—OREGON COASTAL LAND CONVEYANCE
Sec. 395. Definitions.
Sec. 396. Conveyance.
Sec. 397. Map and legal description.
Sec. 398. Administration.
TITLE IV—COMMUNITY FOREST MANAGEMENT DEMONSTRATION
Sec. 401. Purpose and definitions.
Sec. 402. Establishment of community forest demonstration areas.
Sec. 403. Advisory committee.
Sec. 404. Management of community forest demonstration areas.
Sec. 405. Distribution of funds from community forest demonstration area.
Sec. 406. Initial funding authority.
Sec. 407. Payments to United States Treasury.
Sec. 408. Termination of community forest demonstration area.
TITLE V—REAUTHORIZATION AND AMENDMENT OF EXISTING AUTHORITIES AND OTHER MATTERS
Sec. 501. Extension of Secure Rural Schools and Community Self-Determination Act of 2000 pending full operation of Forest Reserve Revenue Areas.
Sec. 502. Restoring original calculation method for 25-percent payments.
Sec. 503. Forest Service and Bureau of Land Management good-neighbor cooperation with States to reduce wildfire risks.
Sec. 504. Treatment as supplemental funding.
Sec. 505. Definition of fire suppression to include certain related activities.
Sec. 506. Prohibition on certain actions regarding Forest Service roads and trails.
SUBDIVISION B—NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION
Sec. 100. Short title.
Sec. 100A. Findings.
Sec. 100B. Definitions.
TITLE I—DEVELOPMENT OF DOMESTIC SOURCES OF STRATEGIC AND CRITICAL MINERALS
Sec. 101. Improving development of strategic and critical minerals.
Sec. 102. Responsibilities of the lead agency.
Sec. 103. Conservation of the resource.
Sec. 104. Federal register process for mineral exploration and mining projects.
TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO EXPLORATION AND MINE PERMITS
Sec. 201. Definitions for title.
Sec. 202. Timely filings.
Sec. 203. Right to intervene.
Sec. 204. Expedition in hearing and determining the action.
Sec. 205. Limitation on prospective relief.
Sec. 206. Limitation on attorneys' fees.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Secretarial order not affected.

SEC. 3. PAYGO SCORECARD.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

DIVISION I—WAYS AND MEANS

TITLE I—SAVE AMERICAN WORKERS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Save American Workers Act of 2014''.

SEC. 102. REPEAL OF 30-HOUR THRESHOLD FOR CLASSIFICATION AS FULL-TIME EMPLOYEE FOR PURPOSES OF THE EMPLOYER MANDATE IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND REPLACEMENT WITH 40 HOURS.

(a) FULL-TIME EQUIVALENTS.—Paragraph (2) of section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) by repealing subparagraph (E), and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) FULL-TIME EQUIVALENTS TREATED AS FULL-TIME EMPLOYEES.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph, an employer shall, in addition to the number of full-time employees for any month otherwise determined, include for such month a number of full-time employees determined by dividing the aggregate number of hours of service of employees who are not full-time employees for the month by 174.''.

(b) FULL-TIME EMPLOYEES.—Paragraph (4) of section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) by repealing subparagraph (A), and

(2) by inserting before subparagraph (B) the following new subparagraph:

''(A) IN GENERAL.—The term 'full-time employee' means, with respect to any month, an employee who is employed on average at least 40 hours of service per week.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2013.

TITLE II—HIRE MORE HEROES

SEC. 201. SHORT TITLE.

This title may be cited as the ''Hire More Heroes Act of 2014''.

SEC. 202. EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION MAY BE EXEMPTED FROM EMPLOYER MANDATE UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an employer may elect not to take into account for a month as an employee any individual who, for such month, has medical coverage under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to months beginning after December 31, 2013.

TITLE III—AMERICAN RESEARCH AND COMPETITIVENESS

SEC. 301. SHORT TITLE.

This title may be cited as the ''American Research and Competitiveness Act of 2014''.

SEC. 302. RESEARCH CREDIT SIMPLIFIED AND MADE PERMANENT.

(a) IN GENERAL.—Subsection (a) of section 41 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) REPEAL OF TERMINATION.—Section 41 of such Code is amended by striking subsection (h).

(c) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 41 of such Code is amended to read as follows:

''(c) DETERMINATION OF AVERAGE RESEARCH EXPENSES FOR PRIOR YEARS.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENDITURES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments taken into account under subsection (a).''.

(2) Section 41(e) of such Code is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4) as so redesignated, by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) Section 41(f)(3) of such Code is amended—

(A)(i) by striking '', and the gross receipts'' in subparagraph (A)(i) and all that follows through ''determined under clause (iii)'',

(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

(iii) by striking ''and (iv)'' each place it appears in subparagraph (A)(iv) (as so redesignated) and inserting ''and (iii)'',

(iv) by striking subclause (IV) of subparagraph (A)(iv) (as so redesignated), by striking '', and'' at the end of subparagraph (A)(iv)(III) (as so redesignated) and inserting a period, and by adding ''and'' at the end of subparagraph (A)(iv)(II) (as so redesignated),

(v) by striking ''(A)(vi)'' in subparagraph (B) and inserting ''(A)(v)'', and

(vi) by striking ''(A)(iv)(II)'' in subparagraph (B)(i)(II) and inserting ''(A)(iii)(II)'',

(B) by striking '', and the gross receipts of the predecessor,'' in subparagraph (A)(iv)(II) (as so redesignated),

(C) by striking '', and the gross receipts of,'' in subparagraph (B),

(D) by striking '', or gross receipts of,'' in subparagraph (B)(i)(I), and

(E) by striking subparagraph (C).

(4) Section 45C(b)(1) of such Code is amended by striking subparagraph (D).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2013.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to amounts paid or incurred after December 31, 2013.

SEC. 303. PAYGO SCORECARD.

(a) PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE IV—AMERICA'S SMALL BUSINESS TAX RELIEF

SEC. 401. SHORT TITLE.

This title may be cited as the ''America's Small Business Tax Relief Act of 2014''.

SEC. 402. EXPENSING CERTAIN DEPRECIABLE BUSINESS ASSETS FOR SMALL BUSINESS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1986 is amended by striking ''shall not exceed—'' and all that follows and inserting ''shall not exceed $500,000.''.

(2) REDUCTION IN LIMITATION.—Paragraph (2) of section 179(b) of such Code is amended by striking ''exceeds—'' and all that follows and inserting ''exceeds $2,000,000.''.

(b) COMPUTER SOFTWARE.—Clause (ii) of section 179(d)(1)(A) of such Code is amended by striking '', to which section 167 applies, and which is placed in service in a taxable year beginning after 2002 and before 2014'' and inserting ''and to which section 167 applies''.

(c) ELECTION.—Paragraph (2) of section 179(c) of such Code is amended—

(1) by striking ''may not be revoked'' and all that follows through ''and before 2014'', and

(2) by striking ''IRREVOCABLE'' in the heading thereof.

(d) AIR CONDITIONING AND HEATING UNITS.—Paragraph (1) of section 179(d) of such Code is amended by striking ''and shall not include air conditioning or heating units''.

(e) QUALIFIED REAL PROPERTY.—Subsection (f) of section 179 of such Code is amended—

(1) by striking ''beginning in 2010, 2011, 2012, or 2013'' in paragraph (1), and

(2) by striking paragraphs (3) and (4).

(f) INFLATION ADJUSTMENT.—Subsection (b) of section 179 of such Code is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning after 2014, the dollar amounts in paragraphs (1) and (2) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins, determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—The amount of any increase under subparagraph (A) shall be rounded to the nearest multiple of $10,000.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 403. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE V—S CORPORATION PERMANENT TAX RELIEF

SEC. 501. SHORT TITLE.

This title may be cited as the ''S Corporation Permanent Tax Relief Act of 2014''.

SEC. 502. REDUCED RECOGNITION PERIOD FOR BUILT-IN GAINS OF S CORPORATIONS MADE PERMANENT.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(7) RECOGNITION PERIOD.—

''(A) IN GENERAL.—The term 'recognition period' means the 5-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase '5-year'.

''(B) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 503. PERMANENT RULE REGARDING BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Section 1367(a)(2) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 504. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE VI—BONUS DEPRECIATION MODIFIED AND MADE PERMANENT

SEC. 601. BONUS DEPRECIATION MODIFIED AND MADE PERMANENT.

(a) MADE PERMANENT; INCLUSION OF QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Section 168(k)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less,

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(III) which is water utility property,

''(IV) which is qualified leasehold improvement property, or

''(V) which is qualified retail improvement property, and

''(ii) the original use of which commences with the taxpayer.

''(B) EXCEPTION FOR ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(i) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(ii) after application of section 280F(b) (relating to listed property with limited business use).

''(C) SPECIAL RULES.—

''(i) SALE-LEASEBACKS.—For purposes of clause (ii) and subparagraph (A)(ii), if property is—

''(I) originally placed in service by a person, and

''(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(ii) SYNDICATION.—For purposes of subparagraph (A)(ii), if—

''(I) property is originally placed in service by the lessor of such property,

''(II) such property is sold by such lessor or any subsequent purchaser within 3 months after the date such property was originally placed in service (or, in the case of multiple units of property subject to the same lease, within 3 months after the date the final unit is placed in service, so long as the period between the time the first unit is placed in service and the time the last unit is placed in service does not exceed 12 months), and

''(III) the user of such property after the last sale during such 3-month period remains the same as when such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date of such last sale.

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $8,000.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

''(iii) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2014, the $8,000 amount in clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the automobile price inflation adjustment determined under section 280F(d)(7)(B)(i) for the calendar year in which such taxable year begins by substituting '2013' for '1987' in subclause (II) thereof.

If any increase under the preceding sentence is not a multiple of $100, such increase shall be rounded to the nearest multiple of $100.

''(E) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—For purposes of determining alternative minimum taxable income under section 55, the deduction under section 167 for qualified property shall be determined without regard to any adjustment under section 56.''.

(b) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—Section 168(k)(4) of such Code is amended to read as follows:

''(4) ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

''(A) IN GENERAL.—If a corporation elects to have this paragraph apply for any taxable year—

''(i) paragraphs (1)(A), (2)(D)(i), and (5)(A)(i) shall not apply for such taxable year,

''(ii) the applicable depreciation method used under this section with respect to any qualified property shall be the straight line method, and

''(iii) the limitation imposed by section 53(c) for such taxable year shall be increased by the bonus depreciation amount which is determined for such taxable year under subparagraph (B).

''(B) BONUS DEPRECIATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The bonus depreciation amount for any taxable year is an amount equal to 20 percent of the excess (if any) of—

''(I) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraph (1) applied to all such property, over

''(II) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraph (1) did not apply to any such property.

The aggregate amounts determined under subclauses (I) and (II) shall be determined without regard to any election made under subsection (b)(2)(D), (b)(3)(D), or (g)(7) and without regard to subparagraph (A)(ii).

''(ii) LIMITATION.—The bonus depreciation amount for any taxable year shall not exceed the lesser of—

''(I) 50 percent of the minimum tax credit under section 53(b) for the first taxable year ending after December 31, 2013, or

''(II) the minimum tax credit under section 53(b) for such taxable year determined by taking into account only the adjusted net minimum tax for taxable years ending before January 1, 2014 (determined by treating credits as allowed on a first-in, first-out basis).

''(iii) AGGREGATION RULE.—All corporations which are treated as a single employer under section 52(a) shall be treated—

''(I) as 1 taxpayer for purposes of this paragraph, and

''(II) as having elected the application of this paragraph if any such corporation so elects.

''(C) CREDIT REFUNDABLE.—For purposes of section 6401(b), the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this paragraph shall be treated as allowed under subpart C of such part (and not any other subpart).

''(D) OTHER RULES.—

''(i) ELECTION.—Any election under this paragraph may be revoked only with the consent of the Secretary.

''(ii) PARTNERSHIPS WITH ELECTING PARTNERS.—In the case of a corporation which is a partner in a partnership and which makes an election under subparagraph (A) for the taxable year, for purposes of determining such corporation's distributive share of partnership items under section 702 for such taxable year—

''(I) paragraphs (1)(A), (2)(D)(i), and (5)(A)(i) shall not apply, and

''(II) the applicable depreciation method used under this section with respect to any qualified property shall be the straight line method.

''(iii) CERTAIN PARTNERSHIPS.—In the case of a partnership in which more than 50 percent of the capital and profits interests are owned (directly or indirectly) at all times during the taxable year by 1 corporation (or by corporations treated as 1 taxpayer under subparagraph (B)(iii)), each partner shall compute its bonus depreciation amount under clause (i) of subparagraph (B) by taking into account its distributive share of the amounts determined by the partnership under subclauses (I) and (II) of such clause for the taxable year of the partnership ending with or within the taxable year of the partner.''.

(c) SPECIAL RULES FOR TREES AND VINES BEARING FRUITS AND NUTS.—Section 168(k) of such Code is amended—

(1) by striking paragraph (5), and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) SPECIAL RULES FOR TREES AND VINES BEARING FRUITS AND NUTS.—

''(A) IN GENERAL.—In the case of any tree or vine bearing fruits or nuts which is planted, or is grafted to a plant that has already been planted, by the taxpayer in the ordinary course of the taxpayer's farming business (as defined in section 263A(e)(4))—

''(i) a depreciation deduction equal to 50 percent of the adjusted basis of such tree or vine shall be allowed under section 167(a) for the taxable year in which such tree or vine is so planted or grafted, and

''(ii) the adjusted basis of such tree or vine shall be reduced by the amount of such deduction.

''(B) ELECTION OUT.—If a taxpayer makes an election under this subparagraph for any taxable year, this paragraph shall not apply to any tree or vine planted or grafted during such taxable year. An election under this subparagraph may be revoked only with the consent of the Secretary.

''(C) ADDITIONAL DEPRECIATION MAY BE CLAIMED ONLY ONCE.—If this paragraph applies to any tree or vine, such tree or vine shall not be treated as qualified property in the taxable year in which placed in service.

''(D) COORDINATION WITH ELECTION TO ACCELERATE AMT CREDITS.—If a corporation makes an election under paragraph (4) for any taxable year, the amount under paragraph (4)(B)(i)(I) for such taxable year shall be increased by the amount determined under subparagraph (A)(i) for such taxable year.

''(E) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—Rules similar to the rules of paragraph (2)(E) shall apply for purposes of this paragraph.''.

(d) CONFORMING AMENDMENTS.—

(1) Section 168(e)(8) of such Code is amended by striking subparagraph (D).

(2) Section 168(k) of such Code is amended by adding at the end the following new paragraph:

''(6) ELECTION OUT.—If a taxpayer makes an election under this paragraph with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service (or, in the case of paragraph (5), planted or grafted) during such taxable year. An election under this paragraph may be revoked only with the consent of the Secretary.''.

(3) Section 168(l)(5) of such Code is amended by striking ''section 168(k)(2)(G)'' and inserting ''section 168(k)(2)(E)''.

(4) Section 263A(c) of such Code is amended by adding at the end the following new paragraph:

''(7) COORDINATION WITH SECTION 168(k)(5).—This section shall not apply to any amount allowable as a deduction by reason of section 168(k)(5) (relating to special rules for trees and vines bearing fruits and nuts).''.

(5) Section 460(c)(6)(B) of such Code is amended by striking ''which—'' and all that follows and inserting ''which has a recovery period of 7 years or less.''.

(6) Section 168(k) of such Code is amended by striking ''ACQUIRED AFTER DECEMBER 31, 2007, AND BEFORE JANUARY 1, 2014'' in the heading thereof.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to property placed in service after December 31, 2013.

(2) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

(A) IN GENERAL.—The amendment made by subsection (b) (other than so much of such amendment as relates to section 168(k)(4)(D)(iii) of such Code, as added by such amendment) shall apply to taxable years ending after December 31, 2013.

(B) TRANSITIONAL RULE.—In the case of a taxable year beginning before January 1, 2014, and ending after December 31, 2013, the bonus depreciation amount determined under section 168(k)(4) of such Code for such year shall be the sum of—

(i) such amount determined without regard to the amendments made by this section and—

(I) by taking into account only property placed in service before January 1, 2014, and

(II) by multiplying the limitation under section 168(k)(4)(C)(ii) of such Code (determined without regard to the amendments made by this section) by a fraction the numerator of which is the number of days in the taxable year before January 1, 2014, and the denominator of which is the number of days in the taxable year, and

(ii) such amount determined after taking into account the amendments made by this section and—

(I) by taking into account only property placed in service after December 31, 2013, and

(II) by multiplying the limitation under section 168(k)(4)(B)(ii) of such Code (as amended by this section) by a fraction the numerator of which is the number of days in the taxable year after December 31, 2013, and the denominator of which is the number of days in the taxable year.

(3) SPECIAL RULES FOR CERTAIN TREES AND VINES.—The amendment made by subsection (c)(2) shall apply to trees and vines planted or grafted after December 31, 2013.

SEC. 602. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be

entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE VII—REPEAL OF MEDICAL DEVICE EXCISE TAX

SEC. 701. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(3) The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after December 31, 2012.

SEC. 702. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

DIVISION II—FINANCIAL SERVICES

TITLE I—SMALL BUSINESS CAPITAL ACCESS AND JOB PRESERVATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Small Business Capital Access and Job Preservation Act''.

SEC. 102. REGISTRATION AND REPORTING EXEMPTIONS RELATING TO PRIVATE EQUITY FUNDS ADVISORS.

Section 203 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3) is amended by adding at the end the following:

''(o) EXEMPTION OF AND REPORTING REQUIREMENTS BY PRIVATE EQUITY FUNDS ADVISORS.—

''(1) IN GENERAL.—Except as provided in this subsection, no investment adviser shall be subject to the registration or reporting requirements of this title with respect to the provision of investment advice relating to a private equity fund or funds, provided that each such fund has not borrowed and does not have outstanding a principal amount in excess of twice its invested capital commitments.

''(2) MAINTENANCE OF RECORDS AND ACCESS BY COMMISSION.—Not later than 6 months after the date of enactment of this subsection, the Commission shall issue final rules—

''(A) to require investment advisers described in paragraph (1) to maintain such records and provide to the Commission such annual or other reports as the Commission may require taking into account fund size, governance, investment strategy, risk, and other factors, as the Commission determines necessary and appropriate in the public interest and for the protection of investors; and

''(B) to define the term 'private equity fund' for purposes of this subsection.''.

TITLE II—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2014''.

SEC. 202. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

''(13) REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

''(B) EXCLUDED ACTIVITIES.—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

''(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

''(ii) Engages on behalf of an issuer in a public offering of any class of securities that is registered, or is required to be registered, with the Commission under section 12 or with respect to which the issuer files, or is required to file, periodic information, documents, and reports under subsection (d).

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.

''(D) DEFINITIONS.—In this paragraph:

''(i) CONTROL.—The term 'control' means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

''(I) is a director, general partner, member or manager of a limited liability company, or officer exercising executive responsibility (or has similar status or functions);

''(II) has the right to vote 20 percent or more of a class of voting securities or the power to sell or direct the sale of 20 percent or more of a class of voting securities; or

''(III) in the case of a partnership or limited liability company, has the right to receive upon dissolution, or has contributed, 20 percent or more of the capital.

''(ii) ELIGIBLE PRIVATELY HELD COMPANY.—The term 'eligible privately held company' means a company that meets both of the following conditions:

''(I) The company does not have any class of securities registered, or required to be registered, with the Commission under section 12 or with respect to which the company files, or is required to file, periodic information, documents, and reports under subsection (d).

''(II) In the fiscal year ending immediately before the fiscal year in which the services of the M&A broker are initially engaged with respect to the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

''(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than $25,000,000.

''(bb) The gross revenues of the company are less than $250,000,000.

''(iii) M&A BROKER.—The term 'M&A broker' means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held company, regardless of whether the broker acts on behalf of a seller or buyer, through the purchase, sale, exchange, issuance, repurchase, or redemption of, or a business combination involving, securities or assets of the eligible privately held company, if the broker reasonably believes that—

''(I) upon consummation of the transaction, any person acquiring securities or assets of the eligible privately held company, acting alone or in concert, will control and, directly or indirectly, will be active in the management of the eligible privately held company or the business conducted with the assets of the eligible privately held company; and

''(II) if any person is offered securities in exchange for securities or assets of the eligible privately held company, such person will, prior to becoming legally bound to consummate the transaction, receive or have reasonable access to the most recent year-end balance sheet, income statement, statement of changes in financial position, and statement of owner's equity of the issuer of the securities offered in exchange, and, if the financial statements of the issuer are audited, the related report of the independent auditor, a balance sheet dated not more than 120 days before the date of the offer, and information pertaining to the management, business, results of operations for the period covered by the foregoing financial statements, and material loss contingencies of the issuer.

''(E) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—On the date that is 5 years after the date of the enactment of the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2014, and every 5 years thereafter, each dollar amount in subparagraph (D)(ii)(II) shall be adjusted by—

''(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2012; and

''(II) multiplying such dollar amount by the quotient obtained under subclause (I).

''(ii) ROUNDING.—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of $100,000.''.

SEC. 203. EFFECTIVE DATE.

This title and any amendment made by this title shall take effect on the date that is 90 days after the date of the enactment of this Act.

DIVISION III—OVERSIGHT

SUBDIVISION A—UNFUNDED MANDATES INFORMATION AND TRANSPARENCY

SEC. 101. SHORT TITLE.

This subdivision may be cited as the ''Unfunded Mandates Information and Transparency Act of 2014''.

SEC. 102. PURPOSE.

The purpose of this title is—

(1) to improve the quality of the deliberations of Congress with respect to proposed Federal mandates by—

(A) providing Congress and the public with more complete information about the effects of such mandates; and

(B) ensuring that Congress acts on such mandates only after focused deliberation on their effects; and

(2) to enhance the ability of Congress and the public to identify Federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and State, local, and tribal governments.

SEC. 103. PROVIDING FOR CONGRESSIONAL BUDGET OFFICE STUDIES ON POLICIES INVOLVING CHANGES IN CONDITIONS OF GRANT AID.

Section 202(g) of the Congressional Budget Act of 1974 (2 U.S.C. 602(g)) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL STUDIES.—At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall conduct an assessment comparing the authorized level of funding in a bill or resolution to the prospective costs of carrying out any changes to a condition of Federal assistance being imposed on State, local, or tribal governments participating in the Federal assistance program concerned or, in the case of a bill or joint resolution that authorizes such sums as are necessary, an assessment of an estimated level of funding compared to such costs.''.

SEC. 104. CLARIFYING THE DEFINITION OF DIRECT COSTS TO REFLECT CONGRESSIONAL BUDGET OFFICE PRACTICE.

Section 421(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658(3)(A)(i)) is amended—

(1) in subparagraph (A)(i), by inserting ''incur or'' before ''be required''; and

(2) in subparagraph (B), by inserting after ''to spend'' the following: ''or could forgo in profits, including costs passed on to consumers or other entities taking into account, to the extent practicable, behavioral changes,''.

SEC. 105. EXPANDING THE SCOPE OF REPORTING REQUIREMENTS TO INCLUDE REGULATIONS IMPOSED BY INDEPENDENT REGULATORY AGENCIES.

Paragraph (1) of section 421 of the Congressional Budget Act of 1974 (2 U.S.C. 658) is amended by striking '', but does not include independent regulatory agencies'' and inserting '', except it does not include the Board of Governors of the Federal Reserve System or the Federal Open Market Committee''.

SEC. 106. AMENDMENTS TO REPLACE OFFICE OF MANAGEMENT AND BUDGET WITH OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) in section 103(c) (2 U.S.C. 1511(c))—

(A) in the subsection heading, by striking ''OFFICE OF MANAGEMENT AND BUDGET'' and inserting ''OFFICE OF INFORMATION AND REGULATORY AFFAIRS''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs'';

(2) in section 205(c) (2 U.S.C. 1535(c))—

(A) in the subsection heading, by striking ''OMB''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''; and

(3) in section 206 (2 U.S.C. 1536), by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''.

SEC. 107. APPLYING SUBSTANTIVE POINT OF ORDER TO PRIVATE SECTOR MANDATES.

Section 425(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)(2)) is amended—

(1) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(2) by inserting ''or 424(b)(1)'' after ''section 424(a)(1)''.

SEC. 108. REGULATORY PROCESS AND PRINCIPLES.

Section 201 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) is amended to read as follows:

''SEC. 201. REGULATORY PROCESS AND PRINCIPLES.

''(a) IN GENERAL.—Each agency shall, unless otherwise expressly prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments and the private sector (other than to the extent that such regulatory actions incorporate requirements specifically set forth in law) in accordance with the following principles:

''(1) Each agency shall identify the problem that it intends to address (including, if applicable, the failures of private markets or public institutions that warrant new agency action) as well as assess the significance of that problem.

''(2) Each agency shall examine whether existing regulations (or other law) have created, or contributed to, the problem that a new regulation is intended to correct and whether those regulations (or other law) should be modified to achieve the intended goal of regulation more effectively.

''(3) Each agency shall identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

''(4) If an agency determines that a regulation is the best available method of achieving the regulatory objective, it shall design its regulations in the most cost-effective manner to achieve the regulatory objective. In doing so, each agency shall consider incentives for innovation, consistency, predictability, the costs of enforcement and compliance (to the government, regulated entities, and the public), flexibility, distributive impacts, and equity.

''(5) Each agency shall assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation, unless expressly prohibited by law, only upon a reasoned determination that the benefits of the intended regulation justify its costs.

''(6) Each agency shall base its decisions on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and consequences of, the intended regulation.

''(7) Each agency shall identify and assess alternative forms of regulation and shall, to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt.

''(8) Each agency shall avoid regulations that are inconsistent, incompatible, or duplicative with its other regulations or those of other Federal agencies.

''(9) Each agency shall tailor its regulations to minimize the costs of the cumulative impact of regulations.

''(10) Each agency shall draft its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(b) REGULATORY ACTION DEFINED.—In this section, the term 'regulatory action' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including advance notices of proposed rulemaking and notices of proposed rulemaking.''.

SEC. 109. EXPANDING THE SCOPE OF STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) is amended to read as follows:

''(a) IN GENERAL.—Unless otherwise expressly prohibited by law, before promulgating any general notice of proposed rulemaking or any final rule, or within six months after promulgating any final rule that was not preceded by a general notice of proposed rulemaking, if the proposed rulemaking or final rule includes a Federal mandate that may result in an annual effect on State, local, or tribal governments, or to the private sector, in the aggregate of $100,000,000 or more in any 1 year, the agency shall prepare a written statement containing the following:

''(1) The text of the draft proposed rulemaking or final rule, together with a reasonably detailed description of the need for the proposed rulemaking or final rule and an explanation of how the proposed rulemaking or final rule will meet that need.

''(2) An assessment of the potential costs and benefits of the proposed rulemaking or final rule, including an explanation of the manner in which the proposed rulemaking or final rule is consistent with a statutory requirement and avoids undue interference with State, local, and tribal governments in the exercise of their governmental functions.

''(3) A qualitative and quantitative assessment, including the underlying analysis, of benefits anticipated from the proposed rulemaking or final rule (such as the promotion of the efficient functioning of the economy and private markets, the enhancement of health and safety, the protection of the natural environment, and the elimination or reduction of discrimination or bias).

''(4) A qualitative and quantitative assessment, including the underlying analysis, of costs anticipated from the proposed rulemaking or final rule (such as the direct costs both to the Government in administering the final rule and to businesses and others in complying with the final rule, and any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and international competitiveness), health, safety, and the natural environment).

''(5) Estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

''(A) the future compliance costs of the Federal mandate; and

''(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the Nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector.

''(6)(A) A detailed description of the extent of the agency's prior consultation with the private sector and elected representatives (under section 204) of the affected State, local, and tribal governments.

''(B) A detailed summary of the comments and concerns that were presented by the private sector and State, local, or tribal governments either orally or in writing to the agency.

''(C) A detailed summary of the agency's evaluation of those comments and concerns.

''(7) A detailed summary of how the agency complied with each of the regulatory principles described in section 201.''.

(b) REQUIREMENT FOR DETAILED SUMMARY.—Subsection (b) of section 202 of such Act is amended by inserting ''detailed'' before ''summary''.

SEC. 110. ENHANCED STAKEHOLDER CONSULTATION.

Section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534) is amended—

(1) in the section heading, by inserting ''**AND PRIVATE SECTOR**'' before ''**INPUT**'';

(2) in subsection (a)—

(A) by inserting '', and impacted parties within the private sector (including small business),'' after ''on their behalf)'';

(B) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(3) by amending subsection (c) to read as follows:

''(c) GUIDELINES.—For appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations, the following guidelines shall be followed:

''(1) Consultations shall take place as early as possible, before issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.

''(2) Agencies shall consult with a wide variety of State, local, and tribal officials and impacted parties within the private sector (including small businesses). Geographic, political, and other factors that may differentiate varying points of view should be considered.

''(3) Agencies should estimate benefits and costs to assist with these consultations. The scope of the consultation should reflect the cost and significance of the Federal mandate being considered.

''(4) Agencies shall, to the extent practicable—

''(A) seek out the views of State, local, and tribal governments, and impacted parties within the private sector (including small business), on costs, benefits, and risks; and

''(B) solicit ideas about alternative methods of compliance and potential flexibilities, and input on whether the Federal regulation will harmonize with and not duplicate similar laws in other levels of government.

''(5) Consultations shall address the cumulative impact of regulations on the affected entities.

''(6) Agencies may accept electronic submissions of comments by relevant parties but may not use those comments as the sole method of satisfying the guidelines in this subsection.''.

SEC. 111. NEW AUTHORITIES AND RESPONSIBILITIES FOR OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

Section 208 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1538) is amended to read as follows:

''SEC. 208. OFFICE OF INFORMATION AND REGULATORY AFFAIRS RESPONSIBILITIES.

''(a) IN GENERAL.—The Administrator of the Office of Information and Regulatory Affairs shall provide meaningful guidance and oversight so that each agency's regulations for which a written statement is required under section 202 are consistent with the principles and requirements of this title, as well as other applicable laws, and do not conflict with the policies or actions of another agency. If the Administrator determines that an agency's regulations for which a written statement is required under section 202 do not comply with such principles and requirements, are not consistent with other applicable laws, or conflict with the policies or actions of another agency, the Administrator shall identify areas of non-compliance, notify the agency, and request that the agency comply before the agency finalizes the regulation concerned.

''(b) ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE.—The Director of the Office of Information and Regulatory Affairs annually shall submit to Congress, including the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, a written report detailing compliance by each agency with the requirements of this title that relate to regulations for which a written statement is required by section 202, including activities undertaken at the request of the Director to improve compliance, during the preceding reporting period. The report shall also contain an appendix detailing compliance by each agency with section 204.''.

SEC. 112. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) by redesignating section 209 as section 210; and

(2) by inserting after section 208 the following new section 209:

''SEC. 209. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

''(a) REQUIREMENT.—At the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or the Senate, an agency shall conduct a retrospective analysis of an existing Federal regulation promulgated by an agency.

''(b) REPORT.—Each agency conducting a retrospective analysis of existing Federal regulations pursuant to subsection (a) shall submit to the chairman of the relevant committee, Congress, and the Comptroller General a report containing, with respect to each Federal regulation covered by the analysis—

''(1) a copy of the Federal regulation;

''(2) the continued need for the Federal regulation;

''(3) the nature of comments or complaints received concerning the Federal regulation from the public since the Federal regulation was promulgated;

''(4) the extent to which the Federal regulation overlaps, duplicates, or conflicts with other Federal regulations, and, to the extent feasible, with State and local governmental rules;

''(5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the Federal regulation;

''(6) a complete analysis of the retrospective direct costs and benefits of the Federal regulation that considers studies done outside the Federal Government (if any) estimating such costs or benefits; and

''(7) any litigation history challenging the Federal regulation.''.

SEC. 113. EXPANSION OF JUDICIAL REVIEW.

Section 401(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1571(a)) is amended—

(1) in paragraphs (1) and (2)(A)—

(A) by striking ''sections 202 and 203(a)(1) and (2)'' each place it appears and inserting ''sections 201, 202, 203(a)(1) and (2), and 205(a) and (b)''; and

(B) by striking ''only'' each place it appears;

(2) in paragraph (2)(B), by striking ''section 202'' and all that follows through the period at the end and inserting the following: ''section 202, prepare the written plan under section 203(a)(1) and (2), or comply with section 205(a) and (b), a court may compel the agency to prepare such written statement, prepare such written plan, or comply with such section.''; and

(3) in paragraph (3), by striking ''written statement or plan is required'' and all that follows through ''shall not'' and inserting the following: ''written statement under section 202, a written plan under section 203(a)(1) and (2), or compliance with sections 201 and 205(a) and (b) is required, the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement, or description), to prepare such written plan, or to comply with such section may''.

SUBDIVISION B—ACHIEVING LESS EXCESS IN REGULATION AND REQUIRING TRANSPARENCY

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

This subdivision may be cited as the ''Achieving Less Excess in Regulation and Requiring Transparency Act of 2014'' or as the ''ALERRT Act of 2014''.

TITLE I—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''All Economic Regulations are Transparent Act of 2014'' or the ''ALERT Act of 2014''.

SEC. 102. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

(a) AMENDMENT.—Title 5, United States Code, is amended by inserting after chapter 6, the following new chapter:

''CHAPTER 6A—OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES

''Sec.
''651. Agency monthly submission to Office of Information and Regulatory Affairs.
''652. Office of Information and Regulatory Affairs Publications.
''653. Requirement for rules to appear in agency-specific monthly publication.
''654. Definitions.

''§ 651. Agency monthly submission to Office of Information and Regulatory Affairs

''On a monthly basis, the head of each agency shall submit to the Administrator of the Office of Information and Regulatory Affairs (referred to in this chapter as the 'Administrator'), in such a manner as the Administrator may reasonably require, the following information:

''(1) For each rule that the agency expects to propose or finalize during the following year:

''(A) A summary of the nature of the rule, including the regulation identifier number and the docket number for the rule.

''(B) The objectives of and legal basis for the issuance of the rule, including—

''(i) any statutory or judicial deadline; and

''(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

''(C) Whether the agency plans to claim an exemption from the requirements of section 553 pursuant to section 553(b)(B).

''(D) The stage of the rule making as of the date of submission.

''(E) Whether the rule is subject to review under section 610.

''(2) For any rule for which the agency expects to finalize during the following year and has issued a general notice of proposed rule making—

''(A) an approximate schedule for completing action on the rule;

''(B) an estimate of whether the rule will cost—

''(i) less than $50,000,000;

''(ii) $50,000,000 or more but less than $100,000,000;

''(iii) $100,000,000 or more but less than $500,000,000;

''(iv) $500,000,000 or more but less than $1,000,000,000;

''(v) $1,000,000,000 or more but less than $5,000,000,000;

''(vi) $5,000,000,000 or more but less than $10,000,000,000; or

''(vii) $10,000,000,000 or more; and

''(C) any estimate of the economic effects of the rule, including any estimate of the net effect that the rule will have on the number of jobs in the United States, that was considered in drafting the rule. If such estimate is not available, a statement affirming that no information on the economic effects, including the effect on the number of jobs, of the rule has been considered.

''§ 652. Office of Information and Regulatory Affairs Publications

''(a) AGENCY-SPECIFIC INFORMATION PUBLISHED MONTHLY.—Not later than 30 days after the submission of information pursuant to section 651, the Administrator shall make such information publicly available on the Internet.

''(b) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING PUBLISHED ANNUALLY.—

''(1) PUBLICATION IN THE FEDERAL REGISTER.—Not later than October 1 of each year, the Administrator shall publish in the Federal Register, for the previous year the following:

''(A) The information that the Administrator received from the head of each agency under section 651.

''(B) The number of rules and a list of each such rule—

''(i) that was proposed by each agency, including, for each such rule, an indication of whether the issuing agency conducted an analysis of the costs or benefits of the rule; and

''(ii) that was finalized by each agency, including for each such rule an indication of whether—

''(I) the issuing agency conducted an analysis of the costs or benefits of the rule;

''(II) the agency claimed an exemption from the procedures under section 553 pursuant to section 553(b)(B); and

''(III) the rule was issued pursuant to a statutory mandate or the rule making is committed to agency discretion by law.

''(C) The number of agency actions and a list of each such action taken by each agency that—

''(i) repealed a rule;

''(ii) reduced the scope of a rule;

''(iii) reduced the cost of a rule; or

''(iv) accelerated the expiration date of a rule.

''(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, and the number of rules for which an estimate of the cost of the rule was not available.

''(2) PUBLICATION ON THE INTERNET.—Not later than October 1 of each year, the Administrator shall make publicly available on the Internet the following:

''(A) The analysis of the costs or benefits, if conducted, for each proposed rule or final rule issued by an agency for the previous year.

''(B) The docket number and regulation identifier number for each proposed or final rule issued by an agency for the previous year.

''(C) The number of rules and a list of each such rule reviewed by the Director of the Office of Management and Budget for the previous year, and the authority under which each such review was conducted.

''(D) The number of rules and a list of each such rule for which the head of an agency completed a review under section 610 for the previous year.

''(E) The number of rules and a list of each such rule submitted to the Comptroller General under section 801.

''(F) The number of rules and a list of each such rule for which a resolution of disapproval was introduced in either the House of Representatives or the Senate under section 802.

''§ 653. Requirement for rules to appear in agency-specific monthly publication

''(a) IN GENERAL.—Subject to subsection (b), a rule may not take effect until the information required to be made publicly available on the Internet regarding such rule pursuant to section 652(a) has been so available for not less than 6 months.

''(b) EXCEPTIONS.—The requirement of subsection (a) shall not apply in the case of a rule—

''(1) for which the agency issuing the rule claims an exception under section 553(b)(B); or

''(2) which the President determines by Executive order should take effect because the rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''§ 654. Definitions

''In this chapter, the terms 'agency', 'agency action', 'rule', and 'rule making' have the meanings given those terms in section 551.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 5, United States Code, is amended by inserting after the item relating to chapter 5, the following:

''6. The Analysis of Regulatory Functions 601
''6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules ..... 651''.

(c) EFFECTIVE DATES.—

(1) AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not later than 30 days after the date of the enactment of this title, and monthly thereafter.

(2) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.—

(A) IN GENERAL.—Subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 60 days after the date of the enactment of this title.

(B) DEADLINE.—The first requirement to publish or make available, as the case may be, under subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall be the first October 1 after the effective date of such subsection.

(C) FIRST PUBLICATION.—The requirement under section 652(b)(2)(A) of title 5, United States Code, as added by subsection (a), shall include for the first publication, any analysis of the costs or benefits conducted for a proposed or final rule, for the 10 years before the date of the enactment of this title.

(3) REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.—Section 653 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 8 months after the date of the enactment of this title.

TITLE II—REGULATORY ACCOUNTABILITY ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Regulatory Accountability Act of 2014''.

SEC. 202. DEFINITIONS.

Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) 'major rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(16) 'high-impact rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose an annual cost on the economy of $1,000,000,000 or more, adjusted annually for inflation;

''(17) 'negative-impact on jobs and wages rule' means any rule that the agency that made the rule or the Administrator of the Office of Information and Regulatory Affairs determines is likely to—

''(A) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(B) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce average weekly wages for employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(C) in any industry area (as such term is defined in the Current Population Survey conducted by the Bureau of Labor Statistics) in which the most recent annual unemployment rate for the industry area is greater than 5 percent, as determined by the Bureau of Labor Statistics in the Current Population Survey, reduce employment not related to new regulatory compliance during the first year after implementation; or

''(D) in any industry area in which the Bureau of Labor Statistics projects in the Occupational Employment Statistics program that the employment level will decrease by 1 percent or more, further reduce employment not related to new regulatory compliance during the first year after implementation;

''(18) 'guidance' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

''(19) 'major guidance' means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(20) the 'Information Quality Act' means section 515 of Public Law 106–554, the Treasury and General Government Appropriations Act for Fiscal Year 2001, and guidelines issued by the Administrator of the Office of Information and Regulatory Affairs or other agencies pursuant to the Act; and

''(21) the 'Office of Information and Regulatory Affairs' means the office established under section 3503 of chapter 35 of title 44 and any successor to that office.''.

SEC. 203. RULE MAKING.

(a) Section 553(a) of title 5, United States Code, is amended by striking ''(a) This section applies'' and inserting ''(a) APPLICABILITY.—This section applies''.

(b) Section 553 of title 5, United States Code, is amended by striking subsections (b) through (e) and inserting the following:

''(b) RULE MAKING CONSIDERATIONS.—In a rule making, an agency shall make all preliminary and final factual determinations based on evidence and consider, in addition to other applicable considerations, the following:

''(1) The legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making.

''(2) Other statutory considerations applicable to whether the agency can or should propose a rule or undertake other agency action.

''(3) The specific nature and significance of the problem the agency may address with a rule (including the degree and nature of risks the problem poses and the priority of addressing those risks compared to other matters or activities within the agency's jurisdiction), whether the problem warrants new agency action, and the countervailing risks that may be posed by alternatives for new agency action.

''(4) Whether existing rules have created or contributed to the problem the agency may address with a rule and whether those rules could be amended or rescinded to address the problem in whole or part.

''(5) Any reasonable alternatives for a new rule or other response identified by the agency or interested persons, including not only responses that mandate particular conduct or manners of compliance, but also—

''(A) the alternative of no Federal response;

''(B) amending or rescinding existing rules;

''(C) potential regional, State, local, or tribal regulatory action or other responses that could be taken in lieu of agency action; and

''(D) potential responses that—

''(i) specify performance objectives rather than conduct or manners of compliance;

''(ii) establish economic incentives to encourage desired behavior;

''(iii) provide information upon which choices can be made by the public; or

''(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance.

''(6) Notwithstanding any other provision of law—

''(A) the potential costs and benefits associated with potential alternative rules and other responses considered under section 553(b)(5), including direct, indirect, and cumulative costs and benefits and estimated impacts on jobs (including an estimate of the net gain or loss in domestic jobs), wages, economic growth, innovation, and economic competitiveness;

''(B) means to increase the cost-effectiveness of any Federal response; and

''(C) incentives for innovation, consistency, predictability, lower costs of enforcement and compliance (to government entities, regulated entities, and the public), and flexibility.

''(c) ADVANCE NOTICE OF PROPOSED RULE MAKING FOR MAJOR RULES, HIGH-IMPACT RULES, NEGATIVE-IMPACT ON JOBS AND WAGES RULES, AND RULES INVOLVING NOVEL LEGAL OR POLICY ISSUES.—In the case of a rule making for a major rule, a high-impact rule, a negative-impact on jobs and wages rule, or a rule that involves a novel legal or policy issue arising out of statutory mandates, not later than 90 days before a notice of proposed rule making is published in the Federal Register, an agency shall publish advance notice of proposed rule making in the Federal Register. In publishing such advance notice, the agency shall—

''(1) include a written statement identifying, at a minimum—

''(A) the nature and significance of the problem the agency may address with a rule, including data and other evidence and information on which the agency expects to rely for the proposed rule;

''(B) the legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making;

''(C) preliminary information available to the agency concerning the other considerations specified in subsection (b);

''(D) in the case of a rule that involves a novel legal or policy issue arising out of statutory mandates, the nature of and potential reasons to adopt the novel legal or policy position upon which the agency may base a proposed rule; and

''(E) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(2) solicit written data, views or argument from interested persons concerning the information and issues addressed in the advance notice; and

''(3) provide for a period of not fewer than 60 days for interested persons to submit such written data, views, or argument to the agency.

''(d) NOTICES OF PROPOSED RULE MAKING; DETERMINATIONS OF OTHER AGENCY COURSE.—(1) Before it determines to propose a rule, and following completion of procedures under subsection (c), if applicable, the agency shall consult with the Administrator of the Office of Information and Regulatory Affairs. If the agency thereafter determines to propose a rule, the agency shall publish a notice of proposed rule making, which shall include—

''(A) a statement of the time, place, and nature of public rule making proceedings;

''(B) reference to the legal authority under which the rule is proposed;

''(C) the terms of the proposed rule;

''(D) a description of information known to the agency on the subject and issues of the proposed rule, including but not limited to—

''(i) a summary of information known to the agency concerning the considerations specified in subsection (b);

''(ii) a summary of additional information the agency provided to and obtained from interested persons under subsection (c);

''(iii) a summary of any preliminary risk assessment or regulatory impact analysis performed by the agency; and

''(iv) information specifically identifying all data, studies, models, and other evidence or information considered or used by the agency in connection with its determination to propose the rule;

''(E)(i) a reasoned preliminary determination of need for the rule based on the information described under subparagraph (D);

''(ii) an additional statement of whether a rule is required by statute; and

''(iii) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(F) a reasoned preliminary determination that the benefits of the proposed rule meet the relevant statutory objectives and justify the costs of the proposed rule (including all costs to be considered under subsection (b)(6)), based on the information described under subparagraph (D);

''(G) a discussion of—

''(i) the alternatives to the proposed rule, and other alternative responses, considered by the agency under subsection (b);

''(ii) the costs and benefits of those alternatives (including all costs to be considered under subsection (b)(6));

''(iii) whether those alternatives meet relevant statutory objectives; and

''(iv) why the agency did not propose any of those alternatives; and

''(H)(i) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule; and

''(ii) if so, whether or not the agency proposes to amend or rescind any such rules, and why.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination to propose the rule, including any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information prepared or described by the agency under subparagraph (D) and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the proposed rule and made accessible to the public by electronic means and otherwise for the public's use when the notice of proposed rule making is published.

''(2)(A) If the agency undertakes procedures under subsection (c) and determines thereafter not to propose a rule, the agency shall, following consultation with the Office of Information and Regulatory Affairs, publish a notice of determination of other agency course. A notice of determination of other agency course shall include information required by paragraph (1)(D) to be included in a notice of proposed rule making and a description of the alternative response the agency determined to adopt.

''(B) If in its determination of other agency course the agency makes a determination to amend or rescind an existing rule, the agency need not undertake additional proceedings under subsection (c) before it publishes a notice of proposed rule making to amend or rescind the existing rule.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination of other agency course, including but not limited to any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information that would be required to be prepared or described by the agency under paragraph (1)(D) if the agency had determined to publish a notice of proposed rule making and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the determination and made accessible to the public by electronic means and otherwise for the public's use when the notice of determination is published.

''(3) After notice of proposed rule making required by this section, the agency shall

provide interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation, except that—

''(A) if a hearing is required under paragraph (4)(B) or subsection (e), opportunity for oral presentation shall be provided pursuant to that requirement; or

''(B) when other than under subsection (e) of this section rules are required by statute or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and paragraph (4), the requirements of subsection (e) to receive comment outside of the procedures of sections 556 and 557, and the petition procedures of subsection (e)(6) shall not apply.

The agency shall provide not fewer than 60 days for interested persons to submit written data, views, or argument (or 120 days in the case of a proposed major or high-impact rule).

''(4)(A) Within 30 days of publication of notice of proposed rule making, a member of the public may petition for a hearing in accordance with section 556 to determine whether any evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act.

''(B)(i) The agency may, upon review of the petition, determine without further process to exclude from the rule making the evidence or other information that is the subject of the petition and, if appropriate, withdraw the proposed rule. The agency shall promptly publish any such determination.

''(ii) If the agency does not resolve the petition under the procedures of clause (i), it shall grant any such petition that presents a prima facie case that evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act, hold the requested hearing not later than 30 days after receipt of the petition, provide a reasonable opportunity for cross-examination at the hearing, and decide the issues presented by the petition not later than 60 days after receipt of the petition. The agency may deny any petition that it determines does not present such a prima facie case.

''(C) There shall be no judicial review of the agency's disposition of issues considered and decided or determined under subparagraph (B)(ii) until judicial review of the agency's final action. There shall be no judicial review of an agency's determination to withdraw a proposed rule under subparagraph (B)(i) on the basis of the petition.

''(D) Failure to petition for a hearing under this paragraph shall not preclude judicial review of any claim based on the Information Quality Act under chapter 7 of this title.

''(e) HEARINGS FOR HIGH-IMPACT RULES.—Following notice of a proposed rule making, receipt of comments on the proposed rule, and any hearing held under subsection (d)(4), and before adoption of any high-impact rule, the agency shall hold a hearing in accordance with sections 556 and 557, unless such hearing is waived by all participants in the rule making other than the agency. The agency shall provide a reasonable opportunity for cross-examination at such hearing. The hearing shall be limited to the following issues of fact, except that participants at the hearing other than the agency may waive determination of any such issue:

''(1) Whether the agency's asserted factual predicate for the rule is supported by the evidence.

''(2) Whether there is an alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost (including all costs to be considered under subsection (b)(6)) than the proposed rule.

''(3) If there is more than one alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost than the proposed rule, which alternative would achieve the relevant statutory objectives at the lowest cost.

''(4) Whether, if the agency proposes to adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives (including all costs to be considered under subsection (b)(6)), the additional benefits of the more costly rule exceed the additional costs of the more costly rule.

''(5) Whether the evidence and other information upon which the agency bases the proposed rule meets the requirements of the Information Quality Act.

''(6) Upon petition by an interested person who has participated in the rule making, other issues relevant to the rule making, unless the agency determines that consideration of the issues at the hearing would not advance consideration of the rule or would, in light of the nature of the need for agency action, unreasonably delay completion of the rule making. An agency shall grant or deny a petition under this paragraph within 30 days of its receipt of the petition.

No later than 45 days before any hearing held under this subsection or sections 556 and 557, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at such hearing, the issues to be considered at the hearing, and the time and place for such hearing, except that such notice may be issued not later than 15 days before a hearing held under subsection (d)(4)(B).

''(f) FINAL RULES.—(1) The agency shall adopt a rule only following consultation with the Administrator of the Office of Information and Regulatory Affairs to facilitate compliance with applicable rule making requirements.

''(2) The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

''(3)(A) Except as provided in subparagraph (B), the agency shall adopt the least costly rule considered during the rule making (including all costs to be considered under subsection (b)(6)) that meets relevant statutory objectives.

''(B) The agency may adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives only if the additional benefits of the more costly rule justify its additional costs and only if the agency explains its reason for doing so based on interests of public health, safety or welfare that are clearly within the scope of the statutory provision authorizing the rule.

''(4) When it adopts a final rule, the agency shall publish a notice of final rule making. The notice shall include—

''(A) a concise, general statement of the rule's basis and purpose;

''(B) the agency's reasoned final determination of need for a rule to address the problem the agency seeks to address with the rule, including a statement of whether a rule is required by statute and a summary of any final risk assessment or regulatory impact analysis prepared by the agency;

''(C) the agency's reasoned final determination that the benefits of the rule meet the relevant statutory objectives and justify the rule's costs (including all costs to be considered under subsection (b)(6));

''(D) the agency's reasoned final determination not to adopt any of the alternatives to the proposed rule considered by the agency during the rule making, including—

''(i) the agency's reasoned final determination that no alternative considered achieved the relevant statutory objectives with lower costs (including all costs to be considered under subsection (b)(6)) than the rule; or

''(ii) the agency's reasoned determination that its adoption of a more costly rule complies with subsection (f)(3)(B);

''(E) the agency's reasoned final determination—

''(i) that existing rules have not created or contributed to the problem the agency seeks to address with the rule; or

''(ii) that existing rules have created or contributed to the problem the agency seeks to address with the rule, and, if so—

''(I) why amendment or rescission of such existing rules is not alone sufficient to respond to the problem; and

''(II) whether and how the agency intends to amend or rescind the existing rule separate from adoption of the rule;

''(F) the agency's reasoned final determination that the evidence and other information upon which the agency bases the rule complies with the Information Quality Act;

''(G) the agency's reasoned final determination that the rule meets the objectives that the agency identified in subsection (d)(1)(E)(iii) or that other objectives are more appropriate in light of the full administrative record and the rule meets those objectives;

''(H) the agency's reasoned final determination that it did not deviate from the metrics the agency included in subsection (d)(1)(E)(iii) or that other metrics are more appropriate in light of the full administrative record and the agency did not deviate from those metrics;

''(I)(i) for any major rule, high-impact rule, or negative-impact on jobs and wages rule, the agency's plan for review of the rule no less than every ten years to determine whether, based upon evidence, there remains a need for the rule, whether the rule is in fact achieving statutory objectives, whether the rule's benefits continue to justify its costs, and whether the rule can be modified or rescinded to reduce costs while continuing to achieve statutory objectives; and

''(ii) review of a rule under a plan required by clause (i) of this subparagraph shall take into account the factors and criteria set forth in subsections (b) through (f) of section 553 of this title; and

''(J) for any negative-impact on jobs and wages rule, a statement that the head of the agency that made the rule approved the rule knowing about the findings and determination of the agency or the Administrator of the Office of Information and Regulatory Affairs that qualified the rule as a negative impact on jobs and wages rule.

All information considered by the agency in connection with its adoption of the rule, and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the rule and made accessible to the public for the public's use no later than when the rule is adopted.

''(g) EXCEPTIONS FROM NOTICE AND HEARING REQUIREMENTS.—(1) Except when notice or hearing is required by statute, the following do not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice:

''(A) Subsections (c) through (e).

''(B) Paragraphs (1) through (3) of subsection (f).

''(C) Subparagraphs (B) through (H) of subsection (f)(4).

''(2)(A) When the agency for good cause, based upon evidence, finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section before the issuance of an interim rule is impracticable or contrary to the public interest, including interests of national security, such subsections or requirements to render final determinations shall not apply to the agency's adoption of an interim rule.

''(B) If, following compliance with subparagraph (A) of this paragraph, the agency adopts an interim rule, it shall commence proceedings that comply fully with subsections (d) through (f) of this section immediately upon publication of the interim rule, shall treat the publication of the interim rule as publication of a notice of proposed rule making and shall not be required to issue supplemental notice other than to complete full compliance with subsection (d). No less than 270 days from publication of the interim rule (or 18 months in the case of a major rule or high-impact rule), the agency shall complete rule making under subsections (d) through (f) of this subsection and take final action to adopt a final rule or rescind the interim rule. If the agency fails to take timely final action, the interim rule will cease to have the effect of law.

''(C) Other than in cases involving interests of national security, upon the agency's publication of an interim rule without compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section, an interested party may seek immediate judicial review under chapter 7 of this title of the agency's determination to adopt such interim rule. The record on such review shall include all documents and information considered by the agency and any additional information presented by a party that the court determines necessary to consider to assure justice.

''(3) When the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are unnecessary, including because agency rule making is undertaken only to correct a de minimis technical or clerical error in a previously issued rule or for other noncontroversial purposes, the agency may publish a rule without compliance with subsection (c), (d), (e), or (f)(1)–(3) and (f)(4)(B)–(F). If the agency receives significant adverse comment within 60 days after publication of the rule, it shall treat the notice of the rule as a notice of proposed rule making and complete rule making in compliance with subsections (d) and (f).

''(h) ADDITIONAL REQUIREMENTS FOR HEARINGS.—When a hearing is required under subsection (e) or is otherwise required by statute or at the agency's discretion before adoption of a rule, the agency shall comply with the requirements of sections 556 and 557 in addition to the requirements of subsection (f) in adopting the rule and in providing notice of the rule's adoption.

''(i) DATE OF PUBLICATION OF RULE.—The required publication or service of a substantive final or interim rule shall be made not less than 30 days before the effective date of the rule, except—

''(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

''(2) interpretive rules and statements of policy; or

''(3) as otherwise provided by the agency for good cause found and published with the rule.

''(j) RIGHT TO PETITION.—Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

''(k) RULE MAKING GUIDELINES.—(1)(A) The Administrator of the Office of Information and Regulatory Affairs shall establish guidelines for the assessment, including quantitative and qualitative assessment, of the costs and benefits of proposed and final rules and other economic issues or issues related to risk that are relevant to rule making under this title. The rigor of cost-benefit analysis required by such guidelines shall be commensurate, in the Administrator's determination, with the economic impact of the rule.

''(B) To ensure that agencies use the best available techniques to quantify and evaluate anticipated present and future benefits, costs, other economic issues, and risks as accurately as possible, the Administrator of the Office of Information and Regulatory Affairs shall regularly update guidelines established under paragraph (1)(A) of this subsection.

''(2) The Administrator of the Office of Information and Regulatory Affairs shall also issue guidelines to promote coordination, simplification and harmonization of agency rules during the rule making process and otherwise. Such guidelines shall assure that each agency avoids regulations that are inconsistent or incompatible with, or duplicative of, its other regulations and those of other Federal agencies and drafts its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(3) To ensure consistency in Federal rule making, the Administrator of the Office of Information and Regulatory Affairs shall—

''(A) issue guidelines and otherwise take action to ensure that rule makings conducted in whole or in part under procedures specified in provisions of law other than those of subchapter II of this title conform to the fullest extent allowed by law with the procedures set forth in section 553 of this title; and

''(B) issue guidelines for the conduct of hearings under subsections 553(d)(4) and 553(e) of this section, including to assure a reasonable opportunity for cross-examination. Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this subparagraph.

''(4) The Administrator of the Office of Information and Regulatory Affairs shall issue guidelines pursuant to the Information Quality Act to apply in rule making proceedings under sections 553, 556, and 557 of this title. In all cases, such guidelines, and the Administrator's specific determinations regarding agency compliance with such guidelines, shall be entitled to judicial deference.

''(l) INCLUSION IN THE RECORD OF CERTAIN DOCUMENTS AND INFORMATION.—The agency shall include in the record for a rule making, and shall make available by electronic means and otherwise, all documents and information prepared or considered by the agency during the proceeding, including, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, documents and information communicated by that Office during consultation with the Agency.

''(m) MONETARY POLICY EXEMPTION.—Nothing in subsection (b)(6), subparagraphs (F) and (G) of subsection (d)(1), subsection (e), subsection (f)(3), and subparagraphs (C) and (D) of subsection (f)(5) shall apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 204. AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553 the following new section:

''§ 553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance

''(a) Before issuing any major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, an agency shall—

''(1) make and document a reasoned determination that—

''(A) assures that such guidance is understandable and complies with relevant statutory objectives and regulatory provisions (including any statutory deadlines for agency action);

''(B) summarizes the evidence and data on which the agency will base the guidance;

''(C) identifies the costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) of conduct conforming to such guidance and assures that such benefits justify such costs; and

''(D) describes alternatives to such guidance and their costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) and explains why the agency rejected those alternatives; and

''(2) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of such guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are unjustified by the guidance's benefits, and is otherwise appropriate.

Upon issuing major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, the agency shall publish the documentation required by subparagraph (1) by electronic means and otherwise.

''(b) Agency guidance—

''(1) is not legally binding and may not be relied upon by an agency as legal grounds for agency action;

''(2) shall state in a plain, prominent and permanent manner that it is not legally binding; and

''(3) shall, at the time it is issued or upon request, be made available by the issuing agency to interested persons and the public by electronic means and otherwise.

Agencies shall avoid the issuance of guidance that is inconsistent or incompatible with, or duplicative of, the agency's governing statutes or regulations, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(c) The Administrator of the Office of Information and Regulatory Affairs shall have authority to issue guidelines for use by the agencies in the issuance of major guidance and other guidance. Such guidelines shall assure that each agency avoids issuing guidance documents that are inconsistent or incompatible with, or duplicative of, the law, its other regulations, or the regulations of other Federal agencies and drafts its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance.''.

SEC. 205. HEARINGS; PRESIDING EMPLOYEES; POWERS AND DUTIES; BURDEN OF PROOF; EVIDENCE; RECORD AS BASIS OF DECISION.

Section 556 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

''(e)(1) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 and shall be made available to the parties and the public by electronic means and, upon payment of lawfully prescribed costs, otherwise. When an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

''(2) Notwithstanding paragraph (1) of this subsection, in a proceeding held under this section pursuant to section 553(d)(4) or 553(e), the record for decision shall also include any information that is part of the record of proceedings under section 553.

''(f) When an agency conducts rule making under this section and section 557 directly after concluding proceedings upon an advance notice of proposed rule making under section 553(c), the matters to be considered and determinations to be made shall include, among other relevant matters and determinations, the matters and determinations described in subsections (b) and (f) of section 553.

''(g) Upon receipt of a petition for a hearing under this section, the agency shall grant the petition in the case of any major rule, unless the agency reasonably determines that a hearing would not advance consideration of the rule or would, in light of the need for agency action, unreasonably delay completion of the rule making. The agency shall publish its decision to grant or deny the petition when it renders the decision, including an explanation of the grounds for decision. The information contained in the petition shall in all cases be included in the administrative record. This subsection shall not apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 206. ACTIONS REVIEWABLE.

Section 704 of title 5, United States Code, is amended—

(1) by striking ''Agency action made'' and inserting ''(a) Agency action made''; and

(2) by adding at the end the following: ''Denial by an agency of a correction request or, where administrative appeal is provided for, denial of an appeal, under an administrative mechanism described in subsection (b)(2)(B) of the Information Quality Act, or the failure of an agency within 90 days to grant or deny such request or appeal, shall be final action for purposes of this section.

''(b) Other than in cases involving interests of national security, notwithstanding subsection (a) of this section, upon the agency's publication of an interim rule without compliance with section 553(c), (d), or (e) or requirements to render final determinations under subsection (f) of section 553, an interested party may seek immediate judicial review under this chapter of the agency's determination to adopt such rule on an interim basis. Review shall be limited to whether the agency abused its discretion to adopt the interim rule without compliance with section 553(c), (d), or (e) or without rendering final determinations under subsection (f) of section 553.''.

SEC. 207. SCOPE OF REVIEW.

Section 706 of title 5, United States Code is amended—

(1) by striking ''To the extent necessary'' and inserting ''(a) To the extent necessary'';

(2) in paragraph (2)(A) of subsection (a) (as designated by paragraph (1) of this section), by inserting after ''in accordance with law'' the following: ''(including the Information Quality Act)''; and

(3) by adding at the end the following:

''(b) The court shall not defer to the agency's—

''(1) interpretation of an agency rule if the agency did not comply with the procedures of section 553 or sections 556–557 of chapter 5 of this title to issue the interpretation;

''(2) determination of the costs and benefits or other economic or risk assessment of the action, if the agency failed to conform to guidelines on such determinations and assessments established by the Administrator of the Office of Information and Regulatory Affairs under section 553(k);

''(3) determinations made in the adoption of an interim rule; or

''(4) guidance.

''(c) The court shall review agency denials of petitions under section 553(e)(6) or any other petition for a hearing under sections 556 and 557 for abuse of agency discretion.''.

SEC. 208. ADDED DEFINITION.

Section 701(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end, and inserting ''; and''; and

(3) by adding at the end the following:

''(3) 'substantial evidence' means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.''.

SEC. 209. EFFECTIVE DATE.

The amendments made by this title to—

(1) sections 553, 556, and 704 of title 5, United States Code;

(2) subsection (b) of section 701 of such title;

(3) paragraphs (2) and (3) of section 706(b) of such title; and

(4) subsection (c) of section 706 of such title,

shall not apply to any rule makings pending or completed on the date of enactment of this title.

TITLE III—REGULATORY FLEXIBILITY IMPROVEMENTS ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Regulatory Flexibility Improvements Act of 2014''.

SEC. 302. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Paragraph (2) of section 601 of title 5, United States Code, is amended to read as follows:

''(2) RULE.—The term 'rule' has the meaning given such term in section 551(4) of this title, except that such term does not include a rule pertaining to the protection of the rights of and benefits for veterans or a rule of particular (and not general) applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances.''.

(b) INCLUSION OF RULES WITH INDIRECT EFFECTS.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(9) ECONOMIC IMPACT.—The term 'economic impact' means, with respect to a proposed or final rule—

''(A) any direct economic effect on small entities of such rule; and

''(B) any indirect economic effect (including compliance costs and effects on revenue) on small entities which is reasonably foreseeable and results from such rule (without regard to whether small entities will be directly regulated by the rule).''.

(c) INCLUSION OF RULES WITH BENEFICIAL EFFECTS.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (c) of section 603 of title 5, United States Code, is amended by striking the first sentence and inserting ''Each initial regulatory flexibility analysis shall also contain a detailed description of alternatives to the proposed rule which minimize any adverse significant economic impact or maximize any beneficial significant economic impact on small entities.''.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—The first paragraph (6) of section 604(a) of title 5, United States Code, is amended by striking ''minimize the significant economic impact'' and inserting ''minimize the adverse significant economic impact or maximize the beneficial significant economic impact''.

(d) INCLUSION OF RULES AFFECTING TRIBAL ORGANIZATIONS.—Paragraph (5) of section 601 of title 5, United States Code, is amended by inserting ''and tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))),'' after ''special districts,''.

(e) INCLUSION OF LAND MANAGEMENT PLANS AND FORMAL RULEMAKING.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 603 of title 5, United States Code, is amended in the first sentence—

(A) by striking ''or'' after ''proposed rule,''; and

(B) by inserting ''or publishes a revision or amendment to a land management plan,'' after ''United States,''.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 604 of title 5, United States Code, is amended in the first sentence—

(A) by striking ''or'' after ''proposed rulemaking,''; and

(B) by inserting ''or adopts a revision or amendment to a land management plan,'' after ''section 603(a),''.

(3) LAND MANAGEMENT PLAN DEFINED.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(10) LAND MANAGEMENT PLAN.—

''(A) IN GENERAL.—The term 'land management plan' means—

''(i) any plan developed by the Secretary of Agriculture under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); and

''(ii) any plan developed by the Secretary of the Interior under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

''(B) REVISION.—The term 'revision' means any change to a land management plan which—

''(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(5) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)); or

''(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5–6 of title 43, Code of Federal Regulations (or any successor regulation).

''(C) AMENDMENT.—The term 'amendment' means any change to a land management plan which—

''(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(4) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(4)) and with respect to which the Secretary of Agriculture prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); or

''(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5–5 of title 43, Code of Federal Regulations (or any successor regulation) and with respect to which the Secretary of the Interior prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).''.

(f) INCLUSION OF CERTAIN INTERPRETIVE RULES INVOLVING THE INTERNAL REVENUE LAWS.—

(1) IN GENERAL.—Subsection (a) of section 603 of title 5, United States Code, is amended by striking the period at the end and inserting ''or a recordkeeping requirement, and without regard to whether such requirement is imposed by statute or regulation.''.

(2) COLLECTION OF INFORMATION.—Paragraph (7) of section 601 of title 5, United States Code, is amended to read as follows:

''(7) COLLECTION OF INFORMATION.—The term 'collection of information' has the meaning given such term in section 3502(3) of title 44.''.

(3) RECORDKEEPING REQUIREMENT.—Paragraph (8) of section 601 of title 5, United States Code, is amended to read as follows:

''(8) RECORDKEEPING REQUIREMENT.—The term 'recordkeeping requirement' has the meaning given such term in section 3502(13) of title 44.''.

(g) DEFINITION OF SMALL ORGANIZATION.—Paragraph (4) of section 601 of title 5, United States Code, is amended to read as follows:

''(4) SMALL ORGANIZATION.—

''(A) IN GENERAL.—The term 'small organization' means any not-for-profit enterprise which, as of the issuance of the notice of proposed rulemaking—

''(i) in the case of an enterprise which is described by a classification code of the North American Industrial Classification System, does not exceed the size standard established by the Administrator of the Small Business Administration pursuant to section 3 of the Small Business Act (15 U.S.C. 632) for small business concerns described by such classification code; and

''(ii) in the case of any other enterprise, has a net worth that does not exceed $7,000,000 and has not more than 500 employees.

''(B) LOCAL LABOR ORGANIZATIONS.—In the case of any local labor organization, subparagraph (A) shall be applied without regard to any national or international organization of which such local labor organization is a part.

''(C) AGENCY DEFINITIONS.—Subparagraphs (A) and (B) shall not apply to the extent that an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions for such term which are appropriate to the activities of the agency and publishes such definitions in the Federal Register.''.

SEC. 303. EXPANSION OF REPORT OF REGULATORY AGENDA.

Section 602 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking '', and'' at the end and inserting ''.'';

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

''(3) a brief description of the sector of the North American Industrial Classification System that is primarily affected by any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities; and''; and

(2) in subsection (c), to read as follows:

''(c) Each agency shall prominently display a plain language summary of the information contained in the regulatory flexibility agenda published under subsection (a) on its website within 3 days of its publication in the Federal Register. The Office of Advocacy of the Small Business Administration shall compile and prominently display a plain language summary of the regulatory agendas referenced in subsection (a) for each agency on its website within 3 days of their publication in the Federal Register.''.

SEC. 304. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (b) of section 603 of title 5, United States Code, is amended to read as follows:

''(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

''(1) describing the reasons why action by the agency is being considered;

''(2) describing the objectives of, and legal basis for, the proposed rule;

''(3) estimating the number and type of small entities to which the proposed rule will apply;

''(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

''(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided;

''(6) estimating the additional cumulative economic impact of the proposed rule on small entities beyond that already imposed on the class of small entities by the agency or why such an estimate is not available;

''(7) describing any disproportionate economic impact on small entities or a specific class of small entities; and

''(8) describing any impairment of the ability of small entities to have access to credit.''.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) in paragraph (4), by striking ''an explanation'' and inserting ''a detailed explanation'';

(B) in each of paragraphs (4), (5), and the first paragraph (6), by inserting ''detailed'' before ''description'';

(C) in the second paragraph (6), by striking the period and inserting ''; and'';

(D) by redesignating the second paragraph (6) as paragraph (7); and

(E) by adding at the end the following:

''(8) a detailed description of any disproportionate economic impact on small entities or a specific class of small entities.''.

(2) INCLUSION OF RESPONSE TO COMMENTS ON CERTIFICATION OF PROPOSED RULE.—Paragraph (2) of section 604(a) of title 5, United States Code, is amended by inserting ''(or certification of the proposed rule under section 605(b))'' after ''initial regulatory flexibility analysis''.

(3) PUBLICATION OF ANALYSIS ON WEBSITE.—Subsection (b) of section 604 of title 5, United States Code, is amended to read as follows:

''(b) The agency shall make copies of the final regulatory flexibility analysis available to the public, including placement of the entire analysis on the agency's website, and shall publish in the Federal Register the final regulatory flexibility analysis, or a summary thereof which includes the telephone number, mailing address, and link to the website where the complete analysis may be obtained.''.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Subsection (a) of section 605 of title 5, United States Code, is amended to read as follows:

''(a) A Federal agency shall be treated as satisfying any requirement regarding the content of an agenda or regulatory flexibility analysis under section 602, 603, or 604, if such agency provides in such agenda or analysis a cross-reference to the specific portion of another agenda or analysis which is required by any other law and which satisfies such requirement.''.

(d) CERTIFICATIONS.—Subsection (b) of section 605 of title 5, United States Code, is amended—

(1) by inserting ''detailed'' before ''statement'' the first place it appears; and

(2) by inserting ''and legal'' after ''factual''.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

''§ 607. Quantification requirements

''In complying with sections 603 and 604, an agency shall provide—

''(1) a quantifiable or numerical description of the effects of the proposed or final rule and alternatives to the proposed or final rule; or

''(2) a more general descriptive statement and a detailed statement explaining why quantification is not practicable or reliable.''.

SEC. 305. REPEAL OF WAIVER AND DELAY AUTHORITY; ADDITIONAL POWERS OF THE CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Section 608 is amended to read as follows:

''§ 608. Additional powers of Chief Counsel for Advocacy

''(a)(1) Not later than 270 days after the date of the enactment of this section, the Chief Counsel for Advocacy of the Small Business Administration shall, after opportunity for notice and comment under section 553, issue rules governing agency compliance with this chapter. The Chief Counsel may modify or amend such rules after notice and comment under section 553. This chapter (other than this subsection) shall not apply with respect to the issuance, modification, and amendment of rules under this paragraph.

''(2) An agency shall not issue rules which supplement the rules issued under subsection (a) unless such agency has first consulted with the Chief Counsel for Advocacy to ensure that such supplemental rules comply with this chapter and the rules issued under paragraph (1).

''(b) Notwithstanding any other law, the Chief Counsel for Advocacy of the Small Business Administration may intervene in any agency adjudication (unless such agency is authorized to impose a fine or penalty under such adjudication), and may inform the agency of the impact that any decision on the record may have on small entities. The Chief Counsel shall not initiate an appeal with respect to any adjudication in which the Chief Counsel intervenes under this subsection.

''(c) The Chief Counsel for Advocacy may file comments in response to any agency notice requesting comment, regardless of

whether the agency is required to file a general notice of proposed rulemaking under section 553.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 611(a)(1) of such title is amended by striking ''608(b),''.

(2) Section 611(a)(2) of such title is amended by striking ''608(b),''.

(3) Section 611(a)(3) of such title is amended—

(A) by striking subparagraph (B); and

(B) by striking ''(3)(A) A small entity'' and inserting the following:

''(3) A small entity''.

SEC. 306. PROCEDURES FOR GATHERING COMMENTS.

Section 609 of title 5, United States Code, is amended by striking subsection (b) and all that follows through the end of the section and inserting the following:

''(b)(1) Prior to publication of any proposed rule described in subsection (e), an agency making such rule shall notify the Chief Counsel for Advocacy of the Small Business Administration and provide the Chief Counsel with—

''(A) all materials prepared or utilized by the agency in making the proposed rule, including the draft of the proposed rule; and

''(B) information on the potential adverse and beneficial economic impacts of the proposed rule on small entities and the type of small entities that might be affected.

''(2) An agency shall not be required under paragraph (1) to provide the exact language of any draft if the rule—

''(A) relates to the internal revenue laws of the United States; or

''(B) is proposed by an independent regulatory agency (as defined in section 3502(5) of title 44).

''(c) Not later than 15 days after the receipt of such materials and information under subsection (b), the Chief Counsel for Advocacy of the Small Business Administration shall—

''(1) identify small entities or representatives of small entities or a combination of both for the purpose of obtaining advice, input, and recommendations from those persons about the potential economic impacts of the proposed rule and the compliance of the agency with section 603; and

''(2) convene a review panel consisting of an employee from the Office of Advocacy of the Small Business Administration, an employee from the agency making the rule, and in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), an employee from the Office of Information and Regulatory Affairs of the Office of Management and Budget to review the materials and information provided to the Chief Counsel under subsection (b).

''(d)(1) Not later than 60 days after the review panel described in subsection (c)(2) is convened, the Chief Counsel for Advocacy of the Small Business Administration shall, after consultation with the members of such panel, submit a report to the agency and, in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), the Office of Information and Regulatory Affairs of the Office of Management and Budget.

''(2) Such report shall include an assessment of the economic impact of the proposed rule on small entities, including an assessment of the proposed rule's impact on the cost that small entities pay for energy, an assessment of the proposed rule's impact on start-up costs for small entities, and a discussion of any alternatives that will minimize adverse significant economic impacts or maximize beneficial significant economic impacts on small entities.

''(3) Such report shall become part of the rulemaking record. In the publication of the proposed rule, the agency shall explain what actions, if any, the agency took in response to such report.

''(e) A proposed rule is described by this subsection if the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, the head of the agency (or the delegatee of the head of the agency), or an independent regulatory agency determines that the proposed rule is likely to result in—

''(1) an annual effect on the economy of $100,000,000 or more;

''(2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, tribal organizations, or geographic regions;

''(3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(4) a significant economic impact on a substantial number of small entities.

''(f) Upon application by the agency, the Chief Counsel for Advocacy of the Small Business Administration may waive the requirements of subsections (b) through (e) if the Chief Counsel determines that compliance with the requirements of such subsections are impracticable, unnecessary, or contrary to the public interest.

''(g) A small entity or a representative of a small entity may submit a request that the agency provide a copy of the report prepared under subsection (d) and all materials and information provided to the Chief Counsel for Advocacy of the Small Business Administration under subsection (b). The agency receiving such request shall provide the report, materials and information to the requesting small entity or representative of a small entity not later than 10 business days after receiving such request, except that the agency shall not disclose any information that is prohibited from disclosure to the public pursuant to section 552(b) of this title.''.

SEC. 307. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

''§ 610. Periodic review of rules

''(a) Not later than 180 days after the enactment of this section, each agency shall publish in the Federal Register and place on its website a plan for the periodic review of rules issued by the agency which the head of the agency determines have a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any adverse significant economic impacts or maximize any beneficial significant economic impacts on a substantial number of small entities. Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the agency's website.

''(b) The plan shall provide for the review of all such agency rules existing on the date of the enactment of this section within 10 years of the date of publication of the plan in the Federal Register and for review of rules adopted after the date of enactment of this section within 10 years after the publication of the final rule in the Federal Register. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy of the Small Business Administration and the Congress.

''(c) The plan shall include a section that details how an agency will conduct outreach to and meaningfully include small businesses (including small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such terms are defined in the Small Business Act)) for the purposes of carrying out this section. The agency shall include in this section a plan for how the agency will contact small businesses and gather their input on existing agency rules.

''(d) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to the Congress, the Chief Counsel for Advocacy of the Small Business Administration, and, in the case of agencies other than independent regulatory agencies (as defined in section 3502(5) of title 44) to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination described in paragraph (5) or (6) of subsection (e) and a detailed explanation of the reasons for such determination.

''(e) In reviewing a rule pursuant to subsections (a) through (d), the agency shall amend or rescind the rule to minimize any adverse significant economic impact on a substantial number of small entities or disproportionate economic impact on a specific class of small entities, or maximize any beneficial significant economic impact of the rule on a substantial number of small entities to the greatest extent possible, consistent with the stated objectives of applicable statutes. In amending or rescinding the rule, the agency shall consider the following factors:

''(1) The continued need for the rule.

''(2) The nature of complaints received by the agency from small entities concerning the rule.

''(3) Comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration.

''(4) The complexity of the rule.

''(5) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State, territorial, and local rules.

''(6) The contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such calculations cannot be made and reports that determination in the annual report required under subsection (d).

''(7) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

''(f) Each year, each agency shall publish in the Federal Register and on its website a list of rules to be reviewed pursuant to such plan. The agency shall include in the publication a solicitation of public comments on any further inclusions or exclusions of rules from the list, and shall respond to such comments. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant

economic impact on a substantial number of small entities (without regard to whether it had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.''.

SEC. 308. JUDICIAL REVIEW OF COMPLIANCE WITH THE REQUIREMENTS OF THE REGULATORY FLEXIBILITY ACT AVAILABLE AFTER PUBLICATION OF THE FINAL RULE.

(a) IN GENERAL.—Paragraph (1) of section 611(a) of title 5, United States Code, is amended by striking ''final agency action'' and inserting ''such rule''.

(b) JURISDICTION.—Paragraph (2) of such section is amended by inserting ''(or which would have such jurisdiction if publication of the final rule constituted final agency action)'' after ''provision of law,''.

(c) TIME FOR BRINGING ACTION.—Paragraph (3) of such section is amended—

(1) by striking ''final agency action'' and inserting ''publication of the final rule''; and

(2) by inserting '', in the case of a rule for which the date of final agency action is the same date as the publication of the final rule,'' after ''except that''.

(d) INTERVENTION BY CHIEF COUNSEL FOR ADVOCACY.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting before the first period ''or agency compliance with section 601, 603, 604, 605(b), 609, or 610''.

SEC. 309. JURISDICTION OF COURT OF APPEALS OVER RULES IMPLEMENTING THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Section 2342 of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (7) the following new paragraph:

''(8) all final rules under section 608(a) of title 5.''.

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 2341 of title 28, United States Code, is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) the Office of Advocacy of the Small Business Administration, when the final rule is under section 608(a) of title 5.''.

(c) AUTHORIZATION TO INTERVENE AND COMMENT ON AGENCY COMPLIANCE WITH ADMINISTRATIVE PROCEDURE.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting ''chapter 5, and chapter 7,'' after ''this chapter,''.

SEC. 310. ESTABLISHMENT AND APPROVAL OF SMALL BUSINESS CONCERN SIZE STANDARDS BY CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Subparagraph (A) of section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)(A)) is amended to read as follows:

''(A) IN GENERAL.—In addition to the criteria specified in paragraph (1)—

''(i) the Administrator may specify detailed definitions or standards by which a business concern may be determined to be a small business concern for purposes of this Act or the Small Business Investment Act of 1958; and

''(ii) the Chief Counsel for Advocacy may specify such definitions or standards for purposes of any other Act.''.

(b) APPROVAL BY CHIEF COUNSEL.—Clause (iii) of section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(iii)) is amended to read as follows:

''(iii) except in the case of a size standard prescribed by the Administrator, is approved by the Chief Counsel for Advocacy.''.

(c) INDUSTRY VARIATION.—Paragraph (3) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(3)) is amended—

(1) by inserting ''or Chief Counsel for Advocacy, as appropriate'' before ''shall ensure''; and

(2) by inserting ''or Chief Counsel for Advocacy'' before the period at the end.

(d) JUDICIAL REVIEW OF SIZE STANDARDS APPROVED BY CHIEF COUNSEL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following new paragraph:

''(9) JUDICIAL REVIEW OF STANDARDS APPROVED BY CHIEF COUNSEL.—In the case of an action for judicial review of a rule which includes a definition or standard approved by the Chief Counsel for Advocacy under this subsection, the party seeking such review shall be entitled to join the Chief Counsel as a party in such action.''.

SEC. 311. CLERICAL AMENDMENTS.

(a) DEFINITIONS.—Section 601 of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(1) the term'' and inserting the following:

''(1) AGENCY.—The term'';

(2) in paragraph (3)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(3) the term'' and inserting the following:

''(3) SMALL BUSINESS.—The term'';

(3) in paragraph (5)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(5) the term'' and inserting the following:

''(5) SMALL GOVERNMENTAL JURISDICTION.—The term''; and

(4) in paragraph (6)—

(A) by striking ''; and'' and inserting a period; and

(B) by striking ''(6) the term'' and inserting the following:

''(6) SMALL ENTITY.—The term''.

(b) INCORPORATIONS BY REFERENCE AND CERTIFICATIONS.—The heading of section 605 of title 5, United States Code, is amended to read as follows:

''§ 605. Incorporations by reference and certifications''.

(c) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following new item:

''605. Incorporations by reference and certifications.'';

(2) by striking the item relating to section 607 and inserting the following new item:

''607. Quantification requirements.'';

and

(3) by striking the item relating to section 608 and inserting the following:

''608. Additional powers of Chief Counsel for Advocacy.''.

(d) OTHER CLERICAL AMENDMENTS TO CHAPTER 6.—Chapter 6 of title 5, United States Code, is amended in section 603(d)—

(1) by striking paragraph (2);

(2) by striking ''(1) For a covered agency,'' and inserting ''For a covered agency,'';

(3) by striking ''(A) any'' and inserting ''(1) any'';

(4) by striking ''(B) any'' and inserting ''(2) any''; and

(5) by striking ''(C) advice'' and inserting ''(3) advice''.

SEC. 312. AGENCY PREPARATION OF GUIDES.

Section 212(a)(5) the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended to read as follows:

''(5) AGENCY PREPARATION OF GUIDES.—The agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare separate guides covering groups or classes of similarly affected small entities and may cooperate with associations of small entities to distribute such guides. In developing guides, agencies shall solicit input from affected small entities or associations of affected small entities. An agency may prepare guides and apply this section with respect to a rule or a group of related rules.''.

SEC. 313. COMPTROLLER GENERAL REPORT.

Not later than 90 days after the date of enactment of this title, the Comptroller General of the United States shall complete and publish a study that examines whether the Chief Counsel for Advocacy of the Small Business Administration has the capacity and resources to carry out the duties of the Chief Counsel under this title and the amendments made by this title.

TITLE IV—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''Sunshine for Regulatory Decrees and Settlements Act of 2014''.

SEC. 402. DEFINITIONS.

In this title—

(1) the terms ''agency'' and ''agency action'' have the meanings given those terms under section 551 of title 5, United States Code;

(2) the term ''covered civil action'' means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action;

(3) the term ''covered consent decree'' means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government;

(4) the term ''covered consent decree or settlement agreement'' means a covered consent decree and a covered settlement agreement; and

(5) the term ''covered settlement agreement'' means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

SEC. 403. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

(1) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a readily accessible manner, including by making the notice of intent to sue and the complaint available online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(2) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with paragraph (1) and subparagraphs (A) and (B) of paragraph (2) of subsection (d) or subsection (d)(3)(A), whichever is later.

(b) INTERVENTION.—

(1) REBUTTABLE PRESUMPTION.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a person who alleges that the agency action in dispute would affect the person, the court shall presume, subject to rebuttal, that the interests of the person would not be represented adequately by the existing parties to the action.

(2) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a State, local, or tribal government, the court shall take due account of whether the movant—

(A) administers jointly with an agency that is a defendant in the action the statutory provisions that give rise to the regulatory action to which the action relates; or

(B) administers an authority under State, local, or tribal law that would be preempted by the regulatory action to which the action relates.

(c) SETTLEMENT NEGOTIATIONS.—Efforts to settle a covered civil action or otherwise reach an agreement on a covered consent decree or settlement agreement shall—

(1) be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge other than the presiding judge, magistrate judge, or special master, as determined appropriate by the presiding judge; and

(2) include any party that intervenes in the action.

(d) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online—

(A) the proposed covered consent decree or settlement agreement; and

(B) a statement providing—

(i) the statutory basis for the covered consent decree or settlement agreement; and

(ii) a description of the terms of the covered consent decree or settlement agreement, including whether it provides for the award of attorneys' fees or costs and, if so, the basis for including the award.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in paragraph (1) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(B) RESPONSE TO COMMENTS.—An agency shall respond to any comment received under subparagraph (A).

(C) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall—

(i) inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms;

(ii) submit to the court a summary of the comments received under subparagraph (A) and the response of the agency to the comments;

(iii) submit to the court a certified index of the administrative record of the notice and comment proceeding; and

(iv) make the administrative record described in clause (iii) fully accessible to the court.

(D) INCLUSION IN RECORD.—The court shall include in the court record for a civil action the certified index of the administrative record submitted by an agency under subparagraph (C)(iii) and any documents listed in the index which any party or amicus curiae appearing before the court in the action submits to the court.

(3) PUBLIC HEARINGS PERMITTED.—

(A) IN GENERAL.—After providing notice in the Federal Register and online, an agency may hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

(B) RECORD.—If an agency holds a public hearing under subparagraph (A)—

(i) the agency shall—

(I) submit to the court a summary of the proceedings;

(II) submit to the court a certified index of the hearing record; and

(III) provide access to the hearing record to the court; and

(ii) the full hearing record shall be included in the court record.

(4) MANDATORY DEADLINES.—If a proposed covered consent decree or settlement agreement requires an agency action by a date certain, the agency shall, when moving for entry of the covered consent decree or settlement agreement or dismissal based on the covered consent decree or settlement agreement, inform the court of—

(A) any required regulatory action the agency has not taken that the covered consent decree or settlement agreement does not address;

(B) how the covered consent decree or settlement agreement, if approved, would affect the discharge of the duties described in subparagraph (A); and

(C) why the effects of the covered consent decree or settlement agreement on the manner in which the agency discharges its duties is in the public interest.

(e) SUBMISSION BY THE GOVERNMENT.—

(1) IN GENERAL.—For any proposed covered consent decree or settlement agreement that contains a term described in paragraph (2), the Attorney General or, if the matter is being litigated independently by an agency, the head of the agency shall submit to the court a certification that the Attorney General or head of the agency approves the proposed covered consent decree or settlement agreement. The Attorney General or head of the agency shall personally sign any certification submitted under this paragraph.

(2) TERMS.—A term described in this paragraph is—

(A) in the case of a covered consent decree, a term that—

(i) converts into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations;

(ii) commits an agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question;

(iii) commits an agency to seek a particular appropriation or budget authorization;

(iv) divests an agency of discretion committed to the agency by statute or the Constitution of the United States, without regard to whether the discretion was granted to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties; or

(v) otherwise affords relief that the court could not enter under its own authority upon a final judgment in the civil action; or

(B) in the case of a covered settlement agreement, a term—

(i) that provides a remedy for a failure by the agency to comply with the terms of the covered settlement agreement other than the revival of the civil action resolved by the covered settlement agreement; and

(ii) that—

(I) interferes with the authority of an agency to revise, amend, or issue rules under the procedures set forth in chapter 5 of title 5, United States Code, or any other statute or Executive order prescribing rulemaking procedures for a rulemaking that is the subject of the covered settlement agreement;

(II) commits the agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question; or

(III) for such a covered settlement agreement that commits the agency to exercise in a particular way discretion which was committed to the agency by statute or the Constitution of the United States to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties.

(f) REVIEW BY COURT.—

(1) AMICUS.—A court considering a proposed covered consent decree or settlement agreement shall presume, subject to rebuttal, that it is proper to allow amicus participation relating to the covered consent decree or settlement agreement by any person who filed public comments or participated in a public hearing on the covered consent decree or settlement agreement under paragraph (2) or (3) of subsection (d).

(2) REVIEW OF DEADLINES.—

(A) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(B) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(g) ANNUAL REPORTS.—Each agency shall submit to Congress an annual report that, for the year covered by the report, includes—

(1) the number, identity, and content of covered civil actions brought against and

covered consent decrees or settlement agreements entered against or into by the agency; and

(2) a description of the statutory basis for—

(A) each covered consent decree or settlement agreement entered against or into by the agency; and

(B) any award of attorneys fees or costs in a civil action resolved by a covered consent decree or settlement agreement entered against or into by the agency.

SEC. 404. MOTIONS TO MODIFY CONSENT DECREES.

If an agency moves a court to modify a covered consent decree or settlement agreement and the basis of the motion is that the terms of the covered consent decree or settlement agreement are no longer fully in the public interest due to the obligations of the agency to fulfill other duties or due to changed facts and circumstances, the court shall review the motion and the covered consent decree or settlement agreement de novo.

SEC. 405. EFFECTIVE DATE.

This title shall apply to—

(1) any covered civil action filed on or after the date of enactment of this title; and

(2) any covered consent decree or settlement agreement proposed to a court on or after the date of enactment of this title.

DIVISION IV—JUDICIARY

TITLE I—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY

SEC. 101. SHORT TITLE.

This title may be cited as the ''Regulations From the Executive in Need of Scrutiny Act of 2014''.

SEC. 102. PURPOSE.

The purpose of this title is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them. Moreover, as a tax on carbon emissions increases energy costs on consumers, reduces economic growth and is therefore detrimental to individuals, families and businesses, the REINS Act includes in the definition of a major rule, any rule that implements or provides for the imposition or collection of a tax on carbon emissions.

SEC. 103. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

"CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''Sec.
''801. Congressional review.
''802. Congressional approval procedure for major rules.
''803. Congressional disapproval procedure for nonmajor rules.
''804. Definitions.
''805. Judicial review.
''806. Exemption for monetary policy.
''807. Effective date of certain rules.

"§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within clauses (i) through (iii) of section 804(2)(A) or within section 804(2)(B);

''(iv) a list of any other related regulatory actions taken by or that will be taken by the Federal agency promulgating the rule that are intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions;

''(v) a list of any other related regulatory actions taken by or that will be taken by any other Federal agency with authority to implement the same statutory provision or regulatory objective that are intended to implement such provision or objective, of which the Federal agency promulgating the rule is aware, as well as the individual and aggregate economic effects of those actions; and

''(vi) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days, or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day, or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

"§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within three legislative days; and

''(B) in the case of the Senate, within three session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter—

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds—

''(A) has resulted in or is likely to result in—

''(i) an annual effect on the economy of $50,000,000 or more;

''(ii) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(iii) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(B) is made by the Administrator of the Environmental Protection Agency and that would have a significant impact on a substantial number of agricultural entities, as determined by the Secretary of Agriculture (who shall publish such determination in the Federal Register);

''(C) is a rule that implements or provides for the imposition or collection of a carbon tax; or

''(D) is made under the Patient Protection and Affordable Care Act (Public Law 111–148).

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing.

''(5) The term 'submission date or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''(6) The term 'agricultural entity' means any entity involved in or related to agricultural enterprise, including enterprises that are engaged in the business of production of food and fiber, ranching and raising of livestock, aquaculture, and all other farming and agricultural related industries.

''(7) The term 'carbon tax' means a fee, levy, or price on—

''(A) emissions, including carbon dioxide emissions generated by the burning of coal, natural gas, or oil; or

''(B) coal, natural gas, or oil based on emissions, including carbon dioxide emissions that would be generated through the fuel's combustion.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. 104. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. 105. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

TITLE II—PERMANENT INTERNET TAX FREEDOM

SEC. 201. SHORT TITLE.

This title may be cited as the ''Permanent Internet Tax Freedom Act''.

SEC. 202. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking '' during the period beginning November 1, 2003, and ending November 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

DIVISION V—NATURAL RESOURCES

SUBDIVISION A—RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES

SEC. 100. SHORT TITLE.

This subdivision may be cited as the ''Restoring Healthy Forests for Healthy Communities Act''.

TITLE I—RESTORING THE COMMITMENT TO RURAL COUNTIES AND SCHOOLS

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land.

(2) To ensure that such counties have a dependable source of revenue from National Forest System land.

(3) To reduce Forest Service management costs while also ensuring the protection of United States forests resources.

SEC. 102. DEFINITIONS.

In this title:

(1) ANNUAL VOLUME REQUIREMENT.—

(A) IN GENERAL.—The term ''annual volume requirement'', with respect to a Forest Reserve Revenue Area, means a volume of national forest materials no less than 50 percent of the sustained yield of the Forest Reserve Revenue Area.

(B) EXCLUSIONS.—In determining the volume of national forest materials or the sustained yield of a Forest Reserve Revenue Area, the Secretary may not include noncommercial post and pole sales and personal use firewood.

(2) BENEFICIARY COUNTY.—The term ''beneficiary county'' means a political subdivision of a State that, on account of containing National Forest System land, was eligible to receive payments through the State under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

(3) CATASTROPHIC EVENT.—The term ''catastrophic event'' means an event (including severe fire, insect or disease infestations, windthrow, or other extreme weather or natural disaster) that the Secretary determines will cause or has caused substantial damage to National Forest System land or natural resources on National Forest System land.

(4) COVERED FOREST RESERVE PROJECT.—The terms ''covered forest reserve project'' and ''covered project'' mean a project involving the management or sale of national forest materials within a Forest Reserve Revenue Area to generate forest reserve revenues and achieve the annual volume requirement for the Forest Reserve Revenue Area.

(5) FOREST RESERVE REVENUE AREA.—

(A) IN GENERAL.—The term ''Forest Reserve Revenue Area'' means National Forest System land in a unit of the National Forest System designated for sustainable forest management for the production of national forest materials and forest reserve revenues.

(B) INCLUSIONS.—Subject to subparagraph (C), but otherwise notwithstanding any other provision of law, including executive orders and regulations, the Secretary shall include in Forest Reserve Revenue Areas not less than 50 percent of the National Forest System lands identified as commercial forest land capable of producing twenty cubic feet of timber per acre.

(C) EXCLUSIONS.—A Forest Reserve Revenue Area may not include National Forest System land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(6) FOREST RESERVE REVENUES.—The term ''forest reserve revenues'' means revenues

derived from the sale of national forest materials in a Forest Reserve Revenue Area.

(7) NATIONAL FOREST MATERIALS.—The term ''national forest materials'' has the meaning given that term in section 14(e)(1) of the National Forest Management Act of 1976 (16 U.S.C. 472a(e)(1)).

(8) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(10) SUSTAINED YIELD.—The term ''sustained yield'' means the maximum annual growth potential of the forest calculated on the basis of the culmination of mean annual increment using cubic measurement.

(11) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

(12) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

SEC. 103. ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS AND ANNUAL VOLUME REQUIREMENTS.

(a) ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS.—Notwithstanding any other provision of law, the Secretary shall establish one or more Forest Reserve Revenue Areas within each unit of the National Forest System.

(b) DEADLINE FOR ESTABLISHMENT.—The Secretary shall complete establishment of the Forest Reserve Revenue Areas not later than 60 days after the date of enactment of this Act,

(c) PURPOSE.—The purpose of a Forest Reserve Revenue Area is to provide a dependable source of 25-percent payments and economic activity through sustainable forest management for each beneficiary county containing National Forest System land.

(d) FIDUCIARY RESPONSIBILITY.—The Secretary shall have a fiduciary responsibility to beneficiary counties to manage Forest Reserve Revenue Areas to satisfy the annual volume requirement.

(e) DETERMINATION OF ANNUAL VOLUME REQUIREMENT.—Not later than 30 days after the date of the establishment of a Forest Reserve Revenue Area, the Secretary shall determine the annual volume requirement for that Forest Reserve Revenue Area.

(f) LIMITATION ON REDUCTION OF FOREST RESERVE REVENUE AREAS.—Once a Forest Reserve Revenue Area is established under subsection (a), the Secretary may not reduce the number of acres of National Forest System land included in that Forest Reserve Revenue Area.

(g) MAP.—The Secretary shall provide a map of all Forest Reserve Revenue Areas established under subsection (a) for each unit of the National Forest System—

(1) to the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives; and

(2) to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—Neither the establishment of Forest Reserve Revenue Areas under subsection (a) nor any other provision of this title shall be construed to limit or restrict—

(1) access to National Forest System land for hunting, fishing, recreation, and other related purposes; or

(2) valid and existing rights regarding National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 104. MANAGEMENT OF FOREST RESERVE REVENUE AREAS.

(a) REQUIREMENT TO ACHIEVE ANNUAL VOLUME REQUIREMENT.—Immediately upon the establishment of a Forest Reserve Revenue Area, the Secretary shall manage the Forest Reserve Revenue Area in the manner necessary to achieve the annual volume requirement for the Forest Reserve Revenue Area. The Secretary is authorized and encouraged to commence covered forest reserve projects as soon as practicable after the date of the enactment of this Act to begin generating forest reserve revenues.

(b) STANDARDS FOR PROJECTS WITHIN FOREST RESERVE REVENUE AREAS.—The Secretary shall conduct covered forest reserve projects within Forest Reserve Revenue Areas in accordance with this section, which shall serve as the sole means by which the Secretary will comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and other laws applicable to the covered projects.

(c) ENVIRONMENTAL ANALYSIS PROCESS FOR PROJECTS IN FOREST RESERVE REVENUE AREAS.—

(1) ENVIRONMENTAL ASSESSMENT.—The Secretary shall give published notice and complete an environmental assessment pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a covered forest reserve project proposed to be conducted within a Forest Reserve Revenue Area, except that the Secretary is not required to study, develop, or describe any alternative to the proposed agency action.

(2) CUMULATIVE EFFECTS.—The Secretary shall consider cumulative effects solely by evaluating the impacts of a proposed covered forest reserve project combined with the impacts of any other projects that were approved with a Decision Notice or Record of Decision before the date on which the Secretary published notice of the proposed covered project. The cumulative effects of past projects may be considered in the environmental assessment by using a description of the current environmental conditions.

(3) LENGTH.—The environmental assessment prepared for a proposed covered forest reserve project shall not exceed 100 pages in length. The Secretary may incorporate in the environmental assessment, by reference, any documents that the Secretary determines, in the sole discretion of the Secretary, are relevant to the assessment of the environmental effects of the covered project.

(4) DEADLINE FOR COMPLETION.—The Secretary shall complete the environmental assessment for a covered forest reserve project within 180 days after the date on which the Secretary published notice of the proposed covered project.

(5) TREATMENT OF DECISION NOTICE.—The decision notice for a covered forest reserve project shall be considered a final agency action and no additional analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall be required to implement any portion of the covered project.

(6) CATEGORICAL EXCLUSION.—A covered forest reserve project that is proposed in response to a catastrophic event, that covers an area of 10,000 acres or less, or an eligible hazardous fuel reduction or forest health project proposed under title II that involves the removal of insect-infected trees, dead or dying trees, trees presenting a threat to public safety, or other hazardous fuels within 500 feet of utility or telephone infrastructure, campgrounds, roadsides, heritage sites, recreation sites, schools, or other infrastructure, shall be categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(d) APPLICATION OF LAND AND RESOURCE MANAGEMENT PLAN.—The Secretary may modify the standards and guidelines contained in the land and resource management plan for the unit of the National Forest System in which the covered forest reserve project will be carried out as necessary to achieve the requirements of this subdivision. Section 6(g)(3)(E)(iv) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(g)(3)(E)(iv)) shall not apply to a covered forest reserve project.

(e) COMPLIANCE WITH ENDANGERED SPECIES ACT.—

(1) NON-JEOPARDY ASSESSMENT.—If the Secretary determines that a proposed covered forest reserve project may affect the continued existence of any species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), the Secretary shall issue a determination explaining the view of the Secretary that the proposed covered project is not likely to jeopardize the continued existence of the species.

(2) SUBMISSION, REVIEW, AND RESPONSE.—

(A) SUBMISSION.—The Secretary shall submit a determination issued by the Secretary under paragraph (1) to the Secretary of the Interior or the Secretary of Commerce, as appropriate.

(B) REVIEW AND RESPONSE.—Within 30 days after receiving a determination under subparagraph (A), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall provide a written response to the Secretary concurring in or rejecting the Secretary's determination. If the Secretary of the Interior or the Secretary of Commerce rejects the determination, the written response shall include recommendations for measures that—

(i) will avoid the likelihood of jeopardy to an endangered or threatened species;

(ii) can be implemented in a manner consistent with the intended purpose of the covered forest reserve project;

(iii) can be implemented consistent with the scope of the Secretary's legal authority and jurisdiction; and

(iv) are economically and technologically feasible.

(3) FORMAL CONSULTATION.—If the Secretary of the Interior or the Secretary of Commerce rejects a determination issued by the Secretary under paragraph (1), the Secretary of the Interior or the Secretary of Commerce also is required to engage in formal consultation with the Secretary. The Secretaries shall complete such consultation pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) within 90 days after the submission of the written response under paragraph (2).

(f) ADMINISTRATIVE AND JUDICIAL REVIEW.—

(1) ADMINISTRATIVE REVIEW.—Administrative review of a covered forest reserve project shall occur only in accordance with the special administrative review process established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—Judicial review of a covered forest reserve project shall occur in accordance with section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516), except that a court of the United States may not issue a restraining order, preliminary injunction, or injunction pending appeal covering a covered forest reserve project in response to an allegation that the Secretary

violated any procedural requirement applicable to how the project was selected, planned, or analyzed.

(B) BOND REQUIRED.—A plaintiff challenging a covered forest reserve project shall be required to post a bond or other security acceptable to the court for the reasonably estimated costs, expenses, and attorneys fees of the Secretary as defendant. All proceedings in the action shall be stayed until the security is given. If the plaintiff has not complied with the order to post such bond or other security within 90 days after the date of service of the order, then the action shall be dismissed with prejudice.

(C) RECOVERY.—If the Secretary prevails in the case, the Secretary shall submit to the court a motion for payment of all litigation expenses.

(g) USE OF ALL-TERRAIN VEHICLES FOR MANAGEMENT ACTIVITIES.—The Secretary may allow the use of all-terrain vehicles within the Forest Reserve Revenue Areas for the purpose of activities associated with the sale of national forest materials in a Forest Reserve Revenue Area.

SEC. 105. DISTRIBUTION OF FOREST RESERVE REVENUES.

(a) 25-PERCENT PAYMENTS.—The Secretary shall use forest reserve revenues generated by a covered forest reserve project to make 25-percent payments to States for the benefit of beneficiary counties.

(b) DEPOSIT IN KNUTSON-VANDENBERG AND SALVAGE SALE FUNDS.—After compliance with subsection (a), the Secretary shall use forest reserve revenues to make deposits into the fund established under section 3 of the Act of June 9, 1930 (16 U.S.C. 576b; commonly known as the Knutson-Vandenberg Fund) and the fund established under section 14(h) of the National Forest Management Act of 1976 (16 U.S.C. 472a(h); commonly known as the salvage sale fund) in contributions equal to the monies otherwise collected under those Acts for projects conducted on National Forest System land.

(c) DEPOSIT IN GENERAL FUND OF THE TREASURY.—After compliance with subsections (a) and (b), the Secretary shall deposit remaining forest reserve revenues into the general fund of the Treasury.

SEC. 106. ANNUAL REPORT.

(a) REPORT REQUIRED.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to Congress an annual report specifying the annual volume requirement in effect for that fiscal year for each Forest Reserve Revenue Area, the volume of board feet actually harvested for each Forest Reserve Revenue Area, the average cost of preparation for timber sales, the forest reserve revenues generated from such sales, and the amount of receipts distributed to each beneficiary county.

(b) FORM OF REPORT.—The information required by subsection (a) to be provided with respect to a Forest Reserve Revenue Area shall be presented on a single page. In addition to submitting each report to Congress, the Secretary shall also make the report available on the website of the Forest Service.

TITLE II—HEALTHY FOREST MANAGEMENT AND CATASTROPHIC WILDFIRE PREVENTION

SEC. 201. PURPOSES.

The purposes of this title are as follows:

(1) To provide the Secretary of Agriculture and the Secretary of the Interior with the tools necessary to reduce the potential for wildfires.

(2) To expedite wildfire prevention projects to reduce the chances of wildfire on certain high-risk Federal lands.

(3) To protect communities and forest habitat from uncharacteristic wildfires.

(4) To enhance aquatic conditions and terrestrial wildlife habitat.

(5) To restore diverse and resilient landscapes through improved forest conditions.

SEC. 202. DEFINITIONS.

In this title:

(1) AT-RISK COMMUNITY.—The term ''at-risk community'' has the meaning given that term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(2) AT-RISK FOREST.—The term ''at-risk forest'' means—

(A) Federal land in condition class II or III, as those classes were developed by the Forest Service Rocky Mountain Research Station in the general technical report titled ''Development of Coarse-Scale Spatial Data for Wildland Fire and Fuel Management'' (RMRS–87) and dated April 2000 or any subsequent revision of the report; or

(B) Federal land where there exists a high risk of losing an at-risk community, key ecosystem, water supply, wildlife, or wildlife habitat to wildfire, including catastrophic wildfire and post-fire disturbances, as designated by the Secretary concerned.

(3) FEDERAL LAND.—

(A) COVERED LAND.—The term ''Federal land'' means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); or

(ii) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(B) EXCLUDED LAND.—The term does not include land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(4) HIGH-RISK AREA.—The term ''high-risk area'' means an area of Federal land identified under section 205 as an area suffering from the bark beetle epidemic, drought, or deteriorating forest health conditions, with the resulting imminent risk of devastating wildfires, or otherwise at high risk for bark beetle infestation, drought, or wildfire.

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, in the case of National Forest System land; and

(B) the Secretary of the Interior, in the case of public lands.

(6) ELIGIBLE HAZARDOUS FUEL REDUCTION AND FOREST HEALTH PROJECTS.—The terms ''hazardous fuel reduction project'' or ''forest health project'' mean the measures and methods developed for a project to be carried out on Federal land—

(A) in an at-risk forest under section 203 for hazardous fuels reduction, forest health, forest restoration, or watershed restoration, using ecological restoration principles consistent with the forest type where such project will occur; or

(B) in a high-risk area under section 206.

SEC. 203. HAZARDOUS FUEL REDUCTION PROJECTS AND FOREST HEALTH PROJECTS IN AT-RISK FORESTS.

(a) IMPLEMENTATION.—As soon as practicable after the date of the enactment of this Act, the Secretary concerned is authorized to implement a hazardous fuel reduction project or a forest health project in at-risk forests in a manner that focuses on surface, ladder, and canopy fuels reduction activities using ecological restoration principles consistent with the forest type in the location where such project will occur.

(b) AUTHORIZED PRACTICES.—

(1) INCLUSION OF LIVESTOCK GRAZING AND TIMBER HARVESTING.—A hazardous fuel reduction project or a forest health project may include livestock grazing and timber harvest projects carried out for the purposes of hazardous fuels reduction, forest health, forest restoration, watershed restoration, or threatened and endangered species habitat protection or improvement, if the management action is consistent with achieving long-term ecological restoration of the forest type in the location where such project will occur.

(2) GRAZING.—Domestic livestock grazing may be used in a hazardous fuel reduction project or a forest health project to reduce surface fuel loads and to recover burned areas. Utilization standards shall not apply when domestic livestock grazing is used in such a project.

(3) TIMBER HARVESTING AND THINNING.—Timber harvesting and thinning, where the ecological restoration principles are consistent with the forest type in the location where such project will occur, may be used in a hazardous fuel reduction project or a forest health project to reduce ladder and canopy fuel loads to prevent unnatural fire.

(c) PRIORITY.—The Secretary concerned shall give priority to hazardous fuel reduction projects and forest health projects submitted by the Governor of a State as provided in section 206(c) and to projects submitted under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a).

SEC. 204. ENVIRONMENTAL ANALYSIS.

Subsections (b) through (f) of section 104 shall apply to the implementation of a hazardous fuel reduction project or a forest health project under this title. In addition, if the primary purpose of a hazardous fuel reduction project or a forest health project under this title is the salvage of dead, damaged, or down timber resulting from wildfire occurring in 2013 or 2014, the hazardous fuel reduction project or forest health project, and any decision of the Secretary concerned in connection with the project, shall not be subject to judicial review or to any restraining order or injunction issued by a United States court.

SEC. 205. STATE DESIGNATION OF HIGH-RISK AREAS OF NATIONAL FOREST SYSTEM AND PUBLIC LANDS.

(a) DESIGNATION AUTHORITY.—The Governor of a State may designate high-risk areas of Federal land in the State for the purposes of addressing—

(1) deteriorating forest health conditions in existence as of the date of the enactment of this Act due to the bark beetle epidemic or drought, with the resulting imminent risk of devastating wildfires; and

(2) the future risk of insect infestations or disease outbreaks through preventative treatments to improve forest health conditions.

(b) CONSULTATION.—In designating high-risk areas, the Governor of a State shall consult with county government from affected counties and with affected Indian tribes.

(c) EXCLUSION OF CERTAIN AREAS.—The following Federal land may not be designated as a high-risk area:

(1) A component of the National Wilderness Preservation System.

(2) Federal land on which the removal of vegetation is specifically prohibited by Federal statute.

(3) Federal land within a National Monument as of the date of the enactment of this Act.

(d) STANDARDS FOR DESIGNATION.—Designation of high-risk areas shall be consistent with standards and guidelines contained in the land and resource management plan or land use plan for the unit of Federal land for which the designation is being made, except that the Secretary concerned may modify

such standards and guidelines to correspond with a specific high-risk area designation.

(e) TIME FOR INITIAL DESIGNATIONS.—The first high-risk areas should be designated not later than 60 days after the date of the enactment of this Act, but high-risk areas may be designated at any time consistent with subsection (a).

(f) DURATION OF DESIGNATION.—The designation of a high-risk area in a State shall expire 20 years after the date of the designation, unless earlier terminated by the Governor of the State.

(g) REDESIGNATION.—The expiration of the 20-year period specified in subsection (f) does not prohibit the Governor from redesignating an area of Federal land as a high-risk area under this section if the Governor determines that the Federal land continues to be subject to the terms of this section.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—The designation of a high-risk area shall not be construed to limit or restrict—

(1) access to Federal land included in the area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding the Federal land.

SEC. 206. USE OF HAZARDOUS FUELS REDUCTION OR FOREST HEALTH PROJECTS FOR HIGH-RISK AREAS.

(a) PROJECT PROPOSALS.—

(1) PROPOSALS AUTHORIZED.—Upon designation of a high-risk area in a State, the Governor of the State may provide for the development of proposed hazardous fuel reduction projects or forest health projects for the high-risk area.

(2) PROJECT CRITERIA.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State and the Secretary concerned shall—

(A) take into account managing for rights of way, protection of watersheds, protection of wildlife and endangered species habitat, safe-guarding water resources, and protecting at-risk communities from wildfires; and

(B) emphasize activities that thin the forest to provide the greatest health and longevity of the forest.

(b) CONSULTATION.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State shall consult with county government from affected counties, and with affected Indian tribes.

(c) SUBMISSION AND IMPLEMENTATION.—The Governor of a State shall submit proposed emergency hazardous fuel reduction projects and forest health projects to the Secretary concerned for implementation as provided in section 203.

SEC. 207. MORATORIUM ON USE OF PRESCRIBED FIRE IN MARK TWAIN NATIONAL FOREST, MISSOURI, PENDING REPORT.

(a) MORATORIUM.—Except as provided in subsection (b), the Secretary of Agriculture may not conduct any prescribed fire in Mark Twain National Forest, Missouri, under the Collaborative Forest Landscape Restoration Project until the report required by subsection (c) is submitted to Congress.

(b) EXCEPTION FOR WILDFIRE SUPPRESSION.—Subsection (a) does not prohibit the use of prescribed fire as part of wildfire suppression activities.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report containing an evaluation of recent and current Forest Service management practices for Mark Twain National Forest, including lands in the National Forest enrolled, or under consideration for enrollment, in the Collaborative Forest Landscape Restoration Project to convert certain lands into shortleaf pine-oak woodlands, to determine the impact of such management practices on forest health and tree mortality. The report shall specifically address—

(1) the economic costs associated with the failure to utilize hardwoods cut as part of the Collaborative Forest Landscape Restoration Project and the subsequent loss of hardwood production from the treated lands in the long term;

(2) the extent of increased tree mortality due to excessive heat generated by prescribed fires;

(3) the impacts to water quality and rate of water run off due to erosion of the scorched earth left in the aftermath of the prescribed fires; and

(4) a long-term plan for evaluation of the impacts of prescribed fires on lands previously burned within the Eleven Point Ranger District.

TITLE III—OREGON AND CALIFORNIA RAILROAD GRANT LANDS TRUST, CONSERVATION, AND JOBS

SEC. 301. SHORT TITLE.

This title may be cited as the ''O&C Trust, Conservation, and Jobs Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) AFFILIATES.—The term ''Affiliates'' has the meaning given such term in part 121 of title 13, Code of Federal Regulations.

(2) BOARD OF TRUSTEES.—The term ''Board of Trustees'' means the Board of Trustees for the Oregon and California Railroad Grant Lands Trust appointed under section 313.

(3) COOS BAY WAGON ROAD GRANT LANDS.—The term ''Coos Bay Wagon Road Grant lands'' means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(4) FISCAL YEAR.—The term ''fiscal year'' means the Federal fiscal year, October 1 through the next September 30.

(5) GOVERNOR.—The term ''Governor'' means the Governor of the State of Oregon.

(6) O&C REGION PUBLIC DOMAIN LANDS.—The term ''O&C Region Public Domain lands'' means all the land managed by the Bureau of Land Management in the Salem District, Eugene District, Roseburg District, Coos Bay District, and Medford District in the State of Oregon, excluding the Oregon and California Railroad Grant lands and the Coos Bay Wagon Road Grant lands.

(7) O&C TRUST.—The terms ''Oregon and California Railroad Grant Lands Trust'' and ''O&C Trust'' mean the trust created by section 311, which has fiduciary responsibilities to act for the benefit of the O&C Trust counties in the management of O&C Trust lands.

(8) O&C TRUST COUNTY.—The term ''O&C Trust county'' means each of the 18 counties in the State of Oregon that contained a portion of the Oregon and California Railroad Grant lands as of January 1, 2013, each of which are beneficiaries of the O&C Trust.

(9) O&C TRUST LANDS.—The term ''O&C Trust lands'' means the surface estate of the lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1). The term does not include any of the lands excluded from the O&C Trust pursuant to section 311(c)(2), transferred to the Forest Service under section 321, or Tribal lands transferred under subtitle D.

(10) OREGON AND CALIFORNIA RAILROAD GRANT LANDS.—The term ''Oregon and California Railroad Grant lands'' means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9, 1916 (39 Stat. 218), regardless of whether the lands are—

(i) administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a); or

(ii) administered by the Secretary of Agriculture as part of the National Forest System pursuant to the first section of the Act of June 24, 1954 (43 U.S.C. 1181g).

(B) All lands in the State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in the State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) RESERVE FUND.—The term ''Reserve Fund'' means the reserve fund created by the Board of Trustees under section 315(b).

(12) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to Oregon and California Railroad Grant lands that are transferred to the management authority of the O&C Trust and, immediately before such transfer, were managed by the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to Oregon and California Railroad Grant lands that—

(i) are transferred to the management authority of the O&C Trust and, immediately before such transfer, were part of the National Forest System; or

(ii) are transferred to the Forest Service under section 321.

(13) STATE.—The term ''State'' means the State of Oregon.

(14) TRANSITION PERIOD.—The term ''transition period'' means the three fiscal-year period specified in section 331 following the appointment of the Board of Trustees during which—

(A) the O&C Trust is created; and

(B) interim funding of the O&C Trust is secured.

(15) TRIBAL LANDS.—The term ''Tribal lands'' means any of the lands transferred to the Cow Creek Band of the Umpqua Tribe of Indians or the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians under subtitle D.

Subtitle A—Trust, Conservation, and Jobs

CHAPTER 1—CREATION AND TERMS OF O&C TRUST

SEC. 311. CREATION OF O&C TRUST AND DESIGNATION OF O&C TRUST LANDS.

(a) CREATION.—The Oregon and California Railroad Grant Lands Trust is established effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees. As management authority over the surface of estate of the O&C Trust lands is transferred to the O&C Trust during the transition period pursuant to section 331, the transferred lands shall be held in trust for the benefit of the O&C Trust counties.

(b) TRUST PURPOSE.—The purpose of the O&C Trust is to produce annual maximum sustained revenues in perpetuity for O&C Trust counties by managing the timber resources on O&C Trust lands on a sustained-yield basis subject to the management requirements of section 314.

(c) DESIGNATION OF O&C TRUST LANDS.—

(1) LANDS INCLUDED.—Except as provided in paragraph (2), the O&C Trust lands shall include all of the lands containing the stands of timber described in subsection (d) that are located, as of January 1, 2013, on Oregon and California Railroad Grant lands and O&C Region Public Domain lands.

(2) LANDS EXCLUDED.—O&C Trust lands shall not include any of the following Oregon and California Railroad Grant lands and O&C

Region Public Domain lands (even if the lands are otherwise described in subsection (d)):

(A) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(B) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(C) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(D) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(E) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(F) Oregon treasures addressed in subtitle C, any portion of which, as of January 1, 2013, consists of Oregon and California Railroad Grant lands or O&C Region Public Domain lands.

(G) Tribal lands addressed in subtitle D.

(d) COVERED STANDS OF TIMBER.—

(1) DESCRIPTION.—The O&C Trust lands consist of stands of timber that have previously been managed for timber production or that have been materially altered by natural disturbances since 1886. Most of these stands of timber are 80 years old or less, and all of such stands can be classified as having a predominant stand age of 125 years or less.

(2) DELINEATION OF BOUNDARIES BY BUREAU OF LAND MANAGEMENT.—The Oregon and California Railroad Grant lands and O&C Region Public Domain lands that, immediately before transfer to the O&C Trust, were managed by the Bureau of Land Management are timber stands that have predominant birth date attributes of 1886 or later, with boundaries that are defined by polygon spatial data layer in and electronic data compilation filed by the Bureau of Land Management pursuant to paragraph (4). Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the polygon spatial data layer prepared by the Bureau of Land Management and filed pursuant to paragraph (4), notwithstanding anomalies that might later be discovered on the ground. The boundary coordinates are locatable on the ground by use of global positioning system signals. In cases where the location of the stand boundary is disputed or is inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the direct or indirect use of global positioning system equipment with accuracy specification of one meter or less.

(3) DELINEATION OF BOUNDARIES BY FOREST SERVICE.—The O&C Trust lands that, immediately before transfer to the O&C Trust, were managed by the Forest Service are timber stands that can be classified as having predominant stand ages of 125 years old or less. Within 30 days after the date of the enactment of this Act, the Secretary of Agriculture shall commence identification of the boundaries of such stands, and the boundaries of all such stands shall be identified and made available to the Board of Trustees not later than 180 days following the creation of the O&C Trust pursuant to subsection (a). In identifying the stand boundaries, the Secretary may use geographic information system data, satellite imagery, cadastral survey coordinates, or any other means available within the time allowed. The boundaries shall be provided to the Board of Trustees within the time allowed in the form of a spatial data layer from which coordinates can be derived that are locatable on the ground by use of global positioning system signals. Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the data provided by the Secretary within the time provided by this paragraph, notwithstanding anomalies that might later be discovered on the ground. In cases where the location of the stand boundary is disputed or inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the boundary coordinates provided by the Secretary as they are located on the ground by the direct or indirect use of global positioning system equipment with accuracy specifications of one meter or less. All actions taken by the Secretary under this paragraph shall be deemed to not involve Federal agency action or Federal discretionary involvement or control.

(4) DATA AND MAPS.—Copies of the data containing boundary coordinates for the stands included in the O&C Trust lands, or from which such coordinates are derived, and maps generally depicting the stand locations shall be filed with the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the office of the Secretary concerned. The maps and data shall be filed—

(A) not later than 90 days after the date of the enactment of this Act, in the case of the lands identified pursuant to paragraph (2); and

(B) not later than 180 days following the creation of the O&C Trust pursuant to subsection (a), in the case of lands identified pursuant to paragraph (3).

(5) ADJUSTMENT AUTHORITY AND LIMITATIONS.—

(A) NO IMPACT ON DETERMINING TITLE OR PROPERTY OWNERSHIP BOUNDARIES.—Stand boundaries identified under paragraph (2) or (3) shall not be relied upon for purposes of determining title or property ownership boundaries. If the boundary of a stand identified under paragraph (2) or (3) extends beyond the property ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands, as such property boundaries exist on the date of enactment of this Act, then that stand boundary is deemed adjusted by this subparagraph to coincide with the property ownership boundary.

(B) EFFECT OF DATA ERRORS OR INCONSISTENCIES.—Data errors or inconsistencies may result in parcels of land along property ownership boundaries that are unintentionally omitted from the O&C Trust lands that are identified under paragraph (2) or (3). In order to correct such errors, any parcel of land that satisfies all of the following criteria is hereby deemed to be O&C Trust land:

(i) The parcel is within the ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands on the date of the enactment of this Act.

(ii) The parcel satisfies the description in paragraph (1) on the date of enactment of this Act.

(iii) The parcel is not excluded from the O&C Trust lands pursuant to subsection (c)(2).

(C) NO IMPACT ON LAND EXCHANGE AUTHORITY.—Nothing in this subsection is intended to limit the authority of the Trust and the Forest Service to engage in land exchanges between themselves or with owners of non-Federal land as provided elsewhere in this title.

SEC. 312. LEGAL EFFECT OF O&C TRUST AND JUDICIAL REVIEW.

(a) LEGAL STATUS OF TRUST LANDS.—Subject to the other provisions of this section, all right, title, and interest in and to the O&C Trust lands remain in the United States, except that—

(1) the Board of Trustees shall have all authority to manage the surface estate of the O&C Trust lands and the resources found thereon;

(2) actions on the O&C Trust lands shall be deemed to involve no Federal agency action or Federal discretionary involvement or control and the laws of the State shall apply to the surface estate of the O&C Trust lands in the manner applicable to privately owned timberlands in the State; and

(3) the O&C Trust shall be treated as the beneficial owner of the surface estate of the O&C Trust lands for purposes of all legal proceedings involving the O&C Trust lands.

(b) MINERALS.—

(1) IN GENERAL.—Mineral and other subsurface rights in the O&C Trust lands are retained by the United States or other owner of such rights as of the date on which management authority over the surface estate of the lands are transferred to the O&C Trust.

(2) ROCK AND GRAVEL.—

(A) USE AUTHORIZED; PURPOSE.—For maintenance or construction on the road system under the control of the O&C Trust or for non-Federal lands intermingled with O&C Trust lands, the Board of Trustees may—

(i) utilize rock or gravel found within quarries in existence immediately before the date of the enactment of this Act on any Oregon and California Railroad Grant lands and O&C Region Public Domain lands, excluding those lands designated under subtitle C or transferred under subtitle D; and

(ii) construct new quarries on O&C Trust lands, except that any quarry so constructed may not exceed 5 acres.

(B) EXCEPTION.—The Board of Trustees shall not construct new quarries on any of the lands transferred to the Forest Service under section 321 or lands designated under subtitle D.

(c) ROADS.—

(1) IN GENERAL.—Except as provided in subsection (b), the Board of Trustees shall assume authority and responsibility over, and have authority to use, all roads and the road system specified in the following subparagraphs:

(A) All roads and road systems on the Oregon and California Railroad and Grant lands and O&C Region Public Domain lands owned or administered by the Bureau of Land Management immediately before the date of the enactment of this Act, except that the Secretary of Agriculture shall assume the Secretary of Interior's obligations for pro-rata maintenance expense and road use fees under reciprocal right-of-way agreements for those lands transferred to the Forest Service under section 321. All of the lands transferred to the Forest Service under section 321 shall be considered as part of the tributary area used to calculate pro-rata maintenance expense and road use fees.

(B) All roads and road systems owned or administered by the Forest Service immediately before the date of the enactment of this Act and subsequently included within the boundaries of the O&C Trust lands.

(C) All roads later added to the road system for management of the O&C Trust lands.

(2) LANDS TRANSFERRED TO FOREST SERVICE.—The Secretary of Agriculture shall assume the obligations of the Secretary of Interior for pro-rata maintenance expense and road use fees under reciprocal rights-of-way agreements for those Oregon and California Railroad Grant lands or O&C Region Public

Domain lands transferred to the Forest Service under section 321.

(3) COMPLIANCE WITH CLEAN WATER ACT.—All roads used, constructed, or reconstructed under the jurisdiction of the O&C Trust must comply with requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) applicable to private lands through the use of Best Management Practices under the Oregon Forest Practices Act.

(d) PUBLIC ACCESS.—

(1) IN GENERAL.—Subject to paragraph (2), public access to O&C Trust lands shall be preserved consistent with the policies of the Secretary concerned applicable to the O&C Trust lands as of the date on which management authority over the surface estate of the lands is transferred to the O&C Trust.

(2) RESTRICTIONS.—The Board of Trustees may limit or control public access for reasons of public safety or to protect the resources on the O&C Trust lands.

(e) LIMITATIONS.—The assets of the O&C Trust shall not be subject to the creditors of an O&C Trust county, or otherwise be distributed in an unprotected manner or be subject to anticipation, encumbrance, or expenditure other than for a purpose for which the O&C Trust was created.

(f) REMEDY.—An O&C Trust county shall have all of the rights and remedies that would normally accrue to a beneficiary of a trust. An O&C Trust county shall provide the Board of Trustees, the Secretary concerned, and the Attorney General with not less than 60 days notice of an intent to sue to enforce the O&C Trust county's rights under the O&C Trust.

(g) JUDICIAL REVIEW.—

(1) IN GENERAL.—Except as provided in paragraph (2), judicial review of any provision of this title shall be sought in the United States Court of Appeals for the District of Columbia Circuit. Parties seeking judicial review of the validity of any provision of this title must file suit within 90 days after the date of the enactment of this Act and no preliminary injunctive relief or stays pending appeal will be permitted. If multiple cases are filed under this paragraph, the Court shall consolidate the cases. The Court must rule on any action brought under this paragraph within 180 days.

(2) DECISIONS OF BOARD OF TRUSTEES.—Decisions made by the Board of Trustees shall be subject to judicial review only in an action brought by an O&C County, except that nothing in this title precludes bringing a legal claim against the Board of Trustees that could be brought against a private landowner for the same action.

SEC. 313. BOARD OF TRUSTEES.

(a) APPOINTMENT AUTHORIZATION.—Subject to the conditions on appointment imposed by this section, the Governor is authorized to appoint the Board of Trustees to administer the O&C Trust and O&C Trust lands. Appointments by the Governor shall be made within 60 days after the date of the enactment of this Act.

(b) MEMBERS AND ELIGIBILITY.—

(1) NUMBER.—Subject to subsection (c), the Board of Trustees shall consist of seven members.

(2) RESIDENCY REQUIREMENT.—Members of the Board of Trustees must reside within an O&C Trust county.

(3) GEOGRAPHICAL REPRESENTATION.—To the extent practicable, the Governor shall ensure broad geographic representation among the O&C Trust counties in appointing members to the Board of Trustees.

(c) COMPOSITION.—The Board of Trustees shall include the following members:

(1)(A) Two forestry and wood products representatives, consisting of—

(i) one member who represents the commercial timber, wood products, or milling industries and who represents an Oregon-based company with more than 500 employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years; and

(ii) one member who represents the commercial wood products or milling industries and who represents an Oregon-based company with 500 or fewer employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years.

(B) At least one of the two representatives selected in this paragraph must own commercial forest land that is adjacent to the O&C Trust lands and from which the representative has not exported unprocessed timber in the preceding five years.

(2) One representative of the general public who has professional experience in one or more of the following fields:

(A) Business management.

(B) Law.

(C) Accounting.

(D) Banking.

(E) Labor management.

(F) Transportation.

(G) Engineering.

(H) Public policy.

(3) One representative of the science community who, at a minimum, holds a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and has published peer-reviewed academic articles in the representative's field of expertise.

(4) Three governmental representatives, consisting of—

(A) two members who are serving county commissioners of an O&C Trust county and who are nominated by the governing bodies of a majority of the O&C Trust counties and approved by the Governor, except that the two representatives may not be from the same county; and

(B) one member who holds State-wide elected office (or is a designee of such a person) or who represents a federally recognized Indian tribe or tribes within one or more O&C Trust counties.

(d) TERM, INITIAL APPOINTMENT, VACANCIES.—

(1) TERM.—Except in the case of initial appointments, members of the Board of Trustees shall serve for five-year terms and may be reappointed for one consecutive term.

(2) INITIAL APPOINTMENTS.—In making the first appointments to the Board of Trustees, the Governor shall stagger initial appointment lengths so that two members have three-year terms, two members have four-year terms, and three members have a full five-year term.

(3) VACANCIES.—Any vacancy on the Board of Trustees shall be filled within 45 days by the Governor for the unexpired term of the departing member.

(4) BOARD OF TRUSTEES MANAGEMENT COSTS.—Members of the Board of Trustees may receive annual compensation from the O&C Trust at a rate not to exceed 50 percent of the average annual salary for commissioners of the O&C Trust counties for that year.

(e) CHAIRPERSON AND OPERATIONS.—

(1) CHAIRPERSON.—A majority of the Board of Trustees shall select the chairperson for the Board of Trustees each year.

(2) MEETINGS.—The Board of Trustees shall establish proceedings to carry out its duties. The Board shall meet at least quarterly. Except for meetings substantially involving personnel and contractual decisions, all meetings of the Board shall comply with the public meetings law of the State.

(f) QUORUM AND DECISION-MAKING.—

(1) QUORUM.—A quorum shall consist of five members of the Board of Trustees. The presence of a quorum is required to constitute an official meeting of the board of trustees to satisfy the meeting requirement under subsection (e)(2).

(2) DECISIONS.—All actions and decisions by the Board of Trustees shall require approval by a majority of members.

(g) ANNUAL AUDIT.—Financial statements regarding operation of the O&C Trust shall be independently prepared and audited annually for review by the O&C Trust counties, Congress, and the State.

SEC. 314. MANAGEMENT OF O&C TRUST LANDS.

(a) IN GENERAL.—Except as otherwise provided in this title, the O&C Trust lands will be managed by the Board of Trustees in compliance with all Federal and State laws in the same manner as such laws apply to private forest lands.

(b) TIMBER SALE PLANS.—The Board of Trustees shall approve and periodically update management and sale plans for the O&C Trust lands consistent with the purpose specified in section 311(b). The Board of Trustees may defer sale plans during periods of depressed timber markets if the Board of Trustees, in its discretion, determines that such delay until markets improve is financially prudent and in keeping with its fiduciary obligation to the O&C Trust counties.

(c) STAND ROTATION.—

(1) 100–120 YEAR ROTATION.—The Board of Trustees shall manage not less than 50 percent of the harvestable acres of the O&C Trust lands on a 100–120 year rotation. The acreage subject to 100–120 year management shall be geographically dispersed across the O&C Trust lands in a manner that the Board of Trustees, in its discretion, determines will contribute to aquatic and terrestrial ecosystem values.

(2) BALANCE.—The balance of the harvestable acreage of the O&C Trust lands shall be managed on any rotation age the Board of Trustees, in its discretion and in compliance with applicable State law, determines will best satisfy its fiduciary obligation to provide revenue to the O&C Trust counties.

(3) THINNING.—Nothing in this subsection is intended to limit the ability of the Board of Trustees to decide, in its discretion, to thin stands of timber on O&C Trust lands.

(d) SALE TERMS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Board of Trustees is authorized to establish the terms for sale contracts of timber or other forest products from O&C Trust lands.

(2) SET ASIDE.—The Board of Trustees shall establish a program consistent with the program of the Bureau of Land Management under a March 10, 1959 Memorandum of Understanding, as amended, regarding calculation of shares and sale of timber set aside for purchase by business entities with 500 or fewer employees and consistent with the regulations in part 121 of title 13, Code of Federal Regulations applicable to timber sale set asides, except that existing shares in effect on the date of enactment of this Act shall apply until the next scheduled recomputation of shares. In implementing its program that is consistent with such Memorandum of Understanding, the Board of Trustees shall utilize the Timber Sale Procedure Handbook and other applicable procedures of the Bureau of Land Management, including the Operating Procedures for Conducting the Five-Year Recomputation of Small Business Share Percentages in effect on January 1, 2013.

(3) COMPETITIVE BIDDING.—The Board of Trustees must sell timber on a competitive

bid basis. No less than 50 percent of the total volume of timber sold by the Board of Trustees each year shall be sold by oral bidding consistent with practices of the Bureau of Land Management as of January 1, 2013.

(e) PROHIBITION ON EXPORT.—

(1) IN GENERAL.—As a condition on the sale of timber or other forest products from O&C Trust lands, unprocessed timber harvested from O&C Trust lands may not be exported.

(2) VIOLATIONS.—Any person who knowingly exports unprocessed timber harvested from O&C Trust lands, who knowingly provides such unprocessed timber for export by another person, or knowingly sells timber harvested from O&C Trust lands to a person who is disqualified from purchasing timber from such lands pursuant to this section shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle. Any person who uses unprocessed timber harvested from O&C Trust lands in substitution for exported unprocessed timber originating from private lands shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle.

(3) UNPROCESSED TIMBER DEFINED.—In this subsection, the term ''unprocessed timber'' has the meaning given such term in section 493(9) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620e(9)).

(f) INTEGRATED PEST, DISEASE, AND WEED MANAGEMENT PLAN.—The Board of Trustees shall develop an integrated pest and vegetation management plan to assist forest managers in prioritizing and minimizing the use of pesticides and herbicides approved by the Environmental Protection Agency and used in compliance with the Oregon Forest Practices Act. The plan shall optimize the ability of the O&C Trust to re-establish forest stands after harvest in compliance with the Oregon Forest Practices Act and to create diverse early seral stage forests. The plan shall allow for the eradication, containment and suppression of disease, pests, weeds and noxious plants, and invasive species as found on the State Noxious Weed List and prioritize ground application of herbicides and pesticides to the greatest extent practicable. The plan shall be completed before the start of the second year of the transition period. The planning process shall be open to the public and the Board of Trustees shall hold not less than two public hearings on the proposed plan before final adoption.

(g) ACCESS TO LANDS TRANSFERRED TO FOREST SERVICE.—Persons acting on behalf of the O&C Trust shall have a right of timely access over lands transferred to the Forest Service under section 321 and Tribal lands transferred under subtitle D as is reasonably necessary for the Board of Trustees to carry out its management activities with regard to the O&C Trust lands and the O&C Trust to satisfy its fiduciary duties to O&C counties.

(h) HARVEST AREA TREE AND RETENTION REQUIREMENTS.—

(1) IN GENERAL.—The O&C Trust lands shall include harvest area tree and retention requirements consistent with State law.

(2) USE OF OLD GROWTH DEFINITION.—To the greatest extent practicable, and at the discretion of the Board of Trustees, old growth, as defined by the Old Growth Review Panel created by section 324, shall be used to meet the retention requirements applicable under paragraph (1).

(i) RIPARIAN AREA MANAGEMENT.—

(1) IN GENERAL.—The O&C Trust lands shall be managed with timber harvesting limited in riparian areas as follows:

(A) STREAMS.—For all fish bearing streams and all perennial non-fish-bearing streams, there shall be no removal of timber within a distance equal to the height of one site potential tree on both sides of the stream channel. For intermittent, non-fish-bearing streams, there shall be no removal of timber within a distance equal to one-half the height of a site potential tree on both sides of the stream channel. For purposes of this subparagraph, the stream channel boundaries are the lines of ordinary high water.

(B) LARGER LAKES, PONDS AND RESERVOIRS.—For all lakes, ponds, and reservoirs with surface area larger than one quarter of one acre, there shall be no removal of timber within a distance equal to the height of one site potential tree from the line of ordinary high water of the water body.

(C) SMALL PONDS AND NATURAL WETLANDS, SPRINGS AND SEEPS.—For all ponds with surface area one quarter acre or less, and for all natural wetlands, springs and seeps, there shall be no removal of timber within the area dominated by riparian vegetation.

(2) MEASUREMENTS.—For purposes of paragraph (1), all distances shall be measured along slopes, and all site potential tree heights shall be average height at maturity of the dominant species of conifer determined at a scale no finer than the applicable fifth field watershed.

(3) RULES OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

(A) to prohibit the falling or placement of timber into streams to create large woody debris for the benefit of aquatic ecosystems; or

(B) to prohibit the falling of trees within riparian areas as may be reasonably necessary for safety or operational reasons in areas adjacent to the riparian areas, or for road construction or maintenance pursuant to section 312(c)(3).

(j) FIRE PROTECTION AND EMERGENCY RESPONSE.—

(1) RECIPROCAL FIRE PROTECTION AGREEMENTS.—

(A) CONTINUATION OF AGREEMENTS.—Subject to subparagraphs (B), (C), and (D), any reciprocal fire protection agreement between the State or any other entity and the Secretary concerned with regard to Oregon and California Railroad Grant lands and O&C Region Public Domain lands in effect on the date of the enactment of this Act shall remain in place for a period of ten years after such date unless earlier terminated by the State or other entity.

(B) ASSUMPTION OF BLM RIGHTS AND DUTIES.—The Board of Trustees shall exercise the rights and duties of the Bureau of Land Management under the agreements described in subparagraph (A), except as such rights and duties might apply to Tribal lands under subtitle D.

(C) EFFECT OF EXPIRATION OF PERIOD.—Following the expiration of the ten-year period under subparagraph (A), the Board of Trustees shall continue to provide for fire protection of the Oregon and California Railroad Grant lands and O&C Region Public Domain lands, including those transferred to the Forest Service under section 331, through continuation of the reciprocal fire protection agreements, new cooperative agreements, or by any means otherwise permitted by law. The means selected shall be based on the review by the Board of Trustees of whether the reciprocal fire protection agreements were effective in protecting the lands from fire.

(D) EMERGENCY RESPONSE.—Nothing in this paragraph shall prevent the Secretary of Agriculture from an emergency response to a fire on the O&C Trust lands or lands transferred to the Forest Service under section 321.

(2) EMERGENCY RESPONSE TO FIRE.—Subject to paragraph (1), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary, the Board of Trustees, or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary or the Board of Trustees for the protection of forestland against fire, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

(k) NORTHERN SPOTTED OWL.—So long as the O&C Trust maintains the 100–120 year rotation on 50 percent of the harvestable acres required in subsection (c), the section 321 lands representing the best quality habitat for the owl are transferred to the Forest Service, and the O&C Trust protects currently occupied northern spotted owl nest sites consistent with the forest practices in the Oregon Forest Practices Act, management of the O&C Trust land by the Board of Trustees shall be considered to comply with section 9 of Public Law 93–205 (16 U.S.C. 1538) for the northern spotted owl. A currently occupied northern spotted owl nest site shall be considered abandoned if there are no northern spotted owl responses following three consecutive years of surveys using the Protocol for Surveying Management Activities that May Impact Northern Spotted Owls dated February 2, 2013.

SEC. 315. DISTRIBUTION OF REVENUES FROM O&C TRUST LANDS.

(a) ANNUAL DISTRIBUTION OF REVENUES.—

(1) TIME FOR DISTRIBUTION; USE.—Payments to each O&C Trust county shall be made available to the general fund of the O&C Trust county as soon as practicable following the end of each fiscal year, to be used as are other unrestricted county funds.

(2) AMOUNT.—The amount paid to an O&C Trust county in relation to the total distributed to all O&C Trust counties for a fiscal year shall be based on the proportion that the total assessed value of the Oregon and California Railroad Grant lands in each of the O&C Trust counties for fiscal year 1915 bears to the total assessed value of all of the Oregon and California Railroad Grant lands in the State for that same fiscal year. However, for the purposes of this subsection the portion of the revested Oregon and California Railroad Grant lands in each of the O&C Trust counties that was not assessed for fiscal year 1915 shall be deemed to have been assessed at the average assessed value of the Oregon and California Railroad Grant lands in the county.

(3) LIMITATION.—After the fifth payment made under this subsection, the payment to an O&C Trust county for a fiscal year shall not exceed 110 percent of the previous year's payment to the O&C Trust county, adjusted for inflation based on the consumer price index applicable to the geographic area in which the O&C Trust counties are located.

(b) RESERVE FUND.—

(1) ESTABLISHMENT OF RESERVE FUND.—The Board of Trustees shall generate and maintain a reserve fund.

(2) DEPOSITS TO RESERVE FUND.—Within 10 years after creation of the O&C Trust or as soon thereafter as is practicable, the Board of Trustees shall establish and seek to maintain an annual balance of $125,000,000 in the Reserve Fund, to be derived from revenues generated from management activities involving O&C Trust lands. All annual revenues generated in excess of operating costs and payments to O&C Trust counties required by subsection (a) and payments into the Conservation Fund as provided in subsection (c) shall be deposited in the Reserve Fund.

(3) EXPENDITURES FROM RESERVE FUND.—The Board of Trustees shall use amounts in the Reserve Fund only—

(A) to pay management and administrative expenses or capital improvement costs on O&C Trust lands; and

(B) to make payments to O&C Trust counties when payments to the counties under subsection (a) are projected to be 90 percent or less of the previous year's payments.

(c) O&C TRUST CONSERVATION FUND.—

(1) ESTABLISHMENT OF CONSERVATION FUND.—The Board of Trustees shall use a portion of revenues generated from activity on the O&C Trust lands, consistent with paragraph (2), to establish and maintain a O&C Trust Conservation Fund. The O&C Trust Conservation Fund shall include no Federal appropriations.

(2) REVENUES.—Following the transition period, five percent of the O&C Trust's annual net operating revenue, after deduction of all management costs and expenses, including the payment required under section 317, shall be deposited to the O&C Trust Conservation Fund.

(3) EXPENDITURES FROM CONSERVATION FUND.—The Board of Trustees shall use amounts from the O&C Trust Conservation Fund only—

(A) to fund the voluntary acquisition of conservation easements from willing private landowners in the State;

(B) to fund watershed restoration, remediation and enhancement projects within the State; or

(C) to contribute to balancing values in a land exchange with willing private landowners proposed under section 323(b), if the land exchange will result in a net increase in ecosystem benefits for fish, wildlife, or rare native plants.

SEC. 316. LAND EXCHANGE AUTHORITY.

(a) AUTHORITY.—Subject to approval by the Secretary concerned, the Board of Trustees may negotiate proposals for land exchanges with owners of lands adjacent to O&C Trust lands in order to create larger contiguous blocks of land under management by the O&C Trust to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) APPROVAL REQUIRED; CRITERIA.—The Secretary concerned may approve a land exchange proposed by the Board of Trustees administratively if the exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high timber production value, or are necessary for more efficient or effective management of adjacent or nearby O&C Trust lands.

(3) The non-Federal lands have equal or greater value to the O&C Trust lands proposed for exchange.

(4) The proposed exchange is reasonably likely to increase the net income to the O&C Trust counties over the next 20 years and not decrease the net income to the O&C Trust counties over the next 10 years.

(c) ACREAGE LIMITATION.—The Secretary concerned shall not approve land exchanges under this section that, taken together with all previous exchanges involving the O&C Trust lands, have the effect of reducing the total acreage of the O&C Trust lands by more than five percent from the total acreage to be designated as O&C Trust land under section 311(c)(1).

(d) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

(e) EXCHANGES WITH FOREST SERVICE.—

(1) EXCHANGES AUTHORIZED.—The Board of Trustees is authorized to engage in land exchanges with the Forest Service if approved by the Secretary pursuant to section 323(c).

(2) MANAGEMENT OF EXCHANGED LANDS.—Following completion of a land exchange under paragraph (1), the management requirements applicable to the newly acquired lands by the O&C Trust or the Forest Service shall be the same requirements under this subtitle applicable to the other lands that are managed by the O&C Board or the Forest Service.

SEC. 317. PAYMENTS TO THE UNITED STATES TREASURY.

As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, the O&C Trust shall submit a payment of $10,000,000 to the United States Treasury.

CHAPTER 2—TRANSFER OF CERTAIN LANDS TO FOREST SERVICE

SEC. 321. TRANSFER OF CERTAIN OREGON AND CALIFORNIA RAILROAD GRANT LANDS TO FOREST SERVICE.

(a) TRANSFER REQUIRED.—The Secretary of the Interior shall transfer administrative jurisdiction over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands not designated as O&C Trust lands by subparagraphs (A) through (F) of section 311(c)(1), including those lands excluded by section 311(c)(2), to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

(b) EXCEPTION.—This section does not apply to Tribal lands transferred under subtitle D.

SEC. 322. MANAGEMENT OF TRANSFERRED LANDS BY FOREST SERVICE.

(a) ASSIGNMENT TO EXISTING NATIONAL FORESTS.—To the greatest extent practicable, management responsibilities for the lands transferred under section 321 shall be assigned to the unit of the National Forest System geographically closest to the transferred lands. The Secretary of Agriculture shall have ultimate decision-making authority, but shall assign the transferred lands to a unit not later than the applicable transfer date provided in the transition period.

(b) APPLICATION OF NORTHWEST FOREST PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (2), the lands transferred under section 321 shall be managed under the Northwest Forest Plan and shall retain Northwest Forest Plan land use designations until or unless changed in the manner provided by Federal laws applicable to the administration and management of the National Forest System.

(2) EXCEPTION FOR CERTAIN DESIGNATED LANDS.—The lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2) and transferred to the Forest Service under section 321 shall be managed as provided by Federal laws applicable to the lands.

(c) PROTECTION OF OLD GROWTH.—Old growth, as defined by the Old Growth Review Panel pursuant to rulemaking conducted in accordance with section 553 of title 5, United States Code, shall not be harvested by the Forest Service on lands transferred under section 321.

(d) EMERGENCY RESPONSE TO FIRE.—Subject to section 314(i), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary for the protection of forestland against fire, and within whose protection area the fire exists, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

SEC. 323. MANAGEMENT EFFICIENCIES AND EXPEDITED LAND EXCHANGES.

(a) LAND EXCHANGE AUTHORITY.—The Secretary of Agriculture may conduct land exchanges involving lands transferred under section 321, other than the lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2), in order create larger contiguous blocks of land under management of the Secretary to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) CRITERIA FOR EXCHANGES WITH NON-FEDERAL OWNERS.—The Secretary of Agriculture may conduct a land exchange administratively under this section with a non-Federal owner (other than the O&C Trust) if the land exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high wildlife conservation or recreation value or the exchange is necessary to increase management efficiencies of lands administered by the Forest Service for the purposes of the National Forest System.

(3) The non-Federal lands have equal or greater value to the Federal lands purposed for exchange or a balance of values can be achieved—

(A) with a grant of funds provided by the O&C Trust pursuant to section 315(c); or

(B) from other sources.

(c) CRITERIA FOR EXCHANGES WITH O&C TRUST.—The Secretary of Agriculture may conduct land exchanges with the Board of Trustees administratively under this subsection, and such an exchange shall be deemed to not involve any Federal action or Federal discretionary involvement or control if the land exchange with the O&C Trust meets the following criteria:

(1) The O&C Trust lands to be exchanged have high wildlife value or ecological value or the exchange would facilitate resource management or otherwise contribute to the management efficiency of the lands administered by the Forest Service.

(2) The exchange is requested or approved by the Board of Trustees for the O&C Trust and will not impair the ability of the Board of Trustees to meet its fiduciary responsibilities.

(3) The lands to be exchanged by the Forest Service do not contain stands of timber meeting the definition of old growth established by the Old Growth Review Panel pursuant to section 324.

(4) The lands to be exchanged are equal in acreage.

(d) ACREAGE LIMITATION.—The Secretary of Agriculture shall not approve land exchanges under this section that, taken together with all previous exchanges involving the lands described in subsection (a), have the effect of reducing the total acreage of such lands by more than five percent from the total acreage originally transferred to the Secretary.

(e) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

SEC. 324. REVIEW PANEL AND OLD GROWTH PROTECTION.

(a) APPOINTMENT; MEMBERS.—Within 60 days after the date of the enactment of this Act the Secretary of Agriculture shall appoint an Old Growth Review Panel consisting of five members. At a minimum, the members must hold a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and published peer-reviewed academic articles in their field of expertise.

(b) PURPOSE OF REVIEW.—Members of the Old Growth Review Panel shall review existing, published, peer-reviewed articles in relevant academic journals and establish a definition or definitions of old growth as it applies to the ecologically, geographically and climatologically unique Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service only. The definition or definitions shall bear no legal force, shall not be used as a precedent for, and shall not apply to any lands other than the Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service in western Oregon. The definition or definitions shall not apply to Tribal lands.

(c) SUBMISSION OF RESULTS.—The definition or definitions for old growth in western Oregon established under subsection (b), if approved by at least four members of the Old Growth Review Panel, shall be submitted to the Secretary of Agriculture within six months after the date of the enactment of this Act.

SEC. 325. UNIQUENESS OF OLD GROWTH PROTECTION ON OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

All sections of this subtitle referring to the term ''old growth'' are uniquely suited to resolve management issues for the lands covered by this subtitle only, and shall not be construed as precedent for any other situation involving management of other Federal, State, Tribal, or private lands.

CHAPTER 3—TRANSITION

SEC. 331. TRANSITION PERIOD AND OPERATIONS.

(a) TRANSITION PERIOD.—

(1) COMMENCEMENT; DURATION.—Effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees under section 313, a transition period of three fiscal years shall commence.

(2) EXCEPTIONS.—Unless specifically stated in the following subsections, any action under this section shall be deemed not to involve Federal agency action or Federal discretionary involvement or control.

(b) YEAR ONE.—

(1) APPLICABILITY.—During the first fiscal year of the transition period, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES ACTIVITIES.—The Board of Trustees shall employ sufficient staff or contractors to prepare for beginning management of O&C Trust lands and O&C Region Public Domain lands in the second fiscal year of the transition period, including preparation of management plans and a harvest schedule for the lands over which management authority is transferred to the O&C Trust in the second fiscal year.

(3) FOREST SERVICE ACTIVITIES.—The Forest Service shall begin preparing to assume management authority of all Oregon and California Railroad Grant lands and O&C Region Public Domain lands transferred under section 321 in the second fiscal year.

(4) SECRETARY CONCERNED ACTIVITIES.—The Secretary concerned shall continue to exercise management authority over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands under all existing Federal laws.

(5) INFORMATION SHARING.—Upon written request from the Board of Trustees, the Secretary of the Interior shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(6) EXCEPTION.—This subsection does not apply to Tribal lands transferred under subtitle D.

(c) YEAR TWO.—

(1) APPLICABILITY.—During the second fiscal year of the transition period, the activities described in this subsection shall occur.

(2) TRANSFER OF O&C TRUST LANDS.—Effective on October 1 of the second fiscal year of the transition period, management authority over the O&C Trust lands shall be transferred to the O&C Trust.

(3) TRANSFER OF LANDS TO FOREST SERVICE.—The transfers required by section 321 shall occur.

(4) INFORMATION SHARING.—The Secretary of Agriculture shall obtain and manage, as soon as practicable, all documents and data relating to the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, and Coos Bay Wagon Road lands previously managed by the Bureau of Land Management. Upon written request from the Board of Trustees, the Secretary of Agriculture shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(5) IMPLEMENTATION OF MANAGEMENT PLAN.—The Board of Trustees shall begin implementing its management plan for the O&C Trust lands and revise the plan as necessary. Distribution of revenues generated from all activities on the O&C Trust lands shall be subject to section 315.

(d) YEAR THREE AND SUBSEQUENT YEARS.—

(1) APPLICABILITY.—During the third fiscal year of the transition period and all subsequent fiscal years, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES MANAGEMENT.—The Board of Trustees shall manage the O&C Trust lands pursuant to subtitle A.

SEC. 332. O&C TRUST MANAGEMENT CAPITALIZATION.

(a) BORROWING AUTHORITY.—The Board of Trustees is authorized to borrow from any available private sources and non-Federal, public sources in order to provide for the costs of organization, administration, and management of the O&C Trust during the three-year transition period provided in section 331.

(b) SUPPORT.—Notwithstanding any other provision of law, O&C Trust counties are authorized to loan to the O&C Trust, and the Board of Trustees is authorized to borrow from willing O&C Trust counties, amounts held on account by such counties that are required to be expended in accordance with the Act of May 23,1908 (35 Stat. 260; 16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500), except that, upon repayment by the O&C Trust, the obligation of such counties to expend the funds in accordance with such Acts shall continue to apply.

SEC. 333. EXISTING BUREAU OF LAND MANAGEMENT AND FOREST SERVICE CONTRACTS.

(a) TREATMENT OF EXISTING CONTRACTS.—Any work or timber contracts sold or awarded by the Bureau of Land Management or Forest Service on or with respect to Oregon and California Railroad Grant lands or O&C Region Public Domain lands before the transfer of the lands to the O&C Trust or the Forest Service, or Tribal lands transferred under subtitle D, shall remain binding and effective according to the terms of the contracts after the transfer of the lands. The Board of Trustees and Secretary concerned shall make such accommodations as are necessary to avoid interfering in any way with the performance of the contracts.

(b) TREATMENT OF PAYMENTS UNDER CONTRACTS.—Payments made pursuant to the contracts described in subsection (a), if any, shall be made as provided in those contracts and not made to the O&C Trust.

SEC. 334. PROTECTION OF VALID EXISTING RIGHTS AND ACCESS TO NON-FEDERAL LAND.

(a) VALID RIGHTS.—Nothing in this title, or any amendment made by this title, shall be construed as terminating any valid lease, permit, patent, right-of-way, agreement, or other right of authorization existing on the date of the enactment of this Act with regard to Oregon and California Railroad Grant lands or O&C Region Public Domain lands, including O&C Trust lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1), lands transferred to the Forest Service under section 321, and Tribal lands transferred under subtitle D.

(b) ACCESS TO LANDS.—

(1) EXISTING ACCESS RIGHTS.—The Secretary concerned shall preserve all rights of access and use, including (but not limited to) reciprocal right-of-way agreements, tail hold agreements, or other right-of-way or easement obligations existing on the date of the enactment of this Act, and such rights shall remain applicable to lands covered by this subtitle in the same manner and to the same extent as such rights applied before the date of the enactment of this Act.

(2) NEW ACCESS RIGHTS.—If a current or future landowner of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands does not have an existing access agreement related to the lands covered by this subtitle, the Secretary concerned shall enter into an access agreement, including appurtenant lands, to secure the landowner the reasonable use and enjoyment of the landowner's land, including the harvest and hauling of timber.

(c) MANAGEMENT COOPERATION.—The Board of Trustees and the Secretary concerned shall provide current and future landowners of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands the permission needed to manage their lands, including to locate tail holds, tramways, and logging wedges, to purchase guylines, and to cost-share property lines surveys to the lands covered by this subtitle, within 30 days after receiving notification of the landowner's plan of operation.

(d) JUDICIAL REVIEW.—Notwithstanding section 312(g)(2), a private landowner may obtain judicial review of a decision of the Board of Trustees to deny—

(1) the landowner the rights provided by subsection (b) regarding access to the landowner's land; or

(2) the landowner the reasonable use and enjoyment of the landowner's land.

SEC. 335. REPEAL OF SUPERSEDED LAW RELATING TO OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

(a) REPEAL.—Except as provided in subsection (b), the Act of August 28, 1937 (43 U.S.C. 1181a et seq.) is repealed effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees.

(b) EFFECT OF CERTAIN COURT RULINGS.—If, as a result of judicial review authorized by section 312, any provision of this subtitle is held to be invalid and implementation of the provision or any activity conducted under the provision is then enjoined, the Act of August 28, 1937 (43 U.S.C. 1181a et seq.), as in effect immediately before its repeal by subsection (a), shall be restored to full legal force and effect as if the repeal had not taken effect.

Subtitle B—Coos Bay Wagon Roads

SEC. 341. TRANSFER OF MANAGEMENT AUTHORITY OVER CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO COOS COUNTY, OREGON.

(a) TRANSFER REQUIRED.—Except in the case of the lands described in subsection (b), the Secretary of the Interior shall transfer management authority over the Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and the surface resources thereon, to the Coos County government. The transfer shall be completed not later than one year after the date of the enactment of this Act.

(b) LANDS EXCLUDED.—The transfer under subsection (a) shall not include any of the following Coos Bay Wagon Road Grant lands:

(1) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(2) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(3) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(4) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(5) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(6) All stands of timber generally older than 125 years old, as of January 1, 2011, which shall be conclusively determined by reference to the polygon spatial data layer in the electronic data compilation filed by the Bureau of Land Management based on the predominant birth-date attribute, and the boundaries of such stands shall be conclusively determined for all purposes by the global positioning system coordinates for such stands.

(7) Tribal lands addressed in subtitle D.

(c) MANAGEMENT.—

(1) IN GENERAL.—Coos County shall manage the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) consistent with section 314, and for purposes of applying such section, ''Board of Trustees'' shall be deemed to mean ''Coos County'' and ''O&C Trust lands'' shall be deemed to mean the transferred lands.

(2) RESPONSIBILITY FOR MANAGEMENT COSTS.—Coos County shall be responsible for all management and administrative costs of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a).

(3) MANAGEMENT CONTRACTS.—Coos County may contract, if competitively bid, with one or more public, private, or tribal entities, including (but not limited to) the Coquille Indian Tribe, if such entities are substantially based in Coos or Douglas Counties, Oregon, to manage and administer the lands.

(d) TREATMENT OF REVENUES.—

(1) IN GENERAL.—All revenues generated from the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) shall be deposited in the general fund of the Coos County treasury to be used as are other unrestricted county funds.

(2) TREASURY.—As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, Coos County shall submit a payment of $400,000 to the United States Treasury.

(3) DOUGLAS COUNTY.—Beginning with the first fiscal year for which management of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) generates net positive revenues, and for all subsequent fiscal years, Coos County shall transmit a payment to the general fund of the Douglas County treasury from the net revenues generated from the lands. The payment shall be made as soon as practicable following the end of each fiscal year and the amount of the payment shall bear the same proportion to total net revenues for the fiscal year as the proportion of the Coos Bay Wagon Road Grant lands in Douglas County in relation to all Coos Bay Wagon Road Grant lands in Coos and Douglas Counties as of January 1, 2013.

SEC. 342. TRANSFER OF CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO FOREST SERVICE.

The Secretary of the Interior shall transfer administrative jurisdiction over the Coos Bay Wagon Road Grant lands excluded by paragraphs (1) through (6) of section 341(b) to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

SEC. 343. LAND EXCHANGE AUTHORITY.

Coos County may recommend land exchanges to the Secretary of Agriculture and carry out such land exchanges in the manner provided in section 316.

Subtitle C—Oregon Treasures

CHAPTER 1—WILDERNESS AREAS

SEC. 351. DESIGNATION OF DEVIL'S STAIRCASE WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal land in the State of Oregon administered by the Forest Service and the Bureau of Land Management, comprising approximately 30,520 acres, as generally depicted on the map titled ''Devil's Staircase Wilderness Proposal'', dated October 26, 2009, are designated as a wilderness area for inclusion in the National Wilderness Preservation System and to be known as the ''Devil's Staircase Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of wilderness area designated by subsection (a). The map and legal description shall have the same force and effect as if included in this subdivision, except that the Secretary may correct clerical and typographical errors in the map and description. In the case of any discrepancy between the acreage specified in subsection (a) and the map, the map shall control. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the Devil's Staircase Wilderness Area shall be administered by the Secretaries of Agriculture and the Interior, in accordance with the Wilderness Act and the Oregon Wilderness Act of 1984, except that, with respect to the wilderness area, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(2) FOREST SERVICE ROADS.—As provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary of Agriculture shall—

(A) decommission any National Forest System road within the wilderness boundaries; and

(B) convert Forest Service Road 4100 within the wilderness boundary to a trail for primitive recreational use.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of the wilderness area designated by this section that is acquired by the United States shall—

(1) become part of the Devil's Staircase Wilderness Area; and

(2) be managed in accordance with this section and any other applicable law.

(e) FISH AND WILDLIFE.—Nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State of Oregon with respect to wildlife and fish in the national forests.

(f) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness area by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section shall be construed to diminish—

(1) the existing rights of any Indian tribe; or

(2) tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

SEC. 352. EXPANSION OF WILD ROGUE WILDERNESS AREA.

(a) EXPANSION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Bureau of Land Management, comprising approximately 58,100 acres, as generally depicted on the map entitled ''Wild Rogue'', dated September 16, 2010, are hereby included in the Wild Rogue Wilderness, a component of the National Wilderness Preservation System.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and a legal description of the wilderness area designated by this section, with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary of Agriculture in accordance

with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

CHAPTER 2—WILD AND SCENIC RIVER DESIGNATED AND RELATED PROTECTIONS

SEC. 361. WILD AND SCENIC RIVER DESIGNATIONS, MOLALLA RIVER.

(a) DESIGNATIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) MOLALLA RIVER, OREGON.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

''(A) The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

''(B) The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary line in the NE¼ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.''.

(b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(1) in the heading, by striking ''SQUAW CREEK'' and inserting ''WHYCHUS CREEK'';

(2) in the matter preceding subparagraph (A), by striking ''McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork'' and inserting ''Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek''; and

(3) in subparagraph (B), by striking ''McAllister Ditch'' and inserting ''Plainview Ditch''.

SEC. 362. WILD AND SCENIC RIVERS ACT TECHNICAL CORRECTIONS RELATED TO CHETCO RIVER.

Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended—

(1) by inserting before the ''The 44.5-mile'' the following:

''(A) DESIGNATIONS.—'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively (and by moving the margins 2 ems to the right);

(3) in clause (i), as redesignated—

(A) by striking ''25.5-mile'' and inserting ''27.5-mile''; and

(B) by striking ''Boulder Creek at the Kalmiopsis Wilderness boundary'' and inserting ''Mislatnah Creek'';

(4) in clause (ii), as redesignated—

(A) by striking ''8'' and inserting ''7.5'';

(B) by striking ''Boulder Creek'' and inserting ''Mislatnah Creek''; and

(C) by striking ''Steel Bridge'' and inserting ''Eagle Creek'';

(5) in clause (iii), as redesignated—

(A) by striking ''11'' and inserting ''9.5''; and

(B) by striking ''Steel Bridge'' and inserting ''Eagle Creek''; and

(6) by adding at the end the following:

''(B) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A), is withdrawn from all forms of—

''(i) entry, appropriation, or disposal under the public land laws;

''(ii) location, entry, and patent under the mining laws; and

''(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.''.

SEC. 363. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from the headwaters to the private land boundary in section 8 to be administered by the Secretary of Agriculture as a wild river.

''(____) WASSON CREEK, OREGON.—

''(A) The 4.2-mile segment from the eastern edge of section 17 downstream to the boundary of sections 11 and 12 to be administered by the Secretary of Interior as a wild river.

''(B) The 5.9-mile segment downstream from the boundary of sections 11 and 12 to the private land boundary in section 22 to be administered by the Secretary of Agriculture as a wild river.''.

SEC. 364. WILD AND SCENIC RIVER DESIGNATIONS, ROGUE RIVER AREA.

(a) DESIGNATIONS.—Section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (relating to the Rogue River, Oregon) is amended by adding at the end the following: ''In addition to the segment described in the previous sentence, the following segments in the Rogue River area are designated:

''(A) KELSEY CREEK.—The approximately 4.8 miles of Kelsey Creek from east section line of T32S, R9W, sec. 34, W.M. to the confluence with the Rogue River as a wild river.

''(B) EAST FORK KELSEY CREEK.—The approximately 4.6 miles of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 5, W.M. to the confluence with Kelsey Creek as a wild river.

''(C) WHISKY CREEK.—

''(i) The approximately 0.6 miles of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33–8–23 as a recreational river.

''(ii) The approximately 1.9 miles of Whisky Creek from 0.1 miles downstream from road 33–8–23 to the confluence with the Rogue River as a wild river.

''(D) EAST FORK WHISKY CREEK.—

''(i) The approximately 2.8 miles of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 11, W.M. to 0.1 miles downstream of road 33–8–26 crossing as a wild river.

''(ii) The approximately .3 miles of East Fork Whisky Creek from 0.1 miles downstream of road 33–8–26 to the confluence with Whisky Creek as a recreational river.

''(E) WEST FORK WHISKY CREEK.—The approximately 4.8 miles of West Fork Whisky Creek from its headwaters to the confluence with Whisky Creek as a wild river.

''(F) BIG WINDY CREEK.—

''(i) The approximately 1.5 miles of Big Windy Creek from its headwaters to 0.1 miles downstream from road 34–9–17.1 as a scenic river.

''(ii) The approximately 5.8 miles of Big Windy Creek from 0.1 miles downstream from road 34–9–17.1 to the confluence with the Rogue River as a wild river.

''(G) EAST FORK BIG WINDY CREEK.—

''(i) The approximately 0.2 miles of East Fork Big Windy Creek from its headwaters to 0.1 miles downstream from road 34–8–36 as a scenic river.

''(ii) The approximately 3.7 miles of East Fork Big Windy Creek from 0.1 miles downstream from road 34–8–36 to the confluence with Big Windy Creek as a wild river.

''(H) LITTLE WINDY CREEK.—The approximately 1.9 miles of Little Windy Creek from 0.1 miles downstream of road 34–8–36 to the confluence with the Rogue River as a wild river.

''(I) HOWARD CREEK.—

''(i) The approximately 0.3 miles of Howard Creek from its headwaters to 0.1 miles downstream of road 34–9–34 as a scenic river.

''(ii) The approximately 6.9 miles of Howard Creek from 0.1 miles downstream of road 34–9–34 to the confluence with the Rogue River as a wild river.

''(J) MULE CREEK.—The approximately 6.3 miles of Mule Creek from east section line of T32S, R10W, sec. 25, W.M. to the confluence with the Rogue River as a wild river.

''(K) ANNA CREEK.—The approximately 3.5-mile section of Anna Creek from its headwaters to the confluence with Howard Creek as a wild river.

''(L) MISSOURI CREEK.—The approximately 1.6 miles of Missouri Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 24, W.M. to the confluence with the Rogue River as a wild river.

''(M) JENNY CREEK.—The approximately 1.8 miles of Jenny Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 28, W.M. to the confluence with the Rogue River as a wild river.

''(N) RUM CREEK.—The approximately 2.2 miles of Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 9, W.M. to the confluence with the Rogue River as a wild river.

''(O) EAST FORK RUM CREEK.—The approximately 1.5 miles of East Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 10, W.M. to the confluence with Rum Creek as a wild river.

''(P) WILDCAT CREEK.—The approximately 1.7-mile section of Wildcat Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(Q) MONTGOMERY CREEK.—The approximately 1.8-mile section of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(R) HEWITT CREEK.—The approximately 1.2 miles of Hewitt Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 19, W.M. to the confluence with the Rogue River as a wild river.

''(S) BUNKER CREEK.—The approximately 6.6 miles of Bunker Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(T) DULOG CREEK.—

''(i) The approximately 0.8 miles of Dulog Creek from its headwaters to 0.1 miles downstream of road 34–8–36 as a scenic river.

''(ii) The approximately 1.0 miles of Dulog Creek from 0.1 miles downstream of road 34–8–36 to the confluence with the Rogue River as a wild river.

''(U) QUAIL CREEK.—The approximately 1.7 miles of Quail Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 1, W.M. to the confluence with the Rogue River as a wild river.

''(V) MEADOW CREEK.—The approximately 4.1 miles of Meadow Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(W) RUSSIAN CREEK.—The approximately 2.5 miles of Russian Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 20, W.M. to the confluence with the Rogue River as a wild river.

''(X) ALDER CREEK.—The approximately 1.2 miles of Alder Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(Y) BOOZE CREEK.—The approximately 1.5 miles of Booze Creek from its headwaters to

the confluence with the Rogue River as a wild river.

''(Z) BRONCO CREEK.—The approximately 1.8 miles of Bronco Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(AA) COPSEY CREEK.—The approximately 1.5 miles of Copsey Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(BB) CORRAL CREEK.—The approximately 0.5 miles of Corral Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(CC) COWLEY CREEK.—The approximately 0.9 miles of Cowley Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(DD) DITCH CREEK.—The approximately 1.8 miles of Ditch Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 5, W.M. to its confluence with the Rogue River as a wild river.

''(EE) FRANCIS CREEK.—The approximately 0.9 miles of Francis Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(FF) LONG GULCH.—The approximately 1.1 miles of Long Gulch from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 23, W.M. to the confluence with the Rogue River as a wild river.

''(GG) BAILEY CREEK.—The approximately 1.7 miles of Bailey Creek from the west section line of T34S, R8W, sec. 14, W.M. to the confluence of the Rogue River as a wild river.

''(HH) SHADY CREEK.—The approximately 0.7 miles of Shady Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(II) SLIDE CREEK.—

''(i) The approximately 0.5-mile section of Slide Creek from its headwaters to 0.1 miles downstream from road 33–9–6 as a scenic river.

''(ii) The approximately 0.7-mile section of Slide Creek from 0.1 miles downstream of road 33–9–6 to the confluence with the Rogue River as a wild river.''.

(b) MANAGEMENT.—All wild, scenic, and recreation classified segments designated by the amendment made by subsection (a) shall be managed as part of the Rogue Wild and Scenic River.

(c) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by the amendment made by subsection (a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 365. ADDITIONAL PROTECTIONS FOR ROGUE RIVER TRIBUTARIES.

(a) WITHDRAWAL.—Subject to valid rights, the Federal land within a quarter-mile on each side of the streams listed in subsection (b) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(b) STREAM SEGMENTS.—Subsection (a) applies the following tributaries of the Rogue River:

(1) KELSEY CREEK.—The approximately 4.5 miles of Kelsey Creek from its headwaters to the east section line of 32S 9W sec. 34.

(2) EAST FORK KELSEY CREEK.—The approximately .2 miles of East Fork Kelsey Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 5.

(3) EAST FORK WHISKY CREEK.—The approximately .7 miles of East Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W section 11.

(4) LITTLE WINDY CREEK.—The approximately 1.2 miles of Little Windy Creek from its headwaters to west section line of 33S 9W sec. 34.

(5) MULE CREEK.—The approximately 5.1 miles of Mule Creek from its headwaters to east section line of 32S 10W sec. 25.

(6) MISSOURI CREEK.—The approximately 3.1 miles of Missouri Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 24.

(7) JENNY CREEK.—The approximately 3.1 miles of Jenny Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 28.

(8) RUM CREEK.—The approximately 2.2 miles of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 9.

(9) EAST FORK RUM CREEK.—The approximately .5 miles of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 10.

(10) HEWITT CREEK.—The approximately 1.4 miles of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 19.

(11) QUAIL CREEK.—The approximately .8 miles of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 1.

(12) RUSSIAN CREEK.—The approximately .1 miles of Russian Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 20.

(13) DITCH CREEK.—The approximately .7 miles of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 5.

(14) LONG GULCH.—The approximately 1.4 miles of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 23.

(15) BAILEY CREEK.—The approximately 1.4 miles of Bailey Creek from its headwaters to west section line of 34S 8W sec. 14.

(16) QUARTZ CREEK.—The approximately 3.3 miles of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek.

(17) NORTH FORK GALICE CREEK.—The approximately 5.7 miles of the North Fork Galice Creek from its headwaters to its confluence with Galice Creek.

(18) GRAVE CREEK.—The approximately 10.2 mile section of Grave Creek from the confluence of Wolf Creek downstream to the confluence with the Rogue River.

(19) CENTENNIAL GULCH.—The approximately 2.2 miles of Centennial Gulch from its headwaters to its confluence with the Rogue River.

CHAPTER 3—ADDITIONAL PROTECTIONS

SEC. 371. LIMITATIONS ON LAND ACQUISITION.

(a) PROHIBITION ON USE OF CONDEMNATION.—The Secretary of the Interior or the Secretary of Agriculture may not acquire by condemnation any land or interest within the boundaries of the river segments or wilderness designated by this subtitle.

(b) LANDOWNER CONSENT REQUIRED.—Private or non-Federal public property shall not be included within the boundaries of the river segments or wilderness designated by this subtitle unless the owner of the property has consented in writing to having that property included in such boundaries.

SEC. 372. OVERFLIGHTS.

(a) IN GENERAL.—Nothing in this subtitle or the Wilderness Act shall preclude low-level overflights and operations of military aircraft, helicopters, missiles, or unmanned aerial vehicles over the wilderness designated by this subtitle, including military overflights and operations that can be seen or heard within the wilderness.

(b) SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle or the Wilderness Act shall preclude the designation of new units of special use airspace, the expansion of existing units of special use airspace, or the use or establishment of military training routes over wilderness designated by this subtitle.

SEC. 373. BUFFER ZONES.

Nothing in this subtitle—

(1) establishes or authorizes the establishment of a protective perimeter or buffer zone around the boundaries of the river segments or wilderness designated by this subtitle; or

(2) precludes, limits, or restricts an activity from being conducted outside such boundaries, including an activity that can be seen or heard from within such boundaries.

SEC. 374. PREVENTION OF WILDFIRES.

The designation of a river segment or wilderness by this subtitle or the withdrawal of the Federal land under this subtitle shall not be construed to interfere with the authority of the Secretary of the Interior or the Secretary of Agriculture to authorize mechanical thinning of trees or underbrush to prevent or control the spread of wildfires, or conditions creating the risk of wildfire that threatens areas outside the boundary of the wilderness, or the use of mechanized equipment for wildfire pre-suppression and suppression.

SEC. 375. LIMITATION ON DESIGNATION OF CERTAIN LANDS IN OREGON.

A national monument designation under the Act of June 8, 1906 (commonly known as the Antiquities Act; 16 U.S.C. 431 et seq.) within or on any portion of the Oregon and California Railroad Grant Lands or the O&C Region Public Domain lands, regardless of whether management authority over the lands are transferred to the O&C Trust pursuant to section 311(c)(1), the lands are excluded from the O&C Trust pursuant to section 311(c)(2), or the lands are transferred to the Forest Service under section 321, shall only be made pursuant to Congressional approval in an Act of Congress.

CHAPTER 4—EFFECTIVE DATE

SEC. 381. EFFECTIVE DATE.

(a) IN GENERAL.—This subtitle and the amendments made by this subtitle shall take effect on October 1 of the second fiscal year of the transition period.

(b) EXCEPTION.—If, as a result of judicial review authorized by section 312, any provision of subtitle A is held to be invalid and implementation of the provision or any activity conducted under the provision is enjoined, this subtitle and the amendments made by this subtitle shall not take effect, or if the effective date specified in subsection (a) has already occurred, this subtitle shall have no force and effect and the amendments made by this subtitle are repealed.

Subtitle D—Tribal Trust Lands

PART 1—COUNCIL CREEK LAND CONVEYANCE

SEC. 391. DEFINITIONS.

In this part:

(1) COUNCIL CREEK LAND.—The term ''Council Creek land'' means the approximately 17,519 acres of land, as generally depicted on the map entitled ''Canyon Mountain Land Conveyance'' and dated June 27, 2013.

(2) TRIBE.—The term ''Tribe'' means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 392. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right,

title, and interest of the United States in and to the Council Creek land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 393. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Council Creek land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subdivision, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 394. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Council Creek land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 392 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Council Creek land shall be managed in accordance with all applicable Federal laws.

PART 2—OREGON COASTAL LAND CONVEYANCE

SEC. 395. DEFINITIONS.

In this part:

(1) OREGON COASTAL LAND.—The term ''Oregon Coastal land'' means the approximately 14,804 acres of land, as generally depicted on the map entitled ''Oregon Coastal Land Conveyance'' and dated March 5, 2013.

(2) CONFEDERATED TRIBES.—The term ''Confederated Tribes'' means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 396. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Oregon Coastal land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Confederated Tribes; and

(2) part of the reservation of the Confederated Tribes.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 397. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Oregon Coastal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subdivision, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 398. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any right or claim of the Consolidated Tribes existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Oregon Coastal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 396 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Oregon Coastal land shall be managed in accordance with all applicable Federal laws.

TITLE IV—COMMUNITY FOREST MANAGEMENT DEMONSTRATION

SEC. 401. PURPOSE AND DEFINITIONS.

(a) PURPOSE.—The purpose of this title is to generate dependable economic activity for counties and local governments by establishing a demonstration program for local, sustainable forest management.

(b) DEFINITIONS.—In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Advisory Committee appointed by the Governor of a State for the community forest demonstration area established for the State.

(2) COMMUNITY FOREST DEMONSTRATION AREA.—The term ''community forest demonstration area'' means a community forest demonstration area established for a State under section 402.

(3) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture or the designee of the Secretary of Agriculture.

(5) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

SEC. 402. ESTABLISHMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ESTABLISHMENT REQUIRED; TIME FOR ESTABLISHMENT.—Subject to subsection (c) and not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall establish a community forest demonstration area at the request of the Advisory Committee appointed to manage community forest demonstration area land in that State.

(b) COVERED LAND.—

(1) INCLUSION OF NATIONAL FOREST SYSTEM LAND.—The community forest demonstration areas of a State shall consist of the National Forest System land in the State identified for inclusion by the Advisory Committee of that State.

(2) EXCLUSION OF CERTAIN LAND.—A community forest demonstration area shall not include National Forest System land—

(A) that is a component of the National Wilderness Preservation System;

(B) on which the removal of vegetation is specifically prohibited by Federal statute;

(C) National Monuments; or

(D) over which administration jurisdiction was first assumed by the Forest Service under title III.

(c) CONDITIONS ON ESTABLISHMENT.—

(1) ACREAGE REQUIREMENT.—A community forest demonstration area must include at least 200,000 acres of National Forest System land. If the unit of the National Forest System in which a community forest demonstration area is being established contains more than 5,000,000 acres, the community forest demonstration area may include 900,000 or more acres of National Forest System land.

(2) MANAGEMENT LAW OR BEST MANAGEMENT PRACTICES REQUIREMENT.—A community forest demonstration area may be established in a State only if the State—

(A) has a forest practices law applicable to State or privately owned forest land in the State; or

(B) has established silvicultural best management practices or other regulations for forest management practices related to clean water, soil quality, wildlife or forest health.

(3) REVENUE SHARING REQUIREMENT.—As a condition of the inclusion in a community forest demonstration area of National Forest System land located in a particular county in a State, the county must enter into an agreement with the Governor of the State that requires that, in utilizing revenues received by the county under section 406(b), the county shall continue to meet any obligations under applicable State law as provided under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) or as provided in the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500).

(d) TREATMENT UNDER CERTAIN OTHER LAWS.—National Forest System land included in a community forest demonstration area shall not be considered Federal land for purposes of—

(1) making payments to counties under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) title I.

(e) ACREAGE LIMITATION.—Not more than a total of 4,000,000 acres of National Forest System land may be established as community forest demonstration areas.

(f) RECOGNITION OF VALID AND EXISTING RIGHTS.—Nothing in this title shall be construed to limit or restrict—

(1) access to National Forest System land included in a community forest demonstration area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding such National Forest System land, including

rights of any federally recognized Indian tribe.

SEC. 403. ADVISORY COMMITTEE.

(a) APPOINTMENT.—A community forest demonstration area for a State shall be managed by an Advisory Committee appointed by the Governor of the State.

(b) COMPOSITION.—The Advisory Committee for a community forest demonstration area in a State shall include, but is not limited to, the following members:

(1) One member who holds county or local elected office, appointed from each county or local governmental unit in the State containing community forest demonstration area land.

(2) One member who represents the commercial timber, wood products, or milling industry.

(3) One member who represents persons holding Federal grazing or other land use permits.

(4) One member who represents recreational users of National Forest System land.

(c) TERMS.—

(1) IN GENERAL.—Except in the case of certain initial appointments required by paragraph (2), members of an Advisory Committee shall serve for a term of three years.

(2) INITIAL APPOINTMENTS.—In making initial appointments to an Advisory Committee, the Governor making the appointments shall stagger terms so that at least one-third of the members will be replaced every three years.

(d) COMPENSATION.—Members of a Advisory Committee shall serve without pay, but may be reimbursed from the funds made available for the management of a community forest demonstration area for the actual and necessary travel and subsistence expenses incurred by members in the performance of their duties.

SEC. 404. MANAGEMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ASSUMPTION OF MANAGEMENT.—

(1) CONFIRMATION.—The Advisory Committee appointed for a community forest demonstration area shall assume all management authority with regard to the community forest demonstration area as soon as the Secretary confirms that—

(A) the National Forest System land to be included in the community forest demonstration area meets the requirements of subsections (b) and (c) of section 402;

(B) the Advisory Committee has been duly appointed under section 403 and is able to conduct business; and

(C) provision has been made for essential management services for the community forest demonstration area.

(2) SCOPE AND TIME FOR CONFIRMATION.—The determination of the Secretary under paragraph (1) is limited to confirming whether the conditions specified in subparagraphs (A) and (B) of such paragraph have been satisfied. The Secretary shall make the determination not later than 60 days after the date of the appointment of the Advisory Committee.

(3) EFFECT OF FAILURE TO CONFIRM.—If the Secretary determines that either or both conditions specified in subparagraphs (A) and (B) of paragraph (1) are not satisfied for confirmation of an Advisory Committee, the Secretary shall—

(A) promptly notify the Governor of the affected State and the Advisory Committee of the reasons preventing confirmation; and

(B) make a new determination under paragraph (2) within 60 days after receiving a new request from the Advisory Committee that addresses the reasons that previously prevented confirmation.

(b) MANAGEMENT RESPONSIBILITIES.—Upon assumption of management of a community forest demonstration area, the Advisory Committee for the community forest demonstration area shall manage the land and resources of the community forest demonstration area and the occupancy and use thereof in conformity with this title, and to the extent not in conflict with this title, the laws and regulations applicable to management of State or privately-owned forest lands in the State in which the community forest demonstration area is located.

(c) APPLICABILITY OF OTHER FEDERAL LAWS.—

(1) IN GENERAL.—The administration and management of a community forest demonstration area, including implementing actions, shall not be considered Federal action and shall be subject to the following only to the extent that such laws apply to the State or private administration and management of forest lands in the State in which the community forest demonstration area is located:

(A) The Federal Water Pollution Control Act (33 U.S.C. 1251 note).

(B) The Clean Air Act (42 U.S.C. 7401 et seq.).

(C) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(D) Federal laws and regulations governing procurement by Federal agencies.

(E) Except as provided in paragraph (2), other Federal laws.

(2) APPLICABILITY OF NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.—Notwithstanding the assumption by an Advisory Committee of management of a community forest demonstration area, the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall continue to apply to the National Forest System land included in the community forest demonstration area.

(d) CONSULTATION.—

(1) WITH INDIAN TRIBES.—The Advisory Committee for a community forest demonstration area shall cooperate and consult with Indian tribes on management policies and practices for the community forest demonstration area that may affect the Indian tribes. The Advisory Committee shall take into consideration the use of lands within the community forest demonstration area for religious and cultural uses by Native Americans.

(2) WITH COLLABORATIVE GROUPS.—The Advisory Committee for a community forest demonstration area shall consult with any applicable forest collaborative group.

(e) RECREATION.—Nothing in this section shall affect public use and recreation within a community forest demonstration area.

(f) FIRE MANAGEMENT.—The Secretary shall provide fire presuppression, suppression, and rehabilitation services on and with respect to a community forest demonstration area to the same extent generally authorized in other units of the National Forest System.

(g) PROHIBITION ON EXPORT.—As a condition on the sale of timber or other forest products from a community forest demonstration area, unprocessed timber harvested from a community forest demonstration area may not be exported in accordance with subpart F of part 223 of title 36, Code of Federal Regulations.

SEC. 405. DISTRIBUTION OF FUNDS FROM COMMUNITY FOREST DEMONSTRATION AREA.

(a) RETENTION OF FUNDS FOR MANAGEMENT.—The Advisory Committee appointed for a community forest demonstration area may retain such sums as the Advisory Committee considers to be necessary from amounts generated from that community forest demonstration area to fund the management, administration, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to the community forest demonstration area.

(b) FUNDS TO COUNTIES OR LOCAL GOVERNMENTAL UNITS.—Subject to subsection (a) and section 407, the Advisory Committee for a community forest demonstration area in a State shall distribute funds generated from that community forest demonstration area to each county or local governmental unit in the State in an amount proportional to the funds received by the county or local governmental unit under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

SEC. 406. INITIAL FUNDING AUTHORITY.

(a) FUNDING SOURCE.—Counties may use such sum as the counties consider to be necessary from the amounts made available to the counties under section 501 to provide initial funding for the management of community forest demonstration areas.

(b) NO RESTRICTION ON USE OF NON-FEDERAL FUNDS.—Nothing in this title restricts the Advisory Committee of a community forest demonstration area from seeking non-Federal loans or other non-Federal funds for management of the community forest demonstration area.

SEC. 407. PAYMENTS TO UNITED STATES TREASURY.

(a) PAYMENT REQUIREMENT.—As soon as practicable after the end of the fiscal year in which a community forest demonstration area is established and as soon as practicable after the end of each subsequent fiscal year, the Advisory Committee for a community forest demonstration area shall make a payment to the United States Treasury.

(b) PAYMENT AMOUNT.—The payment for a fiscal year under subsection (a) with respect to a community forest demonstration area shall be equal to 75 percent of the quotient obtained by dividing—

(1) the number obtained by multiplying the number of acres of land in the community forest demonstration area by the average annual receipts generated over the preceding 10-fiscal year period from the unit or units of the National Forest System containing that community forest demonstration area; by

(2) the total acres of National Forest System land in that unit or units of the National Forest System.

SEC. 408. TERMINATION OF COMMUNITY FOREST DEMONSTRATION AREA.

(a) TERMINATION AUTHORITY.—Subject to approval by the Governor of the State, the Advisory Committee for a community forest demonstration area may terminate the community forest demonstration area by a unanimous vote.

(b) EFFECT OF TERMINATION.—Upon termination of a community forest demonstration area, the Secretary shall immediately resume management of the National Forest System land that had been included in the community forest demonstration area, and the Advisory Committee shall be dissolved.

(c) TREATMENT OF UNDISTRIBUTED FUNDS.—Any revenues from the terminated area that remain undistributed under section 405 more than 30 days after the date of termination shall be deposited in the general fund of the Treasury for use by the Forest Service in such amounts as may be provided in advance in appropriation Acts.

TITLE V—REAUTHORIZATION AND AMENDMENT OF EXISTING AUTHORITIES AND OTHER MATTERS

SEC. 501. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 PENDING FULL OPERATION OF FOREST RESERVE REVENUE AREAS.

(a) BENEFICIARY COUNTIES.—During the month of February 2015, the Secretary of Agriculture shall distribute to each beneficiary

county (as defined in section 102(2)) a payment equal to the amount distributed to the beneficiary county for fiscal year 2010 under section 102(c)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(c)(1)).

(b) COUNTIES THAT WERE ELIGIBLE FOR DIRECT COUNTY PAYMENTS.—

(1) TOTAL AMOUNT AVAILABLE FOR PAYMENTS.—During the month of February 2015, the Secretary of the Interior shall distribute to all counties that received a payment for fiscal year 2010 under subsection (a)(2) of section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) payments in a total amount equal to the difference between—

(A) the total amount distributed to all such counties for fiscal year 2010 under subsection (c)(1) of such section; and

(B) $27,000,000.

(2) COUNTY SHARE.—From the total amount determined under paragraph (1), each county described in such paragraph shall receive, during the month of February 2015, an amount that bears the same proportion to the total amount made available under such paragraph as that county's payment for fiscal year 2010 under subsection (c)(1) of section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) bears to the total amount distributed to all such counties for fiscal year 2010 under such subsection.

(c) EFFECT ON 25-PERCENT AND 50-PERCENT PAYMENTS.—A county that receives a payment made under subsection (a) or (b) may not receive a 25-percent payment or 50-percent payment (as those terms are defined in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) for fiscal year 2015.

SEC. 502. RESTORING ORIGINAL CALCULATION METHOD FOR 25-PERCENT PAYMENTS.

(a) AMENDMENT OF ACT OF MAY 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) is amended in the first sentence—

(1) by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year'';

(2) by striking ''said reserve'' both places it appears and inserting ''the national forest''; and

(3) by striking ''forest reserve'' both places it appears and inserting ''national forest''.

(b) CONFORMING AMENDMENT TO WEEKS LAW.—Section 13 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500) is amended in the first sentence by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year''.

SEC. 503. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT GOOD-NEIGHBOR COOPERATION WITH STATES TO REDUCE WILDFIRE RISKS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that contains National Forest System land or land under the jurisdiction of the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(3) STATE FORESTER.—The term ''State forester'' means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS AUTHORIZED.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration, management, and protection services described in subsection (c) on National Forest System land or land under the jurisdiction of the Bureau of Land Management, as applicable, in the eligible State.

(c) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration, management, and protection services referred to in subsection (b) include the conduct of—

(1) activities to treat insect infected forests;

(2) activities to reduce hazardous fuels;

(3) activities involving commercial harvesting or other mechanical vegetative treatments; or

(4) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(d) STATE AS AGENT.—Except as provided in subsection (g), a cooperative agreement or contract entered into under subsection (b) may authorize the State forester to serve as the agent for the Secretary in providing the restoration, management, and protection services authorized under subsection (b).

(e) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration, management, and protection services authorized under a cooperative agreement or contract entered into under subsection (b).

(f) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under subsection (b).

(g) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration, management, or protection services to be provided under this section by a State forester on National Forest System land or Bureau of Land Management land, as applicable, shall not be delegated to a State forester or any other officer or employee of the eligible State.

(h) APPLICABLE LAW.—The restoration, management, and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service or Bureau of Land Management, as applicable.

SEC. 504. TREATMENT AS SUPPLEMENTAL FUNDING.

None of the funds made available to a beneficiary county (as defined in section 102(2)) or other political subdivision of a State under this subdivision shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.

SEC. 505. DEFINITION OF FIRE SUPPRESSION TO INCLUDE CERTAIN RELATED ACTIVITIES.

For purposes of utilizing amounts made available to the Secretary of Agriculture or the Secretary of the Interior for fire suppression activities, including funds made available from the FLAME Fund, the term ''fire suppression'' includes reforestation, site rehabilitation, salvage operations, and replanting occurring following fire damage on lands under the jurisdiction of the Secretary concerned or following fire suppression efforts on such lands by the Secretary concerned.

SEC. 506. PROHIBITION ON CERTAIN ACTIONS REGARDING FOREST SERVICE ROADS AND TRAILS.

The Forest Service shall not remove or otherwise eliminate or obliterate any legally created road or trail unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. The fact that any road or trail is a not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

SUBDIVISION B—NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION

SEC. 100. SHORT TITLE.

This subdivision may be cited as the ''National Strategic and Critical Minerals Production Act of 2014''.

SEC. 100A. FINDINGS.

Congress finds the following:

(1) The industrialization of China and India has driven demand for nonfuel mineral commodities, sparking a period of resource nationalism exemplified by China's reduction in exports of rare-earth elements necessary for telecommunications, military technologies, healthcare technologies, and conventional and renewable energy technologies.

(2) The availability of minerals and mineral materials are essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain.

(3) The exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security and general welfare of the Nation.

(4) The United States has vast mineral resources, but is becoming increasingly dependent upon foreign sources of these mineral materials, as demonstrated by the following:

(A) Twenty-five years ago the United States was dependent on foreign sources for 30 nonfuel mineral materials, 6 of which the United States imported 100 percent of the Nation's requirements, and for another 16 commodities the United States imported more than 60 percent of the Nation's needs.

(B) By 2011 the United States import dependence for nonfuel mineral materials had more than doubled from 30 to 67 commodities, 19 of which the United States imported 100 percent of the Nation's requirements, and for another 24 commodities, imported more than 50 percent of the Nation's needs.

(C) The United States share of worldwide mineral exploration dollars was 8 percent in 2011, down from 19 percent in the early 1990s.

(D) In the 2012 Ranking of Countries for Mining Investment, out of 25 major mining countries, the United States ranked last with Papua New Guinea in permitting delays, and towards the bottom regarding government take and social issues affecting mining.

SEC. 100B. DEFINITIONS.

In this subdivision:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals'' means minerals that are necessary—

(A) for national defense and national security requirements;

(B) for the Nation's energy infrastructure, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;

(C) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; or

(D) for the Nation's economic security and balance of trade.

(2) AGENCY.—The term ''agency'' means any agency, department, or other unit of

Federal, State, local, or tribal government, or Alaska Native Corporation.

(3) MINERAL EXPLORATION OR MINE PERMIT.—The term ''mineral exploration or mine permit'' includes plans of operation issued by the Bureau of Land Management and the Forest Service pursuant to 43 CFR 3809 and 36 CFR 228A or the authorities listed in 43 CFR 3503.13, respectively.

TITLE I—DEVELOPMENT OF DOMESTIC SOURCES OF STRATEGIC AND CRITICAL MINERALS

SEC. 101. IMPROVING DEVELOPMENT OF STRATEGIC AND CRITICAL MINERALS.

Domestic mines that will provide strategic and critical minerals shall be considered an ''infrastructure project'' as described in Presidential Order ''Improving Performance of Federal Permitting and Review of Infrastructure Projects'' dated March 22, 2012.

SEC. 102. RESPONSIBILITIES OF THE LEAD AGENCY.

(a) IN GENERAL.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall appoint a project lead who shall coordinate and consult with cooperating agencies and any other agency involved in the permitting process, project proponents and contractors to ensure that agencies minimize delays, set and adhere to timelines and schedules for completion of the permitting process, set clear permitting goals and track progress against those goals.

(b) DETERMINATION UNDER NEPA.—To the extent that the National Environmental Policy Act of 1969 applies to any mineral exploration or mine permit, the lead agency with responsibility for issuing a mineral exploration or mine permit shall determine that the action to approve the exploration or mine permit does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 if the procedural and substantive safeguards of the permitting process alone, any applicable State permitting process alone, or a combination of the two processes together provide an adequate mechanism to ensure that environmental factors are taken into account.

(c) COORDINATION ON PERMITTING PROCESS.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall enhance government coordination for the permitting process by avoiding duplicative reviews, minimizing paperwork and engaging other agencies and stakeholders early in the process. The lead agency shall consider the following best practices:

(1) Deferring to and relying upon baseline data, analyses and reviews performed by State agencies with jurisdiction over the proposed project.

(2) Conducting any consultations or reviews concurrently rather than sequentially to the extent practicable and when such concurrent review will expedite rather than delay a decision.

(d) SCHEDULE FOR PERMITTING PROCESS.—At the request of a project proponent, the lead agency, cooperating agencies and any other agencies involved with the mineral exploration or mine permitting process shall enter into an agreement with the project proponent that sets time limits for each part of the permitting process including the following:

(1) The decision on whether to prepare a document required under the National Environmental Policy Act of 1969.

(2) A determination of the scope of any document required under the National Environmental Policy Act of 1969.

(3) The scope of and schedule for the baseline studies required to prepare a document required under the National Environmental Policy Act of 1969.

(4) Preparation of any draft document required under the National Environmental Policy Act of 1969.

(5) Preparation of a final document required under the National Environmental Policy Act of 1969.

(6) Consultations required under applicable laws.

(7) Submission and review of any comments required under applicable law.

(8) Publication of any public notices required under applicable law.

(9) A final or any interim decisions.

(e) TIME LIMIT FOR PERMITTING PROCESS.—In no case should the total review process described in subsection (d) exceed 30 months unless agreed to by the signatories of the agreement.

(f) LIMITATION ON ADDRESSING PUBLIC COMMENTS.—The lead agency is not required to address agency or public comments that were not submitted during any public comment periods or consultation periods provided during the permitting process or as otherwise required by law.

(g) FINANCIAL ASSURANCE.—The lead agency will determine the amount of financial assurance for reclamation of a mineral exploration or mining site, which must cover the estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal, State or tribal environmental standards.

(h) APPLICATION TO EXISTING PERMIT APPLICATIONS.—This section shall apply with respect to a mineral exploration or mine permit for which an application was submitted before the date of the enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit. The lead agency shall begin implementing this section with respect to such application within 30 days after receiving such written request.

(i) STRATEGIC AND CRITICAL MINERALS WITHIN NATIONAL FORESTS.—With respect to strategic and critical minerals within a federally administered unit of the National Forest System, the lead agency shall—

(1) exempt all areas of identified mineral resources in Land Use Designations, other than Non-Development Land Use Designations, in existence as of the date of the enactment of this Act from the procedures detailed at and all rules promulgated under part 294 of title 36, Code for Federal Regulations;

(2) apply such exemption to all additional routes and areas that the lead agency finds necessary to facilitate the construction, operation, maintenance, and restoration of the areas of identified mineral resources described in paragraph (1); and

(3) continue to apply such exemptions after approval of the Minerals Plan of Operations for the unit of the National Forest System.

SEC. 103. CONSERVATION OF THE RESOURCE.

In evaluating and issuing any mineral exploration or mine permit, the priority of the lead agency shall be to maximize the development of the mineral resource, while mitigating environmental impacts, so that more of the mineral resource can be brought to the market place.

SEC. 104. FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.

(a) PREPARATION OF FEDERAL NOTICES FOR MINERAL EXPLORATION AND MINE DEVELOPMENT PROJECTS.—The preparation of Federal Register notices required by law associated with the issuance of a mineral exploration or mine permit shall be delegated to the organization level within the agency responsible for issuing the mineral exploration or mine permit. All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated and transmitted to the Federal Register from the office where documents are held, meetings are held, or the activity is initiated.

(b) DEPARTMENTAL REVIEW OF FEDERAL REGISTER NOTICES FOR MINERAL EXPLORATION AND MINING PROJECTS.—Absent any extraordinary circumstance or except as otherwise required by any Act of Congress, each Federal Register notice described in subsection (a) shall undergo any required reviews within the Department of the Interior or the Department of Agriculture and be published in its final form in the Federal Register no later than 30 days after its initial preparation.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO EXPLORATION AND MINE PERMITS

SEC. 201. DEFINITIONS FOR TITLE.

In this title the term ''covered civil action'' means a civil action against the Federal Government containing a claim under section 702 of title 5, United States Code, regarding agency action affecting a mineral exploration or mine permit.

SEC. 202. TIMELY FILINGS.

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

SEC. 203. RIGHT TO INTERVENE.

The holder of any mineral exploration or mine permit may intervene as of right in any covered civil action by a person affecting rights or obligations of the permit holder under the permit.

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

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

SEC. 205. LIMITATION ON PROSPECTIVE RELIEF.

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

SEC. 206. 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.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SECRETARIAL ORDER NOT AFFECTED.

Nothing in this subdivision shall be construed as to affect any aspect of Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, with respect to potash and oil and gas operators.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from New York (Mr. RANGEL) each will control 60 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4.

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

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Every day, honest, hardworking men and women are struggling. Far too many families haven't seen a pay raise in years, and many have lost hope and stopped looking for work entirely. H.R. 4, the Jobs for America Act, will strengthen the economy by creating more jobs with higher take-home pay.

The House has already passed dozens of bipartisan solutions that will break down burdensome regulations and promote policies that allow businesses, large and small, to do what they do best: grow, innovate, and hire new workers.

The bill we have before us today, the Jobs for America Act, includes provisions that have strong bipartisan support in both the House and the Senate.

The research and development credit, which has been around for over 30 years, is a proven way to incentivize U.S. companies to innovate, create new products, and invest in the U.S.

The United States is the only country that allows important pieces of its Tax Code to expire on a regular basis. Businesses cannot grow and invest when the Tax Code is riddled with instability and uncertainty.

Making the R&D tax credit permanent also supports good-paying jobs. According to the National Association of Manufacturers, 70 percent of research and development credit dollars are used to pay salaries of R&D workers.

The nonpartisan Joint Committee on Taxation estimates that making the R&D credit permanent could increase the amount of research and development American companies undertake by up to 10 percent. That translates into more workers, higher wages, and increased innovation here in the United States.

This bill would also make permanent bonus depreciation and section 179 expensing at higher levels, allowing businesses, farmers, and ranchers to plan for the future and expand their businesses. The result of that is more jobs and higher wages for hardworking Americans. The Tax Foundation analysis found that permanent bonus depreciation would add $182 billion to the economy and increase wages by 1 percent, which creates 212,000 jobs.

□ 1415

Additionally, the bill would make permanent several expired tax provisions that benefit S corporations, a popular and important business structure that is used by millions of small businesses across the country.

This commonsense effort will give small businesses some much-needed relief from the burdens of the Tax Code, allowing them to invest and create new jobs.

This bill would also repeal some of the job-killing provisions of the health care law. The current 30-hour rule in the Affordable Care Act's employer mandate results in fewer jobs, reduced hours, and less opportunity for Americans.

By changing the definition of ''full-time work,'' ObamaCare places an unprecedented government regulation on workers. As a direct result, Americans across the country are having their hours cut at work and seeing smaller paychecks. At a time when the cost of groceries, gas, and health care keep increasing, lower paychecks are simply unacceptable.

Worst of all, the law hits lower-income Americans the hardest: 2.6 million workers with a median income of under $30,000 are at risk of losing jobs or hours; 89 percent of workers impacted by the rule don't have college degrees, 63 percent of which are women; and over half have a high school diploma or less.

So simply restoring the definition of ''full-time work'' to 40 hours will ensure the hardest-working Americans don't see their hours and wages cut as a result of the health care law.

This bill also ensures that small businesses that hire veterans returning from service overseas, who already have coverage through TRICARE or the VA, are not counted under the employer mandate.

And we repeal the onerous medical device tax, which is stifling medical innovation and hurting jobs. According to a survey by AdvaMed, the medical device tax has already resulted in 14,000 jobs lost in the industry and prevented 19,000 jobs from being created. This tax is contributing to lackluster job creation and hampering medical innovation.

We have strong bipartisan support for repeal of this tax, and for repealing it before even more detrimental harm is done to the workforce and medical community.

These are only a few among a long list of policies that will ultimately get Americans back to work and increase their quality of living. With better jobs, higher take-home pay, and a stronger economy, we can offer a brighter future for our youth and ease the everyday burdens felt by individuals nationwide.

It is time to create an America that works.

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

Mr. RANGEL. Mr. Speaker, I yield myself such time as I might consume.

It is awkward and embarrassing to stand on this floor to discuss something described as a Jobs for America bill.

Fortunately, we Democrats don't have to expend too much energy because of the lack of credibility that the majority party has with any type of legislation designed to help those people who are without employment.

The irony of this whole thing is that our distinguished chairman spent hours, days, weeks, and months putting together a tax reform bill that, even though it could be challenged in parts, all tax writers and people who respect the necessity of reforming the Tax Code lauded him for the work, the fairness, and, most of all, the lack of partisanship that went into that bill.

Indeed, many of the provisions that are in this bill that could better be described as an opportunity for corporates to avoid paying taxes, many of those provisions in this bill were repealed in the chairman's bill that he presented to the Congress to be considered for reform.

Let me strike that from the record. He did not bring it to the floor for it to be considered for anything. It was a strong political statement that he knew the majority of his party would not support.

Having said that, it was a fine piece of legislation that gained support by eliminating the very same violations of equity and fair play that are now in this bill.

$500 billion tab. $500 billion cost, not paid for, not a promise to pay for. And half of this is to make permanent the extension of bonus appreciation, which all economists, including those in the Congressional Research Service, say that in order to be effective, it should not be made permanent.

In any event, I think, as we go home, we should recognize that there will be opportunity when we come back to really get together and have an effective bill.

To do this, the Republican majority should not bring to the floor bills that have passed the House and been rejected already by the Senate, but should sit down with the administration, with the Senate, with the minority in the House and work out something that is for the good of all Americans.

This happened yesterday, where we had honest, serious disagreements. But at the same time, we came together as a Congress in the House at least on what is good for the country.

So, quite frankly, I don't think I will be using all of my time because what is before the House today is not a jobs bill but a public relations piece of political advertisement.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for yielding, and I very much appreciate his leadership on this issue.

In every State across this country, and most certainly in the Commonwealth of Virginia, there are folks still looking for good full-time jobs and businesses who want to hire them but can't for fear of government imposed regulations that increase expenses.

The administration's tax, regulate, and spend response to this problem hasn't worked, and it is incumbent upon us to enact necessary reforms to restore the American economy.

The legislation we consider today includes many provisions to combat excessive regulations that have already been passed by the House of Representatives and await action in the Senate, which has been moribund in dealing with a whole host of issues that are sitting over there on the majority leader's desk, including provisions to restore the 40-hour workweek, to permanently ban taxation of Internet access, to prevent secret settlement deals between Federal bureaucrats and pro-regulatory plaintiffs in lawsuits, to require bureaucrats to consider the cost of regulations to small businesses, to require agencies to adopt the least costly method of implementing the law, and to require Federal agencies to submit major regulations to Congress for approval. We know these provisions will help spur our economy and create jobs.

America's labor force participation rate has essentially remained stagnant for the past several months and job creation and economic growth continue to fall short of what is needed to produce a real and durable recovery in our country. It is imperative that we again take action to pass these commonsense reforms, return discouraged workers to full-time jobs, and restore America to prosperity.

I urge the Senate to stop stalling and to join us in this effort.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

If we were serious about passing a bill that has been rehashed in this House and no action has been taken upon it, common sense and reason would dictate that we would work with the Democrats, work with the Senate, and work with the President to get one passed.

This bill transcends over eight or nine different legislative committees, and the ranking member—one who has so much jurisdiction over this issue—would share with the House and the country what parts of this bill she believes would create jobs, if any part.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank Mr. RANGEL for yielding.

Mr. Speaker, I rise to oppose H.R. 4, the so-called Jobs for America Act.

Six years ago this week marked the collapse of Lehman Brothers. That bankruptcy on Wall Street quickly spread across our country, bringing small business lending to a halt, causing a devastating number of foreclosures, and pushing far too many of our fellow Americans into personal bankruptcy.

In the wake of this devastation, Democrats in Congress worked diligently to put in place serious and comprehensive safeguards to prevent another collapse. And, today, my Republican colleagues continue their hard work to thwart that effort and roll back meaningful reform.

Indeed, this bill, H.R. 4, places significant additional administrative hurdles on our Federal regulatory agencies, particularly on our independent financial regulators, like the Securities and Exchange Commission and the Commodity Futures Trading Commission.

Certain provisions of this bill would impose requirements on our financial regulators to conduct onerous cost-benefit analysis, to submit their rules for review to the Office of Management and Budget, and to delay effectiveness of major rules until Congress enacts an unprecedented joint resolution.

Not only would these provisions limit the independence of our Wall Street sheriffs, it would also tie up their already insufficient resources and put them at even greater risk of litigation for every rule. In fact, this bill would create a constitutional crisis by allowing the ''do-nothing'' Republican Congress to intervene in the actions of our executive branch, which is diligently trying to implement critical portions of the Wall Street Reform Act.

The effect of this legislative effort would be to grind to a halt all meaningful regulation on everything from payday loans to mortgage services to the types of risky trading that caused the 2008 crisis. And, ironically, it would stop JOBS Act implementation dead in its tracks. Worst, this comes at a time when House Republicans want to hold funding for our financial regulators flat, despite their new responsibilities, the increase in the number of entities they oversee, and the growth in the complexity and size of U.S. financial markets.

With our economy still recovering from the $14 trillion financial crisis, we simply cannot, under the guise of so-called ''job creation,'' afford to destroy crucial reforms and hamstring our financial regulators.

I enter the following letter of opposition from Public Citizen into the RECORD.

PUBLIC CITIZEN,
Washington, DC

A VOTE FOR THE ''JOBS FOR AMERICA ACT'' IS A VOTE AGAINST PUBLIC HEALTH AND SAFETY

Republicans will have you believe that a vote for H.R. 4, the ''Jobs for America Act,'' is not a vote against clean air and water, against food safety, against safe consumer products, against safe workplaces, and against a stable financial system less prone to excessive risk-taking. But that is false. The Impact of the ''Jobs for America'' Act is clear and simple: it will lead to more polluted air and water, more dangerous workplaces, more tainted and contaminated food, more dangerous workplaces, and a deregulated Wall Street allowed to gamble our economy into the next financial crash. By taking regulators ''off the beat'' and preventing them from updating and modernizing basic health and safety protections, the public is once again dependent on Big Business to ''self-regulate.'' Our public has seen the disastrous impact of letting industry regulate itself whether it's the BP Gulf Oil Spill, the West Virginia Chemical Spill, The Upper Big Branch Mine explosion, oil train derailment explosions, or the Wall Street financial meltdown. The solution is not to make our public even more vulnerable to deregulatory disasters that put Americans in harm's way and damage our economy as the ''Jobs for America Act'' would do.

THE ENORMOUS COSTS OF DEREGULATION

a. West Virginia Chemical Spill: those who were hurt by the damage caused by the spill are claiming 160 million in damages from the spill. These include small businesses in Charleston who were forced to shut down for days and the many thousands of residents who were forced to buy bottled water because of the severe water contamination. http://www.insurancejournalcom/news/southeast/2014/08/12/337282.htm

b. Lake Erie Algae Bloom: a half million Ohio residents were forced to buy bottled water because their water had become so badly contaminated from algae. In 2008, the government estimated algae blooms resulted in 82 million dollars annually in economic damages: http://www.cop.noaa.gov/stressors/extremeevents/hab/current/econimpact 08.pdf the damage to Lake Erie can be directly traced to successful attempts to roll back the Clean Water Act by special interests. http://www.foodandwaterwatch.org/blogs/the-toledo-water-crisis-wont-be-the-last/

c. Oil Freight Train Explosions: Trains carrying highly explosive crude oil are traveling through communities every day without most of those communities even aware of the threat. A massive oil train derailment and explosion in Canada killed 47 people and will cost 2.7 billion in economic damages over the next decade. http://bangordailynews.com/2014/04/17/news/state/after-end-of-the-world-explosion-Quebec-town-tries-to-find-hope/

d. Preventable Workplace Deaths and Injuries: Every day, an average of 150 workers die from job injuries or occupational diseases. Every year, the lack of effective workplace safety protections costs our country 250 billion to 330 billion in injuries and illnesses. http://www.aflcio.org/content/download/126621/34645631/DOTJ2014.pdf

e. Climate Inaction: Blocking or delaying new carbon emission rules from the EPA and other climate change measures will cost our country up to 150 billion dollars annually in economic damage in the future. http://fortune.com/2014/07/29/white-house-in-action-on-climate-costs-150-billion-a-year/

f. BP Oil Spill: This massive environmental disaster in the Gulf ended up costing more than 42 billion dollars. The oil spill harmed thousands of Gulf Coast residents and destroyed many local small businesses. BP has now been found ''grossly negligent'' in causing the disaster and faces up to 18 billion in fines, some of which will go to Gulf Coast restoration projects. http://www.edf.org/blog/2014/09/05/bp-oil-spill-ruling-could-jumpstart-gulf-coast-restoration-work

g. 2008 Wall Street Crash: The rampant deregulation that led to the crash cost our economy anywhere from 6 trillion to 14 trillion dollars or 50,000 to 120,000 for every US household. In addition, 8.7 million Americans lost their jobs during or immediately following the crisis. http://ourfinancialsecurity.org/blogs/wp-content/ourfinancialsecurity.org/uploads/2012/09/Costs-of-The-Financial-Crisis-September-20142.pdf

THE ''JOBS FOR AMERICA ACT'' WILL NOT CREATE A SINGLE JOB

The bill trades on the fallacy that deregulation leads to job growth by freeing up capital to invest in labor. There is simply no neutral, non-partisan empirical evidence to back this up. In fact, journalists and academics who have thoroughly studied this claim have concluded that regulations have no overall effect on job growth. The claim that regulations kill jobs is the very definition of a baseless and fabricated talking point.

A thorough investigative report by the Washington Post concluded that regulations

have no effect on jobs (highlights below): http://www.washingtonpost.com/business/economy/does-government-regulation-really-kill-jobs-economists-say-overall-effect-minimal/2011/10/19/gIQALRF5IN story.html.

Conservative thinker Richard Morganstern (Resources for the Future): ''Based on the available literature, there's not much evidence that EPA regulations are causing major job losses or major job gains.''

Mike Morris, CEO of AEP, one of America's largest coal-based utilities even admitted EPA regulations will create jobs: ''We have to hire plumbers, electricians, painters, folks who do that kind of work when you retrofit a plant'' Morris said. ''Jobs are created in the process—no question about that.''

A recent and exhaustive exploration of the ''job-killing regulation'' claim by Academics from across the political spectrum concluded that regulations have no net impact on jobs: http://www.upenn.edu/pennpress/book/15183.html

The editors of ''Does Regulation Kill Jobs?'' Cary Coglianese and Christopher Corrigan conclude: ''the empirical work suggests that regulation plays relatively little role in affecting the aggregate number of jobs in the United States.''

BIG BUSINESS ''JOB-KILLING'' CLAIMS ARE ALWAYS WRONG

Big Business groups have been making hyperbolic claims about regulations killing jobs for decades and it never comes true. Not only is this talking point patently false, but it also never dies despite being proven wrong every time. The following examples are from Public Citizen's recent report, ''It's an Outrage: Regulations are Entirely to Blame for Unemployment and a Leading Cause of Death, According to Industry and Allies'' http://www.citizen.org/documents/regulations-are-to-blame-unemployment-death-report.pdf

1974: OSHA bans the carcinogenic vinyl chloride. The plastics industry claimed that the OSHA regulation would kill 2.2 million jobs. Those claims were proven completely false and a new way manufacture vinyl chloride was developed within a year without any jobs lost.

1975: NHTSA increases fuel efficiency standard. Industry reports warned of 1.5 million jobs lost. By 1985, auto makers had met the higher standard without losing any jobs.

1990: EPA sets new pollution standards under the Clean Air Act. In response the Business Roundtable (BRT) and National Federation of Independent Business (NFIB) responded with doomsday hysterics, claiming up to 2 million jobs would be lost. Those were proven entirely wrong. Instead, according to the Investor's Business Daily, ''Pollution has been falling across the board for decades, even while the nation's population and economy have expand

1995: EPA removes lead from gasoline. A Monsanto official testified to Congress that the regulation would cost up to 43 million jobs. The removal of lead is now considered one of the biggest public health success stories while gas prices did not dramatically increase and no jobs were lost.

THE NEW INDUSTRY-FUNDED STUDY ON REGULATIONS DOESN'T PASS THE LAUGH TEST

The study just released by the National Association of Manufacturers (NAM) is not worth the paper it is printed on. NAM turned to discredited economists whose last study was so poorly done and inaccurate that it was roundly criticized by observers in bipartisan fashion, including by the CRS, Republican economists, and then OIRA Administrator Cass Sunstein. The study brought so much negative attention that the agency which commissioned it, the Small Business Administration, had to formally and publicly disavow it.

Business Media Push Industry-Funded Study On Federal Regulations Experts Call ''Bogus'': Reuters and CNBC uncritically promoted a new report claiming that government regulations cost the economy over $2 trillion each year, ignoring any benefits of regulation. But the study uses the same flawed methodology as an earlier report by the same authors that was so widely panned that even the organization that commissioned it distanced itself from it. http://mediamatters.org/research/2014/09/11/business-media-push-industry-funded-study-on-fe/200732

NAM's ''Cost of Regulations'' Estimate: An Exercise in How Not to Do Convincing Empirics: The bulk of these costs (75 percent) are estimated using a cross-country regression analysis. This cross-country analysis, however, is completely unconvincing and should be ignored. http://www.epi.org/bloginams-cost-regulations-estimate-exercise/

THE ''JOBS FOR AMERICA ACT'' IS A BROKEN RECORD

The ''Jobs for America Act'' is just a repackaging of the same old and tired legislation that the House has already passed. Each of these bills, if enacted, will significantly exacerbate the current problems in our regulatory system. Collectively, these bills amount to a virtual shutdown of our system of public protections by blocking federal agencies from responding to public health and safety crises and putting forth strong new safeguards to prevent the next one.

1. Regulations from the Executive in Need of Scrutiny Act (REINS, HR): This bill is a blatant power grab by the House GOP. Requiring Congressional approval of regulations before they take effect means, in practical terms, that the House GOP can unilaterally veto any regulation it opposes. Even Congressional inaction would kill a regulation. This is a recipe for extending the same paralysis and dysfunction that has plagued our lawmaking process to the regulatory process.

2. Regulatory Accountability Act (RAA, H.R. 2122): This bill would re-write dozens of critical public health and safety laws, including the Clean Air Act, to require agencies to choose safety standards not based on whether they are the most effective but on whether they are the least burdensome to regulated special interests. This bill is a backdoor way of gutting laws that the GOP knows are too politically popular to overturn directly.

3. Regulatory Flexibility Improvements Act (RFIA, H.R. 2542): This bill is a small business bill in name only. It does nothing to help small businesses directly. Instead, it would delay or block rules that in many instances disproportionately impact Big Business. For example, the bill requires agencies to consider the ''indirect'' effects of their rules on small businesses without ever defining what constitutes an ''indirect'' effect. Ordering an agency to discern all indirect economic impacts of any rule, however small, is akin to ordering a meteorologist to discern the effects on Washington, D.C. weather of a butterfly flapping its wings in Japan. Even worse, agencies could be sued by industry for not complying with this wholly undefined mandate. Agencies will be forced to waste precious time and resources looking for small business impacts where there clearly are none. In the meantime, lives could be lost and people could be needlessly injured.

4. Unfunded Mandates Reform Act (UMRA, H.R. 899): Once again, this legislation forces agencies to pick the least costly rule to industry, rather than the rule that is most effective at keeping the public safe. It also undermines the independence of important agencies that are working to put new Wall Street reforms and product safety standards in place. Ironically, the new mandates in this bill do not come with any additional funding for agencies, making them the very definition of ''unfunded mandates.''

5. The Sunshine for Regulatory Decrees and Settlements Act (H.R. 1493): This legislation targets citizen suits aimed at spurring agencies to move forward with overdue and congressionally mandated protections. Consent decrees and settlement agreements have long been an effective tool to provide citizens and the courts with a means of ensuring that Congressional mandates are implemented, whether they are new environmental safety standards or civil rights and antidiscrimination measures. This bill would force them to run a gauntlet of burdensome, time-consuming, and redundant procedures—furthering slowing agency action. This bill would weaken the power of citizens to ensure agencies follow the law—and waste government resources in the process.

6. The All Economic Regulations are Transparent (''ALERT'') Act (H.R. 2804): This legislation would add a blanket six-month delay to most rules essential to protecting the health, safety, and welfare of the American public. When the norm is federal agencies missing Congressional and legal deadlines for new public protections, rather than meeting or beating deadlines, the last thing our public needs is more delays.

BOTTOM LINE

A vote for H.R. 4, the ''Jobs for America Act,'' is a vote against life-saving public health and safety standards and will put American lives at risk without creating any jobs. We need stronger public protections, not a weaker system of safeguards. We need better enforcement of health and safety and environmental rules, not more needless delays.

We urge you in the strongest terms to vote against the ''Jobs for America Act.''

Mr. CAMP. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Washington (Mr. HASTINGS), the gentleman from the Natural Resources Committee.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend, Mr. CAMP, the chairman of the Ways and Means Committee, for yielding me the time.

Mr. Speaker, this jobs package includes important legislation, H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, which passed the House almost 1 year ago today. It is a long-term sustainable solution to put Americans back to work, restore forest health, and prevent wildfires.

Our national forests, unless otherwise designated, should be open for multiple uses for everything from recreation to job-creating economic activities. Instead, Mr. Speaker, due to onerous Federal regulations and litigation, our Federal forests have increasingly been shut down.

Mr. Speaker, timber harvests have dropped by 80 percent in the last 30 years. We have seen catastrophic wildfires destroy our Federal forests. We have seen loggers, mill workers, and truck drivers put out of work, and we have seen rural communities turned into ghost towns.

It is long past time for the Senate to join with the House to provide better

stewardship over our Federal forest lands. It is disappointing and, frankly, unacceptable that a year later the Senate is still sitting on the sidelines. Meanwhile, rural communities continue to suffer.

This legislation requires responsible timber production on at least one half of the Federal Forest Service's non-environmentally sensitive timber lands.

□ 1430

By restoring active forest management, this bill will create over 200,000 direct and indirect jobs. It also maintains and strengthens the historic sharing of timber receipts with local counties which is essential, given the upcoming expiration of the Secure Rural Schools program.

Instead of having to pay for wildfire suppression, this bill would allow us to reap the benefits of a responsible timber harvest that reduces wildfire threats to our communities.

Mr. Speaker, Congress must act to restore the promise that the Federal Government made over a century ago to actively manage our forests and create jobs for the benefit of rural communities. Today, the House is, once again, living up to this promise. We hope that the Senate will join us and support this commonsense reform of Federal forest management.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Certainly, we all will be getting a lot of mail from the logging companies asking for this legislation in order to create jobs. I wish included in this package would have been the earned income tax credit, a bill that keeps people who work hard each and every day out of poverty by subsidizing their wages, but that is too much like creating jobs, and it is not in this package.

I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished and articulate Member who serves on the Judiciary Committee and has a ranking position on the subcommittee that has jurisdiction over part of this bill.

Mr. JOHNSON of Georgia. I thank the gentleman from New York.

Mr. Speaker, I rise in strong opposition to H.R. 4, the so-called Jobs for America Act. It brings to mind occasions where, as a youth, my sister and I would go to my uncle's house in Cleveland. My uncle's wife would prepare a lot of food, and we would sit down and eat. The food would taste terrible. We had a couple of more days to be there, and so we hoped for the best. The next day, when we sat down at dinner, we had leftovers.

This is what this bill reminds me of. It is a package of anti-consumer, anti-safety, anti-environment bills that the House has already passed. This omnibus legislation is emblematic of a Republican Party that lacks vision or direction for Americans that demand cooperation and leadership.

This bill smacks of a new Republican leadership that is still on training wheels, unable to work across the aisle to deliver real solutions to grow the economy and create jobs; but what is new from a Republican Party that voted dozens and dozens of time to defund and defeat the Affordable Care Act, the same law that is helping American families by keeping millions of young people—be they recent college graduates looking for their first job or students still in school—on their parents' insurance and out of a cycle of unpayable medical debt?

Well, Mr. Speaker, it is time for the training wheels to come off so that this Chamber can, once again, do the work of the American people.

There is a clear, unmistakable thirst in our country for cooperation, bipartisan solutions, and getting things done. The American people look to the House of Representatives for leadership, not one-sided messaging bills that this Chamber has already warmed up, served yesterday—it was bad—and, today, we are eating the leftovers.

This Chamber has already considered and passed these bills, and they have no chance, no hope, of becoming law. The so-called Jobs for America Act includes a number of dangerous bills straight from the wish list of industrial polluters and unsafe manufacturers. This legislation will not create a single job.

It exists only to minimize corporate accountability while maximizing the likelihood of dangerous, unsafe conditions in our homes, vehicles, workplaces, and throughout the environment.

It is time to work together to forge real solutions, Mr. Speaker, not the same dangerous legislation that this Chamber has already passed.

Mr. CAMP. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY), a distinguished member of the Ways and Means Committee.

Mr. KELLY of Pennsylvania. I thank the chairman for his great work.

Mr. Speaker, I rise in strong support of H.R. 4, and I will tell you why: the world is looking for the next great, emerging economy, and you know where it is? It is right here. It is us. It sits here, in this country.

We talk about the American people. What are they tired of? They are tired of political talk and not policy change that will get them back to work.

This morning, Mr. Speaker, 92 million Americans woke up and decided they weren't even going to go look for a job today because there is no hope in finding a job today. That is 92 million Americans.

Now, I don't know if they vote Republican. I don't know if they vote Democrat. I think they are getting to the point where they don't want to vote for either side because all they are asking is: work together to fix America.

The President of Ukraine came to the United States today to ask for help. He didn't go anywhere else in the world. He came here. Why did he come to the United States? Why did he come to America? Why, for centuries, have people come to America? For opportunity, for jobs, and to make their life better.

We sit and debate a jobs package, and we want to talk about politics. We don't want to talk about the policy of it; we don't want to talk about the opportunity that this country has always presented. Are you kidding me?

If there is dysfunction, it is in the Senate, where 360 pieces of legislation are on a table because one man stands in the way of this legislation, and it is the leader of the Senate.

If the American people—and I am not talking about Republicans or Democrats, I am talking about the American people—are to see what actually takes place in this great House, where so much policy has been driven in the past—please, get away from the politics; we are sick of it as a people.

The opportunity is off the charts. A new day is dawning. The only thing holding it back right now is the cloud cover that comes from Washington, D.C., where we refuse to create opportunity and, instead, create anger and we create dissatisfaction and we create confusion.

The American people sit back and say, ''Why me? Why now? Why here?'' That is the great question, ''Why?'' Does a reelection mean more than the redirection of this country?

After 6 years of waiting to see this great country emerge again with all the assets that we have been given—and they are gifts from God, but we haven't capitalized on them—the American people want something done.

This is a package of jobs bills, my friends. This gets America back to work, my friends. This makes America great again. This makes us who we are. This is the very fabric of who this country has always been, the greatest Nation in the world, always a defender of personal freedoms and liberty, but we can only do it when we have a dynamic and robust company.

It is time to stop talking politics and start talking policy. It is time to get America back to work. A new day is dawning, a new opportunity is waiting for us, and the greatest emerging economy the world has ever seen is sitting right here within our borders, and the only thing it is looking for right now is dynamic leadership and direction.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Pennsylvania, my friend, who eloquently mentioned how the Congress should and could be working more closely together. Again, I say that yesterday proved it.

I am certain that the eloquent gentleman from Pennsylvania would have to agree that, if we were passing bills in the House and they were not going anywhere, any legislator would have to find out why.

It would seem to me that we would go to the minority party, we would ask

to sit down with the Senate, we would work with the Department of Labor and the administration, and we would do that just before we were going home to attempt to get reelected.

I don't challenge the sincerity of the gentleman from Pennsylvania, but just bringing in bills that you know are not going to pass the Senate, bringing in bills the administration has already said that they would veto is not the way to success. It may be a good political statement, but it is certainly not the way to pass legislation.

I have the great honor to yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), who has distinguished himself nationally in terms of being a legislator with a heart and common sense.

He is the ranking member of the Oversight Committee, that has attempted to show the entire country exactly what is going on and not going on in the Congress. I look forward to his eloquent remarks on this sensitive, important subject.

Mr. CUMMINGS. Mr. Speaker, I rise in opposition to H.R. 4. The special interest bills that make up this package have all passed the House before and went nowhere in the Senate. This is not just a waste of time, it is a waste of taxpayer money. Americans work hard for their money, and here we are wasting time, and everybody knows that.

This legislation is simply a gimmick. It hurts me to even say that, but it is, in fact, a gimmick. The Republican leadership in the House cannot fool the American people by passing the same bad bills over and over again.

Just because Republican leadership has slapped the word ''jobs'' on this bill does not change the fact that the bill will not create jobs, and they know that. We each represent 700,000 people. Those people have sent us here with the mission of making their lives better.

The legislation we are considering today will not help the people we represent. This bill would help big corporations.

Let me give you an example. Under this legislation, private companies would have the ability to weigh in on agency rulemakings before individual citizens and most other stakeholders. That means that oil companies could weigh in on drilling regulations before the American public even gets a chance to submit comments.

Another section of the bill would explicitly prohibit the Office of Information and Regulatory Affairs from taking into account benefits when providing total cost estimates for proposed and final rules as required by the bill.

The bill also contains numerous provisions to degrade the regulatory process and make it nearly impossible for agencies to take actions that protect our health, our safety, our air, our water, our food, and our environment.

This is a terrible piece of legislation, and I urge my colleagues to vote against it.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you, Mr. Chairman, for your service in this great institution.

Mr. Speaker, we are here debating this jobs package because our economy is stagnant. Our unemployment rate hasn't fallen below 6 percent since this President took office 6 years ago.

Although growing the economy may not remain a number one priority for the Senate, it may not remain a number one priority for the President, I assure you it is for millions of Americans who can't find a job or who continue to look for that job promotion or who feel their paycheck isn't going as far as it should.

My bill, the Hire More Heroes Act, is not a waste of our time, is not a waste of taxpayer dollars, and it overwhelmingly passed this House with only one ''no'' vote. You can't get much more bipartisan than that, Mr. Speaker.

It is part of this jobs package because the Senate has yet to take up this bipartisan bill that would help our veterans. This bill will help incentivize small businesses to hire more of our heroes. It takes away a punitive punishment in ObamaCare.

We have been told that we can't change ObamaCare, but this bill does, and it does it because any veteran who gets their health care through the VA or TRICARE wouldn't count toward a small business' 50-employee limit which would, in turn, incentivize small businesses who create the jobs in this country to hire more of our veterans.

That is not a waste of taxpayer dollars. That is not a waste of time. Frankly, we need to do what we can to stop what ObamaCare has been doing to small businesses and disincentivizing them from hiring more people and, therefore, lowering our unemployment rate.

This jobs package is crucial. This jobs package is something that we in this House should continue to push. I would urge my colleagues on the other side of the aisle to make sure that they call their colleagues in the Senate and say, ''Pass this bill.''

□ 1445

Pass this bill. Do what is right. Help our veterans. Help Americans find jobs.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would not suggest to the distinguished gentleman from Illinois what he should be doing as a part of the majority, but if I had a bill as good as the one that he had, I certainly would not allow it to be included in this piece of political legislation. Because it would serve the veterans of this great country, I would say, give me a break and let the House and the Senate and the President give this legislation a chance.

But I am not in the majority, and I respect that you are doing the best you can with what you have to work with, and I respect you for that.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), who is the ranking member of the Budget Committee.

Most Americans know, like with our family, he has the responsibility to suggest to this august body exactly how much we are spending, how much we owe, and which is the best way to bring some balance to it, and I am so proud to be able to serve with him.

Mr. VAN HOLLEN. Mr. Speaker, I thank my good friend from New York for all his good work on these issues.

Just to underscore what he said with respect to Mr. DAVIS' proposal, we would love to have that proposal on veterans come before the floor as a stand-alone bill. Of course it has been wrapped into a much larger package that has nothing to do with jobs and everything to do with rewarding special interests at the expense of middle class families and taxpayers. It is a continuation of the failed strategy that responds to every economic challenge with more tax breaks to corporations and more breaks to folks at the very top of the economic ladder, the old, failed trickle-down theory of economics.

There is nothing to raise the minimum wage, nothing to achieve pay equity for women, nothing to invest in America's infrastructure or our education system. Instead, it is a collection of tax cuts that together would add $572 million to the deficit over the next 10 years—no attempt to offset that cost.

That is a lot of work in one afternoon, to add over half a trillion dollars to the deficit, totally in violation of the Republican budget that was brought to the floor.

Nor is this a bill that attempts to reform the Tax Code. I have great respect for the chairman of the Ways and Means Committee, and he did a credible effort in coming up with a reform plan. It wasn't perfect, lots of things that a lot of people don't like, but it was a credible effort.

This bill takes us in the opposite direction. When the chairman introduced that bill, the Speaker of this House ran away faster than anybody else from that proposal, and this proposal runs away from it as well.

Let me give you one example. The reform bill that was proposed by Mr. CAMP repealed bonus depreciation. This bill adds $270 billion to the deficit by making bonus depreciation permanent.

Mr. CAMP's proposal was revenue-neutral in the first 10 years. This one adds over half a trillion dollars to the deficit, and it doesn't close a single corporate tax loophole.

Look, if we are going to provide over a half a trillion dollars in tax breaks to large corporations, you would think that our Republican colleagues would at least deal with the issue of inversions, this sweep we see toward more and more corporations changing their

address offshore to avoid their tax obligations to the American people. But, no, nothing to deal with inversions. In fact, this bill rewards a number of companies that have recently engaged in inversions.

I want to call attention to section 701 of the bill because it says a lot about the priorities reflected on the floor today. That section repeals the excise tax paid by medical device companies that was put in place to help finance health care reform.

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

Mr. RANGEL. I yield the gentleman from Maryland 30 more seconds.

Mr. VAN HOLLEN. So it repeals that—no effort to replace that. So it adds $26 billion to the deficit, just that provision. Not only that, but it repeals it going forward, and it also gives a rebate going backwards. So a company, Medtronic, which is right now moving its tax address overseas to avoid its tax obligations to the American people, is going to get a $200 million plus interest tax bonus.

So here is this bill in a nutshell: do nothing to boost the middle class.

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

Mr. RANGEL. I yield the gentleman as much time as he may consume to close.

Mr. VAN HOLLEN. So just to wrap this up, because I hope people will focus on this, the bottom-line message of this is: sorry to see you leave our shores, but you know what? As a goodbye present, we are going to hand you $200 million in tax breaks.

That sums up the problems with this bill, Mr. Speaker. I urge my colleagues to vote ''no.''

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I would just say my friend from Maryland mentioned the Hire Our Heroes Act. That received virtually every Democrat vote and Republican vote on the floor but one. I certainly trust that the gentleman from Maryland has urged his two Democrat Senators in the Senate to take this bill up and pass it. It has been sitting in the Senate. It is blocked.

Certainly, we don't think those who fight for our country should be penalized when they come back to the United States in terms of getting their health care. This would certainly help tremendously, and it is something that has received large bipartisan support.

Every one of these provisions help create jobs, and certainly all of them have bipartisan support:

R&D, the research and development credit, 62 Democrat votes;

Section 179, extending, 53 Democrat votes;

The S corporation reform, 42 Democrat votes;

Bonus depreciation, 34 Democrat votes;

Repealing the 30-hour work week rule, 18 Democrat votes.

All of these have bipartisan support. They are all sitting in the Senate.

I heard the gentleman say maybe nothing is being done. Well, I would submit, my friends on the other side, other than voting for these bills, have done nothing to urge their colleagues who have the majority in the Senate to move something that will actually get people back to work and really bring the American Dream back in reach for millions of Americans, and it isn't now.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding.

And I wanted to also say, the gentleman from Maryland talked about a company, and I am not familiar with this company, but a company that is moving out of America because of our burdensome Tax Code. Does that not prove the point that we need tax reform as championed by Mr. CAMP, the chairman of the Ways and Means Committee?

We need a Tax Code that is competitive. This company is probably leaving to get away from a burdensome, complicated tax system that is killing jobs. Those jobs are going overseas. They need to stay in America.

Mr. Speaker, to create jobs, we have to have a Tax Code that is clear, fair, concise, one that creates jobs. But we also need a regulatory burden that does the same thing: one that is clear; one that is concise; one that uses cost-benefit analysis.

I can't understand why there are Members of the House that oppose cost-benefit analysis on new regulations. It is a matter of common sense, because our regulatory burden, as much as the Tax Code, is driving jobs offshore. We don't need that.

One of the things that was lost in the debate earlier that I find just mind-boggling is the ability to fight forest fires, of all things. As Smokey the Bear says, ''Only you can prevent forest fires.'' Well, I guess towards this administration he is saying, ''Only you can promote forest fires through your ridiculous regulatory climate.''

And then let me say this. To create jobs in America, we need to have competitive energy. We need to use American energy resources.

As somebody who represents four military installations, I know well that it is not a matter of cheap and abundant energy for manufacturing and traveling and transportation purposes. It is also a matter of national security. Because when we depend so heavily on Middle East oil and oil from unstable anti-American countries, what we are, in fact, doing is funding both sides in the war on terrorism.

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

Mr. CAMP. I yield the gentleman an additional 1 minute.

Mr. KINGSTON. We need to develop American energy, and that is what this bill does. It is commonsense tax reform, commonsense regulatory reform, and commonsense energy reform.

I am appalled that the United States Senate has not had time to take up one of these bills. And, as Mr. CAMP just outlined, as a matter of public record, the number of Democrats who have supported these pieces of legislation, we need to get the Senate moving.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield to the gentleman from Maryland to inform the gentleman from Georgia more about these corporations that are attempting to flee the United States, I would like to have good news for the distinguished chairman of the committee that this veterans bill has been so popular on the other side of the Capitol that it appears as though it is included in a Senate bill and, as we talk, is actually being attacked by the Republican minority on the other side. So, at least as relates to the veterans, if we can take it out of this hodgepodge that has politically been put together, maybe collectively we can do something for our beloved veterans.

As far as the gentleman from Georgia is concerned, he had a problem in identifying the U.S. company that is going to receive a bonus, that is fleeing their tax obligation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. VAN HOLLEN) so he can help clarify those issues to explain exactly how this provision is costing us.

Mr. VAN HOLLEN. Mr. Speaker, I thank my friend.

Look, the Joint Tax Committee has suggested that if we don't deal with this problem of corporations changing their tax address to escape their responsibilities to the citizens of this country, it will add $20 billion to the deficit, which taxpayers will have to make up.

I just want to emphasize the point the gentleman made because Mr. CAMP has called upon Senate Democrats to vote on the Hire Our Heroes bill. In fact, that bill is in the Senate 2-year extender bill in the United States Senate, which is currently being blocked and filibustered by our Republican Senate colleagues.

I would also point out that the cost of that bill, which we all accept, is $700 million added to the deficit. You are now putting it in a package with all sorts of corporate giveaways that doesn't cost $700 million but, together, costs $573 billion to the deficit, all in an afternoon's work.

Mr. Speaker, this is an irresponsible bill. We should vote ''no.''

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. YOUNG), a distinguished member of the Ways and Means Committee.

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to speak in support of H.R. 4, the Jobs for America Act.

The undeniable fact is the U.S. House has passed more than 40 individual jobs bills, sent them to the Senate, and

they remain untouched by the Democratic majority leader.

Many of the jobs proposals included in this broader package, H.R. 4, have bipartisan support and include commonsense ideas like extending the section 179 tax benefits for small businesses, helping our veterans get back to work, and a repeal of the medical device tax.

Medical device companies, in particular, play an integral role in my home State of Indiana and our economy—more than 71,000 jobs and $44 billion in personal income on account of the industry—and I hear every day how this tax has stifled innovation and led to a decrease in jobs for my fellow Hoosiers.

In 2013, 79 Senators, many of them champions of ObamaCare, took a symbolic vote to eliminate that tax. I hope that the Democrat-controlled Senate will move beyond political symbolism—and for many, political self-preservation—and vote to repeal this tax on innovation, job creation, and patient care.

Finally, I am pleased that two pieces of legislation which I authored are included in H.R. 4. The Save American Workers Act, which is also bipartisan, would simply change the definition of full-time employment within ObamaCare from 30 hours back to the traditional definition of 40 hours.

□ 1500

Now, 40 hours is what everyone agrees is full time, so let's not further harm small business employees, school cafeteria workers, adjunct university professors, and other hourly workers with this arbitrary change in the definition of ''full time.''

Also included is the REINS Act. This bipartisan bill aims to relieve much of the regulatory burden on our Nation's small- and medium-sized businesses and on all Americans who benefit from affordable goods and services.

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

Mr. CAMP. I yield the gentleman an additional 1 minute.

Mr. YOUNG of Indiana. The legislation ensures that, when unelected, unaccountable bureaucrats in Washington enact rules and regs that impact our economy, these regulations will be voted on by Congress to ensure that your elected Representatives are held accountable for the laws our constituents are subjected to.

I respectfully urge the American people to take a very close look at H.R. 4 and to demand that the Democratic-controlled Senate bring these bills up for consideration so we can enable people to get back to work and see their personal incomes grow.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a hardworking gentleman on the Ways and Means Committee, one who has been outspoken on all of the issues that concern national security as well as the protection of our economy.

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, House Republicans are shutting down this House early today, and they are shutting it down with the same happy talk and tax cut hocus pocus that they began this Congress with 21 months ago, last January.

That is when Speaker BOEHNER reserved H. Res. 1 for a form of Miracle-Gro. They were going to sprinkle around Miracle-Gro tax cuts—more special interest tax breaks on everyone—and they would grow money faster than it could grow on trees. They have given us so much talk and so many press conferences about how they would do away with all of these complex special interest provisions that Republicans have spent years writing into law for their buddies—into their Tax Code—and we would all have brighter smiles and, certainly, fatter wallets. All of that joy, all of those wonders, would be accomplished debt free. We wouldn't have to borrow another dime from the Chinese or the Saudis or from whoever would lend it to us. We would get all that and more with their proposal.

Unfortunately, their old time medicine show started brightly, but it fizzled out rather quickly.

No Democrat stood in the way of their introducing and voting in the Ways and Means Committee on a tax cut Miracle-Gro elixir. There is no reason they couldn't have brought it out here on the floor on any day the Speaker wanted to consider Miracle-Gro. Yet we are here today, closing out, and H. Res. 1 says on the Republican Web site that it is still reserved for the Speaker, as is most attention to any major issue in this country reserved, because these folks don't want to work here in Washington. Instead, we get to this sorry bill today that is before us that provides more debt, more complexity, and more sweetheart deals.

When we consider the difficult budget choices, Republicans claim that we just don't have enough money. As much as they would like to provide full funding for Alzheimer's research, for cancer, for multiple sclerosis, for diabetes, for Parkinson's, we just don't have the money. We would like to do more to prevent the many forest fires that are spreading across the country—wildfires of all types—and provide the National Weather Service better funding to deal with the dramatic changes in our climate and our weather, but we just don't have the money to do that.

And what about our roads and bridges? We can't figure out a way to fund them, even to this time next year, because we just don't have the money.

Yes, we would like each child to be able to accomplish their full, God-given potential, but we just can't afford to fund from pre-K to post grad. But somehow we can afford more Miracle-Gro today—$500 billion taken right out of the debt, added to the debt.

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

Mr. RANGEL. I yield the gentleman an additional 2 minutes.

Mr. DOGGETT. I am for—and I know the gentleman is for—a pro-growth, pro-job creation set of government policies that focus on workforce development, on having the research in medicine and technology not only to find cures but to produce another round of jobs.

If we lack the Federal resources to do that, we certainly don't have the Federal resources today to hand out one bonus after another, as their bill does, to corporations with special interest provisions that will ultimately fail our economy.

This bill that we have does everything that they said their tax elixir would not do. It borrows money from many to give money to a few who already have the most. This represents the first installment in new national debt, a big chunk of the more than $1 trillion that these Republicans told us they wouldn't bury us in, but they proposed the first big installment today. They continue a Tax Code that is riddled with special interest tax preferences and giveaways while making a bonus depreciation provision that even failed as a temporary stimulus measure.

The only jobs that this bill is really designed to protect—and the reason that it is here right now before they rush to the airport—are the jobs of the Republican Members of this House of Representatives, and they sure do a good job of trying to accomplish that.

We ought to reject this package that is motivated solely by a looming election for a Republican majority whose biggest contributions to job creation in America have cost us dearly. They stand steadfast against the proposal that the U.S. Chamber of Commerce and one business group after another tells us will grow this economy—that is immigration reform—because they can't overcome the Know Nothings within their party who stand against the reform that we know would grow so many jobs.

Of course, their major accomplishment that they can point to right now out of this Congress was when they put the country on Cruz control, and it cost us $24 billion in economic growth. Reject this bill.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank Chairman CAMP for his leadership on this bill. I thank Chairman HENSARLING for his leadership on the issue that I rise to speak about today.

Mr. Speaker, I rise to support the Jobs for America Act, H.R. 4.

In Virginia's Fifth District, our district, there are literally thousands of jobs that exist because of private equity investments. These critical investments allow our small businesses to innovate, expand their operations, and create the jobs that our communities need.

Unfortunately, Dodd-Frank has placed the costly and unnecessary regulatory burden of SEC registration on advisers to private equity while exempting advisers to similar investment funds. These registration requirements do not improve the stability of our financial system, and they restrict the ability of private equity to invest capital in small businesses, which would spur job growth.

Instead of complying with costly SEC registration, private equity should be encouraged to focus on investing capital in companies such as Virginia Candle, a company in our district that, through private equity investment, expanded from a garage in Lynchburg to millions of homes across the world.

That is why I, along with my colleagues Representative COOPER and Representative HIMES, introduced the Small Business Capital Access and Job Preservation Act, a provision of H.R. 4 which previously passed the House with bipartisan support.

Unfortunately, the Senate has failed to consider this and dozens of other House-passed jobs bills. At a time when unemployment in Virginia's Fifth District is still too high, the Senate needs to join us immediately in enacting pro-growth policies to spur job creation for our communities.

I ask my colleagues to join me in supporting H.R. 4 to increase the flow of private capital to our small businesses so they can innovate, grow, and create jobs for the American people.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND), my friend and a distinguished, eloquent member of the Ways and Means Committee.

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I am not quite sure if I have been living in a parallel universe over the last few years, but I thought there was genuine concern in this body about getting a grip on our budget deficits, about trying to get our fiscal house put back in order. Yet here we are, in the eleventh hour, before they cut us loose for the fall campaign season, and we have another bill pending before this body that costs $573 billion—with a B—with not a penny of offset, with not a dime of it paid for. Then people wonder where these budget deficits come from.

What is unfortunate is some of the policy proposals in this legislation I actually support. We have got five bills coming out of the Ways and Means Committee with some permanent changes to the Tax Code that I happen to agree with, whether it is the R&D—research and development—tax credit; the 179 expensing; the S Corp Modernization bill, which is a bill that I and my friend from Washington State (Mr. REICHERT) introduced earlier this year to help with the S corporation businesses in this country; the bonus depreciation; and the repeal of the medical device tax—again, legislation that I and my friend from Minnesota, ERIK PAULSEN, had introduced because we didn't think it was a good idea for us to be taxing our domestic medical device manufacturers, especially on a pre-revenue basis.

I always believed that, with these changes being made, they should be offset, that they should be paid for. That is the fiscally responsible approach to take, and yet we have a $573 billion bill with not one offset. This is following on the heels earlier this year of 15 permanent changes to the Tax Code being reported out of the Ways and Means Committee, at a cost approaching $1 trillion, with none of it being offset.

I would submit that, if we went forward on that type of policy prescription, we might as well forget about comprehensive tax reform because we wouldn't have any tools left to do anything with.

I give the chairman of the committee, Mr. CAMP, who is going to be retiring at the end of this year, a lot of credit for having the guts to come out with a discussion draft on what comprehensive reform should look like. In that draft, he was making some tough decisions. He was finding offsets to lower rates and simplify the Tax Code in order to help us be more competitive in the global marketplace. That is not what is being done here today.

I would request with the Republican leadership that, instead of cutting us loose today, what we ought to be doing is staying in longer and working on a true innovation agenda for our Nation, one that invests in quality educational opportunities for all of our students and good job training programs for workers in transition or for those looking to upgrade their skills so they can be competitive in the global marketplace, the crucial investments we have to make in broadband expansion, basic research funding through NIH and NSF grants and infrastructure modernization in this country, that is long overdue. We know we have to do it. Let's do it now when we need the jobs. That would be a true jobs package that, I think, we could rally around so as to get this economy humming again.

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

Mr. RANGEL. I yield the gentleman an additional 1 minute.

Mr. KIND. Rather than this dog and pony show and the message piece that is before us today, right before the November 4 elections, I think the American people are a lot smarter than what some people give them credit for. They know we have a fiscal problem that has to be addressed, and I think most people would realize that, by coming forward with yet another bill at a cost of $573 billion, with no offsets and no payfors, it is only going to make the situation worse and truly jeopardize the economic opportunities for our children and grandchildren in the future.

Instead of coming out with this legislation today, which is a grab bag for powerful special interests, let's do the tough, heavy lifting that needs to be done. Let's make these policy changes but in a fiscally responsible way, by finding offsets in the code to pay for them, so we can get our fiscal house put back in order and create the good-paying jobs that America needs today.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I would just say to my good friend from Wisconsin that that was part of the story. Many of these provisions that are bipartisan job-creating provisions have been extended time and time again without being ''offset,'' without being ''paid for.''

Look at the research and development tax credit. It has been extended 15 times over a 33-year period. It has never been paid for, but it is temporary, so it doesn't have the impact on innovation and research and development. That is what drives economies. That is what grows jobs.

Let's make this permanent. Let's not be the only nation in the world with a temporary tax policy. Then we wonder why we are not growing. Then we wonder why median incomes are flat or are declining. Then we wonder why people aren't achieving the American Dream.

Some of my friends have talked about the Senate. They didn't pay for this. What did they do? They extended some of these policies backwards a year and forward 1 year. How can anyone decide to hire a worker, to build a new building, to buy equipment, to start a new production line on 1 year of policy? This is about permanency, and it is about growing jobs.

I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. PAULSEN), a member of the Ways and Means Committee.

□ 1515

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Speaker, Americans have been pleading for Congress to take action to spur economic growth and create jobs. And the House has repeatedly acted to pass bipartisan legislation to get people back to work, and we are doing so once again today.

Today in this jobs bill is a provision that I authored to repeal the destructive medical device tax. It is destructive because it is a tax not on profit but on sales.

The medical device industry directly employs more than 400,000 people across the country, including 35,000 jobs in my home State of Minnesota. These companies create the lifesaving and life-improving technologies for our patients.

But, because of the President's new health care law, the device industry is now facing one of the highest effective tax rates in the world. This device tax has already resulted in the loss of 33,000 American jobs. That is the equivalent of the entire Minnesota medical device industry being wiped off the map. Another 132,000 jobs are expected to disappear or now go overseas. And these are good-paying jobs, Mr. Speaker—$60,000 to $80,000 per job. Eighty

percent of these companies are small businesses, employing 50 people or less.

I asked one company that I recently visited, with 60 employees: What does the device tax mean to you? It means I have six projects now instead of 10 projects; I will have two fewer engineers and two fewer technicians.

Another Minnesota company that I recently talked to with 20 employees that is not yet profitable told me that now they are borrowing—they are borrowing—$100,000 a month just to pay the tax. That is crazy.

So companies are cutting back on their research and development. Venture capital is disappearing. And we are seeing less innovation.

The bottom line is, this device tax is so poorly conceived, it kills jobs, it is stifling lifesaving and life-enhancing innovation, and both Democrats and Republicans in the House agree on this.

My legislation to repeal this harmful tax has 275 coauthors in this body, 46 of whom are Democrats. There is overwhelming bipartisan support to repeal this job-killing tax. But we need the Senate to take action. We need the Senate to stop blocking this bill from moving forward. That way, we can get this done.

It is time, Mr. Speaker, to come together to protect American jobs by repealing the device tax.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS), one of the hardest working members of the Ways and Means Committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank my colleague from New York for yielding.

I rise in strong opposition to H.R. 4 because it adds over $500 billion in permanent corporate tax giveaways that could end up causing 1 million hardworking Americans to lose their employer-provided health coverage and do nothing to help the tens of thousands of my constituents and tens of millions of Americans who are experiencing deep poverty, unemployment, and economic distress.

I cannot support adding over $500 billion to our deficit for permanent handouts to big corporations while 3.3 million long-term unemployed go unaided, while repairs and renovations to our Nation's infrastructure are threatened, while the Medicare doctors' fix goes unresolved, and while irrational budget cuts strangle education, health, research, and innovation.

This bill marks the height of Republican irresponsibility on both fiscal and policy grounds. I ask, how many millions of low-income students could complete college using Pell grants with just a fraction of the cost of this bill? How many long-term unemployed could pay their rent or provide food for their families with even a tiny amount of the cost of this bill? How many more small businesses could receive investment grants or critical low-cost loans?

Our government, yes, has the responsibility to advance policies that create jobs, strengthen our citizens, and grow our economy, not ones that undermine the health and well-being of Americans and advance the wealthiest among us at the expense of the struggling.

I will vote ''no'' on this sham jobs-creating bill.

Mr. CAMP. I am prepared to close, so I reserve the balance of my time.

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

Mr. Speaker, as we close out on this bill, I would like to enter into the RECORD a report by the Center on Budget and Policy Priorities. This is an objective report on the subject that we have just talked about, and that is whether or not the Affordable Care Act has caused a loss in full-time jobs. This report clearly shows that we have had a rise in full-time work in connection with the health care reform bill.

[From Off the Charts, Sept. 17, 2014]

CENSUS REPORT SHOWS RISE IN FULL-TIME WORK, UNDERCUTTING CLAIMS BY HEALTH REFORM OPPONENTS

(By Paul N. Van de Water)

Yesterday's Census Bureau report shows that the share of workers with full-time, full-year work rose in 2013, while the share with part-time, part-year work fell. This finding further undercuts assertions that health reform is causing a large increase in part-time employment—as proponents of a House measure to change health reform's rules on covering full-time workers claim.

Health reform requires employers with at least 50 full-time-equivalent workers to offer coverage to full-time employees—defined as those who work at least 30 hours a week—or pay a penalty. Critics claim that employers are shifting some employees to part-time work to avoid offering them health insurance. But the data provide scant evidence of such a shift.

To the contrary, part-time work became less frequent last year. ''An estimated 72.7 percent of working men with earnings and 60.5 percent of working women with earnings worked full time, year round in 2013, both percentages higher than the 2012 estimates of 71.1 percent and 59.4 percent respectively,'' according to the new Census report. These data are consistent with a recent Urban Institute analysis that found little evidence that health reform has increased part-time work.

The share of involuntary part-timers—workers who'd rather have full-time jobs but can't find them—tells a similar story. If health reform were distorting hiring practices, as critics assert, we'd expect the share of involuntary part-timers to be growing. Instead, as the chart (based on Labor Department data) shows, it's down by 1½ percentage points from its post-recession peak. My colleague Jared Bernstein finds that this pattern is typical for this stage of a recovery.

Later this week, the House will consider a proposal (part of a so-called ''jobs bill'') to raise health reform's threshold for full-time work from 30 to 40 hours. But this step would make a shift toward part-time employment much more likely—not less so.

Only about 7 percent of employees work 30 to 34 hours (that is, at or modestly above health reform's 30-hour threshold), but 44 percent of employees work 40 hours a week and thus would be vulnerable to cuts in their hours if the threshold rose to 40 hours. Employers could easily cut back large numbers of employees from 40 to 39 hours so they wouldn't have to offer them health coverage.

If you exclude workers at firms that already offer health insurance and thus won't be tempted to cut workers' hours, more than twice as many workers would face a high risk of reduced hours under a 40-hour threshold than under the current 30-hour threshold, according to New York University economist Sherry Glied.

There's little evidence to date that health reform has caused a shift to part-time work. There's every reason to expect the impact to be small as a share of total employment, as we have explained. And raising the cutoff for the employer mandate from 30 to 40 hours a week would be a step in the wrong direction.

Mr. RANGEL. Now, the gentleman knows also that in order to get a bill passed, it really helps if you get the cooperation of the President of the United States.

I would like to submit a statement for the RECORD from the administration which says that if this bill was to reach him that he would be forced to follow the advice of his administration specialists and veto it.

On the other hand, I think it is abundantly clear that the Speaker knows that the President has reached out to him and to the Senate to come together to create jobs.

STATEMENT OF ADMINISTRATION POLICY

H.R. 4—JOBS FOR AMERICA ACT

(Rep. Camp, R-Michigan, and 4 cosponsors)

The Administration strongly opposes House passage of H.R. 4, which incorporates several bills that have previously been passed by the House during this Congress, including a number of bills for which the Administration issued Statements of Administration Policy strongly opposing passage and indicating that, if presented to the President, his senior advisors would recommend that he veto them.

The Administration wants to work with Congress to make progress on measures that strengthen the economy and help middle class families, including pro-growth business tax reform. The Administration continues to support tax proposals that would benefit the Nation's economy and small businesses, such as making permanent the research and experimentation tax credit and increased expensing for small businesses. However, making traditional tax extenders and costly business tax cuts permanent without offsets, while at the same time allowing taxes to increase on 26 million working families, represents the wrong approach.

In addition, the Administration welcomes ideas to improve the Affordable Care Act. However, H.R. 4 would undermine that Act by shifting costs to taxpayers and causing fewer Americans to have employer-sponsored health insurance coverage.

Also, the Administration is committed to ensuring that the benefits of regulation justify their costs and that they are tailored to advance statutory goals in a manner that is efficient, is cost-effective, and minimizes uncertainty. However, H.R. 4 would throw all major regulations into a months-long limbo, marking a significant departure from the longstanding separation of powers between the Executive and Legislative branches and, fostering uncertainty and impeding business investment that is vital to economic growth. Furthermore, the bill would impose other unnecessary requirements on agencies that would seriously undermine their ability to execute their statutory mandates.

Finally, the Administration is committed to sound long-term management of Federal lands for continued productivity and economic benefit, as well as for the long-term

health of the wildlife and ecological values sustained by these holdings. However, H.R. 4 includes numerous harmful provisions that would impair responsible management of Federally-owned lands and undermine many important existing public land and environmental laws, rules, and processes.

If the President were presented with H.R. 4, his senior advisors would recommend that he veto the bill.

Mr. RANGEL. Lastly, I would like to say, as the distinguished chair moves on to his retirement from this august body, that for as long as the gentleman has been a member of this Ways and Means Committee that I have admired and I continue to respect the fine work that he has contributed to the committee as well as to this House, and that his honesty, candidness, sincerity, and hard work to make this a better Congress and a better country certainly is appreciated now and will be in the future.

And I would hope that the hard work that he has done on tax reform—which is a very difficult, complex subject to deal with—that we might try to remember him for the fine work that he has done over these years, rather than on the eve of an election, where sometimes the leadership would want to make a political statement.

I, for one, will never associate him with this piece of legislation, but, rather, for the outstanding contributions that he has made year after year, session after session—not for Republicans, not for the committee, but for this great country. And I thank him for his friendship over the years.

I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from New York for those kind remarks and also for the work we have been able to do together over the years.

I remember the first legislation that we really worked together on was the Adoption and Safe Families Act, which was signed into law and has done a lot to move children from a temporary situation into a permanent loving home. And I want to thank the gentleman for his leadership on that and other issues on the committee.

And as a former chairman of the committee, you have sat in the chair I am sitting in right now and know what a challenge it can be at times. But we have done some great work together.

I do happen to believe, though, that this legislation would create jobs. And it is not just my opinion. These provisions have been analyzed by the nonpartisan Joint Committee on Taxation, and that indicates that these are all important provisions.

There has been some reference to the fact that we are close to an election. And I think clearly what most Americans are sick of is the dysfunction in Washington, the lack of ability for the two parties to get together, whether it is the Republicans and Democrats in the House or Democrat majorities in the Senate and Republican majorities in the House. And these are all bipartisan provisions. These are all tax provisions that have had significant Democrat support and votes. In the case of the Help Hire Our Heroes Act, I think every Democrat but one voted for it. Clearly these are things that will help create jobs.

And not only do Americans want to see the dysfunction in this body end, but they would like to see something that will help move the economy forward, that will help make their lives better.

If you look at polling—there is certainly a lot of polling out there right now—a lot of Americans know that things are not as good as they should be. I mean, it clearly comes across in the polls how dissatisfied they are. And there are lots of reasons for that, largely because median incomes are declining.

But what is really troubling is that Americans don't believe that things are going to get better. They are worried that, for the first time, their children or their brothers and sisters or their family members or they will not have the same opportunities that many of their parents or some of their friends have had. That is a very troubling situation.

This is legislation that will help move the ball forward on getting some economic growth, some job creation, a stronger economy. And with that stronger economy comes more jobs, comes higher wages, comes benefits so that people can pay for food and gas and put something aside for their retirement and for their kids' education.

These are all things that have been extended repeatedly with bipartisan support. As I mentioned, R&D, 30 years; section 179, expensing for small businesses, 10 years; some of the S Corp perform, 12 years—seven times since 2006.

So let's not have a temporary policy. Let's make this permanent. Let's get this country moving again. Let's restore that faith that people have had in this country and in the American Dream. Let's vote ''yes'' on H.R. 4.

Mr. Speaker, I yield back the balance of my time.

Mr. LANGEVIN. Mr. Speaker, it is with a great sense of disappointment that I deliver my remarks today. For the past 21 months, this House has failed to take any meaningful action to reduce unemployment or boost job creation in America. We know what the solutions are, and yet unconscionably the Republican leadership has chosen to engage in divisive political gamesmanship rather than taking on the more challenging task of governing, which is what our constituents sent us here to do.

In my home state of Rhode Island, employers are still struggling to find qualified employees to fill available jobs. This skills gap keeps the unemployment rate stubbornly high, while many middle class families are still struggling to make ends meet.

H.R. 4 contains provisions from several bills that have already passed the House and failed to gain traction in the Senate. Instead of more duplicative messaging bills, we should be working with our colleagues across the aisles, and across the Capitol, to incentivize companies to bring jobs back home, invest in advanced research and development, educate and train our workforce for a 21st Century economy, and modernize our infrastructure to improve safety, boost commerce and create jobs.

Certainly the House and Senate have different visions about how to proceed. But when disagreements arise, the process should involve working together to find a solution that can pass both houses and reach the President's desk. Instead, House Republican leaders have decided the best course of action is to revisit bills that we already know are unacceptable to the Senate. As a fitting coda to the 113th Congress, we will again squander an opportunity to act while millions of Americans still need our help.

This Congress is set to go down in history as the least productive ever. Many members have taken a ''death or glory'' approach to legislating, demanding that either we give them everything, or nobody can have anything. It was a year ago that we suffered the first government shutdown in 17 years; a shutdown caused by the House Majority's inability to contemplate negotiation.

Even by the Speaker's own criteria of ''laws repealed'' instead of laws passed, we have been remarkably unproductive. Without any coherent legislative strategy, the Republican majority has attempted to repeal or undermine the Affordable Care Act over 50 times. However, we still cannot find the time to extend long-term unemployment insurance, fix our broken immigration system, or tackle any of the other challenges that our constituents sent us here to fix.

One of the easiest steps we can take would be to re-authorize the Carl D. Perkins Career and Technical Education Act. This main source of federal funding for career training programs was last re-authorized in 2006 and expired in 2012. There is broad, bipartisan support for revisiting Perkins and updating its provisions to reflect the realities of the 21st Century economy. Advocates across the country support re-authorizing Perkins. Unfortunately, this did not become a priority for the Committee and we are left waiting for action yet again.

There is too much work to be done to waste time on this petty political squabbling. We have the capacity to meet the challenges that face us, but a lack of courage on the part of House leadership keeps us from doing so. It is my sincere hope that in the 114th Congress we return to regular order, negotiate instead of digging in our heels, and solve problems instead of creating them.

Ms. WATERS. Mr. Speaker, I would like to submit the following:

AMERICANS FOR FINANCIAL REFORM,
Washington, DC, September 18, 2014.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform (AFR), we are writing to urge you to oppose H.R. 4, the ''Jobs For America Act''. Division III of the legislation contains a number of extremely problematic provisions that would require regulatory agencies to satisfy dozens of additional mandates prior to any regulation of Wall Street, and which would create numerous additional opportunities for large financial firms to block any government action in court. AFR has joined the Coalition for Sensible Safeguards and dozens of other civil society organizations in a joint letter opposing these provisions.

We would also like to draw attention to Title I of Division II of this legislation, the ''Small Business Capital Access and Job Preservation Act''. This legislation would exempt private equity fund advisors—who include some of the wealthiest and most significant entities on Wall Street—from registration and reporting requirements designed to allow regulators to protect investors and the public and monitor risk in the financial system.

Prior to the Dodd-Frank Act, hedge and private equity funds received almost no regulatory monitoring, despite the fact that they manage some $3 trillion in assets in total on behalf of numerous investors, including many pension funds. The Dodd-Frank Act created more transparency for this previously dark portion of the markets, by requiring hedge and private equity fund advisors to register with the Securities and Exchange Commission (SEC), maintain a code of ethics and a compliance program, and report basic financial information relevant to systemic risk. This legislation would effectively exempt all private equity fund advisors from these requirements.

Since this legislation was voted on as a stand alone bill in December, 2013 as H.R. 1105, the SEC has reported publicly on its basic 'presence examinations' of private equity fund advisors pursuant to its new Dodd-Frank responsibilities. These examinations found widespread evidence of abuse of investors and violations of the law. In a recent speech, Andrew Bowden, the SEC's Director of Compliance Inspections and Examinations, stated that ''when we have examined how fees and expenses are handled by advisers to private equity funds, we have identified what we believe are violations of law or material weaknesses in controls over 50% of the time''. The speech details evidence of deception and abuse of investors in other areas as well. Mr. Bowden also stated that due to the opaque nature of the private equity model and the limited information rights of investors, outside investors in private equity funds ''often have little to no chance of detecting'' these abuses on their own.

Given the findings of the SEC in its initial investigations of private equity advisors, it is deeply disappointing to see that the House is once again pursuing a broad exemption from registration, reporting, and associated ethics requirements for private equity advisors. The passage of ''The Small Business Capital Access and Job Preservation Act'' would effectively remove the SEC's most effective tool for addressing the evidence of widespread investor abuses recently uncovered through their examinations. We urge you to oppose this legislation.

Thank you for your consideration. For more information please contact AFR's Policy Director, Marcus Stanley.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

FOLLOWING ARE THE PARTNERS OF AMERICANS FOR FINANCIAL REFORM

All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

A New Way Forward; AFL–CIO; AFSCME; Alliance for Justice; American Income Life Insurance; American Sustainable Business Council; Americans for Democratic Action, Inc.; Americans United for Change; Campaign for America's Future; Campaign Money; Center for Digital Democracy; Center for Economic and Policy Research; Center for Economic Progress; Center for Media and Democracy; Center for Responsible Lending; Center for Justice and Democracy; Center of Concern; Center for Effective Government; Change to Win; Clean Yield Asset Management.

Coastal Enterprises Inc.; Color of Change; Common Cause; Communications Workers of America; Community Development Transportation Lending Services; Consumer Action; Consumer Association Council; Consumers for Auto Safety and Reliability; Consumer Federation of America; Consumer Watchdog; Consumers Union; Corporation for Enterprise Development; CREDO Mobile; CTW Investment Group; Demos; Economic Policy Institute; Essential Action; Greenlining Institute; Good Business International; HNMA Funding Company; Home Actions.

Housing Counseling Services; Home Defenders League; Information Press; Institute for Global Communications; Institute for Policy Studies: Global Economy Project; International Brotherhood of Teamsters; Institute of Women's Policy Research; Krull & Company; Laborers' International Union of North America; Lawyers' Committee for Civil Rights Under Law; Main Street Alliance; Move On; NAACP; NASCAT; National Association of Consumer Advocates; National Association of Neighborhoods; National Community Reinvestment Coalition; National Consumer Law Center (on behalf of its low-income clients); National Consumers League; National Council of La Raza.

National Council of Women's Organizations; National Fair Housing Alliance; National Federation of Community Development Credit Unions; National Housing Resource Center; National Housing Trust; National Housing Trust Community Development Fund; National NeighborWorks Association; National Nurses United; National People's Action; National Urban League; Next Step; OpenTheGovernment.org; Opportunity Finance Network; Partners for the Common Good; PICO National Network; Progress Now Action; Progressive States Network; Poverty and Race Research Action Council; Public Citizen; Sargent Shriver Center on Poverty Law.

SEIU; State Voices; Taxpayers for Common Sense; The Association for Housing and Neighborhood Development; The Fuel Savers Club; The Leadership Conference on Civil and Human Rights; The Seminal; TICAS. U.S. Public Interest Research Group; UNITE HERE; United Food and Commercial Workers; United States Student Association; USAction; Veris Wealth Partners; Western States Center; We the People Now; Woodstock Institute; World Privacy Forum; UNET; Union Plus; Unitarian Universalist for a Just Economic Community.

LIST OF STATE AND LOCAL AFFILIATES

Alaska PIRG; Arizona PIRG; Arizona Advocacy Network; Arizonans For Responsible Lending; Association for Neighborhood and Housing Development NY; Audubon Partnership for Economic Development LDC, New York NY; BAC Funding Consortium Inc., Miami FL; Beech Capital Venture Corporation, Philadelphia PA; California PIRG; California Reinvestment Coalition; Century Housing Corporation, Culver City CA; CHANGER NY; Chautauqua Home Rehabilitation and Improvement Corporation (NY); Chicago Community Loan Fund, Chicago IL; Chicago Community Ventures, Chicago IL; Chicago Consumer Coalition; Citizen Potawatomi CDC, Shawnee OK; Colorado PIRG; Coalition on Homeless Housing in Ohio; Community Capital Fund, Bridgeport CT.

Community Capital of Maryland, Baltimore MD; Community Development Financial Institution of the Tohono O'odham Nation, Sells AZ; Community Redevelopment Loan and Investment Fund, Atlanta GA; Community Reinvestment Association of North Carolina; Community Resource Group, Fayetteville A; Connecticut PIRG; Consumer Assistance Council; Cooper Square Committee (NYC); Cooperative Fund of New England, Wilmington NC; Corporacion de Desarrollo Economico de Ceiba, Ceiba PR; Delta Foundation, Inc., Greenville MS; Economic Opportunity Fund (EOF), Philadelphia PA; Empire Justice Center NY; Empowering and Strengthening Ohio's People (ESOP), Cleveland OH; Enterprises, Inc., Berea KY; Fair Housing Contact Service OH; Federation of Appalachian Housing; Fitness and Praise Youth Development, Inc., Baton Rouge LA; Florida Consumer Action Network; Florida PIRG.

Funding Partners for Housing Solutions, Ft. Collins CO; Georgia PIRG; Grow Iowa Foundation, Greenfield IA; Homewise, Inc., Santa Fe NM; Idaho Nevada CDFI, Pocatello ID; Idaho Chapter, National Association of Social Workers; Illinois PIRG; Impact Capital, Seattle WA; Indiana PIRG; Iowa PIRG; Iowa Citizens for Community Improvement; JobStart Chautauqua, Inc., Mayville NY; La Casa Federal Credit Union, Newark NJ; Low Income Investment Fund, San Francisco CA; Long Island Housing Services NY; MaineStream Finance, Bangor ME; Maryland PIRG; Massachusetts Consumers' Coalition; MASSPIRG; Massachusetts Fair Housing Center.

Michigan PIRG; Midland Community Development Corporation, Midland TX; Midwest Minnesota Community Development Corporation, Detroit Lakes MN; Mile High Community Loan Fund, Denver CO; Missouri PIRG; Mortgage Recovery Service Center of L.A.; Montana Community Development Corporation, Missoula MT; Montana PIRG; Neighborhood Economic Development Advocacy Project; New Hampshire PIRG; New Jersey Community Capital, Trenton NJ; New Jersey Citizen Action; New Jersey PIRG; New Mexico PIRG; New York PIRG; New York City Aids Housing Network; New Yorkers for Responsible Lending; NOAH Community Development Fund, Inc., Boston MA; Nonprofit Finance Fund, New York NY; Nonprofits Assistance Fund, Minneapolis M.

North Carolina PIRG; Northside Community Development Fund, Pittsburgh PA; Ohio Capital Corporation for Housing, Columbus OH; Ohio PIRG; Oligarchy USA; Oregon State PIRG; Our Oregon; PennPIRG; Piedmont Housing Alliance, Charlottesville VA; Michigan PIRG; Rocky Mountain Peace and Justice Center, CO; Rhode Island PIRG; Rural Community Assistance Corporation, West Sacramento CA; Rural Organizing Project OR; San Francisco Municipal Transportation Authority; Seattle Economic Development Fund; Community Capital Development; TexPIRG; The Fair Housing Council of Central New York; The Loan Fund, Albuquerque NM; Third Reconstruction Institute NC; Vermont PIRG; Village Capital Corporation, Cleveland OH; Virginia Citizens Consumer Council; Virginia Poverty Law Center; War on Poverty-Florida; WashPIRG; Westchester Residential Opportunities Inc.; Wigamig Owners Loan Fund, Inc., Lac du Flambeau WI; WISPIRG.

SMALL BUSINESSES

Blu; Bowden-Gill Environmental; Community MedPAC; Diversified Environmental Planning; Hayden & Craig, PLLC; Mid City Animal Hospital, Pheonix AZ; The Holographic Repatterning Institute at Austin; UNET.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule IXX, further consideration of H.R. 4 is postponed.

PERMISSION TO POSTPONE ADOPTION OF MOTION TO RECOMMIT ON H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 2 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the bill is considered read.

The text of the bill is as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''American Energy Solutions for Lower Costs and More American Jobs Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—ENERGY AND COMMERCE

TITLE I—MODERNIZING INFRASTRUCTURE

Subtitle A—Northern Route Approval

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Keystone XL permit approval.
Sec. 104. Judicial review.
Sec. 105. American burying beetle.
Sec. 106. Right-of-way and temporary use permit.
Sec. 107. Permits for activities in navigable waters.
Sec. 108. Migratory Bird Treaty Act permit.
Sec. 109. Oil spill response plan disclosure.

Subtitle B—Natural Gas Pipeline Permitting Reform

Sec. 121. Short title.
Sec. 122. Regulatory approval of natural gas pipeline projects.

Subtitle C—North American Energy Infrastructure

Sec. 131. Short title.
Sec. 132. Finding.
Sec. 133. Authorization of certain energy infrastructure projects at the national boundary of the United States.
Sec. 134. Importation or exportation of natural gas to Canada and Mexico.
Sec. 135. Transmission of electric energy to Canada and Mexico.
Sec. 136. No Presidential permit required.
Sec. 137. Modifications to existing projects.
Sec. 138. Effective date; rulemaking deadlines.
Sec. 139. Definitions.

TITLE II—MAINTAINING DIVERSE ELECTRICITY GENERATION AND AFFORDABILITY

Subtitle A—Energy Consumers Relief

Sec. 201. Short title.
Sec. 202. Prohibition against finalizing certain energy-related rules that will cause significant adverse effects to the economy.
Sec. 203. Reports and determinations prior to promulgating as final certain energy-related rules.
Sec. 204. Definitions.
Sec. 205. Prohibition on use of social cost of carbon in analysis.

Subtitle B—Electricity Security and Affordability

Sec. 211. Short title.
Sec. 212. Standards of performance for new fossil fuel-fired electric utility generating units.
Sec. 213. Congress To set effective date for standards of performance for existing, modified, and reconstructed fossil fuel-fired electric utility generating units.
Sec. 214. Repeal of earlier rules and guidelines.
Sec. 215. Definitions.

Subtitle C—Report on Energy and Water Savings Potential From Thermal Insulation

Sec. 221. Report on energy and water savings potential from thermal insulation.

TITLE III—UNLEASHING ENERGY DIPLOMACY

Sec. 301. Short title.
Sec. 302. Action on applications.
Sec. 303. Public disclosure of export destinations.

DIVISION B—NATURAL RESOURCES COMMITTEE

Sec. 201. References.

SUBDIVISION A—LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014

Sec. 1. Short title.

TITLE I—OFFSHORE ENERGY AND JOBS

Subtitle A—Outer Continental Shelf Leasing Program Reforms

Sec. 10101. Outer Continental Shelf leasing program reforms.
Sec. 10102. Domestic oil and natural gas production goal.
Sec. 10103. Development and submittal of new 5-year oil and gas leasing program.
Sec. 10104. Rule of construction.
Sec. 10105. Addition of lease sales after finalization of 5-year plan.

Subtitle B—Directing the President To Conduct New OCS Sales

Sec. 10201. Requirement to conduct proposed oil and gas Lease Sale 220 on the Outer Continental Shelf offshore Virginia.
Sec. 10202. South Carolina lease sale.
Sec. 10203. Southern California existing infrastructure lease sale.
Sec. 10204. Environmental impact statement requirement.
Sec. 10205. National defense.
Sec. 10206. Eastern Gulf of Mexico not included.

Subtitle C—Equitable Sharing of Outer Continental Shelf Revenues

Sec. 10301. Disposition of Outer Continental Shelf revenues to coastal States.

Subtitle D—Reorganization of Minerals Management Agencies of the Department of the Interior

Sec. 10401. Establishment of Under Secretary for Energy, Lands, and Minerals and Assistant Secretary of Ocean Energy and Safety.
Sec. 10402. Bureau of Ocean Energy.
Sec. 10403. Ocean Energy Safety Service.
Sec. 10404. Office of Natural Resources revenue.
Sec. 10405. Ethics and drug testing.
Sec. 10406. Abolishment of Minerals Management Service.
Sec. 10407. Conforming amendments to Executive Schedule pay rates.
Sec. 10408. Outer Continental Shelf Energy Safety Advisory Board.
Sec. 10409. Outer Continental Shelf inspection fees.
Sec. 10410. Prohibition on action based on National Ocean Policy developed under Executive Order No. 13547.

Subtitle E—United States Territories

Sec. 10501. Application of Outer Continental Shelf Lands Act with respect to territories of the United States.

Subtitle F—Miscellaneous Provisions

Sec. 10601. Rules regarding distribution of revenues under Gulf of Mexico Energy Security Act of 2006.
Sec. 10602. Amount of distributed qualified outer Continental Shelf revenues.
Sec. 10603. South Atlantic Outer Continental Shelf Planning Area defined.
Sec. 10604. Enhancing geological and geophysical information for America's energy future.

Subtitle G—Judicial Review

Sec. 10701. Time for filing complaint.
Sec. 10702. District court deadline.
Sec. 10703. Ability to seek appellate review.
Sec. 10704. Limitation on scope of review and relief.
Sec. 10705. Legal fees.
Sec. 10706. Exclusion.
Sec. 10707. Definitions.

TITLE II—ONSHORE FEDERAL LANDS AND ENERGY SECURITY

Subtitle A—Federal Lands Jobs and Energy Security

Sec. 21001. Short title.
Sec. 21002. Policies regarding buying, building, and working for America.

CHAPTER 1—ONSHORE OIL AND GAS PERMIT STREAMLINING

Sec. 21101. Short title.

SUBCHAPTER A—APPLICATION FOR PERMITS TO DRILL PROCESS REFORM

Sec. 21111. Permit to drill application timeline.

SUBCHAPTER B—ADMINISTRATIVE PROTEST DOCUMENTATION REFORM

Sec. 21121. Administrative protest documentation reform.

SUBCHAPTER C—PERMIT STREAMLINING

Sec. 21131. Making pilot offices permanent to improve energy permitting on Federal lands.
Sec. 21132. Administration of current law.

SUBCHAPTER D—JUDICIAL REVIEW
Sec. 21141. Definitions.
Sec. 21142. Exclusive venue for certain civil actions relating to covered energy projects.
Sec. 21143. Timely filing.
Sec. 21144. Expedition in hearing and determining the action.
Sec. 21145. Standard of review.
Sec. 21146. Limitation on injunction and prospective relief.
Sec. 21147. Limitation on attorneys' fees.
Sec. 21148. Legal standing.
SUBCHAPTER E—KNOWING AMERICA'S OIL AND GAS RESOURCES
Sec. 21151. Funding oil and gas resource assessments.
CHAPTER 2—OIL AND GAS LEASING CERTAINTY
Sec. 21201. Short title.
Sec. 21202. Minimum acreage requirement for onshore lease sales.
Sec. 21203. Leasing certainty.
Sec. 21204. Leasing consistency.
Sec. 21205. Reduce redundant policies.
Sec. 21206. Streamlined congressional notification.
CHAPTER 3—OIL SHALE
Sec. 21301. Short title.
Sec. 21302. Effectiveness of oil shale regulations, amendments to resource management plans, and record of decision.
Sec. 21303. Oil shale leasing.
CHAPTER 4—MISCELLANEOUS PROVISIONS
Sec. 21401. Rule of construction.
Subtitle B—Planning for American Energy
Sec. 22001. Short title.
Sec. 22002. Onshore domestic energy production strategic plan.
Subtitle C—National Petroleum Reserve in Alaska Access
Sec. 23001. Short title.
Sec. 23002. Sense of Congress and reaffirming national policy for the National Petroleum Reserve in Alaska.
Sec. 23003. National Petroleum Reserve in Alaska: lease sales.
Sec. 23004. National Petroleum Reserve in Alaska: planning and permitting pipeline and road construction.
Sec. 23005. Issuance of a new integrated activity plan and environmental impact statement.
Sec. 23006. Departmental accountability for development.
Sec. 23007. Deadlines under new proposed integrated activity plan.
Sec. 23008. Updated resource assessment.
Subtitle D—BLM Live Internet Auctions
Sec. 24001. Short title.
Sec. 24002. Internet-based onshore oil and gas lease sales.
Subtitle E—Native American Energy
Sec. 25001. Short title.
Sec. 25002. Appraisals.
Sec. 25003. Standardization.
Sec. 25004. Environmental reviews of major Federal actions on Indian lands.
Sec. 25005. Judicial review.
Sec. 25006. Tribal biomass demonstration project.
Sec. 25007. Tribal resource management plans.
Sec. 25008. Leases of restricted lands for the Navajo Nation.
Sec. 25009. Nonapplicability of certain rules.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 30101. Establishment of Office of Energy Employment and Training.
SUBDIVISION B—BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT
Sec. 1. Short title.
Sec. 2. Amendment.
SUBDIVISION C—CENTRAL OREGON JOBS AND WATER SECURITY ACT
Sec. 1. Short title.
Sec. 2. Wild and Scenic River; Crooked, Oregon.
Sec. 3. City of Prineville Water Supply.
Sec. 4. First fill protection.
Sec. 5. Ochoco Irrigation District.
SUBDIVISION D—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION; EPA HYDRAULIC FRACTURING RESEARCH
TITLE I—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION
Sec. 101. Short title.
Sec. 102. State authority for hydraulic fracturing regulation.
Sec. 103. Government Accountability Office study.
Sec. 104. Tribal authority on trust land.
TITLE II—EPA HYDRAULIC FRACTURING RESEARCH
Sec. 201. Short title.
Sec. 202. Epa hydraulic fracturing research.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Review of State activities.
SUBDIVISION E—PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA
Sec. 1. Short title.
Sec. 2. Incorporation of surface mining stream buffer zone rule into State programs.
DIVISION C—JUDICIARY
Sec. 1. Short title.
Sec. 2. Coordination of agency administrative operations for efficient decisionmaking.

DIVISION A—ENERGY AND COMMERCE

TITLE I—MODERNIZING INFRASTRUCTURE

Subtitle A—Northern Route Approval

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Northern Route Approval Act''.

SEC. 102. FINDINGS.

The Congress finds the following:

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 103. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on January 31, 2014, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 104. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this subtitle, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this subtitle may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 105. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 106. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-

way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 107. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 103, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 108. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

SEC. 109. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

Subtitle B—Natural Gas Pipeline Permitting Reform

SEC. 121. SHORT TITLE.

This subtitle may be cited as the ''Natural Gas Pipeline Permitting Reform Act''.

SEC. 122. REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by adding at the end the following new subsection:

''(i)(1) The Commission shall approve or deny an application for a certificate of public convenience and necessity for a prefiled project not later than 12 months after receiving a complete application that is ready to be processed, as defined by the Commission by regulation.

''(2) The agency responsible for issuing any license, permit, or approval required under Federal law in connection with a prefiled project for which a certificate of public convenience and necessity is sought under this Act shall approve or deny the issuance of the license, permit, or approval not later than 90 days after the Commission issues its final environmental document relating to the project.

''(3) The Commission may extend the time period under paragraph (2) by 30 days if an agency demonstrates that it cannot otherwise complete the process required to approve or deny the license, permit, or approval, and therefor will be compelled to deny the license, permit, or approval. In granting an extension under this paragraph, the Commission may offer technical assistance to the agency as necessary to address conditions preventing the completion of the review of the application for the license, permit, or approval.

''(4) If an agency described in paragraph (2) does not approve or deny the issuance of the license, permit, or approval within the time period specified under paragraph (2) or (3), as applicable, such license, permit, or approval shall take effect upon the expiration of 30 days after the end of such period. The Commission shall incorporate into the terms of such license, permit, or approval any conditions proffered by the agency described in paragraph (2) that the Commission does not find are inconsistent with the final environmental document.

''(5) For purposes of this subsection, the term 'prefiled project' means a project for the siting, construction, expansion, or operation of a natural gas pipeline with respect to which a prefiling docket number has been assigned by the Commission pursuant to a prefiling process established by the Commission for the purpose of facilitating the formal application process for obtaining a certificate of public convenience and necessity.''.

Subtitle C—North American Energy Infrastructure

SEC. 131. SHORT TITLE.

This subtitle may be cited as the ''North American Energy Infrastructure Act''.

SEC. 132. FINDING.

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

SEC. 133. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 137, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) CERTIFICATE OF CROSSING.—

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(2) RELEVANT OFFICIAL.—The relevant official referred to in paragraph (1) is—

(A) the Secretary of State with respect to oil pipelines; and

(B) the Secretary of Energy with respect to electric transmission facilities.

(3) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 136 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 136 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—

(1) APPLICATION TO PROJECTS.—Nothing in this section or section 137 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) NATURAL GAS ACT.—Nothing in this section or section 137 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(3) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this section or section 137 shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act.

SEC. 134. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.''.

SEC. 135. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.''.

SEC. 136. NO PRESIDENTIAL PERMIT REQUIRED.

No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

SEC. 137. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 133, or permit described in section 136, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in section 136 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 133.

SEC. 138. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 133 through 137, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 133(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 133; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 133.

SEC. 139. DEFINITIONS.

In this subtitle—

(1) the term ''cross-border segment'' means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term ''modification'' includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term ''oil'' means petroleum or a petroleum product;

(5) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

TITLE II—MAINTAINING DIVERSE ELECTRICITY GENERATION AND AFFORDABILITY

Subtitle A—Energy Consumers Relief

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Energy Consumers Relief Act of 2014''.

SEC. 202. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion if the Secretary of Energy determines under section 203(3) that the rule will cause significant adverse effects to the economy.

SEC. 203. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

Before promulgating as final any energy-related rule that is estimated to cost more than $1 billion:

(1) REPORT TO CONGRESS.—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Agency in developing such estimates—

(I) have been preserved; and

(II) are available for review by the public on the Agency's Web site, except to the extent to which publication of such data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation's electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

SEC. 204. DEFINITIONS.

In this subtitle:

(1) The terms ''direct costs'' and ''indirect costs'' have the meanings given such terms in chapter 8 of the Environmental Protection Agency's ''Guidelines for Preparing Economic Analyses'' dated December 17, 2010.

(2) The term ''energy-related rule that is estimated to cost more than $1 billion'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) The term ''rule'' has the meaning given to such term in section 551 of title 5, United States Code.

SEC. 205. PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any executive order, the Administrator of the Environmental Protection Agency may not use the social cost of carbon in order to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than $1 billion unless and until a Federal law is enacted authorizing such use.

(b) DEFINITION.—In this section, the term ''social cost of carbon'' means the social cost of carbon as described in the technical support document entitled ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, or any successor or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

Subtitle B—Electricity Security and Affordability

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''Electricity Security and Affordability Act''.

SEC. 212. STANDARDS OF PERFORMANCE FOR NEW FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator of the Environmental Protection Agency may not issue, implement, or enforce any proposed or final rule under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source that is a fossil fuel-fired electric utility generating unit unless such rule meets the requirements under subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources that are fossil fuel-fired electric utility generating units, the Administrator of the Environmental Protection Agency (for purposes of establishing such standards)—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not set a standard based on the best system of emission reduction for new sources within a fossil-fuel category unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 6 units within such category—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(c) COAL HAVING A HEAT CONTENT OF 8300 OR LESS BRITISH THERMAL UNITS PER POUND.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator of the Environmental Protection Agency shall establish a separate subcategory for new sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources in such subcategory, the Administrator of the Environmental Protection Agency shall not set a standard based on the best system of emission reduction unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 3 units within such subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(d) TECHNOLOGIES.—Nothing in this section shall be construed to preclude the issuance, implementation, or enforcement of a standard of performance that—

(1) is based on the use of one or more technologies that are developed in a foreign country, but has been demonstrated to be achievable at fossil fuel-fired electric utility generating units in the United States; and

(2) meets the requirements of subsection (b) and (c), as applicable.

SEC. 213. CONGRESS TO SET EFFECTIVE DATE FOR STANDARDS OF PERFORMANCE FOR EXISTING, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) APPLICABILITY.—This section applies with respect to any rule or guidelines issued by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(1) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(2) apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

(b) CONGRESS TO SET EFFECTIVE DATE.—A rule or guidelines described in subsection (a) shall not take effect unless a Federal law is enacted specifying such rule's or guidelines' effective date.

(c) REPORTING.—A rule or guidelines described in subsection (a) shall not take effect unless the Administrator of the Environmental Protection Agency has submitted to Congress a report containing each of the following:

(1) The text of such rule or guidelines.

(2) The economic impacts of such rule or guidelines, including the potential effects on—

(A) economic growth, competitiveness, and jobs in the United States;

(B) electricity ratepayers, including low-income ratepayers in affected States;

(C) required capital investments and projected costs for operation and maintenance of new equipment required to be installed; and

(D) the global economic competitiveness of the United States.

(3) The amount of greenhouse gas emissions that such rule or guidelines are projected to reduce as compared to overall global greenhouse gas emissions.

(d) CONSULTATION.—In carrying out subsection (c), the Administrator of the Environmental Protection Agency shall consult with the Administrator of the Energy Information Administration, the Comptroller General of the United States, the Director of the National Energy Technology Laboratory, and the Under Secretary of Commerce for Standards and Technology.

SEC. 214. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules and guidelines shall be of no force or effect, and shall be treated as though such rules and guidelines had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', published at 77 Fed. Reg. 22392 (April 13, 2012); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions From New Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 1352 (January 8, 2014).

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions From New Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 1430 (January 8, 2014).

(3) With respect to the proposed rules described in paragraphs (1) and (2), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act;

(B) is applicable to any new source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 212.

(4) The proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 34830 (June 18, 2014).

(5) The proposed rule entitled ''Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 34960 (June 18, 2014).

(6) With respect to the proposed rules described in paragraphs (4) and (5), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act; and

(B) is applicable to any existing, modified, or reconstructed source that is a fossil fuel-fired electric utility generating unit.

SEC. 215. DEFINITIONS.

In this subtitle:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of carbon capture and storage technologies that has received Federal Government funding or financial assistance.

(2) EXISTING SOURCE.—The term ''existing source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except such term shall not include any modified source.

(3) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(4) MODIFICATION.—The term ''modification'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(5) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of the enactment of this Act.

(6) NEW SOURCE.—The term ''new source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except that such term shall not include any modified source.

Subtitle C—Report on Energy and Water Savings Potential From Thermal Insulation

SEC. 221. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short term and long term (20 years) projections of such savings.

TITLE III—UNLEASHING ENERGY DIPLOMACY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Domestic Prosperity and Global Freedom Act''.

SEC. 302. ACTION ON APPLICATIONS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S. C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

(c) JUDICIAL ACTION.—(1) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Department of Energy with respect to such application; or

(B) the Department of Energy's failure to issue a final decision on such application.

(2) If the Court in a civil action described in paragraph (1) finds that the Department of Energy has failed to issue a final decision on the application as required under subsection (a), the Court shall order the Department of Energy to issue such final decision not later than 30 days after the Court's order.

(3) The Court shall set any civil action brought under this subsection for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

SEC. 303. PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

DIVISION B—NATURAL RESOURCES COMMITTEE

SEC. 201. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' in any subdivision of this division shall be treated as referring only to the provisions of that subdivision.

SUBDIVISION A—LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Lowering Gasoline Prices to Fuel an America That Works Act of 2014''.

TITLE I—OFFSHORE ENERGY AND JOBS

Subtitle A—Outer Continental Shelf Leasing Program Reforms

SEC. 10101. OUTER CONTINENTAL SHELF LEASING PROGRAM REFORMS.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area.

''(B) The Secretary shall include in each proposed oil and gas leasing program under this section any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing. The Secretary may not remove such a subdivision from the program until publication of the final program, and shall include and consider all such subdivisions in any environmental review conducted and statement prepared for such program under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

''(C) In this paragraph the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

''(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) are estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. 10102. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

''(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

''(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

''(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

''(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

''(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

''(2) PROGRAM GOAL.—For purposes of the 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2032 of—

''(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

''(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

''(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, 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 the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.''.

SEC. 10103. DEVELOPMENT AND SUBMITTAL OF NEW 5-YEAR OIL AND GAS LEASING PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior shall—

(1) by not later than July 15, 2015, publish and submit to Congress a new proposed oil and gas leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) for the 5-year period beginning on such date and ending July 15, 2021; and

(2) by not later than July 15, 2016, approve a final oil and gas leasing program under such section for such period.

(b) CONSIDERATION OF ALL AREAS.—In preparing such program the Secretary shall include consideration of areas of the Continental Shelf off the coasts of all States (as such term is defined in section 2 of that Act, as amended by this title), that are subject to leasing under this title.

(c) TECHNICAL CORRECTION.—Section 18(d)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(d)(3)) is amended by striking ''or after eighteen months following the date of enactment of this section, whichever first occurs,''.

SEC. 10104. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to authorize the issuance of a lease under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 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 No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

SEC. 10105. ADDITION OF LEASE SALES AFTER FINALIZATION OF 5-YEAR PLAN.

Section 18(d) of the Outer Continental Shelf Lands Act (43 U.S.C.1344(d)) is amended—

(1) in paragraph (3), by striking ''After'' and inserting ''Except as provided in paragraph (4), after''; and

(2) by adding at the end the following:

''(4) The Secretary may add to the areas included in an approved leasing program additional areas to be made available for leasing under the program, if all review and documents required under section 102 of the National Environmental Policy Act of 1969 (42

U.S.C. 4332) have been completed with respect to leasing of each such additional area within the 5-year period preceding such addition.''.

Subtitle B—Directing the President To Conduct New OCS Sales

SEC. 10201. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—Notwithstanding the exclusion of Lease Sale 220 in the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) REQUIREMENT TO MAKE REPLACEMENT LEASE BLOCKS AVAILABLE.—For each lease block in a proposed lease sale under this section for which the Secretary of Defense, in consultation with the Secretary of the Interior, under the Memorandum of Agreement referred to in section 10205(b), issues a statement proposing deferral from a lease offering due to defense-related activities that are irreconcilable with mineral exploration and development, the Secretary of the Interior, in consultation with the Secretary of Defense, shall make available in the same lease sale one other lease block in the Virginia lease sale planning area that is acceptable for oil and gas exploration and production in order to mitigate conflict.

(c) BALANCING MILITARY AND ENERGY PRODUCTION GOALS.—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(1) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(2) Allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(d) DEFINITIONS.—In this section:

(1) LEASE SALE 220.—The term ''Lease Sale 220'' means such lease sale referred to in the Request for Comments on the Draft Proposed 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2010–2015 and Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Proposed 5-Year Program published January 21, 2009 (74 Fed. Reg. 3631).

(2) VIRGINIA LEASE SALE PLANNING AREA.—The term ''Virginia lease sale planning area'' means the area of the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.)) that is bounded by—

(A) a northern boundary consisting of a straight line extending from the northernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 37 degrees 17 minutes 1 second North latitude, 71 degrees 5 minutes 16 seconds West longitude; and

(B) a southern boundary consisting of a straight line extending from the southernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 36 degrees 31 minutes 58 seconds North latitude, 71 degrees 30 minutes 1 second West longitude.

SEC. 10202. SOUTH CAROLINA LEASE SALE.

Notwithstanding exclusion of the South Atlantic Outer Continental Shelf Planning Area from the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct a lease sale not later than 2 years after the date of the enactment of this Act for areas off the coast of South Carolina determined by the Secretary to have the most geologically promising hydrocarbon resources and constituting not less than 25 percent of the leasable area within the South Carolina offshore administrative boundaries depicted in the notice entitled ''Federal Outer Continental Shelf (OCS) Administrative Boundaries Extending from the Submerged Lands Act Boundary seaward to the Limit of the United States Outer Continental Shelf'', published January 3, 2006 (71 Fed. Reg. 127).

SEC. 10203. SOUTHERN CALIFORNIA EXISTING INFRASTRUCTURE LEASE SALE.

(a) IN GENERAL.—The Secretary of the Interior shall offer for sale leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area as soon as practicable, but not later than December 31, 2015.

(b) USE OF EXISTING STRUCTURES OR ONSHORE-BASED DRILLING.—The Secretary of the Interior shall include in leases offered for sale under this lease sale such terms and conditions as are necessary to require that development and production may occur only from offshore infrastructure in existence on the date of the enactment of this Act or from onshore-based, extended-reach drilling.

SEC. 10204. ENVIRONMENTAL IMPACT STATEMENT REQUIREMENT.

(a) IN GENERAL.—For the purposes of this title, the Secretary of the Interior shall prepare a multisale environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for all lease sales required under this subtitle.

(b) ACTIONS TO BE CONSIDERED.—Notwithstanding section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in such statement—

(1) the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such alternative courses of action; and

(2) the Secretary shall only—

(A) identify a preferred action for leasing and not more than one alternative leasing proposal; and

(B) analyze the environmental effects and potential mitigation measures for such preferred action and such alternative leasing proposal.

SEC. 10205. NATIONAL DEFENSE.

(a) NATIONAL DEFENSE AREAS.—This title does not affect the existing authority of the Secretary of Defense, with the approval of the President, to designate national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas on the Outer Continental Shelf under a lease issued under this title that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

SEC. 10206. EASTERN GULF OF MEXICO NOT INCLUDED.

Nothing in this title affects restrictions on oil and gas leasing under the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note).

Subtitle C—Equitable Sharing of Outer Continental Shelf Revenues

SEC. 10301. DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO COASTAL STATES.

(a) IN GENERAL.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) in the existing text—

(A) in the first sentence, by striking ''All rentals,'' and inserting the following:

''(c) DISPOSITION OF REVENUE UNDER OLD LEASES.—All rentals,''; and

(B) in subsection (c) (as designated by the amendment made by subparagraph (A) of this paragraph), by striking ''for the period from June 5, 1950, to date, and thereafter'' and inserting ''in the period beginning June 5, 1950, and ending on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014'';

(2) by adding after subsection (c) (as so designated) the following:

''(d) DEFINITIONS.—In this section:

''(1) COASTAL STATE.—The term 'coastal State' includes a territory of the United States.

''(2) NEW LEASING REVENUES.—The term 'new leasing revenues'—

''(A) means amounts received by the United States as bonuses, rents, and royalties under leases for oil and gas, wind, tidal, or other energy exploration, development, and production on new areas of the outer Continental Shelf that are authorized to be made available for leasing as a result of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014 and leasing under that Act; and

''(B) does not include amounts received by the United States under any lease of an area located in the boundaries of the Central Gulf of Mexico and Western Gulf of Mexico Outer Continental Shelf Planning Areas on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, including a lease issued before, on, or after such date of enactment.''; and

(3) by inserting before subsection (c) (as so designated) the following:

''(a) PAYMENT OF NEW LEASING REVENUES TO COASTAL STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), of the amount of new leasing revenues received by the United States each fiscal year, 37.5 percent shall be allocated and paid in accordance with subsection (b) to coastal States that are affected States with respect to the leases under which those revenues are received by the United States.

''(2) PHASE-IN.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall be applied—

''(i) with respect to new leasing revenues under leases awarded under the first leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '12.5 percent' for '37.5 percent'; and

''(ii) with respect to new leasing revenues under leases awarded under the second leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '25 percent' for '37.5 percent'.

''(B) EXEMPTED LEASE SALES.—This paragraph shall not apply with respect to any lease issued under subtitle B of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014.

''(b) ALLOCATION OF PAYMENTS.—

''(1) IN GENERAL.—The amount of new leasing revenues received by the United States with respect to a leased tract that are required to be paid to coastal States in accordance with this subsection each fiscal year shall be allocated among and paid to coastal States that are within 200 miles of the leased tract, in amounts that are inversely proportional to the respective distances between the point on the coastline of each such State that is closest to the geographic center of the lease tract, as determined by the Secretary.

''(2) MINIMUM AND MAXIMUM ALLOCATION.—The amount allocated to a coastal State under paragraph (1) each fiscal year with respect to a leased tract shall be—

''(A) in the case of a coastal State that is the nearest State to the geographic center of the leased tract, not less than 25 percent of the total amounts allocated with respect to the leased tract;

''(B) in the case of any other coastal State, not less than 10 percent, and not more than 15 percent, of the total amounts allocated with respect to the leased tract; and

''(C) in the case of a coastal State that is the only coastal State within 200 miles of a leased tract, 100 percent of the total amounts allocated with respect to the leased tract.

''(3) ADMINISTRATION.—Amounts allocated to a coastal State under this subsection—

''(A) shall be available to the coastal State without further appropriation;

''(B) shall remain available until expended;

''(C) shall be in addition to any other amounts available to the coastal State under this Act; and

''(D) shall be distributed in the fiscal year following receipt.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a coastal State may use funds allocated and paid to it under this subsection for any purpose as determined by the laws of that State.

''(B) RESTRICTION ON USE FOR MATCHING.—Funds allocated and paid to a coastal State under this subsection may not be used as matching funds for any other Federal program.''.

(b) LIMITATION ON APPLICATION.—This section and the amendment made by this section shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

Subtitle D—Reorganization of Minerals Management Agencies of the Department of the Interior

SEC. 10401. ESTABLISHMENT OF UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS AND ASSISTANT SECRETARY OF OCEAN ENERGY AND SAFETY.

There shall be in the Department of the Interior—

(1) an Under Secretary for Energy, Lands, and Minerals, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Secretary of the Interior or, if directed by the Secretary, to the Deputy Secretary of the Interior;

(C) be paid at the rate payable for level III of the Executive Schedule; and

(D) be responsible for—

(i) the safe and responsible development of our energy and mineral resources on Federal lands in appropriate accordance with United States energy demands; and

(ii) ensuring multiple-use missions of the Department of the Interior that promote the safe and sustained development of energy and minerals resources on public lands (as that term is defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.));

(2) an Assistant Secretary of Ocean Energy and Safety, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on the Outer Continental Shelf of the United States; and

(3) an Assistant Secretary of Land and Minerals Management, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on public lands and other Federal onshore lands under the jurisdiction of the Department of the Interior, including implementation of the Mineral Leasing Act (30 U.S.C. 181 et seq.) and the Surface Mining Control and Reclamation Act (30 U.S.C. 1201 et seq.) and administration of the Office of Surface Mining.

SEC. 10402. BUREAU OF OCEAN ENERGY.

(a) ESTABLISHMENT.—There is established in the Department of the Interior a Bureau of Ocean Energy (referred to in this section as the ''Bureau''), which shall—

(1) be headed by a Director of Ocean Energy (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Bureau all functions, powers, and duties vested in the Secretary relating to the administration of a comprehensive program of offshore mineral and renewable energy resources management.

(2) SPECIFIC AUTHORITIES.—The Director shall promulgate and implement regulations—

(A) for the proper issuance of leases for the exploration, development, and production of nonrenewable and renewable energy and mineral resources on the Outer Continental Shelf;

(B) relating to resource identification, access, evaluation, and utilization;

(C) for development of leasing plans, lease sales, and issuance of leases for such resources; and

(D) regarding issuance of environmental impact statements related to leasing and post leasing activities including exploration, development, and production, and the use of third party contracting for necessary environmental analysis for the development of such resources.

(3) LIMITATION.—The Secretary shall not carry out through the Bureau any function, power, or duty that is—

(A) required by section 10403 to be carried out through the Ocean Energy Safety Service; or

(B) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

(d) RESPONSIBILITIES OF LAND MANAGEMENT AGENCIES.—Nothing in this section shall affect the authorities of the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or of the Forest Service under the National Forest Management Act of 1976 (Public Law 94–588).

SEC. 10403. OCEAN ENERGY SAFETY SERVICE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Ocean Energy Safety Service (referred to in this section as the ''Service''), which shall—

(1) be headed by a Director of Energy Safety (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Service all functions, powers, and duties vested in the Secretary relating to the administration of safety and environmental enforcement activities related to offshore mineral and renewable energy resources on the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) including the authority to develop, promulgate, and enforce regulations to ensure the safe and sound exploration, development, and production of mineral and renewable energy resources on the Outer Continental Shelf in a timely fashion.

(2) SPECIFIC AUTHORITIES.—The Director shall be responsible for all safety activities related to exploration and development of renewable and mineral resources on the Outer Continental Shelf, including—

(A) exploration, development, production, and ongoing inspections of infrastructure;

(B) the suspending or prohibiting, on a temporary basis, any operation or activity, including production under leases held on the Outer Continental Shelf, in accordance with section 5(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(1));

(C) cancelling any lease, permit, or right-of-way on the Outer Continental Shelf, in accordance with section 5(a)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(2));

(D) compelling compliance with applicable Federal laws and regulations relating to worker safety and other matters;

(E) requiring comprehensive safety and environmental management programs for persons engaged in activities connected with the exploration, development, and production of mineral or renewable energy resources;

(F) developing and implementing regulations for Federal employees to carry out any inspection or investigation to ascertain compliance with applicable regulations, including health, safety, or environmental regulations;

(G) implementing the Offshore Technology Research and Risk Assessment Program under section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347);

(H) summoning witnesses and directing the production of evidence;

(I) levying fines and penalties and disqualifying operators;

(J) carrying out any safety, response, and removal preparedness functions; and

(K) the processing of permits, exploration plans, development plans.

(d) EMPLOYEES.—

(1) IN GENERAL.—The Secretary shall ensure that the inspection force of the Bureau consists of qualified, trained employees who meet qualification requirements and adhere to the highest professional and ethical standards.

(2) QUALIFICATIONS.—The qualification requirements referred to in paragraph (1)—

(A) shall be determined by the Secretary, subject to subparagraph (B); and

(B) shall include—

(i) 3 years of practical experience in oil and gas exploration, development, or production; or

(ii) a degree in an appropriate field of engineering from an accredited institution of higher learning.

(3) ASSIGNMENT.—In assigning oil and gas inspectors to the inspection and investigation of individual operations, the Secretary shall give due consideration to the extent possible to their previous experience in the particular type of oil and gas operation in which such inspections are to be made.

(4) BACKGROUND CHECKS.—The Director shall require that an individual to be hired as an inspection officer undergo an employment investigation (including a criminal history record check).

(5) LANGUAGE REQUIREMENTS.—Individuals hired as inspectors must be able to read, speak, and write English well enough to—

(A) carry out written and oral instructions regarding the proper performance of inspection duties; and

(B) write inspection reports and statements and log entries in the English language.

(6) VETERANS PREFERENCE.—The Director shall provide a preference for the hiring of an individual as a inspection officer if the individual is a member or former member of the Armed Forces and is entitled, under statute, to retired, retirement, or retainer pay on account of service as a member of the Armed Forces.

(7) ANNUAL PROFICIENCY REVIEW.—

(A) ANNUAL PROFICIENCY REVIEW.—The Director shall provide that an annual evaluation of each individual assigned inspection duties is conducted and documented.

(B) CONTINUATION OF EMPLOYMENT.—An individual employed as an inspector may not continue to be employed in that capacity unless the evaluation demonstrates that the individual—

(i) continues to meet all qualifications and standards;

(ii) has a satisfactory record of performance and attention to duty based on the standards and requirements in the inspection program; and

(iii) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform inspection functions.

(8) LIMITATION ON RIGHT TO STRIKE.—Any individual that conducts permitting or inspections under this section may not participate in a strike, or assert the right to strike.

(9) PERSONNEL AUTHORITY.—Notwithstanding any other provision of law, the Director may employ, appoint, discipline and terminate for cause, and fix the compensation, terms, and conditions of employment of Federal service for individuals as the employees of the Service in order to restore and maintain the trust of the people of the United States in the accountability of the management of our Nation's energy safety program.

(10) TRAINING ACADEMY.—

(A) IN GENERAL.—The Secretary shall establish and maintain a National Offshore Energy Safety Academy (referred to in this paragraph as the ''Academy'') as an agency of the Ocean Energy Safety Service.

(B) FUNCTIONS OF ACADEMY.—The Secretary, through the Academy, shall be responsible for—

(i) the initial and continued training of both newly hired and experienced offshore oil and gas inspectors in all aspects of health, safety, environmental, and operational inspections;

(ii) the training of technical support personnel of the Bureau;

(iii) any other training programs for offshore oil and gas inspectors, Bureau personnel, Department personnel, or other persons as the Secretary shall designate; and

(iv) certification of the successful completion of training programs for newly hired and experienced offshore oil and gas inspectors.

(C) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—In performing functions under this paragraph, and subject to clause (ii), the Secretary may enter into cooperative educational and training agreements with educational institutions, related Federal academies, other Federal agencies, State governments, safety training firms, and oil and gas operators and related industries.

(ii) TRAINING REQUIREMENT.—Such training shall be conducted by the Academy in accordance with curriculum needs and assignment of instructional personnel established by the Secretary.

(11) USE OF DEPARTMENT PERSONNEL.—In performing functions under this subsection, the Secretary shall use, to the extent practicable, the facilities and personnel of the Department of the Interior. The Secretary may appoint or assign to the Academy such officers and employees as the Secretary considers necessary for the performance of the duties and functions of the Academy.

(12) ADDITIONAL TRAINING PROGRAMS.—

(A) IN GENERAL.—The Secretary shall work with appropriate educational institutions, operators, and representatives of oil and gas workers to develop and maintain adequate programs with educational institutions and oil and gas operators that are designed—

(i) to enable persons to qualify for positions in the administration of this title; and

(ii) to provide for the continuing education of inspectors or other appropriate Department of the Interior personnel.

(B) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary may provide financial and technical assistance to educational institutions in carrying out this paragraph.

(e) LIMITATION.—The Secretary shall not carry out through the Service any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

SEC. 10404. OFFICE OF NATURAL RESOURCES REVENUE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Office of Natural Resources Revenue (referred to in this section as the ''Office'') to be headed by a Director of Natural Resources Revenue (referred to in this section as the ''Director'').

(b) APPOINTMENT AND COMPENSATION.—

(1) IN GENERAL.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for Level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out, through the Office, all functions, powers, and duties vested in the Secretary and relating to the administration of offshore royalty and revenue management functions.

(2) SPECIFIC AUTHORITIES.—The Secretary shall carry out, through the Office, all functions, powers, and duties previously assigned to the Minerals Management Service (including the authority to develop, promulgate, and enforce regulations) regarding offshore royalty and revenue collection; royalty and revenue distribution; auditing and compliance; investigation and enforcement of royalty and revenue regulations; and asset management for onshore and offshore activities.

(d) LIMITATION.—The Secretary shall not carry out through the Office any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10403 to be carried out through the Ocean Energy Safety Service.

SEC. 10405. ETHICS AND DRUG TESTING.

(a) CERTIFICATION.—The Secretary of the Interior shall certify annually that all Department of the Interior officers and employees having regular, direct contact with lessees, contractors, concessionaires, and other businesses interested before the Government as a function of their official duties, or conducting investigations, issuing permits, or responsible for oversight of energy programs, are in full compliance with all Federal employee ethics laws and regulations under the Ethics in Government Act of 1978 (5 U.S.C. App.) and part 2635 of title 5, Code of Federal Regulations, and all guidance issued under subsection (c).

(b) DRUG TESTING.—The Secretary shall conduct a random drug testing program of all Department of the Interior personnel referred to in subsection (a).

(c) GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue supplementary ethics and drug testing guidance for the employees for which certification is required under subsection (a). The Secretary shall update the supplementary ethics guidance not less than once every 3 years thereafter.

SEC. 10406. ABOLISHMENT OF MINERALS MANAGEMENT SERVICE.

(a) ABOLISHMENT.—The Minerals Management Service is abolished.

(b) COMPLETED ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—Completed administrative actions of the Minerals Management Service shall not be affected by the enactment of this Act, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(2) COMPLETED ADMINISTRATIVE ACTION DEFINED.—For purposes of paragraph (1), the term ''completed administrative action'' includes orders, determinations, memoranda of understanding, memoranda of agreements, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, registrations, and privileges.

(c) PENDING PROCEEDINGS.—Subject to the authority of the Secretary of the Interior and the officers of the Department of the Interior under this title—

(1) pending proceedings in the Minerals Management Service, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue, notwithstanding the enactment of this Act or the vesting of functions of the Service in another agency, unless discontinued or modified

under the same terms and conditions and to the same extent that such discontinuance or modification could have occurred if this title had not been enacted; and

(2) orders issued in such proceedings, and appeals therefrom, and payments made pursuant to such orders, shall issue in the same manner and on the same terms as if this title had not been enacted, and any such orders shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(d) PENDING CIVIL ACTIONS.—Subject to the authority of the Secretary of the Interior or any officer of the Department of the Interior under this title, pending civil actions shall continue notwithstanding the enactment of this Act, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment had not occurred.

(e) REFERENCES.—References relating to the Minerals Management Service in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede the effective date of this Act are deemed to refer, as appropriate, to the Department, to its officers, employees, or agents, or to its corresponding organizational units or functions. Statutory reporting requirements that applied in relation to the Minerals Management Service immediately before the effective date of this title shall continue to apply.

SEC. 10407. CONFORMING AMENDMENTS TO EXECUTIVE SCHEDULE PAY RATES.

(a) UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to ''Under Secretaries of the Treasury (3).'' the following:

''Under Secretary for Energy, Lands, and Minerals, Department of the Interior.''.

(b) ASSISTANT SECRETARIES.—Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of the Interior (6).'' and inserting the following:

''Assistant Secretaries, Department of the Interior (7).''.

(c) DIRECTORS.—Section 5316 of title 5, United States Code, is amended by striking ''Director, Bureau of Mines, Department of the Interior.'' and inserting the following new items:

''Director, Bureau of Ocean Energy, Department of the Interior.

''Director, Ocean Energy Safety Service, Department of the Interior.

''Director, Office of Natural Resources Revenue, Department of the Interior.''.

SEC. 10408. OUTER CONTINENTAL SHELF ENERGY SAFETY ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish, under the Federal Advisory Committee Act, an Outer Continental Shelf Energy Safety Advisory Board (referred to in this section as the ''Board'')—

(1) to provide the Secretary and the Directors established by this title with independent scientific and technical advice on safe, responsible, and timely mineral and renewable energy exploration, development, and production activities; and

(2) to review operations of the National Offshore Energy Health and Safety Academy established under section 10403(d), including submitting to the Secretary recommendations of curriculum to ensure training scientific and technical advancements.

(b) MEMBERSHIP.—

(1) SIZE.—The Board shall consist of not more than 11 members, who—

(A) shall be appointed by the Secretary based on their expertise in oil and gas drilling, well design, operations, well containment and oil spill response; and

(B) must have significant scientific, engineering, management, and other credentials and a history of working in the field related to safe energy exploration, development, and production activities.

(2) CONSULTATION AND NOMINATIONS.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for the Board and shall take nominations from the public.

(3) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

(4) BALANCE.—In appointing members to the Board, the Secretary shall ensure a balanced representation of industry and research interests.

(c) CHAIR.—The Secretary shall appoint the Chair for the Board from among its members.

(d) MEETINGS.—The Board shall meet not less than 3 times per year and shall host, at least once per year, a public forum to review and assess the overall energy safety performance of Outer Continental Shelf mineral and renewable energy resource activities.

(e) OFFSHORE DRILLING SAFETY ASSESSMENTS AND RECOMMENDATIONS.—As part of its duties under this section, the Board shall, by not later than 180 days after the date of enactment of this section and every 5 years thereafter, submit to the Secretary a report that—

(1) assesses offshore oil and gas well control technologies, practices, voluntary standards, and regulations in the United States and elsewhere; and

(2) as appropriate, recommends modifications to the regulations issued under this title to ensure adequate protection of safety and the environment, including recommendations on how to reduce regulations and administrative actions that are duplicative or unnecessary.

(f) REPORTS.—Reports of the Board shall be submitted by the Board to the Committee on Natural Resources of the House or Representatives and the Committee on Energy and Natural Resources of the Senate and made available to the public in electronically accessible form.

(g) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

SEC. 10409. OUTER CONTINENTAL SHELF INSPECTION FEES.

Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended by adding at the end of the section the following:

''(g) INSPECTION FEES.—

''(1) ESTABLISHMENT.—The Secretary of the Interior shall collect from the operators of facilities subject to inspection under subsection (c) non-refundable fees for such inspections—

''(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

''(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

''(2) OCEAN ENERGY SAFETY FUND.—There is established in the Treasury a fund, to be known as the 'Ocean Energy Enforcement Fund' (referred to in this subsection as the 'Fund'), into which shall be deposited all amounts collected as fees under paragraph (1) and which shall be available as provided under paragraph (3).

''(3) AVAILABILITY OF FEES.—

''(A) IN GENERAL.—Notwithstanding section 3302 of title 31, United States Code, all amounts deposited in the Fund—

''(i) shall be credited as offsetting collections;

''(ii) shall be available for expenditure for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program under this section;

''(iii) shall be available only to the extent provided for in advance in an appropriations Act; and

''(iv) shall remain available until expended.

''(B) USE FOR FIELD OFFICES.—Not less than 75 percent of amounts in the Fund may be appropriated for use only for the respective Department of the Interior field offices where the amounts were originally assessed as fees.

''(4) INITIAL FEES.—Fees shall be established under this subsection for the fiscal year in which this subsection takes effect and the subsequent 10 years, and shall not be raised without advise and consent of the Congress, except as determined by the Secretary to be appropriate as an adjustment equal to the percentage by which the Consumer Price Index for the month of June of the calendar year preceding the adjustment exceeds the Consumer Price Index for the month of June of the calendar year in which the claim was determined or last adjusted.

''(5) ANNUAL FEES.—Annual fees shall be collected under this subsection for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2013 shall be—

''(A) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

''(B) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

''(C) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

''(6) FEES FOR DRILLING RIGS.—Fees for drilling rigs shall be assessed under this subsection for all inspections completed in fiscal years 2015 through 2024. Fees for fiscal year 2015 shall be—

''(A) $30,500 per inspection for rigs operating in water depths of 1,000 feet or more; and

''(B) $16,700 per inspection for rigs operating in water depths of less than 1,000 feet.

''(7) BILLING.—The Secretary shall bill designated operators under paragraph (5) within 60 days after the date of the inspection, with payment required within 30 days of billing. The Secretary shall bill designated operators under paragraph (6) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days after billing.

''(8) SUNSET.—No fee may be collected under this subsection for any fiscal year after fiscal year 2024.

''(9) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

''(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

''(i) A statement of the amounts deposited into the Fund.

''(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures and the additional hiring of personnel.

''(iii) A statement of the balance remaining in the Fund at the end of the fiscal year.

''(iv) An accounting of pace of permit approvals.

''(v) If fee increases are proposed after the initial 10-year period referred to in paragraph (5), a proper accounting of the potential adverse economic impacts such fee increases will have on offshore economic activity and overall production, conducted by the Secretary.

''(vi) Recommendations to increase the efficacy and efficiency of offshore inspections.

''(vii) Any corrective actions levied upon offshore inspectors as a result of any form of misconduct.''.

SEC. 10410. PROHIBITION ON ACTION BASED ON NATIONAL OCEAN POLICY DEVELOPED UNDER EXECUTIVE ORDER NO. 13547.

(a) PROHIBITION.—The Bureau of Ocean Energy and the Ocean Energy Safety Service may not develop, propose, finalize, administer, or implement, any limitation on activities under their jurisdiction as a result of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547.

(b) REPORT ON EXPENDITURES.—Not later than 60 days after the date of enactment of this Act, the President shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate identifying all Federal expenditures in fiscal years 2011, 2012, 2013, and 2014 by the Bureau of Ocean Energy and the Ocean Energy Safety Service and their predecessor agencies, by agency, account, and any pertinent subaccounts, for the development, administration, or implementation of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547, including staff time, travel, and other related expenses.

Subtitle E—United States Territories

SEC. 10501. APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.

Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(1) in paragraph (a), by inserting after ''control'' the following: ''or lying within the United States exclusive economic zone and the Continental Shelf adjacent to any territory of the United States'';

(2) in paragraph (p), by striking ''and'' after the semicolon at the end;

(3) in paragraph (q), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(r) The term 'State' includes each territory of the United States.''.

Subtitle F—Miscellaneous Provisions

SEC. 10601. RULES REGARDING DISTRIBUTION OF REVENUES UNDER GULF OF MEXICO ENERGY SECURITY ACT OF 2006.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall issue rules to provide more clarity, certainty, and stability to the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

(b) CONTENTS.—The rules shall include clarification of the timing and methods of disbursements of funds under section 105(b)(2) of such Act.

SEC. 10602. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note) shall be applied by substituting ''2024, and shall not exceed $999,999,999 for each of fiscal years 2025 through 2055'' for ''2055''.

SEC. 10603. SOUTH ATLANTIC OUTER CONTINENTAL SHELF PLANNING AREA DEFINED.

For the purposes of this Act, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), and any regulations or 5-year plan issued under that Act, the term ''South Atlantic Outer Continental Shelf Planning Area'' means the area of the outer Continental Shelf (as defined in section 2 of that Act (43 U.S.C. 1331)) that is located between the northern lateral seaward administrative boundary of the State of Virginia and the southernmost lateral seaward administrative boundary of the State of Georgia.

SEC. 10604. ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.

Section 11 of the Outer Continental Shelf lands Act (43 U.S.C. 1340) is amended by adding at the end the following:

''(i) ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.—

''(1) The Secretary, acting through the Director of the Bureau of Ocean Energy Management, shall facilitate and support the practical study of geology and geophysics to better understand the oil, gas, and other hydrocarbon potential in the South Atlantic Outer Continental Shelf Planning Area by entering into partnerships to conduct geological and geophysical activities on the outer Continental Shelf.

''(2)(A) No later than 180 days after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, the Governors of the States of Georgia, South Carolina, North Carolina, and Virginia may each nominate for participation in the partnerships—

''(i) one institution of higher education located within the Governor's State; and

''(ii) one institution of higher education within the Governor's State that is a historically black college or university, as defined in section 631(a) of the Higher Education Act of 1965 (20 U.S.C. 1132(a)).

''(B) In making nominations, the Governors shall give preference to those institutions of higher education that demonstrate a vigorous rate of admission of veterans of the Armed Forces of the United States.

''(3) The Secretary shall only select as a partner a nominee that the Secretary determines demonstrates excellence in geophysical sciences curriculum, engineering curriculum, or information technology or other technical studies relating to seismic research (including data processing).

''(4) Notwithstanding subsection (d), nominees selected as partners by the Secretary may conduct geological and geophysical activities under this section after filing a notice with the Secretary 30-days prior to commencement of the activity without any further authorization by the Secretary except those activities that use solid or liquid explosives shall require a permit. The Secretary may not charge any fee for the provision of data or other information collected under this authority, other than the cost of duplicating any data or information provided. Nominees selected as partners under this section shall provide to the Secretary any data or other information collected under this subsection within 60 days after completion of an initial analysis of the data or other information collected, if so requested by the Secretary.

''(5) Data or other information produced as a result of activities conducted by nominees selected as partners under this subsection shall not be used or shared for commercial purposes by the nominee, may not be produced for proprietary use or sale, and shall be made available by the Secretary to the public.

''(6) The Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on the data or other information produced under the partnerships under this section. Such reports shall be made no less frequently than every 180 days following the conduct of the first geological and geophysical activities under this section.

''(7) In this subsection the term 'geological and geophysical activities' means any oil- or gas-related investigation conducted on the outer Continental Shelf, including geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of oil or gas.''.

Subtitle G—Judicial Review

SEC. 10701. TIME FOR FILING COMPLAINT.

(a) IN GENERAL.—Any cause of action that arises from a covered energy decision must be filed not later than the end of the 60-day period beginning on the date of the covered energy decision. Any cause of action not filed within this time period shall be barred.

(b) EXCEPTION.—Subsection (a) shall not apply to a cause of action brought by a party to a covered energy lease.

SEC. 10702. DISTRICT COURT DEADLINE.

(a) IN GENERAL.—All proceedings that are subject to section 10701—

(1) shall be brought in the United States district court for the district in which the Federal property for which a covered energy lease is issued is located or the United States District Court of the District of Columbia;

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause or claim is filed; and

(3) shall take precedence over all other pending matters before the district court.

(b) FAILURE TO COMPLY WITH DEADLINE.—If an interlocutory or final judgment, decree, or order has not been issued by the district court by the deadline described under this section, the cause or claim shall be dismissed with prejudice and all rights relating to such cause or claim shall be terminated.

SEC. 10703. ABILITY TO SEEK APPELLATE REVIEW.

An interlocutory or final judgment, decree, or order of the district court in a proceeding that is subject to section 10701 may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit shall resolve any such appeal as expeditiously as possible and, in any event, not more than 180 days after such interlocutory or final judgment, decree, or order of the district court was issued.

SEC. 10704. LIMITATION ON SCOPE OF REVIEW AND RELIEF.

(a) ADMINISTRATIVE FINDINGS AND CONCLUSIONS.—In any judicial review of any Federal action under this subtitle, any administrative findings and conclusions relating to the challenged Federal action shall be presumed to be correct unless shown otherwise by clear and convincing evidence contained in the administrative record.

(b) LIMITATION ON PROSPECTIVE RELIEF.—In any judicial review of any action, or failure to act, under this subtitle, 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 Federal

law requirement, and is the least intrusive means necessary to correct the violation concerned.

SEC. 10705. LEGAL FEES.

Any person filing a petition seeking judicial review of any action, or failure to act, under this subtitle who is not a prevailing party shall pay to the prevailing parties (including intervening parties), other than the United States, fees and other expenses incurred by that party in connection with the judicial review, unless the Court finds that the position of the person was substantially justified or that special circumstances make an award unjust.

SEC. 10706. EXCLUSION.

This subtitle shall not apply with respect to disputes between the parties to a lease issued pursuant to an authorizing leasing statute regarding the obligations of such lease or the alleged breach thereof.

SEC. 10707. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) COVERED ENERGY DECISION.—The term ''covered energy decision'' means any action or decision by a Federal official regarding the issuance of a covered energy lease.

(2) COVERED ENERGY LEASE.—The term ''covered energy lease'' means any lease under this title or under an oil and gas leasing program under this title.

TITLE II—ONSHORE FEDERAL LANDS AND ENERGY SECURITY

Subtitle A—Federal Lands Jobs and Energy Security

SEC. 21001. SHORT TITLE.

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

SEC. 21002. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

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

(1) this subtitle 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 subtitle, 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 subtitle 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 subtitle.

CHAPTER 1—ONSHORE OIL AND GAS PERMIT STREAMLINING

SEC. 21101. SHORT TITLE.

This chapter may be cited as the ''Streamlining Permitting of American Energy Act of 2014''.

Subchapter A—Application for Permits to Drill Process Reform

SEC. 21111. 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.''.

Subchapter B—Administrative Protest Documentation Reform

SEC. 21121. 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.''.

Subchapter C—Permit Streamlining

SEC. 21131. MAKING PILOT OFFICES PERMANENT TO IMPROVE ENERGY PERMITTING ON FEDERAL LANDS.

(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 21111 and 21121.

(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, and other energy projects as defined by the Secretary.

SEC. 21132. 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).

Subchapter D—Judicial Review

SEC. 21141. DEFINITIONS.

In this subchapter—

(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, 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. 21142. 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. 21143. 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. 21144. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

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

SEC. 21145. 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. 21146. 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. 21147. 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. 21148. 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.

Subchapter E—Knowing America's Oil and Gas Resources

SEC. 21151. 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 2015 through 2018.

CHAPTER 2—OIL AND GAS LEASING CERTAINTY

SEC. 21201. SHORT TITLE.

This chapter may be cited as the ''Providing Leasing Certainty for American Energy Act of 2014''.

SEC. 21202. 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. 21203. 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) After the conclusion of the public comment period for a planned competitive lease sale, the Secretary shall not cancel, defer, or withdraw any lease parcel announced to be auctioned in the lease sale.

''(G) 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.

''(H) 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. 21204. 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. 21205. REDUCE REDUNDANT POLICIES.

Bureau of Land Management Instruction Memorandum 2010–117 shall have no force or effect.

SEC. 21206. 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''.

CHAPTER 3—OIL SHALE

SEC. 21301. SHORT TITLE.

This chapter 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. 21302. 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. 21303. 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.

CHAPTER 4—MISCELLANEOUS PROVISIONS

SEC. 21401. RULE OF CONSTRUCTION.

Nothing in this subtitle 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 No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

Subtitle B—Planning for American Energy

SEC. 22001. SHORT TITLE.

This subtitle may be cited as the ''Planning for American Energy Act of 2014''.

SEC. 22002. 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;

''(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; and

''(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.

''(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.

''(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.

''(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).

Subtitle C—National Petroleum Reserve in Alaska Access

SEC. 23001. SHORT TITLE.

This subtitle may be cited as the ''National Petroleum Reserve Alaska Access Act''.

SEC. 23002. 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. 23003. 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 2014 through 2024.''.

SEC. 23004. 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. 23005. 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. 23006. 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. 23007. DEADLINES UNDER NEW PROPOSED INTEGRATED ACTIVITY PLAN.

At a minimum, the new proposed integrated activity plan issued under section 23005(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. 23008. 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.

Subtitle D—BLM Live Internet Auctions

SEC. 24001. SHORT TITLE.

This subtitle may be cited as the ''BLM Live Internet Auctions Act''.

SEC. 24002. 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.

Subtitle E—Native American Energy

SEC. 25001. SHORT TITLE.

This subtitle may be cited as the ''Native American Energy Act''.

SEC. 25002. 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. 25003. 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. 25004. 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 25006 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 25005. 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. 25006. 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. 25007. 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. 25008. 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. 25009. 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.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 30101. ESTABLISHMENT OF OFFICE OF ENERGY EMPLOYMENT AND TRAINING.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish an Office of Energy Employment and Training, which shall oversee the hiring and training efforts of the Department of the Interior's energy planning, permitting, and regulatory agencies.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be under the direction of a Deputy Assistant Secretary for Energy Employment and Training, who shall report directly to the Assistant Secretary for Energy, Lands and Minerals Management, and shall be fully employed to carry out the functions of the Office.

(2) DUTIES.—The Deputy Assistant Secretary for Energy Employment and Training shall perform the following functions:

(A) Develop and implement systems to track the Department's hiring of trained skilled workers in the energy permitting and inspection agencies.

(B) Design and recommend to the Secretary programs and policies aimed at expanding the Department's hiring of women, minorities, and veterans into the Department's workforce dealing with energy permitting and inspection programs. Such programs and policies shall include—

(i) recruiting at historically black colleges and universities, Hispanic-serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(ii) sponsoring and recruiting at job fairs in urban communities;

(iii) placing employment advertisements in newspapers and magazines oriented toward minorities, veterans, and women;

(iv) partnering with organizations that are focused on developing opportunities for minorities, veterans, and women to be placed in Departmental internships, summer employment, and full-time positions relating to energy;

(v) where feasible, partnering with inner-city high schools, girls' high schools, and high schools with majority minority populations to demonstrate career opportunities and the path to those opportunities available at the Department;

(vi) coordinating with the Department of Veterans Affairs and the Department of Defense in the hiring of veterans; and

(vii) any other mass media communications that the Deputy Assistant Secretary determines necessary to advertise, promote, or educate about opportunities at the Department.

(C) Develop standards for—

(i) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of the Department; and

(ii) increased participation of minority-owned, veteran-owned, and women-owned businesses in the programs and contracts with the Department.

(D) Review and propose for adoption the best practices of entities regulated by the Department with regards to hiring and diversity policies, and publish those best practices for public review.

(c) REPORTS.—The Secretary shall submit to Congress an annual report regarding the actions taken by the Department of the Interior agency and the Office pursuant to this section, which shall include—

(1) a statement of the total amounts paid by the Department to minority contractors;

(2) the successes achieved and challenges faced by the Department in operating minority, veteran or service-disabled veteran, and women outreach programs;

(3) the challenges the Department may face in hiring minority, veteran, and women employees and contracting with veteran or service-disabled veteran, minority-owned, and women-owned businesses; and

(4) any other information, findings, conclusions, and recommendations for legislative or Department action, as the Director determines appropriate.

(d) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) MINORITY.—The term ''minority'' means United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American.

(2) MINORITY-OWNED BUSINESS.—The term ''minority-owned business'' means a for-profit enterprise, regardless of size, physically located in the United States or its trust territories, that is owned, operated, and controlled by minority group members. ''Minority group members'' are United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American (terminology in NMSDC categories). Ownership by minority individuals means the business is at least 51 percent owned by such individuals or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more such individuals. Further, the management and daily operations are controlled by those minority group members. For purposes of NMSDC's program, a minority group member is an individual who is a United States citizen with at least ¼ or 25 percent minimum (documentation to support claim of 25 percent required from applicant) of one or more of the following:

(A) Asian Indian American, which is a United States citizen whose origins are from India, Pakistan, or Bangladesh.

(B) Asian Pacific American, which is a United States citizen whose origins are from Japan, China, Indonesia, Malaysia, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Thailand, Samoa, Guam, the United States Trust Territories of the Pacific, or the Northern Marianas.

(C) Black American, which is a United States citizen having origins in any of the Black racial groups of Africa.

(D) Hispanic American, which is a United States citizen of true-born Hispanic heritage, from any of the Spanish-speaking areas of the following regions: Mexico, Central America, South America, and the Caribbean Basin only.

(E) Native American, which means a United States citizen enrolled to a federally recognized tribe, or a Native as defined under the Alaska Native Claims Settlement Act.

(3) NMSDC.—The term ''NMSDC'' means the National Minority Supplier Development Council.

(4) WOMEN-OWNED BUSINESS.—The term ''women-owned business'' means a business that can verify through evidence documentation that 51 percent or more is women-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien. Evidence must indicate that—

(A) the contribution of capital or expertise by the woman business owner is real and substantial and in proportion to the interest owned;

(B) the woman business owner directs or causes the direction of management, policy, fiscal, and operational matters; and

(C) the woman business owner has the ability to perform in the area of specialty or expertise without reliance on either the finances or resources of a firm that is not owned by a woman.

(5) SERVICE DISABLED VETERAN.—The term ''Service Disabled Veteran'' must have a service-connected disability that has been determined by the Department of Veterans Affairs or Department of Defense. The SDVOSBC must be small under the North American Industry Classification System (NAICS) code assigned to the procurement; the SDV must unconditionally own 51 percent of the SDVOSBC; the SDVO must control the management and daily operations of the SDVOSBC; and the SDV must hold the highest officer position in the SDVOSBC.

(6) VETERAN-OWNED BUSINESS.—The term ''veteran-owned business'' means a business that can verify through evidence documentation that 51 percent or more is veteran-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien and honorably or service-connected disability discharged from service.

SUBDIVISION B—BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act''.

SEC. 2. AMENDMENT.

Section 9 of the Act entitled ''An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid semiarid areas of the United States'', approved August 11, 1939 (16 U.S.C. 590z–7; commonly known as the ''Water Conservation and Utilization Act''), is amended—

(1) by striking ''In connection with'' and inserting ''(a) In connection with''; and

(2) by adding at the end the following:

''(b) Notwithstanding subsection (a), the Secretary is authorized to enter into leases of power privileges for electric power generation in connection with any project constructed under this Act, and shall have authority in addition to and alternative to any

authority in existing laws relating to particular projects, including small conduit hydropower development.

''(c) When entering into leases of power privileges under subsection (b), the Secretary shall use the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(d) Lease of power privilege contracts shall be at such rates as, in the Secretary's judgment, will produce revenues at least sufficient to cover the appropriate share of the annual operation and maintenance cost of the project and such fixed charges, including interest, as the Secretary deems proper. Lease of power privilege contracts shall be for periods not to exceed 40 years.

''(e) No findings under section 3 shall be required for a lease under subsection (b).

''(f) All right, title, and interest to installed power facilities constructed by non-Federal entities pursuant to a lease of power privilege, and direct revenues derived therefrom, shall remain with the lessee unless otherwise required under subsection (g).

''(g) Notwithstanding section 8, lease revenues and fixed charges, if any, shall be covered into the Reclamation Fund to be credited to the project from which those revenues or charges were derived.

''(h) When carrying out this section, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred conduit, or to the irrigation district or water users association receiving water from the applicable reserved conduit. The Secretary shall determine a reasonable timeframe for the irrigation district or water users association to accept or reject a lease of power privilege offer. If the irrigation district or water users association elects not to accept a lease of power privilege offer under subsection (b), the Secretary shall offer the lease of power privilege to other parties using the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(i) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this section, excluding siting of associated transmission facilities on Federal lands.

''(j) Nothing in this section shall obligate the Western Area Power Administration or the Bonneville Power Administration to purchase or market any of the power produced by the facilities covered under this section and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

''(k) Nothing in this section shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved and shall not create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred conduit in advance of offering the lease of power privilege and shall prescribe such terms and conditions necessary to adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

''(l) Nothing in this section shall alter or affect any agreements in effect on the date of the enactment of the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act for the development of conduit hydropower projects or disposition of revenues.

''(m) In this section:

''(1) The term 'conduit' means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

''(2) The term 'irrigation district' means any irrigation, water conservation or conservancy, multi-county water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

''(3) The term 'reserved conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

''(4) The term 'transferred conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

''(5) The term 'small conduit hydropower' means a facility capable of producing 5 megawatts or less of electric capacity.''.

SUBDIVISION C—CENTRAL OREGON JOBS AND WATER SECURITY ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Central Oregon Jobs and Water Security Act''.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a)(72) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(72)) is amended as follows:

(1) By striking ''15-mile'' and inserting ''14.75-mile''.

(2) In subparagraph (B)—

(A) by striking ''8-mile'' and all that follows through ''Bowman Dam'' and inserting ''7.75-mile segment from a point one-quarter mile downstream from the toe of Bowman Dam''; and

(B) by adding at the end the following: ''The developer for any hydropower development, including turbines and appurtenant facilities, at Bowman Dam, in consultation with the Bureau of Land Management, shall analyze any impacts to the Outstandingly Remarkable Values of the Wild and Scenic River that may be caused by such development, including the future need to undertake routine and emergency repairs, and shall propose mitigation for any impacts as part of any license application submitted to the Federal Energy Regulatory Commission.''.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058), (as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954)) is further amended as follows:

(1) By striking ''ten cubic feet'' the first place it appears and inserting ''17 cubic feet''.

(2) By striking ''during those months when there is no other discharge therefrom, but this release may be reduced for brief temporary periods by the Secretary whenever he may find that release of the full ten cubic feet per second is harmful to the primary purpose of the project''.

(3) By adding at the end the following: ''Without further action by the Secretary, and as determined necessary for any given year by the City of Prineville, up to seven of the 17 cubic feet per second minimum release shall also serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the up to seven cubic feet per second to coincide with City of Prineville groundwater pumping as may be required by the State of Oregon. As such, the Secretary is authorized to make applications to the State of Oregon in conjunction with the City to protect these supplies instream. The City shall make payment to the Secretary for that portion of the minimum release that actually serves as mitigation pursuant to Oregon State law for the City in any given year, with the payment for any given year equal to the amount of mitigation in acre feet required to offset actual City groundwater pumping for that year in accordance with Reclamation 'Water and Related Contract and Repayment Principles and Requirements', Reclamation Manual Directives and Standards PEC 05–01, dated 09/12/2006, and guided by 'Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies', dated March 10, 1983. The Secretary is authorized to contract exclusively with the City for additional amounts in the future at the request of the City.''.

SEC. 4. FIRST FILL PROTECTION.

The Act of August 6, 1956 (70 Stat. 1058), as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954), is further amended by adding at the end the following:

''SEC. 6. Other than the 17 cubic feet per second release provided for in section 4, and subject to compliance with the Army Corps of Engineers' flood curve requirements, the Secretary shall, on a 'first fill' priority basis, store in and release from Prineville Reservoir, whether from carryover, infill, or a combination thereof, the following:

''(1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011, and up to 2,740 acre feet of water annually to supply the McKay Creek lands as provided for in section 5 of this Act.

''(2) Not more than 10,000 acre feet of water annually, to be made available to the North Unit Irrigation District pursuant to a Temporary Water Service Contract, upon the request of the North Unit Irrigation District, consistent with the same terms and conditions as prior such contracts between the District and the Bureau of Reclamation.

''SEC. 7. Except as otherwise provided in this Act, nothing in this Act—

''(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

''(2) amends or reopens contracts referred to in paragraph (1); or

''(3) modifies any rights, obligations, or requirements that may be provided or governed by Oregon State law.''.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District in Oregon, may repay, at any time, the construction costs of the project facilities allocated to that landowner's lands within the district. Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all lands the landowner owns in the district, those lands shall not be subject to the ownership and full-cost pricing limitations of the Act of June 17, 1902 (43 U.S.C. 371 et seq.), and Acts supplemental to and amendatory of that Act, including the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to that landowner's lands owned within the district, the Secretary of the Interior shall provide the certification provided for in subsection (b)(1) of section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing legislation to the contrary, the district's reclamation contracts are modified, without further action by the Secretary of the Interior, to—

(1) authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) classify as irrigable approximately 685 acres within the approximately 2,742 acres of included lands in the vicinity of McKay Creek, where the approximately 685 acres are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights; and

(4) provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of lands added within the district boundary and classified as irrigable under paragraphs (2) and (3), with such stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the State's issuance of water rights for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section shall be construed to—

(1) modify contractual rights that may exist between the district and the United States under the district's Reclamation contracts;

(2) amend or reopen the contracts referred to in paragraph (1); or

(3) modify any rights, obligations or relationships that may exist between the district and its landowners as may be provided or governed by Oregon State law.

SUBDIVISION D—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION; EPA HYDRAULIC FRACTURING RESEARCH

TITLE I—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Protecting States' Rights to Promote American Energy Security Act''.

SEC. 102. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

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. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

''(a) IN GENERAL.—The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on or under any land in any State that has regulations, guidance, or permit requirements for that activity.

''(b) STATE AUTHORITY.—The Department of the Interior shall recognize and defer to State regulations, permitting, and guidance, for all activities related to hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on Federal land.

''(c) TRANSPARENCY OF STATE REGULATIONS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of its regulations that apply to hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(d) TRANSPARENCY OF STATE DISCLOSURE REQUIREMENTS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of any regulations of the State that require disclosure of chemicals used in hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(e) HYDRAULIC FRACTURING DEFINED.—In this section the term 'hydraulic fracturing' means the process by which fracturing fluids (or a fracturing fluid system) are pumped into an underground geologic formation at a calculated, predetermined rate and pressure to generate fractures or cracks in the target formation and thereby increase the permeability of the rock near the wellbore and improve production of natural gas or oil.''.

SEC. 103. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study examining the economic benefits of domestic shale oil and gas production resulting from the process of hydraulic fracturing. This study will include identification of—

(1) State and Federal revenue generated as a result of shale gas production;

(2) jobs created both directly and indirectly as a result of shale oil and gas production; and

(3) an estimate of potential energy prices without domestic shale oil and gas production.

(b) REPORT.—The Comptroller General shall submit a report on the findings of such study to the Committee on Natural Resources of the House of Representatives within 30 days after completion of the study.

SEC. 104. TRIBAL AUTHORITY ON TRUST LAND.

The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding the process of hydraulic fracturing (as that term is defined in section 44 of the Mineral Leasing Act, as amended by section 102 of this Act), or any component of that process, relating to oil, gas, or geothermal production activities 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.

TITLE II—EPA HYDRAULIC FRACTURING RESEARCH

SEC. 201. SHORT TITLE.

This title may be cited as the ''EPA Hydraulic Fracturing Study Improvement Act''.

SEC. 202. EPA HYDRAULIC FRACTURING RESEARCH.

In conducting its study of the potential impacts of hydraulic fracturing on drinking water resources, with respect to which a request for information was issued under Federal Register Vol. 77, No. 218, the Administrator of the Environmental Protection Agency shall adhere to the following requirements:

(1) PEER REVIEW AND INFORMATION QUALITY.—Prior to issuance and dissemination of any final report or any interim report summarizing the Environmental Protection Agency's research on the relationship between hydraulic fracturing and drinking water, the Administrator shall—

(A) consider such reports to be Highly Influential Scientific Assessments and require peer review of such reports in accordance with guidelines governing such assessments, as described in—

(i) the Environmental Protection Agency's Peer Review Handbook 3rd Edition;

(ii) the Environmental Protection Agency's Scientific Integrity Policy, as in effect on the date of enactment of this Act; and

(iii) the Office of Management and Budget's Peer Review Bulletin, as in effect on the date of enactment of this Act; and

(B) require such reports to meet the standards and procedures for the dissemination of influential scientific, financial, or statistical information set forth in the Environmental Protection Agency's Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency, developed in response to guidelines issued by the Office of Management and Budget under section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106–554).

(2) PROBABILITY, UNCERTAINTY, AND CONSEQUENCE.—In order to maximize the quality and utility of information developed through the study, the Administrator shall ensure that identification of the possible impacts of hydraulic fracturing on drinking water resources included in such reports be accompanied by objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of States and industry. Estimates or descriptions of probability, uncertainty, and consequence shall be as quantitative as possible given the validity, accuracy, precision, and other quality attributes of the underlying data and analyses, but no more quantitative than the data and analyses can support.

(3) RELEASE OF FINAL REPORT.—The final report shall be publicly released by September 30, 2016.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REVIEW OF STATE ACTIVITIES.

The Secretary of the Interior shall annually review and report to Congress on all State activities relating to hydraulic fracturing.

SUBDIVISION E—PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Preventing Government Waste and Protecting Coal Mining Jobs in America''.

SEC. 2. INCORPORATION OF SURFACE MINING STREAM BUFFER ZONE RULE INTO STATE PROGRAMS.

(a) IN GENERAL.—Section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) is amended by adding at the end the following:

''(e) STREAM BUFFER ZONE MANAGEMENT.—

''(1) IN GENERAL.—In addition to the requirements under subsection (a), each State program shall incorporate the necessary rule regarding excess spoil, coal mine waste, and buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation and Enforcement on December 12, 2008 (73 Fed. Reg. 75813 et seq.) which complies with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in view of the 2006 discussions between the Director of

the Office of Surface Mining and the Director of the United States Fish and Wildlife Service, and the Office of Surface Mining Reclamation and Enforcement's consideration and review of comments submitted by the United States Fish and Wildlife Service during the rulemaking process in 2007.

''(2) STUDY OF IMPLEMENTATION.—The Secretary shall—

''(A) at such time as the Secretary determines all States referred to in subsection (a) have fully incorporated the necessary rule referred to in paragraph (1) of this subsection into their State programs, publish notice of such determination;

''(B) during the 5-year period beginning on the date of such publication, assess the effectiveness of implementation of such rule by such States;

''(C) carry out all required consultation on the benefits and other impacts of the implementation of the rule to any threatened species or endangered species, with the participation of the United States Fish and Wildlife Service and the United States Geological Survey; and

''(D) upon the conclusion of such period, submit a comprehensive report on the impacts of such rule to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, including—

''(i) an evaluation of the effectiveness of such rule;

''(ii) an evaluation of any ways in which the existing rule inhibits energy production; and

''(iii) a description in detail of any proposed changes that should be made to the rule, the justification for such changes, all comments on such changes received by the Secretary from such States, and the projected costs and benefits of such changes.

''(3) LIMITATION ON NEW REGULATIONS.—The Secretary may not issue any regulations under this Act relating to stream buffer zones or stream protection before the date of the publication of the report under paragraph (2), other than a rule necessary to implement paragraph (1).''.

(b) DEADLINE FOR STATE IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, a State with a State program approved under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) shall submit to the Secretary of the Interior amendments to such program pursuant to part 732 of title 30, Code of Federal Regulations, incorporating the necessary rule referred to in subsection (e)(1) of such section, as amended by this section.

DIVISION C—JUDICIARY

SEC. 1. SHORT TITLE.

This division may be cited as the ''Responsibly And Professionally Invigorating Development Act of 2014'' or as the ''RAPID Act''.

SEC. 2. COORDINATION OF AGENCY ADMINISTRATIVE OPERATIONS FOR EFFICIENT DECISIONMAKING.

(a) IN GENERAL.—Chapter 5 of part 1 of title 5, United States Code, is amended by inserting after subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''§ 560. Coordination of agency administrative operations for efficient decisionmaking

''(a) CONGRESSIONAL DECLARATION OF PURPOSE.—The purpose of this subchapter is to establish a framework and procedures to streamline, increase the efficiency of, and enhance coordination of agency administration of the regulatory review, environmental decisionmaking, and permitting process for projects undertaken, reviewed, or funded by Federal agencies. This subchapter will ensure that agencies administer the regulatory process in a manner that is efficient so that citizens are not burdened with regulatory excuses and time delays.

''(b) DEFINITIONS.—For purposes of this subchapter, the term—

''(1) 'agency' means any agency, department, or other unit of Federal, State, local, or Indian tribal government;

''(2) 'category of projects' means 2 or more projects related by project type, potential environmental impacts, geographic location, or another similar project feature or characteristic;

''(3) 'environmental assessment' means a concise public document for which a Federal agency is responsible that serves to—

''(A) briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact;

''(B) aid an agency's compliance with NEPA when no environmental impact statement is necessary; and

''(C) facilitate preparation of an environmental impact statement when one is necessary;

''(4) 'environmental impact statement' means the detailed statement of significant environmental impacts required to be prepared under NEPA;

''(5) 'environmental review' means the Federal agency procedures for preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under NEPA;

''(6) 'environmental decisionmaking process' means the Federal agency procedures for undertaking and completion of any environmental permit, decision, approval, review, or study under any Federal law other than NEPA for a project subject to an environmental review;

''(7) 'environmental document' means an environmental assessment or environmental impact statement, and includes any supplemental document or document prepared pursuant to a court order;

''(8) 'finding of no significant impact' means a document by a Federal agency briefly presenting the reasons why a project, not otherwise subject to a categorical exclusion, will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared;

''(9) 'lead agency' means the Federal agency preparing or responsible for preparing the environmental document;

''(10) 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(11) 'project' means major Federal actions that are construction activities undertaken with Federal funds or that are construction activities that require approval by a permit or regulatory decision issued by a Federal agency;

''(12) 'project sponsor' means the agency or other entity, including any private or public-private entity, that seeks approval for a project or is otherwise responsible for undertaking a project; and

''(13) 'record of decision' means a document prepared by a lead agency under NEPA following an environmental impact statement that states the lead agency's decision, identifies the alternatives considered by the agency in reaching its decision and states whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not adopted.

''(c) PREPARATION OF ENVIRONMENTAL DOCUMENTS.—Upon the request of the lead agency, the project sponsor shall be authorized to prepare any document for purposes of an environmental review required in support of any project or approval by the lead agency if the lead agency furnishes oversight in such preparation and independently evaluates such document and the document is approved and adopted by the lead agency prior to taking any action or making any approval based on such document.

''(d) ADOPTION AND USE OF DOCUMENTS.—

''(1) DOCUMENTS PREPARED UNDER NEPA.—

''(A) Not more than 1 environmental impact statement and 1 environmental assessment shall be prepared under NEPA for a project (except for supplemental environmental documents prepared under NEPA or environmental documents prepared pursuant to a court order), and, except as otherwise provided by law, the lead agency shall prepare the environmental impact statement or environmental assessment. After the lead agency issues a record of decision, no Federal agency responsible for making any approval for that project may rely on a document other than the environmental document prepared by the lead agency.

''(B) Upon the request of a project sponsor, a lead agency may adopt, use, or rely upon secondary and cumulative impact analyses included in any environmental document prepared under NEPA for projects in the same geographic area where the secondary and cumulative impact analyses provide information and data that pertains to the NEPA decision for the project under review.

''(2) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

''(A) Upon the request of a project sponsor, a lead agency may adopt a document that has been prepared for a project under State laws and procedures as the environmental impact statement or environmental assessment for the project, provided that the State laws and procedures under which the document was prepared provide environmental protection and opportunities for public involvement that are substantially equivalent to NEPA.

''(B) An environmental document adopted under subparagraph (A) is deemed to satisfy the lead agency's obligation under NEPA to prepare an environmental impact statement or environmental assessment.

''(C) In the case of a document described in subparagraph (A), during the period after preparation of the document but before its adoption by the lead agency, the lead agency shall prepare and publish a supplement to that document if the lead agency determines that—

''(i) a significant change has been made to the project that is relevant for purposes of environmental review of the project; or

''(ii) there have been significant changes in circumstances or availability of information relevant to the environmental review for the project.

''(D) If the agency prepares and publishes a supplemental document under subparagraph (C), the lead agency may solicit comments from agencies and the public on the supplemental document for a period of not more than 45 days beginning on the date of the publication of the supplement.

''(E) A lead agency shall issue its record of decision or finding of no significant impact, as appropriate, based upon the document adopted under subparagraph (A), and any supplements thereto.

''(3) CONTEMPORANEOUS PROJECTS.—If the lead agency determines that there is a reasonable likelihood that the project will have similar environmental impacts as a similar project in geographical proximity to the project, and that similar project was subject to environmental review or similar State procedures within the 5-year period immediately preceding the date that the lead agency makes that determination, the lead

agency may adopt the environmental document that resulted from that environmental review or similar State procedure. The lead agency may adopt such an environmental document, if it is prepared under State laws and procedures only upon making a favorable determination on such environmental document pursuant to paragraph (2)(A).

''(e) PARTICIPATING AGENCIES.—

''(1) IN GENERAL.—The lead agency shall be responsible for inviting and designating participating agencies in accordance with this subsection. The lead agency shall provide the invitation or notice of the designation in writing.

''(2) FEDERAL PARTICIPATING AGENCIES.—Any Federal agency that is required to adopt the environmental document of the lead agency for a project shall be designated as a participating agency and shall collaborate on the preparation of the environmental document, unless the Federal agency informs the lead agency, in writing, by a time specified by the lead agency in the designation of the Federal agency that the Federal agency—

''(A) has no jurisdiction or authority with respect to the project;

''(B) has no expertise or information relevant to the project; and

''(C) does not intend to submit comments on the project.

''(3) INVITATION.—The lead agency shall identify, as early as practicable in the environmental review for a project, any agencies other than an agency described in paragraph (2) that may have an interest in the project, including, where appropriate, Governors of affected States, and heads of appropriate tribal and local (including county) governments, and shall invite such identified agencies and officials to become participating agencies in the environmental review for the project. The invitation shall set a deadline of 30 days for responses to be submitted, which may only be extended by the lead agency for good cause shown. Any agency that fails to respond prior to the deadline shall be deemed to have declined the invitation.

''(4) EFFECT OF DECLINING PARTICIPATING AGENCY INVITATION.—Any agency that declines a designation or invitation by the lead agency to be a participating agency shall be precluded from submitting comments on any document prepared under NEPA for that project or taking any measures to oppose, based on the environmental review, any permit, license, or approval related to that project.

''(5) EFFECT OF DESIGNATION.—Designation as a participating agency under this subsection does not imply that the participating agency—

''(A) supports a proposed project; or

''(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

''(6) COOPERATING AGENCY.—A participating agency may also be designated by a lead agency as a 'cooperating agency' under the regulations contained in part 1500 of title 40, Code of Federal Regulations, as in effect on January 1, 2011. Designation as a cooperating agency shall have no effect on designation as participating agency. No agency that is not a participating agency may be designated as a cooperating agency.

''(7) CONCURRENT REVIEWS.—Each Federal agency shall—

''(A) carry out obligations of the Federal agency under other applicable law concurrently and in conjunction with the review required under NEPA; and

''(B) in accordance with the rules made by the Council on Environmental Quality pursuant to subsection (n)(1), make and carry out such rules, policies, and procedures as may be reasonably necessary to enable the agency to ensure completion of the environmental review and environmental decision-making process in a timely, coordinated, and environmentally responsible manner.

''(8) COMMENTS.—Each participating agency shall limit its comments on a project to areas that are within the authority and expertise of such participating agency. Each participating agency shall identify in such comments the statutory authority of the participating agency pertaining to the subject matter of its comments. The lead agency shall not act upon, respond to or include in any document prepared under NEPA, any comment submitted by a participating agency that concerns matters that are outside of the authority and expertise of the commenting participating agency.

''(f) PROJECT INITIATION REQUEST.—

''(1) NOTICE.—A project sponsor shall provide the Federal agency responsible for undertaking a project with notice of the initiation of the project by providing a description of the proposed project, the general location of the proposed project, and a statement of any Federal approvals anticipated to be necessary for the proposed project, for the purpose of informing the Federal agency that the environmental review should be initiated.

''(2) LEAD AGENCY INITIATION.—The agency receiving a project initiation notice under paragraph (1) shall promptly identify the lead agency for the project, and the lead agency shall initiate the environmental review within a period of 45 days after receiving the notice required by paragraph (1) by inviting or designating agencies to become participating agencies, or, where the lead agency determines that no participating agencies are required for the project, by taking such other actions that are reasonable and necessary to initiate the environmental review.

''(g) ALTERNATIVES ANALYSIS.—

''(1) PARTICIPATION.—As early as practicable during the environmental review, but no later than during scoping for a project requiring the preparation of an environmental impact statement, the lead agency shall provide an opportunity for involvement by cooperating agencies in determining the range of alternatives to be considered for a project.

''(2) RANGE OF ALTERNATIVES.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project, subject to the following limitations:

''(A) NO EVALUATION OF CERTAIN ALTERNATIVES.—No Federal agency shall evaluate any alternative that was identified but not carried forward for detailed evaluation in an environmental document or evaluated and not selected in any environmental document prepared under NEPA for the same project.

''(B) ONLY FEASIBLE ALTERNATIVES EVALUATED.—Where a project is being constructed, managed, funded, or undertaken by a project sponsor that is not a Federal agency, Federal agencies shall only be required to evaluate alternatives that the project sponsor could feasibly undertake, consistent with the purpose of and the need for the project, including alternatives that can be undertaken by the project sponsor and that are technically and economically feasible.

''(3) METHODOLOGIES.—

''(A) IN GENERAL.—The lead agency shall determine, in collaboration with cooperating agencies at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a project. The lead agency shall include in the environmental document a description of the methodologies used and how the methodologies were selected.

''(B) NO EVALUATION OF INAPPROPRIATE ALTERNATIVES.—When a lead agency determines that an alternative does not meet the purpose and need for a project, that alternative is not required to be evaluated in detail in an environmental document.

''(4) PREFERRED ALTERNATIVE.—At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review.

''(5) EMPLOYMENT ANALYSIS.—The evaluation of each alternative in an environmental impact statement or an environmental assessment shall identify the potential effects of the alternative on employment, including potential short-term and long-term employment increases and reductions and shifts in employment.

''(h) COORDINATION AND SCHEDULING.—

''(1) COORDINATION PLAN.—

''(A) IN GENERAL.—The lead agency shall establish and implement a plan for coordinating public and agency participation in and comment on the environmental review for a project or category of projects to facilitate the expeditious resolution of the environmental review.

''(B) SCHEDULE.—

''(i) IN GENERAL.—The lead agency shall establish as part of the coordination plan for a project, after consultation with each participating agency and, where applicable, the project sponsor, a schedule for completion of the environmental review. The schedule shall include deadlines, consistent with subsection (i), for decisions under any other Federal laws (including the issuance or denial of a permit or license) relating to the project that is covered by the schedule.

''(ii) FACTORS FOR CONSIDERATION.—In establishing the schedule, the lead agency shall consider factors such as—

''(I) the responsibilities of participating agencies under applicable laws;

''(II) resources available to the participating agencies;

''(III) overall size and complexity of the project;

''(IV) overall schedule for and cost of the project;

''(V) the sensitivity of the natural and historic resources that could be affected by the project; and

''(VI) the extent to which similar projects in geographic proximity were recently subject to environmental review or similar State procedures.

''(iii) COMPLIANCE WITH THE SCHEDULE.—

''(I) All participating agencies shall comply with the time periods established in the schedule or with any modified time periods, where the lead agency modifies the schedule pursuant to subparagraph (D).

''(II) The lead agency shall disregard and shall not respond to or include in any document prepared under NEPA, any comment or information submitted or any finding made by a participating agency that is outside of the time period established in the schedule or modification pursuant to subparagraph (D) for that agency's comment, submission or finding.

''(III) If a participating agency fails to object in writing to a lead agency decision, finding or request for concurrence within the time period established under law or by the lead agency, the agency shall be deemed to

have concurred in the decision, finding or request.

''(C) CONSISTENCY WITH OTHER TIME PERIODS.—A schedule under subparagraph (B) shall be consistent with any other relevant time periods established under Federal law.

''(D) MODIFICATION.—The lead agency may—

''(i) lengthen a schedule established under subparagraph (B) for good cause; and

''(ii) shorten a schedule only with the concurrence of the cooperating agencies.

''(E) DISSEMINATION.—A copy of a schedule under subparagraph (B), and of any modifications to the schedule, shall be—

''(i) provided within 15 days of completion or modification of such schedule to all participating agencies and to the project sponsor; and

''(ii) made available to the public.

''(F) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review for any project, the lead agency shall have authority and responsibility to take such actions as are necessary and proper, within the authority of the lead agency, to facilitate the expeditious resolution of the environmental review for the project.

''(i) DEADLINES.—The following deadlines shall apply to any project subject to review under NEPA and any decision under any Federal law relating to such project (including the issuance or denial of a permit or license or any required finding):

''(1) ENVIRONMENTAL REVIEW DEADLINES.—The lead agency shall complete the environmental review within the following deadlines:

''(A) ENVIRONMENTAL IMPACT STATEMENT PROJECTS.—For projects requiring preparation of an environmental impact statement—

''(i) the lead agency shall issue an environmental impact statement within 2 years after the earlier of the date the lead agency receives the project initiation request or a Notice of Intent to Prepare an Environmental Impact Statement is published in the Federal Register; and

''(ii) in circumstances where the lead agency has prepared an environmental assessment and determined that an environmental impact statement will be required, the lead agency shall issue the environmental impact statement within 2 years after the date of publication of the Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register.

''(B) ENVIRONMENTAL ASSESSMENT PROJECTS.—For projects requiring preparation of an environmental assessment, the lead agency shall issue a finding of no significant impact or publish a Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register within 1 year after the earlier of the date the lead agency receives the project initiation request, makes a decision to prepare an environmental assessment, or sends out participating agency invitations.

''(2) EXTENSIONS.—

''(A) REQUIREMENTS.—The environmental review deadlines may be extended only if—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) LIMITATION.—The environmental review shall not be extended by more than 1 year for a project requiring preparation of an environmental impact statement or by more than 180 days for a project requiring preparation of an environmental assessment.

''(3) ENVIRONMENTAL REVIEW COMMENTS.—

''(A) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by agencies and the public on a draft environmental impact statement, the lead agency shall establish a comment period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of such document, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) OTHER COMMENTS.—For all other comment periods for agency or public comments in the environmental review process, the lead agency shall establish a comment period of no more than 30 days from availability of the materials on which comment is requested, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(4) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Notwithstanding any other provision of law, in any case in which a decision under any other Federal law relating to the undertaking of a project being reviewed under NEPA (including the issuance or denial of a permit or license) is required to be made, the following deadlines shall apply:

''(A) DECISIONS PRIOR TO RECORD OF DECISION OR FINDING OF NO SIGNIFICANT IMPACT.—If a Federal agency is required to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project prior to the record of decision or finding of no significant impact, such Federal agency shall approve or otherwise act not later than the end of a 90-day period beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency publishes a notice of the availability of the final environmental impact statement or issuance of other final environmental documents, or no later than such other date that is otherwise required by law, whichever event occurs first.

''(B) OTHER DECISIONS.—With regard to any approval or other action related to a project by a Federal agency that is not subject to subparagraph (A), each Federal agency shall approve or otherwise act not later than the end of a period of 180 days beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency issues the record of decision or finding of no significant impact, unless a different deadline is established by agreement of the Federal agency, lead agency, and the project sponsor, where applicable, or the deadline is extended by the Federal agency for good cause, provided that such extension shall not extend beyond a period that is 1 year after the lead agency issues the record of decision or finding of no significant impact.

''(C) FAILURE TO ACT.—In the event that any Federal agency fails to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project within the applicable deadline described in subparagraph (A) or (B), the permit, license, or other similar application shall be deemed approved by such agency and the agency shall take action in accordance with such approval within 30 days of the applicable deadline described in subparagraph (A) or (B).

''(D) FINAL AGENCY ACTION.—Any approval under subparagraph (C) is deemed to be final agency action, and may not be reversed by any agency. In any action under chapter 7 seeking review of such a final agency action, the court may not set aside such agency action by reason of that agency action having occurred under this paragraph.

''(j) ISSUE IDENTIFICATION AND RESOLUTION.—

''(1) COOPERATION.—The lead agency and the participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(2) LEAD AGENCY RESPONSIBILITIES.—The lead agency shall make information available to the participating agencies as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration. Such information may be based on existing data sources, including geographic information systems mapping.

''(3) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, participating agencies shall identify, as early as practicable, any issues of concern regarding the project's potential environmental, historic, or socioeconomic impacts. In this paragraph, issues of concern include any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.

''(4) ISSUE RESOLUTION.—

''(A) MEETING OF PARTICIPATING AGENCIES.—At any time upon request of a project sponsor, the lead agency shall promptly convene a meeting with the relevant participating agencies and the project sponsor, to resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(B) NOTICE THAT RESOLUTION CANNOT BE ACHIEVED.—If a resolution cannot be achieved within 30 days following such a meeting and a determination by the lead agency that all information necessary to resolve the issue has been obtained, the lead agency shall notify the heads of all participating agencies, the project sponsor, and the Council on Environmental Quality for further proceedings in accordance with section 204 of NEPA, and shall publish such notification in the Federal Register.

''(k) LIMITATION ON USE OF SOCIAL COST OF CARBON.—

''(1) IN GENERAL.—In the case of any environmental review or environmental decision-making process, a lead agency may not use the social cost of carbon.

''(2) DEFINITION.—In this subsection, the term 'social cost of carbon' means the social cost of carbon as described in the technical support document entitled 'Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order No. 12866', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, revised in November 2013, or any successor thereto or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

''(l) REPORT TO CONGRESS.—The head of each Federal agency shall report annually to Congress—

''(1) the projects for which the agency initiated preparation of an environmental impact statement or environmental assessment;

''(2) the projects for which the agency issued a record of decision or finding of no significant impact and the length of time it took the agency to complete the environmental review for each such project;

''(3) the filing of any lawsuits against the agency seeking judicial review of a permit,

license, or approval issued by the agency for an action subject to NEPA, including the date the complaint was filed, the court in which the complaint was filed, and a summary of the claims for which judicial review was sought; and

''(4) the resolution of any lawsuits against the agency that sought judicial review of a permit, license, or approval issued by the agency for an action subject to NEPA.

''(m) LIMITATIONS ON CLAIMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or approval issued by a Federal agency for an action subject to NEPA shall be barred unless—

''(A) in the case of a claim pertaining to a project for which an environmental review was conducted and an opportunity for comment was provided, the claim is filed by a party that submitted a comment during the environmental review on the issue on which the party seeks judicial review, and such comment was sufficiently detailed to put the lead agency on notice of the issue upon which the party seeks judicial review; and

''(B) filed within 180 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law pursuant to which judicial review is allowed.

''(2) NEW INFORMATION.—The preparation of a supplemental environmental impact statement, when required, is deemed a separate final agency action and the deadline for filing a claim for judicial review of such action shall be 180 days after the date of publication of a notice in the Federal Register announcing the record of decision for such action. Any claim challenging agency action on the basis of information in a supplemental environmental impact statement shall be limited to challenges on the basis of that information.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create a right to judicial review or place any limit on filing a claim that a person has violated the terms of a permit, license, or approval.

''(n) CATEGORIES OF PROJECTS.—The authorities granted under this subchapter may be exercised for an individual project or a category of projects.

''(o) EFFECTIVE DATE.—The requirements of this subchapter shall apply only to environmental reviews and environmental decisionmaking processes initiated after the date of enactment of this subchapter. In the case of a project for which an environmental review or environmental decisionmaking process was initiated prior to the date of enactment of this subchapter, the provisions of subsection (i) shall apply, except that, notwithstanding any other provision of this section, in determining a deadline under such subsection, any applicable period of time shall be calculated as beginning from the date of enactment of this subchapter.

''(p) APPLICABILITY.—Except as provided in subsection (p), this subchapter applies, according to the provisions thereof, to all projects for which a Federal agency is required to undertake an environmental review or make a decision under an environmental law for a project for which a Federal agency is undertaking an environmental review.

''(q) SAVINGS CLAUSE.—Nothing in this section shall be construed to supersede, amend, or modify sections 134, 135, 139, 325, 326, and 327 of title 23, sections 5303 and 5304 of title 49, or subtitle C of title I of division A of the Moving Ahead for Progress in the 21st Century Act and the amendments made by such subtitle (Public Law 112–141).''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the items relating to subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''560. Coordination of agency administrative operations for efficient decisionmaking.''.

(c) REGULATIONS.—

(1) COUNCIL ON ENVIRONMENTAL QUALITY.—Not later than 180 days after the date of enactment of this division, the Council on Environmental Quality shall amend the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, and shall by rule designate States with laws and procedures that satisfy the criteria under section 560(d)(2)(A) of title 5, United States Code.

(2) FEDERAL AGENCIES.—Not later than 120 days after the date that the Council on Environmental Quality amends the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, each Federal agency with regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall amend such regulations to implement the provisions of this division.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 60 minutes.

The Chair recognizes the gentleman from Washington.

□ 1530

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. 2.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I stand here on the House floor, only a few hundred yards away from the Senate, and it feels as if we are worlds apart. In the House, we are listening to the American people who are telling us that it is time to expand American energy production.

Hardworking Americans know how important energy is in their lives. They need it to commute to and from work. It fuels the buses that take our kids to school. It powers the businesses on Main Street.

It provides jobs and improves the livelihoods of millions of Americans who are struggling to make ends meet in President Obama's economy; and, Mr. Speaker, Sunday, it will power the Jumbotron at CenturyLink Field in Seattle as the Seahawks take on the Broncos.

Unfortunately, on the other side of the Capitol, these calls to expand American energy production are falling on deaf ears. The House has passed dozens of energy bills, including a number from the House Natural Resources Committee, on which the Senate has failed to act. By doing so, they are standing in the way of American job creation, affordable energy, and increased national security.

H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act, would protect and expand American energy production by removing this administration's roadblocks and preventing unnecessary bureaucratic red tape.

Mr. Speaker, since President Obama took office, total Federal offshore oil production has dropped 13 percent, Federal offshore natural gas production has dropped by nearly one-half, and the Obama administration has placed over 85 percent of America's offshore acreage off limits.

Onshore, Mr. Speaker, it is the same story. This administration has had the 4 lowest years of Federal acres leased for onshore energy production going back to 1988. It has also pledged to impose a duplicative layer of red tape on hydraulic fracturing, which would only hurt American job creation.

The Obama administration has also waged a war on coal and on coal jobs. Coal is a reliable and affordable energy resource that provides 30 percent of America's electricity and supports millions of American jobs.

Unfortunately, with one proposed regulation by the Obama administration, those jobs could disappear. Their rewrite of the stream buffer zone rule could cost 7,000 coal jobs and cause economic harm in 22 States.

But there is good news, and the good news are the provisions in these bills. These provisions are a direct response to the Obama administration's actions that have locked up our energy resources. The bill would end the regulatory delays blocking the construction of the Keystone XL pipeline.

After nearly 6 years of review, this is a commonsense solution that would eliminate the need for a Presidential permit, addresses all other necessary Federal permits, and limit litigation that would delay the project.

The bill would also expand offshore energy production. It would require this administration to responsibly move forward with new offshore energy production in areas that contain the most oil and natural gas resources. What a novel idea, going where the product is, and those areas include areas off the Atlantic and the Pacific coasts.

It also requires the administration to hold oil and natural gas lease sales that have been delayed or canceled, such as offshore of Virginia. This expanded offshore production would generate over $1 billion in new revenue to the Federal Treasury and create up to 1.2 millions of jobs long-term.

Mr. Speaker, the bill would expand onshore energy production. It would reform the leasing and permitting process to remove unnecessary delays, set

clear rules for the development of U.S. oil shale resources, and establish Internet-based auctions for leases. It would also help foster expanded energy production on tribal lands.

The bill would stop the Federal Government from imposing duplicative Federal hydraulic regulations and prevent it from implementing job-destroying coal regulations. It would help protect consumers from EPA regulations that could destroy jobs and increase energy costs.

Finally, Mr. Speaker, the bill would expand production of clean, renewable hydropower by removing outdated barriers and streamlining the regulatory process. It would authorize hydropower development at existing manmade water canals and pipes at 12 Bureau of Reclamation projects.

Mr. Speaker, the American Energy Solutions for Lower Costs and More American Jobs Act is a commonsense action plan to create over 1 million new American jobs and provide relief to hardworking Americans who are feeling the squeeze of higher gasoline and electricity prices. It would strengthen our economy and—probably more importantly in this unsettled world—increase America's energy security.

Mr. Speaker, I urge my colleagues to support this important bipartisan piece of legislation, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Well, Mr. Speaker, I would start out by saying this feels like Groundhog Day, but I have already done that when we brought up these same bills multiple times in the past. I could start, as I did the last time we considered this package of bills, by reading a statement from the last time we debated these bills and then pretend to get angry at my staff because they gave me a statement that is 8 months old, but I made that point the last time we debated this energy package on the floor.

Mr. Speaker, the House has passed nearly all the provisions in this bill at least two times. Now, I think most Americans still remember high school civics. The House passes a bill; they send it to the Senate.

The Senate either takes it up or not; and, if they do, then we work out our differences in conference committee and send it to the President for signature. We just keep sending the same bills over to the Senate under the premise that, somehow, they will do something because it has been sent multiples times from the House. It hasn't worked in the past, and it won't work in the future.

This package really also ignores reality. We are producing more natural gas than we ever have and more oil than in over 25 years. We are projected to be the number one oil producer in the world in the next few years.

Meanwhile, thanks to a worldwide glut of oil, gas prices are going down. They are the lowest they have been this time of year since 2010, except perhaps in my State, where we are getting price-gouged because we don't have a refinery.

If Republicans really cared about keeping gas prices down for American consumers, maybe they would take a serious look at the fact that we are exporting 1.6 million barrels of gasoline and diesel every day. There is no shortage.

We are exporting 1.6 million barrels a day; yet truckers are paying extraordinarily high diesel prices because we are exporting more and more diesel and saying, ''Well, you have got to pay the same price they are going to pay in Europe.''

Mr. Speaker, inside the Beltway here, we don't really deal with facts and statistics very much; so, today, we will take up and pass the same tired legislation for the second, third, or fourth time so any Republican Members who happen to be in a tough race can claim that they have been productive on this issue.

This is just an opportunity to check the energy box again and again so you can try to get voters to check the box for the so-called energy experts on the ballot, but we are not legislating; instead, we are wasting time and taxpayer money to put on a rerun show. If you are going to do a rerun show, at the risk of sounding like a broken record, then I am going to do the same.

Every time we have come to the floor to debate another legislative fish wrap this summer, I have brought up the same issue, Western wildfires.

Now, this poster shows Weed, California—or what is left of it. A wildfire destroyed half the town and over 150 homes. In my home State, a major fire is burning 10 miles away from the town of Estacada, threatening over 150 homes, forcing evacuations, and forcing the Governor to use the State's conflagration act to mobilize emergency resources.

In the West, there are over 50 active fires burning, one in the Willamette Forest outside of Eugene and Springfield. It is costing $1 million a day with attempts to keep it from running toward a town. Two days ago, the Forest Service said they have $179 million left for suppression.

Last week alone, they spent $150 million on suppression efforts. That means, next week, while we are out of session, they will run out of money, and they will do what they always do: they will start pulling back money from the fuel reduction, forest health, and other programs to fight the fires.

You can't stop fighting the fires. These fires are enormous, unnatural, and unprecedented in many ways. On top of that, we have a drought which might or might not have to do with climate change, which the other side of the aisle doesn't believe in, but, nonetheless, they are a fact.

Now, it doesn't have to be this way. We could do something real. We have the rarest thing in Washington, D.C.—a bipartisan—that means Democrats and Republicans are on a bill, 52 House Members, including myself, 52 Republicans on a bill—bicameral—similar bill, same bill in the Senate—supported by Democrats and Republicans, and, lo and behold, it is a bill supported by President Obama.

Maybe that is why they won't even hold a hearing on it or move it—because the President supports it—despite the fact that it would deal with a very real problem.

We aren't investing enough money in a regular fashion to get ahead of the fire problem in the West and to do the fuel reduction and the forest health we need. The agencies don't have enough in their budgets, and, every year, in fact, they overspend their firefighting budgets, and they have to cancel projects and other needed activities.

There has been no hearing on the bill. We can't find time to hold a hearing on a bill that has to do with wildfires that are burning up the West. We can't find the time; instead, we are going to pass these bills for the second, third, fourth, fifth, or sixth time. We can't find the time. We are too busy here pretending.

We have 196 Democrats who have signed a petition to overrule the Republican leadership and bring that bill to the floor of the United States House of Representatives. Fifty-two Republicans are cosponsors of that bill.

Many of them have active fires burning in their districts; and will they defy their leadership and do something that is needed for Americans in the Western United States, needed for our natural resources, and needed to prevent these towns from burning down? No. They can't do that. They will not sign the petition.

So here we are. Western communities are burning. You can pretty much step outside the door and smell the smoke from here. We have a potential solution to get ahead of this problem in the future and deal better with it, but, instead, we are wasting time here today passing, yet again, bills that have already been passed and have already been sent to the Senate, but we will send them over to the Senate again, and they can put them on the same stack of paper.

If you look at these pictures, we are wasting the second-to-last day—well, now, it is the last day, actually—on repeat because we have to get home for elections.

I mean, we don't need to pass the budget for the year, the appropriations bills. We don't need to take more meaningful consideration of what we are getting into in the Middle East and spend more time on it, and we can't certainly find any time to deal with the wildfire issue. Let's just pretend.

Yet, again, you get to check a pointless box, and I don't think the American people are going to be fooled.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), my colleague from Oregon, across the Columbia River from my district.

Mr. WALDEN. I thank the chairman of the Natural Resources Committee who has been most helpful in our endeavors in the West on the issues of private property, water rights, improving the health of our forest, and diminishing wildfires through active forest management.

I want to thank him again for his legislation and one that a number of us have shared in helping draft, H.R. 1526, which has been part of our jobs package that we are again sending over to the Senate because they have done nothing in the area of improving forest health and management and stopping these horrible wildfires that we are all trying to deal with—because they are much more than just a budgeting issue, although that is important, it really is about how do you get ahead of these fires, have active management, generate revenues, and generate jobs.

Mr. Speaker, another bill that we are taking up again in the House is one that actually has passed twice in this House unanimously—unanimously—in the last couple of years.

This will be the third time in less than 3 years we have acted. Why are we doing that? Because, at some point, we hope to wake up the Senate to where they actually will take up this issue and pass it because it means jobs for Crook County, which has a very high unemployment rate and a very high poverty rate.

It means better water quality for fish because we changed a designation on a dam that will allow the water to come out in a better way by adding renewable, carbon friendly hydropower to be generated off this dam. It would create 50 jobs over 2 years when they do the hydro piece. The water will come out better, and it will be better for the fish.

The city of Prineville—you talk about drought—the city of Prineville has several hundred residents who cannot access city water because they don't have enough of it.

This legislation will free up 5,100 acre feet of water that will take care of the city of Prineville for some time to come and allow them to actually take care of their citizens with city water. They will pump it out downstream, and water will stay instream for—I think it is something like 20 miles upriver from Bowman Dam.

There is 80,000 acre feet of water sitting unallocated in this reservoir. We take 5,100 acre feet of it. The city is going to pay the appropriate price so there is no cost to the Treasury. It will serve 500 homes, and we have got a bunch of data centers that have come up in Prineville.

They need to make sure they have access to water for cooling. Apple and Facebook and a couple of others need access to this, and all we do is fix an errant boundary decision made many years ago that laid down the boundary of wild and scenic right across the top of the dam.

Now, there is nothing wild or scenic about a dam unless you are falling off the face of it. It was temporary, and that has been decades ago. This moves it a quarter mile downstream.

□ 1545

Beyond that, there are benefits for Ochoco Irrigation District farmers to ensure they will continue to operate their family farms for generations to come. We make sure there is enough water behind the dam for flat water recreation and fishing, which is an important part of the economy there. And we worked with the tribes and others to expedite the McKay Creek restoration project, which will result in increased water flows for redband trout and summer steelhead, a project long supported by the Warm Springs Tribe and the Deschutes River Conservancy.

Just like other bills in this package, this is a good, commonsense piece of legislation. It has achieved overwhelming—in fact, in the House, unanimous—support.

We look forward to working with the Senate, but it is hard to dance with yourself. It is just no fun. So we need a dance partner over in the Senate that will come to the table so we can take this years of work, pull it together in a package that can finally get to the President's desk.

I don't know what else you do. You try again. You never quit trying. And that is what this package of bills is all about. One more time before we leave town, trying to create jobs in America, do the right thing for the environment, and take care of problems at home, that is what this is about.

We hope the Senate will finally take a look at these bills in a meaningful and thoughtful way and be able to come to the table with terms and work these things out.

So I commend the chairman of the House Natural Resources Committee for all his work over the years, but especially for the work he and I have done together to improve forest health, improve forest jobs, improve water quality, take care of these issues that are so important to the rural West.

Mr. DEFAZIO. I yield 3 minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Oregon for yielding as well as for his leadership.

Mr. Speaker, once again, as we stand on the brink of a 7-week recess, we are here in this Chamber considering a package of warmed-over bills that will be dead on arrival when it reaches the Senate. It is an empty legislative vessel that has no meaningful port of destination. We are on a joyride that is going to waste the time and treasure of the American people.

That is not to suggest, Mr. Speaker, that the House majority hasn't been busy during the 113th Congress. This majority has been busy unleashing a parade of horribles on the American people.

The House majority, Mr. Speaker, began by bringing to the American people sequestration, tens of billions of dollars of painful cuts to important domestic programs that will adversely impact the American people.

This House majority, Mr. Speaker, has been busy bringing us a 16-day reckless government shutdown, costing the American people $24 billion in lost economic productivity.

Mr. Speaker, this House majority has been busy engaging in a serial flirtation with defaulting on our debt, threatening the full faith and credit of the United States of America, resulting in an increase in interest rates.

This House majority, Mr. Speaker, has been busy enacting a reckless Republican budget: $137 billion in cuts to nutritional assistance to the American people, many of whom have gone hungry; $260 billion in cuts to higher education; $732 billion in cuts to Medicaid—enacted by this House majority in a reckless Republican budget.

We failed to enact a minimum-wage increase despite the fact that you have got working families living in poverty while going to work each and every day.

We failed to enact comprehensive immigration reform, fixing a broken immigration system, giving life to the American Dream for those who are otherwise now living in the shadows.

We have failed to invest in transportation and infrastructure.

We failed to renew unemployment insurance, leaving millions of Americans on the battlefield of the Great Recession.

What are we doing here on the final day?

I would just ask the American people to ponder this question: What grade should you give the House majority during the 113th Congress?

I would suggest, humbly, there are only two options: D for ''disaster'' and F for ''failure.''

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), the author of this legislation.

Mr. TERRY. Mr. Speaker, DOC HASTINGS, I really appreciate your leadership on energy issues and natural resources issues. It has just been incredibly important to our Congress.

I want to thank my colleagues for allowing me to bring this package here today because this is a commonsense energy approach that grows our economy, creates jobs, and ensures our energy is affordable and reliable.

Yes, Mr. Speaker, most of these, or all of them, have already been voted on at some point in time over the last couple years. It is important that we continue to push the Senate into taking up these energy bills so we can expand our economy and grow the jobs.

Too many of the rules and regulations coming out of this administration are making energy more costly

and less reliable to the consumers. This is the point of this bill. The House continues to do our job with legislation, but the Senate continues to block it. I am not going to stand idly by and keep allowing that to happen.

This approach puts together bills that allow us to build up our infrastructure of abundance, streamlines permitting processes, Mr. Speaker, and provides commonsense guidance to the EPA rulemakers, all of which provides reliability and affordability for our consumers, which is an inherent cornerstone to economic success.

So what does this bill do?

It allows the United States to take advantage of the fact that we are incredibly close to being self-sufficient, no longer reliant on those outside of North America. This bill approves the Keystone pipeline, which was filed, originally, 6 years ago tomorrow. But yet 22,000 pages of studies have been completed that show that this pipeline does not pose an environmental risk to land or aquifer and will actually reduce CO_2 emissions compared to not allowing the pipeline.

Recently, Larry Summers, President Obama's former senior economic adviser, was quoted as saying: ''I am very much aware of the toll that the Keystone pipeline issue has taken on the relations with a crucial U.S. ally, Canada.''

So it is even straining our relationship with our good friend Canada.

This bill also removes Federal barriers to offshore energy production, enhances onshore production by removing red tape and making sure that any regulations are reasonable.

This bill will expedite LNG exportation to our allies, allowing us to maintain a strong, strategic position in the world.

This bill will modernize the permit process for natural gas pipelines. This is important as we use more natural gas for manufacturing, electrical production, and as a transportation fuel.

There is an abundant supply of natural gas here in North America and it has been proven to be cheaper and cleaner, but I believe it is greatly underutilized. We need to make natural gas a priority, which this bill does.

Our country is blessed to have these abundant natural resources. We must do everything in our power to make sure that our policies support resource development and minimize the red tape that strangles our job creators.

I am proud to lead this effort in support of lower cost energy and more American jobs. With these policies, we can make real progress towards reducing prices at the pump and protecting families.

Mr. WAXMAN. I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in opposition to H.R. 2. Here we are, the next day after we passed bipartisan legislation with a majority on both sides, and now today we come up with H.R. 2, which has a combination of bills that this House has already considered.

And what, we are here the last day of voting, the day before we go home to campaign, passing a bill that has zero chance of becoming law.

H.R. 2 is an affront to the bipartisan work we have done in the Energy and Commerce Committee. Over the past year, the members of our committee have worked together to craft legislation that would support the dramatic energy renaissance our country is experiencing. Unfortunately, H.R. 2 that we are considering today is not reflective of this hard work, some of the compromises we did.

Instead of working to improve the decisionmaking made by Federal agencies, H.R. 2 seeks to eliminate Federal authority.

Instead of expediting export permits, H.R. 2 opens the door to sending U.S. gas to countries that are not even our friends.

Instead of respecting the balance we worked so hard to establish between the States and the Federal Government, H.R. 2 rescinds all the authority for our government in State affairs.

It is my hope that we would stop wasting time on these bills that have no bipartisan support and work together to pass legislation in a bipartisan fashion.

We actually have addressed a number of these bills already on this House floor. Everyone, Democrat or Republican, has acknowledged that the energy sector has common ground. We may not always agree on what fuel mix we have or how to best serve our country, but we can agree that the energy sector is vital to our economy and our independence.

The bills included in H.R. 2 include bills I have cosponsored and worked hard to craft with my Republican and Democratic colleagues. It is disappointing that our leadership would use this window of opportunity to pass bills that harm our environment, create uncertainty in our economy, and ultimately delay job growth and energy development.

In the Energy and Commerce Committee, we work across party lines to draft legislation that solves the problems of the American people and American industry. We work to ensure that the EPA, the Environmental Protection Agency, is promulgating rules that make not only economic sense, but, as well, environmental sense. We work to support our natural resources sector and send American gas and refined products overseas to benefit our U.S. economy and balance of trade.

All of these things will garner bipartisan support and establish the U.S. and North America as the world energy leader. But this H.R. 2 takes away all that we have worked for for almost 2 years, and that is why I oppose H.R. 2.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. LAMBORN), the subcommittee chairman on the Natural Resources Committee.

Mr. LAMBORN. I thank the chairman for recognizing me and for his contribution to energy and other policies of our country over many years.

Mr. Speaker, I rise in strong support of the bipartisan H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

I am pleased that this package of energy legislation includes legislation I introduced and that has previously passed the House, H.R. 1965, the Federal Lands Jobs and Energy Security Act.

H.R. 2 will help ensure the successful production of onshore and offshore energy and provides the regulatory certainty energy producers need to produce American-made energy. This creates American jobs, increases revenues to State and local governments, and promotes economic development across the economy.

H.R. 2 promotes an all-of-the-above energy strategy, streamlining regulations and expediting the production of both conventional and renewable energy. It will ensure that the Bureau of Land Management has the resources they need to expeditiously process permits for all energy projects on Federal land.

□ 1600

The Obama administration has made energy production on Federal land so burdensome and so uncertain that conventional and renewable energy producers are avoiding Federal lands in favor of State and private lands. That is where permits are approved in a timely fashion and are not subject to burdensome and obstructionist lawsuits, and projects can move forward in a stable environment.

In my home State of Colorado, a permit for an energy project can be approved in 27 days for State land projects. For a project on Federal land in Colorado, the Obama administration takes nearly a year to approve the same permit. This delay in approvals not only delays energy production, it delays job creation and revenues to State and local governments.

Energy producers should not have to choose between whether to produce energy on Federal versus State land just because of permit timelines, lawsuits, and regulations.

This legislation injects much-needed certainty into every step of the energy production process. It will ensure timely permit approvals, allow Bureau of Land Management field offices to have the resources they need for energy permits, open up offshore areas for energy production, and ensures that our Nation has a plan for our future energy needs.

I urge my colleagues to join me in strong support of this critical legislation.

Mr. WAXMAN. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from California has 47½ minutes remaining. The gentleman from Washington has 44 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I thank my very good friend and our leader from California for yielding me the time.

Mr. Speaker, I rise in opposition to this bill.

So this is the last day we are in session until after the elections. But rather than consider substantive legislation today—or really at any point in this session—that would have extended long-term unemployment benefits, or simplify the Tax Code, or reform our immigration system, or extend expiring tax provisions, or lower foreign trade barriers with new trade authority, or invest in our Nation's deteriorating public infrastructure, we are going home.

Mr. Speaker, the list goes on and on of what we could and should be doing. But we are wasting what limited floor time remains debating a compilation of bad anti-environmental legislative proposals that this Chamber has already passed.

These bills will not be considered by the Senate, and they are bills that the President has already expressed his intention of vetoing if they were to get through the Senate.

It is disappointing, but it is not surprising.

With the vote on this bill, this Chamber will have voted 218 times just this session to weaken existing laws that protect our health and our environment; 58 times this session we voted to block action on climate change; 43 times to weaken the Clean Air Act; and 75 times to weaken the Clean Water Act.

Mr. Speaker, more oil is being produced now during the Obama administration than at any point in the previous 25 years. Our dependence on foreign sources of oil is at a record low. Gasoline prices are actually stabilizing or in decline in many parts of the country.

But with this bill, we will be waiving environmental reviews and advancing more drilling in areas that pose potential harm to the environment and to other American jobs and industries, such as the tourist industry, the fishing industry, and many other industries that don't seem to be given equal weight but are certainly equally or more important than the industries that we are trying against all odds to protect.

Mr. Speaker, the climate is warming. The only place where a majority of the American people are in denial is here in this Chamber.

I have seen a poll that shows that 53 percent of all self-identified Republicans under the age of 34 think politicians who deny climate change are either—and I am quoting here; obviously, these would not be my words, but I am quoting—either ''ignorant,'' ''out of touch,'' or ''crazy.''

So I will let the majority of young Republicans have the last word, Mr. Speaker. But the point is, I oppose this measure, and I urge my colleagues to do so as well by voting ''no.''

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, H.R. 2 is a practical bill that would lower costs for energy, create over 1 million long-term jobs, improve our energy security, and substantially reduce redtape.

This is exactly the type of bipartisan legislation Congress should be passing to revitalize our economy and create jobs.

According to an April 2014 report issued by the U.S. Government Accountability Office, the average wait time for an environmental impact study in 2012 was running 4.6 years. This is the highest average since 1997 and includes projects with wait times of 10 to 20 years.

The World Bank and International Finance Corporation's recent Ease of Doing Business index embarrassingly ranked the U.S. 34th in the world in the category of ''dealing with construction permits.''

This is no longer a political game. This is costing the United States real dollars and good-paying jobs.

Today, the Environmental Protection Agency and other regulatory bodies are filing numerous claims to deny and delay companies from receiving permits for as long as 10 to 15 years just to break ground.

At a time when our economy is lagging and job creation is moving at a very slow pace, this is an outrage. The RAPID Act would set hard deadlines for agencies to approve or deny permits. The RAPID Act would also crack down on prolonged lawsuits, creating a window of 180 days for any claim challenging a permit decision.

This bill would also substantially streamline the process by empowering lead agencies to manage environmental reviews efficiently from start to finish to avoid waste and duplication of efforts among the bureaucratic agencies.

Mr. Speaker, simply because the leader of the Democratic Senate, HARRY REID, will not allow over 260 bills to go to the floor doesn't mean that we should refrain from continuing to do our job here. My constituents back home deserve this legislation and America needs this legislation, and we will continue to fight on a daily basis to make sure that we improve the economy and create jobs.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS), my colleague and good friend.

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, here we go again.

H.R. 2 is yet another example of the majority's backward energy policy, which doubles-down on dirty fossil fuels instead of investing in a clean energy future. I strongly oppose it. While fossil fuels will undoubtedly be a significant part of our energy mix for years to come, they are really only one piece of a very large energy puzzle.

So rather than focusing on dead-end, shortsighted policies like these, we should be considering comprehensive energy legislation that looks at the big picture. We should be investing in cutting edge research, high-tech innovation, and new clean energy technologies. We should be increasing energy efficiency, modernizing the electric grid, and promoting sustainable energy. And we should be taking action to reduce toxic greenhouse gas emissions and finally embrace the overwhelming science of climate change.

Not only does H.R. 2 do nothing to address the serious environmental problems we face, it also creates new ones. H.R. 2 overrides the expressed will of voters in my congressional district and many other communities throughout the Nation by recklessly expanding offshore oil drilling.

We have seen time and time again the devastating environmental and economic threats posed by offshore oil drilling. That is why voters in my congressional district and California have repeatedly rejected new offshore drilling. Yet this bill ignores these wishes and explicitly requires new oil drilling off the central coast of California and in other areas.

I find it ironic that the same majority that decries ''an overreaching Federal Government'' seems to have no qualms about forcing new drilling upon local populations against their expressed wishes.

I have submitted several amendments to the Rules Committee to address this in this legislation and other problems with this bill, but none of them were made in order. In fact, the majority has prohibited consideration of any and all amendments. No debate, no votes.

And if these weren't enough reasons to oppose H.R. 2, the bill is also completely unnecessary because the House has already passed every single provision included in this bill.

H.R. 2 is nothing more than 13 previously passed bills stapled together with a new bill number on the top.

Even worse, this is the third time this Congress, and the fifth time in 4 years, that we are voting on the exact same offshore drilling expansion legislation.

Stapling old bills together doesn't make this a new idea.

One would think that after nearly 4 years in control of this House the majority would have come up with some new ideas by now. But sadly they just found a bigger staple machine.

H.R. 2 is simply a political gimmick and a waste of taxpayer time and money. This is no way to legislate.

Mr. Speaker, the American people expect better from us. They expect us to find common ground and work together across party lines to solve our Nation's problems. And there is certainly no shortage of problems we could be working on right now: strengthening our economy, raising the minimum wage, passing comprehensive immigration reform, making college more affordable, rebuilding our crumbling infrastructure. And that list does not even include the multitude of energy challenges that this bill completely ignores.

This is what the American people are calling for. They are calling on Congress to stop the political gimmicks, they are calling on us to help create middle class jobs to support working families, and they are calling on us to get to work and build a more prosperous and sustainable energy future for our Nation.

H.R. 2 accomplishes none of these things. This bill is simply harmful energy policy and an embarrassing waste of time.

I urge my colleagues to reject this bill and join us in working toward a clean, more sustainable, energy future for the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Mr. Speaker, I thank my colleague from Nebraska, Mr. TERRY, Chairman UPTON, and Chairman HASTINGS for incorporating important provisions that I have worked on in this bill, specifically provisions that would prevent or roll back onerous EPA regulations and provisions that would greatly increase revenue sharing among gulf States, adding billions to Louisiana's coastal restoration effort to build hurricane protection to protect not just our State but energy infrastructure.

Now, we have passed these bills before, sometimes three times before, and there are over 40 jobs bills this Chamber has passed that have gone nowhere in the Senate. The bills sit on Majority Leader HARRY REID's desk. Senator REID and his colleagues like to speak of helping the middle class, but when it comes to a jobs bill they talk and we act.

Now, Louisiana and Louisiana's workers are greatly benefiting from America's energy renaissance. There are over 66 industrial projects—worth some $90 billion—that will break ground over the next 5 years in Louisiana, creating tens of thousands of new jobs for working Americans.

The only thing that can stop these jobs is Federal regulation. For example, some proposed EPA rules would destroy 117,000 jobs in Louisiana alone. Sometimes I think my colleagues on the other side of the aisle are so busy saving the Earth they will sacrifice the American family. My, my, I think we save the Earth by first saving the family.

We should be rolling out the red carpet for these jobs, not the red tape. But already the red tape has made these jobs more difficult and life more difficult for these families.

We have seen the price of utilities, gasoline, groceries, and, of course, health insurance increased under President Obama's administration.

□ 1615

Hardworking families are struggling. They pray for better jobs with better benefits. Fortunately, the energy industry is creating these jobs.

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

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

Mr. CASSIDY. These jobs are at risk when President Obama blocked the ability to construct pipeline infrastructure or blocked exploration and production off the Outer Continental Shelf or places hurdles in front of the exportation of liquefied natural gas and when EPA proposes job-killing regulations driving blue-collar jobs to foreign countries.

I urge my colleagues to support this bill. I urge the Senate to pass the dozens of job-producing bills this House has passed and that have been stalled at the majority leader's desk for months.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from California for yielding.

Mr. Speaker, the bill before us today is yet another exercise that explains why the public has such a low opinion of Congress.

We have considered this package of bills before. The Senate will not take it up. The President and administration would not approve it. We are wasting valuable time on our last day in session before the lameduck period.

This bill delivers more benefits to big fossil fuel and mining interests. It would allow them to extract fossil fuels and minerals from our coastlines and public lands with no serious consideration of public health, the environment, or of the many other business interests that rely on a clean, healthy environment to support their continued success.

Our Nation has real challenges. We need faster, broader job growth in all regions of our country and in all sectors of our economy. We need a national energy policy that provides more energy security through efficiency and expanded use of renewable energy resources.

We need an energy policy that recognizes and deals with the challenges of climate change. We need a thoughtful path forward that enables a transition to the energy sector of the future that brings workers and communities into this new model productively and profitably.

We need to invest in our transportation and water infrastructure—infrastructure that is in need of repair, in need of rebuilding, and in need of redesign—to meet our needs into the future. The financing structure in place today and the Federal resources being devoted to these essential systems is outdated and inadequate.

We need to do more to address the lingering problems from the financial debacle that crashed the economy in 2007. Too many of our citizens are still struggling under heavy debt loads as a result of the housing bubble, the stagnant wages, student loans, unemployment, and underemployment.

Our Tax Code needs revision to spur business investment, to bring down the deficit, and to make the Code fair for all taxpayers. We need to invest in research and development, the lifeblood of innovation and progress; instead, this legislation proposes to provide more to a sector of the economy that is already thriving.

Oil and gas production are at record levels, as are the profits of these industries. This bill continues the same old energy policy that we have been following for decades and ignores the mounting social and environmental costs associated with its continuation. This package doubles down on carbon emissions because it is a fossil fuel only policy.

With this proposal, we ask our citizens to accept greatly reduced public health and environmental protection not just to support our domestic use of these fuels, but to enhance our exports of fossil fuels.

It is sad and ironic that, during the week of the 50th anniversary of the Wilderness Act and of the Land and Water Conservation Fund—laws that recognize all the values of public lands and resources to current and future generations and that have provided so much—that we are considering this bill.

H.R. 2 represents a narrow view of natural resources as assets to be exploited for short-term profit by this generation with little regard for our stewardship responsibility to our children and to our grandchildren. If we do not act decisively and soon, our generation's legacy will be one of shortsightedness and wasted opportunity.

We have ignored real challenges for far too long. We need to demonstrate the vision, the courage, and generosity of spirit that previous generations expressed on our behalf. We need to stop making policy in increments of months and do what we were sent here to do, govern by working together and compromising to find solutions with consideration of the present and an eye to the future with bold plans and initiatives.

Generally, I am a big fan of recycling, but H.R. 2 is only suitable for disposal. This is a deeply flawed piece of legislation. I cannot support it, and I strongly urge my colleagues to reject it.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2

minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the distinguished gentleman from Washington for yielding and for his leadership over the years. We are going to miss him in this House, but I appreciate him leading on these energy efforts as he has over the years. I want to also thank my colleague from Nebraska (Mr. TERRY), for bringing this bill forward.

This is a jobs bill, but this is also a bill about American energy security, and, Mr. Speaker, it is a bill about national security.

Let's go through each of those. First of all, this bill green-lights the Keystone pipeline. Here, you have got a bill that has been sitting on Barack Obama's desk for 6 years, Mr. Speaker, where 40,000 jobs hang in the mix, and President Obama continues to say ''no.''

We are finally saying ''yes'' to 40,000 American jobs, a great investment in a trading partner in Canada. We can get energy from Canada that we would no longer have to get from Middle Eastern countries who don't like us, Mr. Speaker.

What this bill also does is opens up some of those vast natural resources throughout the Outer Continental Shelf that are closed right now off the coast of places like Virginia, Alaska, and, yes, even in Louisiana, where in our State we have said those extra revenue sources—that money that would be coming into our treasury—would help us reduce the national debt, but the revenue-sharing States would also be able to play a role in that.

If a State wants to help produce energy for America, they can also help our own economy. In our State, we said we want to focus on restoring our coast, putting that buffer in place that blocks future storms.

Mr. Speaker, this also helps lower gas prices at the pumps. Families who are struggling in this tough economy because of all the radical regulations coming out of the Obama administration can finally get some relief in gas prices through that energy security, again, removing the dependence we have on Middle Eastern countries and other people who don't like us.

We dealt with and started to address the threat from groups like ISIL, Mr. Speaker. Do you know that ISIL makes over $2 million a day from the oil fields they control that funds their terrorist activities?

Let's become energy secure as a Nation and get the energy security that goes with it, the jobs that go with it and all the great access to those resources that improve our economy.

I urge adoption of the bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Montana (Mr. DAINES), a hardworking member of the Natural Resources Committee.

Mr. DAINES. Mr. Speaker, I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

New technology has fueled a 21st century energy boom, but Americans are still paying way too much for everyday expenses like gas, groceries, and electricity. That is why the House has passed dozens of bills to lower energy costs and create jobs, like a bill that I introduced—and passed—called the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act.

It passed unanimously last year. This is commonsense legislation. It would expand hydropower production in a number of Western States. It creates jobs while lowering electric prices for thousands of families.

Whether it is from approving the Keystone XL pipeline to stopping these out-of-touch regulations on our coal industry, the House is fighting to protect and grow American energy and the jobs it supports.

In fact, in Montana alone, more than 5,000 jobs depend on coal, and thousands of middle class families rely on coal-fired power for an affordable source of energy. Fifty-one percent of the electric supply in Montana comes from coal.

Construction of the Keystone pipeline will not only create thousands of good jobs, it is going to help keep energy prices low for Montana families. Let me tell you why.

I was out traveling in eastern Montana in my pickup. I visited the NorVal Electric Co-op in Glasgow, Montana. It will provide power for a future Keystone pump station on the pipeline.

If Keystone is built, NorVal will be able to keep their consumers' electric rates flat for the next 10 years, but, if it isn't, they expect that rates will grow upwards of 40 percent for those ratepayers over the course of the next decade.

These are hardworking Montana families, many of them living paycheck to paycheck, many on fixed incomes, that we will help with the Keystone pipeline.

Unfortunately, tomorrow marks the 6-year anniversary from the time the first permit to build the Keystone pipeline was filed. It took the Canadians 7 months to approve it. We are now at 6 years and waiting with this President.

The American people have waited far too long. That is why the House has passed legislation to approve its construction, but the Senate refuses to act. It is time for the Senate and the President to join us in fighting for solutions to create jobs, lower energy costs, and protect middle class American families.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue.

Energy is vital to every aspect of American life. Working families, retirees, and businesses large and small are all dependent upon reliable and affordable energy.

An unwelcome increase in the electric bill leaves many families no other option but to cut elsewhere. For businesses, higher energy costs mean less money to invest in jobs or expansion. As business costs increase, so does the price of goods down the line, triggering a chain reaction felt throughout the economy.

Unfortunately, the Obama administration's policies are contributing to the rise in energy costs by discouraging exploration of domestic resources, imposing additional regulatory hurdles on energy creation, and attempting to bypass Congress to implement economically devastating policies like cap-and-trade.

Today, Congress reminds the Obama administration about what they seem to have forgotten—that America's economy is intrinsically linked to affordable energy.

This bill encourages us to expand energy production. I am particularly pleased that it includes provisions I have worked on for a long time to move forward, a lease sale off the Virginia coast.

This sale will provide necessary energy resources for our Nation, while providing a significant boost to the economy of the Commonwealth of Virginia. It also includes other important provisions, like the Judiciary-approved RAPID Act, which cuts through the government red tape impeding development of our resources.

Today's bill helps to ensure that America is an energy leader, utilizing our resources to strengthen the reliability and affordability of energy for American consumers.

We must encourage more legislation like the American Energy Solutions for Lower Costs and More American Jobs Act, adopting policies that seek to rebuild our economy and create more jobs.

I urge all Members to vote for this legislation that ensures our energy security while boosting our economy.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Kentucky (Mr. WHITFIELD), one of my classmates.

Mr. WHITFIELD. Mr. Speaker, I am delighted that we have this bill on the floor today.

I am going to confine my remarks to one piece of legislation, and that is the Electricity Security and Affordability Act. This legislation has passed the House before, and it is designed to do two things. One is to reverse the extreme regulations coming out of the

EPA on existing coal-fired plants and new coal-fired plants.

We all understand that the President of the United States views that the number one issue facing mankind today is climate change, and, while we all recognize that there is climate change, we do not view it as the most important issue facing man today.

Because of the President's position—his extreme views—he is dictating to the EPA to take positions that are damaging the coal industry but, more important than the coal industry, damaging the electricity produced from coal.

□ 1630

Now, what does that mean to the American people?

Well, how many of you are aware that CO_2 emissions in America today are lower than they have been for 20 years?

America does not have to take a backseat to any country in the world. And yet, this President, with his EPA, has passed regulations that make it impossible to build a new coal plant in America and in an amount that makes it commercially feasible to do.

So here we are in America, doing a better job than any other country in the world, and yet this President, because of his extreme views, makes it impossible to build a new coal plant.

Now, I would be the first to admit that a new coal plant is not going to be built in America because our natural gas prices are very low. We are fortunate, with the shale development, that gas prices are extremely low.

But what if we find ourselves in the position that they found themselves in Europe?

Gas prices coming from Russia are so high that they started mothballing their natural gas plants to produce electricity and started building new coal plants, and last year, they imported 53 percent of the coal exports from America. So, in Europe, they have that flexibility.

But in America we don't have that flexibility. So, if gas prices go up, which they may very well do, then we can't build a new coal plant because it is too expensive and the technology is not there to meet the extreme, stringent emission standards set by EPA.

So this legislation would stop that, and it would say, EPA, you can regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology.

Now, what do we do—you know, next June EPA is coming out with a new regulation that, in effect, will federalize the electricity-generating business in America for the first time. EPA is setting standard emission caps for every State in America. We already know that in Kentucky they have identified 15 coal units that will be closed down. And guess what? When they adopted this regulation, they did not do any thorough reliability studies.

Now, we all recognize that renewables play an important role, but they cannot be the base load of electricity production in America. And if America is going to remain competitive in the global marketplace, we have to have low-cost, abundant, affordable, reliable electricity.

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

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

Mr. WHITFIELD. So all we are saying to the President is, okay, let's be reasonable. This legislation will allow EPA to regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology. And if you want to regulate existing plants, you adopt the regulation, but Congress will set the effective date.

The President is going to be gone from office when all of these regulations really start hitting, and America is going to be hit in its ability to compete in the global marketplace.

Mr. Speaker, I urge passage of this legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 2 minutes.

I am going to have more to say about this bill later, but I want to comment on the comments that were just made to us by the gentleman from Kentucky.

He suggested that we don't need to do anything more about climate change because greenhouse gas emissions are falling in the United States. Well, that is not an accurate story because, while U.S. greenhouse gas emissions did fall in 2008 and 2009 during the economic recession, since that time our overall emissions have grown. Cumulatively, U.S. emissions grew, not fell, in 2010 and 2011, the most recent years for which data is available.

But the fact of the matter is that if coal is being displaced by natural gas, it is not because of any regulation; it is because the market forces are moving in that direction. It is just cheaper.

And why do we want to say that is wrong? Let the market work its will.

But unless we regulate the emissions from powerplants that cause greenhouse gases to be spewed into the air, we are neglecting the major reason we have climate change in this country today.

This bill would prevent the EPA from doing anything about the problem. Burning coal would be completely unregulated, and we would continue to add greenhouse gases to our atmosphere.

I think that this is hiding their heads in the sand, denying that there is climate change, denying that we need to do anything about it, pretending like it is not a problem. This is a disservice to the American people and the future of our economy.

Those businesses that develop the technologies for the future, which will be technologies that reduce carbon pollution, are going to be the place where the economies are going to be benefited, not those that deny the problem and do nothing about it.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, today I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

This important legislation will unleash America's energy potential, create thousands of jobs, and stop the administration from destroying tens of thousands of jobs. I urge all of my colleagues to support it.

Representative LAMBORN and I sponsored the Preventing Government Waste and Protecting Coal Mining Jobs in America Act, which is a portion of this package. This specific title of the bill stops the administration's efforts to virtually eliminate underground mining in the Eastern United States, cost thousands of jobs, and lead to skyrocketing energy costs for all Americans.

Since President Obama came into office, his Department of the Interior has tried to rewrite the stream buffer zone rule. The President's preferred rule would cost at least 7,000 direct jobs and thousands more indirect jobs. This estimate is the administration's own estimate, and it could potentially be much worse.

The President's rewrite of the rule has been ongoing now for 5 years, has cost taxpayers millions of dollars, and has been the subject of an ongoing investigation by Chairman HASTINGS and the House Natural Resources Committee.

As we have seen across the administration, the Interior Department has largely refused to turn over documents and recordings to the committee in a clear violation of the House's oversight authority. The administration is clearly holding back information that they know would be damaging to their efforts.

The House has previously passed this legislation on two separate occasions, both times on a bipartisan basis. Unfortunately, the Senate has refused to even consider the legislation either time.

I specifically want to thank Chairman HASTINGS and Chairman LAMBORN for their leadership on this issue. Without their investigation of the Department on this rulemaking process, we might not have been able to stop it from going forward. However, we will continue our oversight and make sure that the Department doesn't try to push through a rule in their final 2 years.

Again, I thank the chairman for his hard work not only this particular title of H.R. 2, but for his work and leadership on the entire package. This legislation will be a big step forward toward energy independence and security, and I urge all of my colleagues to support the legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is not a new bill to be presented on the House floor. It is a compilation of bills that have already been proposed and passed, for the most part, on a partisan Republican basis.

People have complained on the other side of the aisle that their bills didn't go anywhere. Well, they didn't go anywhere because they didn't have support in the other body, the U.S. Senate. The President of the United States said he would veto it.

They can't pass a bill in the House with Republican votes and put it into law. So if you can't pass a law without working with the Democrats and reaching compromises, what Republicans think is the most effective thing to do is to say it over and over and over again.

Let's not forget, we know that our Republican colleagues didn't like the Affordable Care Act, sometimes known as ObamaCare, so on this House floor we voted over 50 times to repeal it.

The Republicans said we are going to repeal it and replace it. Well, we never heard what they are going to replace it with. They just wanted to repeal it. Well, they didn't repeal it when they passed the first vote, and they didn't repeal it when they passed the 50th vote. But they thought if they say it over and over and again and do it over and over again, they would get somewhere, I presume.

When psychologists talk about this, they call it perseveration, saying the same thing over and over again.

But I don't think this is a reasonable way to legislate. If they want to legislate and you don't have the power, you have to compromise. You have to talk with the President. You have to talk with the Senate majority. You have to talk with your own colleagues. But the Republicans don't want to talk to anybody except themselves over and over and over again.

Let me give you an example. Since Republicans took control of the House less than 4 years ago, they have cast over 500 antienvironmental votes. They have voted over 500 times to weaken protection for public health and the environment, to let polluters off the hook, and even to deny science.

Well, I presume they think that is a good idea. They have voted against clean renewable energy and energy efficiency. They have voted to give taxpayer dollars to oil companies. They have voted to allow more toxic mercury pollution in our air and more contaminants in our drinking water.

I suppose they think that is a good idea, but others don't agree with them nor, I think, do the American people.

They have voted repeatedly to deny the reality of climate change and block any action to cut carbon pollution. They don't want a cap-and-trade. They don't want a price on carbon. They don't want the EPA to regulate.

What is their plan? Well, their plan is to deny the existence of climate change and pretend it is not doing any harm.

We have kept track of these votes that we consider antienvironmental, and there were over 300 antienvironmental votes last Congress, and today Ranking Member DEFAZIO and I released another report that there were over 200 more antienvironment votes in this Congress.

Now, Republicans like to complain about a mythical war on coal. It is a fantasy. But there is a war on the environment that is being waged on the floor of the House, and the bill before us today is proof of that. It contains dozens of antienvironment provisions.

All of us want prosperity and security for America. We know, many of us, that climate change is harming us today through droughts and fires and floods and more, and we know that it will endanger our children's future if we don't act.

Democrats, for the most part, have recognized the threat and we know that we can tackle it while, at the same time, growing jobs and our economy.

How do we know this? Because that was the history of the Clean Air Act. Every time we strengthened the Clean Air Act, industry opponents said it would cost too much, it would weaken our economy, it would mean lost jobs, but when we acted, we found that our air is cleaner and our economy is stronger.

Republicans take a much different approach. They refuse to admit that climate change is real because then, if they did, they would have to do something about it. Their policies embodied in this bill deny the problem and threaten our future.

Remember the health care debate? We said it is not fair to discriminate against people.

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

Mr. WAXMAN. I yield myself 2 additional minutes.

We said it is not fair to discriminate and deny, allow insurance companies to deny the chance for people with preexisting conditions to buy insurance.

The Republicans said, Oh, yeah, we don't think that is a good idea, but they didn't have a plan to do anything about it. They were happy to let it continue.

They wanted to say it was okay for insurance companies to put caps on the amount that the policies would pay. They wanted a system where people were priced out of insurance; if they couldn't afford it, well, that is just too bad.

They deny the realities of what has been happening to millions of Americans, and now we have a health care law that is benefiting millions of Americans.

This bill is not about health care, but they are denying these environmental problems and they are trying to keep Federal agencies from doing their job.

Powerplants are the single largest uncontrolled source of carbon pollution in the United States. EPA has proposed critically important regulations to cut carbon pollution for powerplants in a balanced, cost-effective, commonsense way.

□ 1645

These rules would cut smog, and they would stop deadly particulate pollution. They would save thousands of lives per year and avoid tens of billions of dollars in costs, but this bill eliminates EPA's authority to issue any rules. Nothing can happen.

Mr. Speaker, powerplants aren't the only source of carbon pollution. Tar sands are another big source. They produce 17 percent more carbon pollution than conventional oil, yet this bill grants a regulatory earmark to the Canadian Keystone XL pipeline, effectively exempting it from all U.S. Federal permitting requirements, including ones that apply to every other major construction project in the United States.

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

Mr. WAXMAN. I yield myself an additional 1 minute.

This bill creates a new process to rubberstamp every other pending and future tar sands pipeline. It even exempts these massive projects from the National Environmental Policy Act by limiting the NEPA review, which was adopted by Congress overwhelmingly on a bipartisan basis, to only a tiny sliver of the pipeline only where it crosses the border. There are many other anti-environmental provisions. This bill would allow the Department of Energy to veto the rules established by the EPA, even though they are not within the jurisdiction or the expertise of the Department of Energy.

This all may make sense to the oil companies, and this may be a giveaway to the Koch Brothers, but I don't think Americans would agree that this is a good bill. Energy interests should not automatically trump everything else we care about, such as raising healthy children.

Mr. Speaker, I hope my colleagues will vote against this bill. We have had it on the floor too many times, and I hope that we defeat it this time.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Natural Resources Committee.

Mr. GOHMERT. Mr. Speaker, my late mother used to say maybe I should be a college professor because I really do enjoy educating people, and nothing gives me more thrill than to help educate people here on the floor.

My friend says that Republicans deny what is happening to millions of people. No. Actually, there are 11 million people who are not working today who were working when President Obama took office and who are not retired. They just gave up looking for jobs. We care deeply about those people.

When it comes to climate change, my friend says the Republicans continue to deny its existence. Climate change is real. It is a fact. Where I live it happens four times a year. It is real. We acknowledge that. It is a real thing.

Now, under this bill, my friend says that coal would be completely unregulated. He is right if he is talking about China, but here in the United States, where we are talking about real jobs, cheaper energy, and helping families who are struggling to make ends meet, we are talking about helping Americans, not the Chinese to whom we lose so many jobs.

My friend says bills don't have support in the Senate. He is right if he is talking about HARRY REID, but if HARRY REID will bring these bills to the floor, my friend is going to see Democrats either vote for them or lose their seats. They know they have to support them, because it helps real Americans.

Now, what our President and others on the other side of the aisle don't acknowledge is the fact that the policies they have supported help Big Oil. They help their friends in the crony capitalist Big Business. They help the Solyndras and those kinds of folks, but the fact is, even when President Obama proposed what he called a ''jobs bill,'' it gutted independent oil companies and gas companies in America. Big oil companies only operate about 5 percent of the oil and gas wells in America, and 95 percent are drilled and operated by independent oil companies. They are regulated. If we really want to help America, we need to pass this bill and force HARRY REID to either deal with it or lose his position as majority leader.

My friend had previously talked about wilderness areas. National parks are suffering. Why? Because this administration and my friends across the aisle and HARRY REID want to blow money on solar companies that won't work, yet, actually, if this administration were not reducing the number of permits by 40 to 60 percent from what they were under President Clinton, then we would have all the money we would need to have the most wonderful wilderness areas and national parks that you can imagine.

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

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

Mr. GOHMERT. We are pro-people. They are pro-government, pro-regulation. Let's get back to helping the people, like the 80-year-old lady who lives outside of Carthage who told me she was born with only a wooden stove in her home. She may die with it if we don't stop gutting the energy that we can produce.

Mr. WAXMAN. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 25 minutes remaining. The gentleman from Washington has 22 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I won't take 25 minutes to rebut the statement that was just made. I yield myself 3 minutes.

I am impressed by the statement we had from a man who is trying to educate, as he says, the American people in that Republicans worry about 11 million people not working. I don't know if that number is right or wrong, but we have got millions of people without jobs today. It is because the Congress is busy passing, over and over and over again, bills to benefit the oil companies and the energy industry, and not to help people get jobs.

Now, they care so much about them, but they won't give them unemployment compensation. They care so much about them that they want to take away their food stamps. They care so much about them that they don't want to allow them to have a minimum living wage. They care so much about them that they want them to go to the lowest paying jobs they can possibly find, and if they can't find them, well, it must be their own fault.

HARRY REID is the majority leader in the Senate. The Senate allows amendments to any bill—they don't have to be germane—but in the House of Representatives, no bill or amendment can be offered unless it is germane or permitted under the rule, and the Rules Committee is controlled by the Republican leadership in the House.

If we would have been allowed to have voted on an immigration bill that passed overwhelmingly on a bipartisan basis in the Senate, it would have passed the House, but we were denied that opportunity. If we had been allowed to vote on background checks on gun purchases so that we wouldn't find guns and assault weapons in the hands of the people who are a danger to their communities because of mental illness, or who have criminal records where they have already used guns for illegal purposes, that would have passed. Even a majority of the National Rifle Association supports that kind of measure.

Let's not be so pious as we educate the American people to say, ''Oh, in the Senate, they can't even consider these things,'' because, in the House, we are denied every day an opportunity to talk about many things. Let me give you another example that is pertinent to this debate.

The Energy and Commerce Committee has jurisdiction over the issue of climate change. We have not been able to get a single hearing that would bring in the scientists to tell us why they are concerned about climate change, to tell us all the pronouncements from consensus discussions among scientists internationally and here from the Institute of Medicine and the National Academy of Sciences and others as to why they think this is a problem that we have got to deal with. If you don't even allow the scientists to talk, you are purposely encouraging your own ignorance and acting upon it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, it is not often in life that you get a second chance, but, today, we are here to offer the Senate a second chance, a second chance to stand up and say ''yes''—''yes'' to these American energy solutions that, indeed, will help create jobs and lower costs for American families.

Several of the bills included in today's package were advanced through our committee, Energy and Commerce, and many were bipartisan from the very start. It includes a solution to finally build the Keystone pipeline 6 years after the application went forward.

Here we are 6 years later from when the application was first submitted. We still don't have a pipeline, and folks are still out of work. It shouldn't take 6 years to approve a pipeline, and the President's continued political delays are simply unacceptable. That is why we are taking action to ensure that this does not happen again. We have got a solution today to bring certainty to the approval process for cross-border energy projects so that we don't have to endure another Keystone-like delay in the future.

As part of the Architecture of Abundance, we are also going to need to build more interstate natural gas pipelines. Last winter, millions of customers throughout the country suffered high heating bills, along with the cold temperatures, due to inadequate infrastructure. Today, we are voting on a solution to get those much-needed pipelines in the ground safely and quickly so that we can start delivering relief from those high energy bills.

We are also working to prevent energy prices from spiking even further with solutions to stop EPA's destructive new rules on powerplants and other energy-related rules that will lead only to higher prices and, yes, to fewer jobs. Everyone is affected by energy cost increases, but they also hurt the Nation's poor and the most vulnerable.

One of the easiest and most effective ways to save consumers money is through energy efficiency, which is why we are also advancing solutions that encourage the development and use of new efficient and renewable technologies—very important.

Finally, we have a solution to not only create energy jobs here at home but also to help our allies across the world by giving them access to our abundant natural gas supply. Just this morning, a few hours ago, we heard from the Ukrainian President about the urgent need for the U.S. to act and help weaken Russia's threat to the region. Every one of us was on his feet.

He said this:

> You support a Nation, meaning the United States, that has chosen freedom. In Ukraine, you don't have to build a democracy; it already exists. You need to defend it.

That is what our LNG export bill does.

Many of America's energy solutions that we are voting on today are part of the package that received, yes, strong bipartisan support in the House, but Senate Leader REID has failed to bring any of them to the floor for a vote.

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

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

Mr. UPTON. Creating jobs and keeping energy affordable is a subject that should rise above partisanship. Today, we are giving the Senate yet another shot to try to put politics aside and American families first. We welcome the Senate to join us as we say ''yes'' to American jobs and ''yes'' to American energy.

Mr. WAXMAN. Mr. Speaker, may I inquire of the chairman how many more speakers he has?

Mr. HASTINGS of Washington. Mr. Speaker, I will advise the gentleman that we still have several more. I will advise you when we get down to that point, but we do have several Members still waiting to speak.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of the American Energy Solutions for Lower Costs and More American Jobs Act. This bill is a substantive step towards more affordable energy prices and job creation across the country.

Today's average gas price of $3.28 is well up from the $2.35 per gallon in 2009. Not only are gas prices up, but so too are the prices of groceries and the prices for heating and cooling your home.

Among other important measures, this bill would approve the Keystone pipeline. Friday marks 6 years of delays on Keystone by this administration. That is too long for a job-creating measure. Domestic energy production helps middle class Americans with their everyday costs.

Vote ''yes'' for the middle class. Vote ''yes'' for jobs and more affordable energy. Vote ''yes'' on this bill.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

□ 1700

Mr. HASTINGS of Washington. Mr. Speaker, I would advise my friend from California that I am prepared to close if the gentleman is prepared to close.

Mr. WAXMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), who ought to be here rightfully as a full voting Member of the House, in my opinion.

Ms. NORTON. I thank my good friend from California. I can't say enough about how much this Congress will miss him and how indebted we are to his outstanding service.

Mr. Speaker, I would like to say some closing words about this Congress. I have spent most of my time in the Congress in the minority, with my good friends on the other side in control.

I must say that this is a most unusual 113th Congress. This package of bills is a shameful way to close this Congress.

Usually, this is a time—as I have seen it under Republican Congresses—when you make room for must-pass bills, not for never-to-pass bills or sure to be vetoed bills.

Today certainly was not the time to make up for running through the 113th Congress with neither an agenda, nor legislation to show for it, perhaps to show that Congress was entitled to be paid for being here for 2 years.

Instead of some must-pass bills—and I will suggest a few—what we have heard from my good friends on the other side are some tax and other giveaway bills that add to the deficit or bills that should be stamped ''special interest.''

There was legislation before us that, with small changes in law, could have been passed. Had those bills passed, they never would have been considered bills of one side or the other.

For instance, the Paycheck Fairness Act simply updates, in quite small ways, the Equal Pay Act. That is the act that I administered when I chaired the Equal Employment Opportunity Commission. It is already on the books. Nobody wants to repeal it.

All the Paycheck Fairness Act would have done was to make small changes to bring it into the 21st century, and those changes have no ideological impact.

Or take the Federal Student Loan Refinancing Act. That begged for passage, to give students faced with debt and no jobs—this cohort of students who had the bad luck to come out of school in a bad economy—some relief. That bill surely deserved bipartisan support.

For me, however, the biggest piece of missing legislation is the reauthorized transportation bill, and I say that because that would have been the functional equivalent of the JOBS Act of 2014; instead, we are going to leave here this evening, having given nothing to the American people to assure them that there will be jobs for the 7 weeks that we are gone. That is what they most wanted. That is what we have been given least.

We are on track to beat last year's record. We are on track to become the least productive Congress in the history of our country. Closing the Congress with a bunch of never-to-pass bills that nobody envisioned would be taken up will never make up for the shameful record of the 113th Congress.

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

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

I thank the gentlewoman from the District of Columbia.

Mr. Speaker, as I understand what the gentlelady has said is that, if we had passed a transportation bill, that would have provided help for our infrastructure and provided jobs. We didn't vote for that bill even once.

The gentlelady also said we should have done a paycheck fairness law. Well, we didn't have a chance to vote on that. The Speaker of the House or the majority leader of the House wouldn't allow it to be brought to the House floor.

So many young people are struggling with student loans, and there have been proposals to deal with that, yet we were not allowed to even vote on a bill to deal with the student loan problem.

We haven't tackled the real things that people care about, and, if they care about what is in this bill today, it has been passed by the House. Why aren't we moving on and using the time on the House floor for other worthwhile purposes?

I think that is a question that the American people are going to have to think about as they go to the polls in another month, but we have had a 6-week recess. Now, we have been here for 2 whole weeks, and, now, we are going to take another recess until the election, and then we will come back for maybe another couple of weeks.

It doesn't mean you have to work too hard in the Congress of the United States to get nothing done. We are getting nothing done, and the American people are losing out.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this is a good bill. It has been acknowledged on both sides of the aisle that this bill is a package of bills that has passed the Senate. It has been talked about that the Senate hasn't acted on the individual bills. It has been talked about the Senate hasn't acted on a lot of bills.

As a matter of fact, the main bill we passed yesterday, the continuing resolution—which is a terrible way to run the government, by the way, when you haven't got certainty—was passed largely because the Senate had not passed one of the 13 House bills out of the Senate. How do you negotiate when you have that sort of a situation?

Here is a point that has not been made today—and maybe my friends on the other side of the aisle aren't familiar with what our Founders envisioned when they created a bicameral legislative body.

In order for our system to work, both Houses have to pass bills. Now, the American people, in their judgment—

you know, they made good judgments every 2 years. Sometimes, some of us don't like what that judgment is—but, in their wisdom, they created one of the Houses that is controlled by the Democrats, and, in their wisdom, they created a House that is controlled by Republicans.

Now, just by the very definition of that, clearly, you are going to have two different views—clearly, you are going to have two different views. I acknowledge that, and I doubt if anybody on the other side would dispute that too.

When we talk about sending bills that we think are important from here over to the Senate—and, by the way, I should add that within this package of bills were a number of bills that came out of the House Natural Resources Committee that I have the privilege to chair. Every one of them, every one of them passed with bipartisan support. That means there are Democrats that voted for it.

Here is the issue: if the Senate, then, has a different view on these topics than we do, then fine. Pass a bill. Pass a bill. If there is a difference between the House version and the Senate version, we have a means to work that out. It is called going to conference, but the fact is the Senate hasn't passed anything.

So how do you go to conference? The only way that we find that we could make our point over and over and over again is to say, ''Okay. We will send it over.'' Maybe somebody, somebody in the other body will finally get the message and say, ''Maybe we ought to pass it.''

Finally, I just want to make another point too. I had the privilege of serving on the Rules Committee for 12 years, and, yes, the Rules Committee, in a larger body like the House, does set the rules for debate.

When the Democrats were in the majority, they set the rules for debate that we criticized. Obviously, they are criticizing us because we are setting the rules for the debate, but my friend from California said that the Senate doesn't work that way with rules. They work by unanimous consent, that anybody can offer an amendment on any bill.

Well, that may be, that may be how the Senate rules work, but, when it is manipulated by the majority leader, all that goes away. It is a process that—I admit I don't know a whole lot about the Senate rules—but it is a process called filling the amendment tree, amendments to be offered, and the majority leader fills the tree, and nobody has an amendment.

It has gotten so bad, so bad over there in the last 6 years that the junior Senator from Alaska, the junior Senator from Alaska who has been there for 6 years has not had an opportunity to offer one amendment on the floor, and the junior Senator happens to be a member of the majority party. You talk about openness. There is no openness that way.

We feel in this body here that the best way to make the case by debating bills that we think are important for the American people—jobs bills, energy bills, energy security bills—the best way to do that is to continue to send the same stuff over to the Senate. Maybe, maybe—because hope springs eternal, at least from my perspective—they will take one of these up.

All they have to do, by the way, is take up one of these bills and change it and send it back over here, and we will negotiate the difference, but they haven't even done that. You see, that was never acknowledged during this whole debate of defense of what the Senate has or has not done, but, as a matter of fact, Mr. Speaker, that is exactly what has happened, and that is why we are where we are.

Mr. Speaker, this is, once again, a very good bill that deals with energy and energy security and American jobs. I urge its passage, and I yield back the balance of my time.

Mr. SANFORD. Mr. Speaker, I would like to support this bill. I believe in energy independence, as do the people I represent at home, and accordingly am supportive of opening up these offshore areas—but I do not think this should occur without the concurrence and input of coastal states that might be affected were something to go wrong. This fits with what I have consistently heard from people up and down the coast.

Not all decisions must be made in Washington, and the idea of a drilling rig going up just a few miles from our coast without having to acknowledge any degree of state input to me is the codification of Washington control. Some may be for a drilling rig these few thousands of feet from their local beach, others may be against it . . . but in keeping with the principal of federalism, that decision needs to be made by those affected—not an unelected government worker in DC.

Toward that end, I introduced a bill, H.R. 3051, the Coastal States Extension Act of 2013, which would give states the final say on oil and natural gas leases out to twelve nautical miles from the current three nautical mile limit. States no longer have a direct economic tie as you move beyond the line of sight and in this regard, I thought my bill a reasonable compromise between drill and no drill interests. This would give states the flexibility to consider what is best for their economies in terms of the balance between tourism, drilling, fisheries and other considerations. Texas, for instance, already has control of oil and natural gas leases out to nine nautical miles and the model there has worked well. It has not hampered drilling. I testified before the Rules committee the last time this bill came up, but unfortunately, this idea was not attached as an amendment to the bill we had before us and the current bill before us tonight is unamendable. I would have supported the bill if my proposal had been included and I hope we can include it in the future.

Toward that end, I look forward to working with the Committee on Natural Resources to find a way forward on striking a more favorable balance between states' rights and energy independence.

Mr. SMITH of Texas. Mr. Speaker, today we consider H.R. 2, ''the American Energy Solutions for Lower Costs and More American Jobs Act.'' I thank the gentleman from Nebraska, Mr. TERRY, for his initiative on this bill.

Title III of this bill includes H.R. 2850, ''the Hydraulic Fracturing Study Improvement Act'' that was reported out of the Science Committee last year.

The EPA has been conducting a ''Study of the Potential Impact of Hydraulic Fracturing on Drinking Water Resources'' since 2010.

Unfortunately, the EPA's track record of sloppy and secret science and rushed conclusions suggest this study will be yet another attempt to justify new regulations to derail our shale gas revolution and the manufacturing renaissance.

The Science Committee language in Title III of this bill addresses a fundamental flaw in EPA's hydraulic fracturing study design. Specifically, the current study is focused on a search for possible problems with hydraulic fracturing instead of identifying what is likely or probable.

EPA's own Science Advisory Board has repeatedly recommended that the Agency focus on probabilities and uncertainties in its work.

The Science Committee provision addresses those concerns, and requires EPA to follow basic, objective scientific processes in carrying out its study. It also requires peer review of any final or interim report before its release.

Problems with this study underscore EPA's lack of transparency and serious flaws in its peer review process. EPA's conclusions are used to justify billions of dollars in regulations. Science that supports public regulations should be public, not secret.

The Science Advisory Board was created to provide independent scientific advice to Congress and the EPA. However, EPA has hijacked this process.

EPA cherry-picked the reviewers. Among the 22 member Advisory Board panel that the EPA created to look at EPA's hydraulic fracturing research, no member had experience in hydraulic fracturing or had an understanding of current industry practices.

The scientific panel that reviews EPA studies should be balanced and unbiased. And the data behind EPA regulations should be available for independent scientific review. These principles cannot be compromised.

I hope to bring H.R. 4012, ''the Secret Science Reform Act,'' and H.R. 1422, ''the EPA Science Advisory Board Reform Act of 2013,'' to the floor this fall to address these systemic problems.

The provisions in H.R. 2 are an important first step in ensuring the EPA adheres to these principles in their report on hydraulic fracturing.

More comprehensive EPA scientific reform is the next step we must take in the public's interest. We cannot afford to wait.

I urge my colleagues to support this bill.

Mr. VAN HOLLEN. Mr. Speaker, today we are considering once again a range of bills to give away public resources to Big Oil, strip environmental and public health protections, and prioritize drilling over all other uses, including recreation and conservation, on federal lands.

Let's look at the facts. Oil and gas production has reached near historic highs in the United States. Our dependence on foreign oil has dropped from 57 percent in 2008 to 29 percent today. The provisions in this bill—which would block the proposed carbon standard to protect public health, order federal

agencies to pretend that climate change has no impact on our communities, and limit oversight on drilling projects on federal lands—will not improve our energy security. They will endanger our health and resources.

There is nothing new in today's debate. This package includes the same old ideas that the Majority has been pushing, without result, since 2011. Rather than working together for the American people, they are recycling the same partisan agenda. Our constituents deserve better. I urge a no vote.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SCHNEIDER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHNEIDER. I am opposed in its original form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schneider moves to recommit the bill H.R. 2 to the Committee on Natural Resources and the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

DIVISION D—MISCELLANEOUS PROVISIONS

SEC. 1. POLICING 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) $10,000,000 of the total of the amounts received by the United States each fiscal year 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.''.

SEC. 2. PROTECTING NATIONAL SECURITY.

Any lease issued pursuant to this Act shall specify that United States oil, petroleum products, and natural gas shall not be exported to any nation, corporation, or person that—

(1) provides material support to al Qaeda, the Islamic State of Iraq and the Levant, or other terrorist organizations;

(2) is a state sponsor of terrorism; or

(3) steals America's military technology or intellectual property through cyber-attacks such as Russia and China.

SEC. 3. NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)), as amended by section 21111 of division B of this Act, is further amended by adding at the end the following:

''(F) NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.—Subparagraphs (A), (B), (C), and (D) shall not apply to any corporation or other person that owns petroleum coke stored at a petroleum coke facility, or owns or operates such a facility, that—

''(i) releases toxic air pollutants that harm air quality or contaminate drinking water; and

''(ii) is located within 5 miles of a school, hospital, or nursing home.''.

Mr. SCHNEIDER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. HASTINGS of Washington. Objection.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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 the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

□ 1715

Mr. SCHNEIDER. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rise in strong opposition to the underlying bill and to the policy direction that this legislation would take us in.

As I read this legislation, I asked myself a simple question: What in this bill will improve the everyday lives of my constituents? What will help make our country and our communities stronger? Unfortunately, the answer is nothing.

This bill would roll back commonsense safeguards that protect the communities I represent and the Great Lakes upon which we depend from harmful pollutants emitted from powerplants.

This bill would reduce the quality of our drinking water and threaten the safety of the air we breathe. This bill would deny the necessity of combating climate change through the regulation of greenhouse gases, even as the communities I represent and the communities around our country have been ravaged by unprecedented severe weather events that can only be attributed to the effects of climate change.

This bill does not seek to create a healthier environment for our children; instead, it sacrifices our ability to pass to future generations their rightful legacy of a clean, healthy, and dynamic natural world.

For these and other related reasons, I offer an amendment to this legislation. This amendment would seek to limit the release of toxic air pollutants around schools, hospitals, and nursing homes from the massive storage of petroleum coke in populated areas.

This toxic dust, when improperly stored, can easily become an airborne pollutant which the EPA has shown to cause severe health effects to the heart and lungs.

It would ensure that we safeguard our strategic resources by denying U.S. oil and gas exports from being sold to any country, company, or individual that supports or harbors terrorist organizations, including ISIS or al Qaeda. Denying our enemies these critical resources is in the vital national security interest of the United States.

Finally, this amendment would empower the Commodity Futures Trading Commission to combat energy speculation which manipulates fuel prices and distorts markets, harming consumers at the gas pump.

Increasing these efforts will bolster transparency for consumers while discouraging bad actors from gaming energy markets for financial gain.

Like many of my colleagues in this Chamber, I want to pursue an energy policy that utilizes an all-of-the-above strategy, including renewable energy and innovative technologies to save consumers money at the pump and lower their home energy costs.

Unfortunately, Mr. Speaker, the underlying legislation does not achieve this goal and, in fact, would do harmful damage to our environment and the health of our communities. My amendment would be a step forward rather than several steps backward in the underlying bill.

Mr. Speaker, I ask my colleagues to support this commonsense amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the gentleman's amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, this is probably my last opportunity to respond to a Democratic motion to recommit, and I have heard a whole gamut of them in the time that I have had the privilege to do that, and I kind of surmise, from reading the motion to recommit, that he is talking about energy and energy supply.

Well, Mr. Speaker, that is precisely what the underlying legislation is all about. My friends on the other side of the aisle talked about how oil and gas production has gone up in the United States—increased in the United States—which it has.

But, Mr. Speaker, he left out the important part: it is not because of this administration, it is in spite of this administration's actions, because all of that activity is increasing on State and private lands where they don't have the burdensome regulation from the Federal Government inhibiting that growth.

However, the focus of this legislation is to do exactly the same thing which happened on private and State lands on Federal lands because, if you have a problem with supply, what is the best way to respond to that? You increase the opportunity for supply.

What does that do to the marketplace? In the long run, it tends to lower prices. Who benefits? American people, American jobs.

Mr. Speaker, I just simply want to say these motions to recommit have been procedural motions. They have been political motions over time, not that that isn't something we deal with on the floor, but, once again, it is a motion that, I think, is not worthy of passing.

Mr. Speaker, I urge my colleagues to reject—reject—the motion to recommit and vote for the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 5 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1801

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 1 minute p.m.

JOBS FOR AMERICA ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of New York moves to recommit the bill H.R. 4 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of division I the following new title:

TITLE VIII—STOP CORPORATIONS FROM OUTSOURCING AMERICAN JOBS

SEC. 801. CREDIT FOR INSOURCING EXPENSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 45S. CREDIT FOR INSOURCING EXPENSES.

''(a) IN GENERAL.—For purposes of section 38, the insourcing expenses credit for any taxable year is an amount equal to 20 percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection (d).

''(b) ELIGIBLE INSOURCING EXPENSES.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible insourcing expenses' means—

''(A) eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, and

''(B) eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States,

if such establishment constitutes the relocation of business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

''(2) ELIGIBLE EXPENSES.—The term 'eligible expenses' means—

''(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

''(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

''(3) BUSINESS UNIT.—The term 'business unit' means—

''(A) any trade or business, and

''(B) any line of business, or functional unit, which is part of any trade or business.

''(4) EXPANDED AFFILIATED GROUP.—The term 'expanded affiliated group' means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting 'more than 50 percent' for 'at least 80 percent' each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

''(5) EXPENSES MUST BE PURSUANT TO INSOURCING PLAN.—Amounts shall be taken into account under paragraph (1) only to the extent that such amounts are paid or incurred pursuant to a written plan to carry out the relocation described in paragraph (1).

''(6) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the on-going operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

''(c) INCREASED DOMESTIC EMPLOYMENT REQUIREMENT.—No credit shall be allowed under this section unless the number of full-time equivalent employees of the taxpayer for the taxable year for which the credit is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year ending before the first taxable year in which such eligible insourcing expenses were paid or incurred. For purposes of this subsection, full-time equivalent employees has the meaning given such term under section 45R(d) (and the applicable rules of section 45R(e)), determined by only taking into account wages (as otherwise defined in section 45R(e)) paid with respect to services performed within the United States. All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

''(d) CREDIT ALLOWED UPON COMPLETION OF INSOURCING PLAN.—

''(1) IN GENERAL.—Except as provided in paragraph (2), eligible insourcing expenses shall be taken into account under subsection (a) in the taxable year during which the plan described in subsection (b)(5) has been completed and all eligible insourcing expenses pursuant to such plan have been paid or incurred.

''(2) ELECTION TO APPLY EMPLOYMENT TEST AND CLAIM CREDIT IN FIRST FULL TAXABLE YEAR AFTER COMPLETION OF PLAN.—If the taxpayer elects the application of this paragraph, eligible insourcing expenses shall be taken into account under subsection (a) in the first taxable year after the taxable year described in paragraph (1).

''(e) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

''(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the insourcing expenses credit determined under section 45S(a).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:''.

''Sec. 45S. Credit for insourcing expenses.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts

paid or incurred after the date of the enactment of this Act.

(e) APPLICATION TO UNITED STATES POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall make periodic payments to each possession of the United States with a mirror code tax system in an amount equal to the loss to that possession by reason of section 45S of the Internal Revenue Code of 1986. Such amount shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall make annual payments to each possession of the United States which does not have a mirror code tax system in an amount estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of section 45S of such Code if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 45S of such Code to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of such section, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B).

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSIONS OF THE UNITED STATES.—For purposes of this section, the term ''possession of the United States'' includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from sections referred to in such section 1324(b)(2).

SEC. 802. DENIAL OF DEDUCTION FOR OUTSOURCING EXPENSES.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 280I. OUTSOURCING EXPENSES.

''(a) IN GENERAL.—No deduction otherwise allowable under this chapter shall be allowed for any specified outsourcing expense.

''(b) SPECIFIED OUTSOURCING EXPENSE.—For purposes of this section—

''(1) IN GENERAL.—The term 'specified outsourcing expense' means—

''(A) any eligible expense paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States, and

''(B) any eligible expense paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States,

if such establishment constitutes the relocation of business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

''(2) APPLICATION OF CERTAIN DEFINITIONS AND RULES.—

''(A) DEFINITIONS.—For purposes of this section, the terms 'eligible expenses', 'business unit', and 'expanded affiliated group' shall have the respective meanings given such terms by section 45S(b).

''(B) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—A rule similar to the rule of section 45S(b)(6) shall apply for purposes of this section.

''(c) SPECIAL RULES.—

''(1) APPLICATION TO DEDUCTIONS FOR DEPRECIATION AND AMORTIZATION.—In the case of any portion of a specified outsourcing expense which is not deductible in the taxable year in which paid or incurred, such portion shall neither be chargeable to capital account nor amortizable.

''(2) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

''(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations which provide (or create a rebuttable presumption) that certain establishments of business units outside the United States will be treated as relocations (based on timing or such other factors as the Secretary may provide) of business units eliminated within the United States.''.

(b) LIMITATION ON SUBPART F INCOME OF CONTROLLED FOREIGN CORPORATIONS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—Subsection (c) of section 952 of such Code is amended by adding at the end the following new paragraph:

''(4) EARNINGS AND PROFITS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—For purposes of this subsection, earnings and profits of any controlled foreign corporation shall be determined without regard to any specified outsourcing expense (as defined in section 280I(b)).''.

(c) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:''.

''Sec. 280I. Outsourcing expenses.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

TITLE IX—STOP CORPORATIONS FROM MOVING OVERSEAS TO AVOID PAYING TAXES

SEC. 901. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

''(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

''(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant

domestic business activities if at least 25 percent of—

''(A) the employees of the group are based in the United States,

''(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

''(C) the assets of the group are located in the United States, or

''(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.''

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B)(i), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SEC. 902. TAX BENEFITS DISALLOWED IN CASE OF INVERTED CORPORATIONS.

In the case of a foreign corporation treated as an inverted domestic corporation under section 7874(b) of the Internal Revenue Code of 1986 (as amended by this Act), such Code shall be applied and administered as if the provisions of, and amendments made by, this division (other than this title) had never been enacted.

Add at the end of the bill the following:

DIVISION VI—PROVIDING FOR CONSIDERATION OF THE MIDDLE CLASS JUMPSTART AGENDA

SEC. 101. The Speaker of the House of Representatives shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 377), the Paycheck Fairness Act. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 102. Immediately upon disposition of H.R. 377, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1010), the Fair Minimum Wage Act. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 103. Immediately upon disposition of H.R. 1010, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4582), the Bank on Students Emergency Loan Refinancing Act. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 104. Immediately upon disposition of H.R. 4582, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1286), the Healthy Families Act. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 105. Immediately upon disposition of H.R. 1286, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3461), the Strong Start for America's Children Act. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 106. Clause 1(c) of rule XIX of the Rules of the House shall not apply to the consideration of H.R. 377, H.R. 1010, H.R. 4582, H.R. 1286, or H.R. 3461 pursuant to this Division.

SEC. 107. It shall not be in order in the House to consider any measure or motion waiving the requirements of this Division.

Mr. BISHOP of New York (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. BISHOP of New York. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage.

Mr. Speaker, my straightforward amendment adds three important provisions to the underlying bill that, unfortunately, continue to be ignored by the majority.

First, this amendment declares that any company engaged in the offshoring of American jobs will be ineligible for Federal tax breaks.

I think that every Member of Congress can agree that if a company wants to ship domestic jobs overseas, U.S. taxpayers should not be expected to pick up the tab; yet H.R. 4, as currently written, does nothing to prevent outsourcers from receiving Federal tax breaks. My amendment addresses this egregious omission.

Second, the amendment prevents hardworking American families from subsidizing so-called inverted domestic corporations. It is important to remember that an inverted domestic corporation is a business that used to be incorporated in the United States but whose leaders have chosen to incorporate overseas.

These businesses typically reincorporate on foreign soil in order to avoid domestic taxes by finding tax shelters on unregulated shores of places like Bermuda and the Cayman Islands.

Since 2012, these corporate bad actors have been banned from contracting with many agencies of the Federal Government, including the Department of Defense, NASA, and the GSA; still, American taxpayers are subsidizing this corporate tax evasion to the tune of billions of dollars per year.

I commend my colleagues, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Maryland (Mr. VAN HOLLEN), for their leadership in introducing legislation responding to the rapidly increasing frequency of inversions by limiting tax breaks to corporations carrying them out by tightening section 7874 of the IRS Code.

This Congress has the opportunity to make clear that it will not tolerate Tax Code manipulators taking advantage of tax breaks and sticking the middle class with the bill.

Finally, my amendment allows the House to move the economy forward by bringing up for consideration components of the Democratic jump-start agenda: pay equity, an increased minimum wage, student loan refinancing, paid family sick leave, and early childhood education.

These policies have the overwhelming support of the American people and are needed if we are to take seriously the goal of strengthening the middle class and making it possible for families to get their slice of the American Dream. Unsurprisingly, the House has taken no action on addressing any of these pressing issues, but we can today, by passing this amendment.

Rather than take up these important issues, the Republican majority instead prepares to adjourn the House for a 54-day recess. This impending recess is in addition to the 38-day recess from August 1 to September 8 from which the House just returned.

In fact, the U.S. House of Representatives will have been in session for a grand total of 8 days in the 101-day span between August 1 and November 12. The American people sent us here to work and find solutions facing their family each and every day. This is simply unacceptable.

Mr. Speaker, more work needs to be done. Let's pass this amendment and actually get to work on addressing the mounting and diverse needs of our constituents. The time for political games is over, and the time for action is now.

I urge a ''yes'' vote on the motion to recommit, and I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. TIBERI. Mr. Speaker, the motion to recommit does not solve the problem that the gentleman talked about. There is one thing that will solve the problem that the gentleman talked about, and it is about lowering corporate rates and going to a territorial system, which all other countries in the world who have been successful in stopping this problem have done.

America has not led. America has fallen behind. The gentleman from Michigan (Mr. CAMP) has led. He has a draft that seeks to solve this problem. There hasn't been any leadership from the House Democrats. There hasn't been any leadership on the issue from Senate Democrats, and there certainly hasn't been any leadership from the White House.

Everything in this bill before us today, Mr. Speaker, is bipartisan, meaning Democrats and Republicans have supported it. Everything in this bill, Mr. Speaker, will help Americans create American jobs. There is no reason not to support this bill, except what is happening in November.

Mr. Speaker, I urge my colleagues to vote ''no'' on the motion to recommit and vote ''yes'' on this American job-creating bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX and the order of the House of today, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4, if ordered; the motion to recommit on H.R. 2; and passage of H.R. 2, if ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 218, not voting 22, as follows:

[Roll No. 512]

YEAS—191

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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
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
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
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)
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
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—218

Aderholt
Amash
Amodei
Bachmann
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
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
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler

Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
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
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—22

Bachus
Barton
Capito
Conaway
Davis (CA)
DesJarlais
Hall
Hastings (FL)
Johnson (GA)
Lamborn
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Palazzo
Rush
Sánchez, Linda T.
Shuster
Southerland
Thornberry
Wasserman Schultz
Wenstrup

□ 1837

Messrs. HANNA, FARENTHOLD, CULBERSON, TIPTON, TURNER, and Mrs. HARTZLER changed their vote from ''yea'' to ''nay.''

Mrs. MCCARTHY of New York and Ms. MCCOLLUM changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 512, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 253, nays 163, not voting 15, as follows:

[Roll No. 513]

YEAS—253

Aderholt
Amash
Amodei
Bachmann
Barber
Barletta
Barr
Barrow (GA)
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Keating
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
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
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—163

Bass
Beatty
Becerra
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bachus
Barton
Capito
Conaway
DesJarlais
Hall
Hastings (FL)
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Rush
Sánchez, Linda T.
Wasserman Schultz
Wenstrup

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1844

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING BRIGADIER GENERAL HECK

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

Mr. MCCARTHY of California. Mr. Speaker, yesterday our friend and colleague from Nevada, Congressman JOE HECK, was promoted to the rank of brigadier general in the U.S. Army Reserve.

As you all know, while the gentleman from Nevada has been serving in Congress, he has also been working as a physician and member of the U.S. Army Reserve. Since 1991, he has been called to duty three times, most recently in Iraq in 2008. His accomplishments and service to our country in a variety of fields are truly remarkable.

On behalf of this House, I would like to offer Doctor, Congressman, General HECK our warmest and most sincere congratulations.

AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes, offered by the gentleman from Illinois (Mr. SCHNEIDER), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 193, nays 222, not voting 16, as follows:

[Roll No. 514]

YEAS—193

Barber
Barrow (GA)
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
Clark (MA)
Clarke (NY)
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
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)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
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)
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
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—222

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
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
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
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
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
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)
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—16

Barton
Bass
Capito
Conaway
DesJarlais
Hall
Hastings (FL)
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Rush
Sánchez, Linda T.
Southerland
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1853

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 14, as follows:

[Roll No. 515]

YEAS—226

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
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
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)

Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—191

Barber
Bass
Beatty
Becerra
Bera (CA)
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
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Barton
Capito
Conaway
DesJarlais
Hall
Hastings (FL)
Lee (CA)
McKeon
Miller, Gary
Neal
Nunnelee
Rush
Sánchez, Linda T.
Wasserman Schultz

□ 1900

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONAWAY. Mr. Speaker, I am not recorded on today's votes because I was absent to attend a funeral. Had I been present: on rollcall No. 510 on ordering the previous question, I would have voted "aye;" on rollcall No. 511 on H. Res. 727, I would have voted "aye;" on rollcall No. 512 on recommitting H.R. 4 with instructions, I would have voted "nay;" on rollcall No. 513 on H.R. 4, I would have voted "aye;" on rollcall No. 514 on recommitting H.R. 2 with instructions, I would have voted "nay;" on rollcall No. 515 on H.R. 2, I would have voted "aye."

PROVIDING FOR THE APPOINTMENT OF MICHAEL LYNTON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 40) providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. MEADOWS). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 40

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of France A. Córdova of Indiana on March 13, 2014, is filled by the appointment of Michael Lynton of California. The appointment is for a term of 6 years, beginning on the date of enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONDEMNING ALL FORMS OF ANTI-SEMITISM

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 707) condemning all forms of anti-Semitism and rejecting attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 707

Whereas there is clear evidence of increasing incidents and expressions of anti-Semitism throughout the world;

Whereas the United States Department of State released this week the International Religious Freedom Report for 2013 and noted in the Executive Summary, ''Throughout Europe, the historical stain of anti-Semitism continued to be a fact of life on Internet fora, in soccer stadiums, and through Nazi-like salutes, leading many individuals who are Jewish to conceal their religious identity.'';

Whereas anti-Semitic acts committed and recorded in 2014 around the world, including countries in the Middle East, Latin America, Europe, and North America, include incidents of murder at Jewish sites, violent attacks and death threats against Jews, as well as gun violence, arson, graffiti, anti-Semitic cartoons, and other property desecration at Jewish places of worship and communal activity;

Whereas a survey by the Anti-Defamation League of attitudes towards Jews in more than 100 countries around the world, released in May 2014 found that over a quarter of the people surveyed (26 percent) hold anti-Semitic views, a stunning indicator of the stubborn resilience of anti-Semitic beliefs, even in countries where no Jews reside;

Whereas anti-Semitic attitudes in the Middle East and North Africa (74 percent) far surpass those in any other region;

Whereas the finding that 70 percent of those around the world who harbor anti-Semitic attitudes have never met a Jew shows how deeply embedded stereotypes of Jews that developed over centuries are in the consciousness of many countries and societies;

Whereas the Anti-Defamation League survey also found that a majority of people surveyed overall have either not heard of the Holocaust or do not believe it happened as has been documented by factual accounts and recorded by history;

Whereas this month Hungarian Prime Minister Viktor Orban erected a monument commemorating the Nazi Occupation of Hungary that white washes the Hungarian government's role in deporting over 400,000 Jews, most of whom died in Auschwitz;

Whereas President Barack Obama said in his remarks at the USC Shoah Foundation Dinner on May 7, 2014, ". . . if the memories of the Shoah survivors teach us anything, it is that silence is evil's greatest co-conspirator. And it's up to us—each of us, every one of us—to forcefully condemn any denial of the Holocaust. It's up to us to combat not only anti-Semitism, but racism and bigotry and intolerance in all their forms, here and around the world. It's up to us to speak out against rhetoric that threatens the existence of a Jewish homeland and to sustain America's unshakeable commitment to Israel's security'';

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States (OAS);

Whereas during Israel's July 2014 Operation Protective Edge aiming to stem the rocket fire and terrorist infiltrations by Hamas, Jews and Jewish institutions and property have been attacked in Europe and

elsewhere, including attempts to invade a synagogue in Paris, fire-bombings of synagogues in France and Germany, assaults on Jewish individuals, and swastikas spray-painted in a heavily Jewish area of London and also in Rome's historic Jewish quarter;

Whereas anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel's actions in Gaza around the United States, Europe, the Middle East and Latin America, including—

(1) placards held at many demonstrations across the globe comparing Israeli leaders to Nazis, accusing Israel of carrying out a ''Holocaust'' against Palestinians, and equating the Jewish Star of David with the Nazi swastika, and

(2) demonstrations that have included chants of ''Death to Jews'', ''Death to Israel'', or expressions of support for suicide terrorism against Israeli or Jewish civilians;

Whereas Turkish Prime Minister Recep Tayyip Erdogan's continued anti-Israel incitement, including stating that Israel's defense against Hamas rocket fire is ''barbarism that surpasses Hitler'', sparks unwarranted anger towards Jews and endangers the Turkish Jewish community and Jews around the world;

Whereas the Governments in France, Germany, and Italy, the three countries where the majority of incidents have occurred, have strongly condemned anti-Semitism as unacceptable in European society, including French President Hollande and Prime Minister Valls, German Chancellor Merkel, and the foreign ministers of France, Germany, and Italy collectively, have all made clear statements that such attacks on their Jewish communities are intolerable, and they have matched those words with strong law enforcement;

Whereas some civil society leaders have set strong examples, including the condemnation by the Union of Mosques of France, on behalf of their 500 mosques, called the attacks ''morally unjust and unacceptable'', and stated, ''nothing can justify any act that could harm our Jewish compatriots, their institutions or their places of worship'' and, in Germany, the largest circulation paper, Bild, featured statements against anti-Semitism from politicians, business leaders, civic leaders, media personalities and celebrities with ''Never Again Jew Hatred'' on the front page; and

Whereas Congress supports freedom of expression and the right to criticize any government or its policy and has played an essential role in shining a spotlight on the resurgence of anti-Semitism worldwide: Now, therefore, be it

Resolved, That the House of Representatives—

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere;

(2) decries and condemns the comparison of Israel to Nazis perpetrating a Holocaust or genocide as an insult to the memory of those who perished in the Holocaust and an affront to those who survived and their children and grandchildren, the righteous gentiles who saved Jewish lives at peril to their own lives and to those who bravely fought to defeat the Nazis;

(3) applauds those foreign leaders, especially in France, Italy, and Germany, who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries, to do so;

(4) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism;

(5) pledges to support and expand Holocaust educational programs at home and abroad to increase awareness, counter prejudice, and enhance efforts to teach the universal lessons of the Holocaust; and

(6) urges the Secretary of State to—

(A) maintain the fight against anti-Semitism as a United States foreign policy priority and to convey United States concern in bilateral meetings;

(B) ensure that the instruments of United States public diplomacy including President Barack Obama's emissary to the Organization of the Islamic Conference pursue ways to address the issue of anti-Semitism where data show it is needed most;

(C) ensure high-level United States participation in the 2014 Organization for Security and Cooperation in Europe high level event marking the 10th anniversary of the 2004 OSCE Berlin Declaration against anti-Semitism;

(D) urge governments to ensure that adequate laws are in place to punish anti-Semitic violence and hate crimes as well as establish mechanisms to monitor, investigate and punish perpetrators;

(E) continue robust United States reporting on anti-Semitism as a human rights and religious freedom issue by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism;

(F) provide necessary training and instruction for personnel posted in United States embassies and missions to analyze and report on anti-Semitic incidents as well as the response of governments to those incidents and to hate crimes in general;

(G) ensure that United States efforts to train law enforcement personnel and prosecutors abroad incorporate tools to address anti-Semitism and other bias motivated incidents;

(H) deepen engagement with the Organization for Security and Cooperation in Europe and support its specialized efforts to monitor and address anti-Semitism, including through support for its law enforcement and civil society training programs; and

(I) redouble his commitment to oppose all efforts to prevent any individual from freely exercising their religion without fear of prosecution or violence.

AMENDMENT OFFERED BY MR. ROYCE

Mr. ROYCE. I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere;

(2) decries and condemns the comparison of Israel to Nazis as an insult to the memory of those who perished in the Holocaust and an affront to those who survived and their children and grandchildren, the righteous gentiles who saved Jewish lives at peril to their own lives and to those who bravely fought to defeat the Nazis;

(3) applauds those foreign leaders who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries, to do so;

(4) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism as part of the broader policy priority of fostering international religious freedom;

(5) supports expanded Holocaust educational programs that increase awareness, counter prejudice, and enhance efforts to teach the universal lessons of the Holocaust; and

(6) urges the Secretary of State to—

(A) maintain combating anti-Semitism as a United States foreign policy priority;

(B) ensure that the instruments of United States public diplomacy, including the United States Representative to the Organization of Islamic Conference, are utilized to effectively combat anti-Semitism;

(C) ensure high-level United States participation in the 2014 Organization for Security and Cooperation in Europe (OSCE) high level event marking the 10th anniversary of the 2004 OSCE Berlin Declaration against anti-Semitism;

(D) urge governments to ensure that adequate laws are in place to punish anti-Semitic violence against persons and property;

(E) continue robust United States reporting on anti-Semitism by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism;

(F) provide necessary training and instruction for personnel posted in United States embassies and missions to analyze and report on anti-Semitic violence against persons and property as well as the response of governments to those incidents;

(G) ensure that United States Government efforts to train law enforcement personnel and prosecutors abroad incorporate tools to address anti-Semitic violence against persons and property; and

(H) strongly support the Organization for Security and Cooperation in Europe's specialized efforts to monitor and address anti-Semitism, including through support for its law enforcement and civil society training programs.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. ROYCE

Mr. ROYCE. I have an amendment to the preamble at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike the preamble and insert the following:

Whereas there is clear evidence of increasing incidents and expressions of anti-Semitism throughout the world;

Whereas on April 30, 2014, the United States Department of State released the International Religious Freedom Report for 2013 and noted that, ''Throughout Europe, the historical stain of anti-Semitism continued to be a fact of life on Internet fora, in soccer stadiums, and through Nazi-like salutes, leading many individuals who are Jewish to conceal their religious identity.'';

Whereas anti-Semitic acts committed and recorded in 2014 around the world, including countries in the Middle East, Latin America, Europe, and North America, include incidents of murder at Jewish sites, violent attacks and death threats against Jews, as well as gun violence, arson, graffiti, anti-Semitic cartoons, and other property desecration at Jewish cemeteries, places of worship, and communal activity;

Whereas a survey by the Anti-Defamation League of attitudes towards Jews in more than 100 countries around the world, released in May 2014 found that over a quarter of the people surveyed (26 percent), and nearly three quarters of those surveyed in the Middle East (74 percent) hold anti-Semitic views, a stunning indicator of the stubborn resilience of anti-Semitic beliefs, even in countries where few Jews reside;

Whereas the Anti-Defamation League survey also found that a majority of people surveyed overall have either not heard of the Holocaust or do not believe it happened as has been documented by factual accounts and recorded by history;

Whereas President Barack Obama said in his remarks at the USC Shoah Foundation Dinner on May 7, 2014, ''. . . if the memories of the Shoah survivors teach us anything, it is that silence is evil's greatest co-conspirator. And it's up to us—each of us, every one of us—to forcefully condemn any denial of the Holocaust. It's up to us to combat not only anti-Semitism, but racism and bigotry and intolerance in all their forms, here and around the world. It's up to us to speak out against rhetoric that threatens the existence of a Jewish homeland and to sustain America's unshakeable commitment to Israel's security'';

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States (OAS);

Whereas in recent decades there has been a clear and troubling pattern of increased violence against Jewish persons and their property, purportedly in connection with increased opposition to policies enacted by the Government of Israel;

Whereas during Israel's 2014 Operation Protective Edge aiming to stem the rocket fire and terrorist infiltrations by Hamas, Jews and Jewish institutions and property were attacked in Europe and elsewhere, including attempts to invade a synagogue in Paris, fire-bombings of synagogues in France and Germany, assaults on Jewish individuals, and swastikas spray-painted in a heavily Jewish area of London and also in Rome's historic Jewish quarter;

Whereas anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel's actions in Gaza throughout the United States, Europe, the Middle East and Latin America, including—

(1) placards comparing Israeli leaders to Nazis, accusing Israel of carrying out a ''Holocaust'' against Palestinians, and equating the Jewish Star of David with the Nazi swastika, and

(2) demonstrations that have included chants of ''Death to Jews'', ''Death to Israel'', or expressions of support for suicide terrorism against Israeli or Jewish civilians;

Whereas the Governments in France, Germany, and Italy, the three countries where the majority of incidents have occurred, have strongly condemned anti-Semitism as unacceptable in European society and have all made clear statements that such attacks on their Jewish communities are intolerable, and they have matched those words with strong law enforcement;

Whereas some civil society leaders have set strong examples, including the condemnation by the Union of Mosques of France, on behalf of their 500 mosques, called the attacks ''morally unjust and unacceptable'', and stated, ''nothing can justify any act that could harm our Jewish compatriots, their institutions or their places of worship'';

Whereas the largest newspaper in circulation in Germany, Bild, featured statements against anti-Semitism from politicians, business leaders, civic leaders, media personalities and celebrities with ''Never Again Jew Hatred'' on the front page; and

Whereas Congress has played an essential role in illustrating and counteracting the resurgence of anti-Semitism worldwide: Now, therefore, be it

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILIES OF JAMES FOLEY AND STEVEN SOTLOFF, AND CONDEMNING THE TERRORIST ACTS OF THE ISLAMIC STATE OF IRAQ AND THE LEVANT

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of House Resolution 734, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 734

Whereas James Foley and Steven Sotloff were highly respected journalists whose integrity and dedication were a credit to their profession;

Whereas James Foley and Steven Sotloff embodied the spirit of our Nation's First Amendment liberties, including the freedom of the press;

Whereas James Foley and Steven Sotloff made significant contributions to our Nation through their courageous reporting of events in Libya, Syria, and elsewhere; and

Whereas the Islamic State of Iraq and the Levant (ISIL) is a terrorist organization responsible for committing barbaric acts against United States citizens, religious and ethnic minorities, and those who do not subscribe to ISIL's depraved, violent, and oppressive ideology: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns the terrorist acts of ISIL, including the barbaric and deplorable murders of James Foley and Steven Sotloff;

(2) salutes James Foley and Steven Sotloff for their unwavering and courageous pursuit of journalistic excellence under the most difficult and dangerous of conditions;

(3) mourns the deaths of James Foley and Steven Sotloff; and

(4) offers condolences to the families, friends, and loved ones of James Foley and Steven Sotloff.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 4323. An act to reauthorize programs authorized under the Debbie Smith Act of 2004, and for other purposes.

H.J. Res. 124. Joint resolution making continuing appropriations for fiscal year 2015, and for other purposes.

A SPECIAL BIRTHDAY TRIBUTE TO KERMIT WOMACK

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

Mr. WOMACK. Mr. Speaker, I rise today to offer special birthday wishes to someone very important to me, my father, Kermit Womack.

Dad turns 80 years old tomorrow, and it is a special honor to recognize him for his many outstanding accomplishments.

He is a 35-year veteran of the National Guard in Missouri and Arkansas. As an accomplished broadcaster, owning and operating five broadcast stations in Arkansas, his ''old school'' philosophy of community-involvement radio is legendary. He is also a dedicated cattleman.

Mr. Speaker, Dad is also a great family man. He raised seven children and taught them the important and valuable lessons of life, and he should know because, as a child in humble circumstances, Dad won a three-State FFA public speaking contest and a scholarship to pay his way through college.

Dad, on the eve of your 80th birthday, I want America to know the importance you have meant to your family, the communities you serve, the Nation, and this grateful Congressman. Happy birthday.

CLINICAL RESEARCH EFFORTS

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

Mr. PETERS of California. Mr. Speaker, I rise today to highlight the valuable and lifesaving contributions of America's clinical research efforts and to urge my colleagues to support my resolution to make September clinical research innovation month.

Innovation and scientific research are critical to ensuring America's future competitiveness. San Diego understands this and has become a hub for innovation and technology.

Clinical research organizations are components of our leading innovation sector in San Diego and across the country. They are fundamental to the development of drugs, biologics, and medical devices that are changing the face of health care in America.

Mr. Speaker, last year alone, clinical research efforts led to over 85 new drugs approved by the FDA, aiding in the fights against cancer, diabetes, Alzheimer's, and many other ailments.

Clinical research connected to the veterans hospital in San Diego is looking for the best ways to treat our brave men and women as they return home.

The lifesaving innovations coming out of clinical research are helping people across the country live longer and healthier lives, and I encourage my colleagues to join me in establishing clinical research innovation month.

THE ISLAMIC STATE IN THE LEVANT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it is hard to overstate the threat posed by ISIL. Former U.S. Ambassador to Iraq and Afghanistan Ryan Crocker recently stated:

> I call it al Qaeda version 6.0. They are far better organized, equipped, and funded. They are more experienced and more numerous, and, for the first time since 9/11, a determined and capable enemy has the space and security to plan complex, longer-range operations.

We are presented few good options in confronting ISIL. However, failing to confront this brutal terrorist group is not one of them.

The combat component of this strategy must be executed by local forces. Yesterday, the House passed a bipartisan resolution that reinforces this principle. The measure authorizes neither U.S. troops in a combat role nor additional taxpayer funding.

It does allow the Department of Defense to seek to reprogram existing funds for training, and it also includes new oversight provisions to ensure the administration's plan is managed within the confines of the law.

Mr. Speaker, this action is a step forward in helping the region take on and defeat ISIL, which is fundamental to U.S. national security.

RECOGNIZING UNION CITY POLICE CHIEF BRIAN FOLEY

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

Mr. SWALWELL of California. Mr. Speaker, today I rise to recognize Union City Police Chief Brian Foley as he retires at the end of September after almost 30 years of service.

Brian grew up in California before graduating from California State University, Chico, with a degree in business administration. In 1986, Brian joined the Union City Police Department, fulfilling a dream of becoming a police officer.

He worked for the Union City Police Department in a variety of areas, including crime scene investigator, homicide detective, and SWAT team member. His hard work and skills propelled him into leadership roles such as SWAT team leader, sergeant, captain, and—since January 2012—chief.

On behalf of the residents of Union City and the 15th Congressional District, I want to thank Chief Foley for his years of dedicated and courageous service. He has played a key role in helping to keep the streets of Union City safe, and he will be sorely missed.

I also wish Brian well as he enters the next phase of his life. I am sure he is looking forward to spending more time with his wife and children. After so many years of hard work for the people of Union City, this opportunity is well-deserved.

RECOGNIZING DR. BINDUKUMAR KANSUPADA OF YARDLEY, BUCKS COUNTY, PENNSYLVANIA

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

Mr. FITZPATRICK. Mr. Speaker, I rise before you today to recognize Dr. Bindukumar Kansupada of Yardley, Bucks County, Pennsylvania, a member of the Eighth Congressional District, my constituent, and my good friend.

As a cardiologist, successful businessman, and faithful community servant, Dr. Kansupada has been an incredible asset for the health and well-being to the families that call the Delaware Valley home.

As a member of both my physician's advisory and Indian American communities, Dr. Kansupada's talents and experience have been a vital part of my legislative and outreach efforts as we work together to provide Bucks County families with the type of patient-centered health care solutions that keep our communities happy and healthy.

Mr. Speaker, I am honored to call Dr. Kansupada a personal friend of mine, and I look forward to partnering with him in the future so that Bucks County continues to be a great place to live, to work, to raise a family, and to grow old in.

CONDEMNING THE RISE OF GLOBAL ANTI-SEMITISM

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

Mr. NADLER. Mr. Speaker, with the unanimous passage today of H. Res. 707, we send a clear, strong, and bipartisan message condemning the rising tide of anti-Semitism around the world.

In 2014 alone, we have seen an increasing number of murders at Jewish sites, of violent attacks, and death threats against Jews. There has been a disturbing increase of anti-Semitism throughout Europe, Latin America, and the Middle East, including in Hungary, Turkey, Greece, Britain, France, and Germany.

We must ensure that the world views such actions for what they are—the vile and hate-fueled persecution of an entire people—rather than an acceptable expression of frustration with political events in the Middle East or anywhere else.

Tragically, 70 years after 6 million Jewish men, women, and children were murdered simply for being Jews, many Jews in Europe again face violent anti-Semitism and must live in constant fear.

Anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel throughout the United States and the world. Make no mistake, this is a new face on a very old hatred. Disagreeing with Israeli policy is no excuse for anti-Semitism.

I want to thank my colleagues, but I want to thank especially PETER ROSKAM, NITA LOWEY, and KAY GRANGER for leading this effort with me; and I want to thank NANCY PELOSI, STENY HOYER, KEVIN MCCARTHY, ED ROYCE, and ELIOT ENGEL who helped bring this important bipartisan piece of legislation to the floor.

□ 1915

JIHADISTS KILLING AMERICAN SOLDIERS

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

Mr. GOHMERT. Mr. Speaker, an article today by Andrew McCarthy that I want to read in part:

> Meanwhile, back in Afghanistan . . . Bill Roggio reports that jihadists have killed four American soldiers. Three were killed in a suicide bombing in Kabul and the Taliban have claimed responsibility. A fourth was killed in a so-called ''green-on-blue'' assassination. He was an American there to train ''moderate Islamist allies'' at a military base in western Afghanistan, and one of these Afghans shot him dead and wounded two others before finally being killed.
>
> It was the fourth green-on-blue attack this year. The last one, in August, claimed the life of Major General Harold Greene, the highest ranking American officer since the

Vietnam war to be killed in combat—being murdered by a jihadist in an Afghan military base while training moderate Islamists . . . Roggio observes the Taliban ''have devoted significant efforts to stepping up attempts to kill'' U.S. and allied forces.

Mr. Speaker, this is outrageous. We don't need to be helping the so-called moderate jihadists.

And with that, I will insert the full article into the RECORD.

[From the National Review Online, Sept. 18, 2014]

TRAINING 'MODERATE ISLAMISTS'—FOUR MORE AMERICANS KILLED IN AFGHANISTAN

(By Andrew C. McCarthy)

Meanwhile back in Afghanistan . . . the Long War Journal's Bill Roggio reports that jihadists have killed four American soldiers. Three were killed in a suicide bombing in Kabul for which the Taliban have claimed responsibility. A fourth was killed in a so-called ''green-on-blue'' assassination—i.e., he was an American there to train our ''moderate Islamist allies'' at a military base (in Western Afghanistan), and one of these Afghans shot him dead and wounded two others before finally being killed.

It was the fourth green-on-blue attack this year. I wrote here about the last one, in August, which claimed the life of Major General Harold Greene, the highest ranking American officer since the Vietnam War to be killed in combat—being murdered by a jihadist in an Afghan military base while training moderate Islamists is quite appropriately considered combat (although being murdered at an American base while preparing to deploy for combat against jihadists is considered ''workplace violence''). As Bill explains, green-on-blue attacks are down, from a high of 44 in 2012, mostly because of the U.S. draw-down and reduced ''partnering'' with the ''moderate'' Afghan forces (because doing so has proven perilous).

Nevertheless, Bill observes that the Taliban ''have devoted significant efforts to stepping up attempts to kill'' U.S. and allied forces. Mullah Omar has bragged that the Taliban ''cleverly infiltrated the ranks of the enemy'' in accordance with a plan hatched in 2011. As I've noted before, the Taliban knows our forces are leaving and wants to make it appear that they are chasing us out of the country.

Although the Taliban has never stopped conducting jihadist terror attacks against our forces, President Obama released five Taliban commanders from Guantanamo Bay in May, enabling their return to the anti-American jihad. And now, as American forces retreat from Afghanistan, our soldiers will be assigned to train more ''moderate Islamists'' in Syria—which apparently will not be a combat mission . . . unless the trainees go green-on-blue.

MOMENT OF SILENCE FOR RETURN OF AUSTIN TICE

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

Mr. AL GREEN of Texas. Mr. Speaker, I am on a mission of mercy. I have a constituent who is missing in Syria. He is the son of Marc and Debra Tice. His name is Austin Tice.

On August 11, 2012, he celebrated his 31st birthday in Syria. On August 13, he was reported missing. He is a graduate of Georgetown University, and he was there pursuing his career in journalism.

Mr. Speaker, his parents are gravely concerned, and we are asking anyone with any information concerning this young man, Austin Tice, to please contact the FBI hotline at 1 (800) 225–5324, repeating 1 (800) 225–5324. My number is (202) 225–7508.

I would like to now have a moment of silence for his return.

HONORING THE RETIREMENT OF WILLIAM MCMANUS

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

Mr. GALLEGO. Mr. Speaker, I rise today to say thank you to Bill McManus, William McManus, who has announced his retirement as the chief of the San Antonio Police Department in the seventh largest city in the country.

Chief McManus has been on board in San Antonio for some 8 years, but he brought with him 30 years of experience in law enforcement in such areas as diverse as narcotics, tactical positions, criminal investigations, internal investigations, the full range of experience.

As a result of his service in San Antonio, their police department is more well-respected, more well-trained than ever in San Antonio's history.

Chief McManus I first met when he was testifying before the legislature and I served as chair of the committee on criminal jurisprudence.

I know well his passion for law enforcement and his passion for people. We will miss him dearly at the city, but we wish him well in his future endeavors.

HONORING JAZZ LEGEND JOE SAMPLE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise to honor and mourn a great American in my district. His name is Joe Sample. He made people happy by the wonderful jazz that he played.

Born in 1939, in his high school he joined with fellow students and created the Jazz Crusaders. In doing so, he enjoyed a wonderful career that saw him working with people such as Miles Davis, George Benson, Jimmy Witherspoon, B.B. King, Eric Clapton, Steely Dan, and the Supremes. He incorporated jazz in many things that he did, but he also understood gospel, blues, Latin, and the classical form.

In talking to his family this week, and to his family and his wife, I give them my deepest sympathy.

He said he was proud of his gospel music album.

We are saddened that he has lost his life in his battle against lung cancer. I am delighted to salute him as a great American who shared his talent with young people, who was kind to those with whom he grew up, who made Texas proud, and certainly is renowned throughout this great community of Houston and the Nation.

Starting the piano at 5, Joe Sample never left his love of music and always tried to share it and be a representative of the value of what music is to children and the American people.

I ask this Congress to acknowledge with me this great hero, Joe Sample, a musician, an American, someone who we can be proud of that lived good in this country.

MAKE OUR ENERGY MORE RELIABLE AND MORE AFFORDABLE

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

Mr. TERRY. Mr. Speaker, today the House passed a commonsense approach to make our energy more reliable and more affordable. Our vote today would create jobs and secures our energy future by making us dependent on North American resources, not OPEC, Venezuela, or others.

I am proud to lead this effort in support of lower energy costs and more American jobs. With commonsense policies like these, we can make real progress toward reducing prices at the pump and protecting families from higher monthly electric bills. Lower energy costs also mean lower prices for groceries and other consumer goods; and by producing more American energy, we can create more American jobs. These are the issues that families struggle with at the kitchen table every night and keep you awake at night.

But House Republicans have put forward a positive bipartisan solution to strengthen our energy policy that will allow us to begin fostering the development and use of our own energy resources. Today the House acted. We passed commonsense energy legislation that takes advantage of our abundant North American energy and puts our country on a path to better infrastructure.

This approach is simple. It is a package of 13 bills the House has already passed on a bipartisan basis, including three of which were even voice-voted. They are not controversial.

For instance, this bill includes the Natural Gas Pipeline Permitting Reform Act that would expedite and modernize the Federal review process for natural gas pipeline permits to help facilitate the construction of new pipeline infrastructure. This bill passed with 26 Democratic votes.

It also includes H.R. 6, the Domestic Prosperity and Global Freedom Act, sponsored by my good friend CORY GARDNER from Colorado. This would

speed up the approval of liquid natural gas exports. We have an abundant supply of natural gas here in the United States, an abundance of which will allow other countries to become dependent upon us for their energy needs.

Now, our Energy and Commerce Subcommittee, several of us on the Republican side went to North Dakota last year to visit the oilfields. We flew in at night. When you fly over western North Dakota at night, it looks like you are flying over a birthday cake with lots of candles. Those candles are flaring off natural gas because the price is so low and it is so plentiful that it just makes better economic sense to burn it off. So we need to find additional resources and uses for the natural gas. They are already there: exporting, transportation. We just need to focus more on those.

Just today we heard in a joint meeting of Congress from the President of Ukraine. He talked about the security in his own country and the strong partnership with the United States. Can you imagine how much weaker Russia would be if Ukraine was more dependent or would use North American U.S. natural gas resources?

Former Obama National Security Adviser General Jim Jones testified before the Senate that Vladimir Putin uses energy as a weapon. I believe that we would be using our energy resources as our weapon. And by expediting the permitting processes for liquified natural gas terminals, it would allow us to export natural gas to countries like Ukraine and our European partners and Japan.

These policies to develop natural gas would further cement U.S. leadership in the world and grow our economy and create jobs here at home.

Secondly, this package includes the Electricity Security and Affordability Act. That would protect an affordable and diverse electricity portfolio by providing reasonable alternatives to the EPA's greenhouse gas emissions rule. It would require the EPA to develop practical solutions for new coal-fired powerplants, including just saying that you can't implement a rule until the technology exists.

Doesn't that make sense to have a rule that the technology can actually comply with instead of making a rule where there is no technology allowing you to comply with it? I wonder if there is another agenda behind that.

Lastly, this bill includes H.R. 3, the Northern Route Approval Act, which would approve the permit for the Keystone XL pipeline.

Tomorrow marks the sixth birthday or anniversary of the filing of that permit—6 years. We have liberated continents and put a man on the Moon in less time than it has taken to review this permit and approve it. It not only has strong bipartisan support in the House, it is one of the few issues that enjoys broad bipartisan coalition in the Senate as well.

We can't get this done because the President lacks the leadership to make a decision. He would rather make a decision based on politics, continuing to delay the decision until after the next election. It is just now the third election.

Consider these few things about the Keystone pipeline that come directly from this administration's environmental impact statement on the Keystone pipeline.

It would create over 42,000 jobs directly related to the construction of the pipeline project and downstream jobs.

During the construction of the pipeline, it would contribute $2 billion in wages to the economy in the United States—$2 billion.

The administration acknowledged that by not building the Keystone pipeline, we had actually increased carbon emissions by 28 to 41 percent.

Many people come up to me and say, I don't get how it would reduce. The reality is, the alternative is, the pipeline that Canada is building to the east and to the west will then be exported. So that oil then is put on a ship, tanker, at least for the west it will be shipped directly to China. Maybe even the east coast pipeline will go down into the Panama Canal and over to the east.

So when you use the energy taken to ship it to China and then refined in China with less pollution controls and emission controls in their refineries than we have in the United States, you will actually be increasing the CO_2 carbon emissions.

□ 1930

Now, like every other piece of legislation in this package, this is stuck in the Senate and being held hostage by the majority leader. Time is of the essence before the clock runs out on this Congress. So this package of energy bills to grow our economy actually does HARRY REID a favor.

Instead of having to schedule 13 different bills, Mr. Speaker, he only has to bring up one. We have nearly 400 bills that this House Chamber has sent to him that have not been acted upon. Let's make it easier, package them together, and if he passes ten of the bills like this then maybe we are making some real progress.

The Senate floor wants the comprehensive package and to hold one vote to meet our national energy needs and grow our economy.

Mr. Speaker, I ran to make our country energy independent, to have the level of security, national security, when you can be in control of your own economy and destiny. In my view, the cornerstone of a dynamic economy is your own energy and your own resources. You compare the countries that have the resources that they can control themselves and not be dependent on others and you see the strongest economies in the United States. This is the cornerstone. It creates jobs, it creates security. And I just don't understand why our majority leader—the majority leader in the Senate—won't bring these great bills to the Senate floor. In fact, I think he is scared they are going to pass, and they will. They have a great deal of support.

So let's say ''yes'' to American energy, ''yes'' to more affordable energy in the United States.

I would like to recognize the gentleman from Indiana to say a little bit more on how we secure America's energy.

Mr. BUCSHON. Thank you for yielding, Congressman TERRY.

I rise today in support of American energy and the families that it supports.

Mr. Speaker, American families are struggling. Many are living paycheck to paycheck as the price of everything continues to rise: a gallon of gas, a gallon of milk, electrical costs. And do you know who the rising electrical costs will affect the most? American's seniors on a fixed income and the poor.

Here in the House we have solutions, like investing and expanding American energy production. It creates jobs on which families can depend and lowers costs at home and for businesses.

Mr. Speaker, my father was a United Mine Worker in Illinois for over 30 years. It was hard work, but it was a good-paying job and provided for our family, and we are proud of the work my dad did. It afforded me the opportunity to pursue an education and become the first person in my family to receive a 4-year college degree. I went on to medical school and became a surgeon. His job as a coal miner made the American Dream possible for me. This is what America is about.

In my home State of Indiana, over 80 percent of our electricity comes from coal. My district is home to nine coal mines, every mine in the State, and they employ thousands of Hoosiers. Next door, in southern Illinois, more coal mines, which employ Hoosiers. Coal not only keeps the lights on in Indiana, but it puts food on the table for Hoosier families.

I have been to several coal mines recently, went down in the coal mine—because I like going down in coal mines since I did it when I was a kid—and talked to the hardworking men and women who every day are working these jobs. And I keep hearing the same thing, Mr. Speaker: Washington regulations are crushing our business and I am afraid for my job, what that may mean to my family.

The fact is that coal is being mined cleaner and safer than it ever has. Despite what this administration would have you believe, the coal industry has made great strides in protecting our environment while providing low energy costs for their consumers.

But every time they invest their own money to improve their mines, this administration moves the goalpost. They do this without consideration of how many jobs they are eliminating in southwest Indiana and other coal-producing States. How this impact on the energy prices consumers pay has an effect on Indiana's families.

In my district, two coal-fired power plants are closing because of this administration's energy policies.

It is not just coal jobs that are being threatened. Indiana's manufacturing jobs are beginning to feel the impact of these harmful energy regulations. You see, manufacturing makes up around 28 percent of our gross State product. We are a huge manufacturing State; in fact, the highest percentage of gross State product in the country.

Indiana also leads the Nation in manufacturing employment, and low-cost energy is part of the reason.

But the plants in my district are telling me they may not be able to survive when Washington continues to squeeze them more and more. How can Alcoa, with 3,000 jobs, stay open in my district if their energy costs double or triple?

We can bring more manufacturing to the United States, Mr. Speaker, more jobs—which is what this is about—if we just get Washington, D.C., out of the way of American businesses.

Yesterday, in a committee hearing, I asked the EPA to visit my district and, for that matter, other coal-producing States, to hear our story and listen to what my constituents have to say. While we wait for their response, the House is working.

I am proud to have supported H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act. This comprehensive package that has already been outlined by Congressman TERRY included the best energy ideas that the House has produced this Congress. The most important piece of this legislation is it will ensure every American access to affordable, reliable energy.

This legislation approves the Keystone pipeline, the most studied pipeline in history, which even the President's own State Department has determined will not negatively impact the environment.

This project is critical to our future generations to address their future energy needs, but, unfortunately, this administration has been blocking his project for years for politics. While they turn their back on our Nation's energy needs, they have been implementing new regulations that have been costing our Nation billions of dollars. It just doesn't make sense.

Part of H.R. 2 includes Representative BILL CASSIDY's Energy Consumers Relief Act, which ensures congressional oversight of energy-related rules costing more than $1 billion.

This commonsense bill will allow Congress to have oversight of some of those billion dollar regulations that are crushing American consumers across the Nation and that probably won't meet our standards once they are looked at by Congress. They are just costing too much, with no benefit other than an ideological approach for the administration. We need to get back to science and common sense.

H.R. 2 also included legislation that helps speed up the permitting process on Federal lands, protects our Nation's electrical grid, and protects coal mining jobs.

Most of these bills had already passed the House and are sitting over in the Senate waiting for action. They are waiting for a vote. In fact, they are waiting for a hearing, waiting for a debate amongst our Senators about the energy solutions the House has passed.

I understand that the Senate at this point—or at least one party in the Senate—may not agree with these ideas, but let's have a discussion about it. Let's hear your ideas in the Senate to lower our Nation's energy costs. The House has spoken. This is what our constituents expect of us, Mr. Speaker, an honest, vigorous debate about the issues facing our Nation.

Doing nothing is not an energy policy, and it is no way to legislate.

I hope our friends across the Capitol and the President are watching and learning from the House's example.

Mr. Speaker, finally, in closing, I want to say we need to tap our energy resources. We are on the verge of an energy renaissance in the United States, a manufacturing renaissance. What does this mean? Low-cost energy, American jobs, putting families back to work. And that is what we all want, that is why we are here, that is why we ran for office, Mr. Speaker, to help people. It provides for lower costs. We are doing it in a cleaner way than we ever have.

Mr. Speaker, let's not look right in the face of success in creating jobs and look the other way.

I am hopeful that the Senate will take up some of the House-passed bills, including this one, before the end of the year. If not, Mr. Speaker, the next Congress in this House will act again to show the American people we want lower costs for their energy, we want good-paying jobs, we want manufacturing in America, and we will act again and, hopefully, the Senate in the next Congress can see it to where they will step forward and act.

Mr. TERRY. Thank you, Mr. BUCSHON.

You mentioned manufacturing and how important it is to your State. The reality is also that manufacturing is reliant on affordable and reliable energy.

I am the chairman of the Commerce, Manufacturing, and Trade Subcommittee under Energy and Commerce. We did a series of hearings, Mr. Speaker, on manufacturing in the United States. We had industries of all sorts testify in front of our committee. I left that series of hearings very optimistic about manufacturing in the United States, because what we are seeing is many manufacturers returning to the United States.

There was one common theme to every one of the manufacturers that were moving to the United States or returning to the United States, and it was affordable and reliable energy. Many of them use natural gas, whether it is the steel industry that is having a resurgence right now—by the way, a beginning job in the steel industry—and, yes, they are looking for workers right now—$77,000.

That is the middle class that is being hammered right now. We need to create those jobs, expand those jobs, but you need affordable and reliable energy.

So what is this administration doing? They pass a rule on existing electrical generation plants, existing plants, not ones yet to be built, and they say you have to lower your emission rates to the level of using natural gas. So when we talk about Mr. BUCSHON and Mrs. BROOKS, who is going to come up here and talk about the impact on coal and jobs, that is the war on coal. They aren't using ''don't use coal''; they just put the number of emission particulates below what you can get if you use coal.

But, now, here is what happens in a State like Nebraska. The State of Nebraska has older coal-fired plants, most of them are smaller, in our rural areas of Nebraska. They won't be able to afford to pay for all of the changes that have to occur to meet that. And, by the way, this rule is not even finalized yet, but when it becomes finalized these plants have until June 30, 2016. We are in September of 2014. That is less than 2 years that they have to prepare.

That is why some of these rules are just so ridiculous and so obvious in how they are attacking our energy sector and making affordability and reliability a question mark.

Now I would like to yield to the gentleman from South Carolina, JEFF DUNCAN.

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Nebraska for his leadership on energy, and for having this opportunity to discuss with the American people the things you are talking about, the impact of the rules and regulations the Obama administration has put forward with coal-fired power plants.

In my State of South Carolina, with the number of power plants that we have that are coal-fired generated, we will see rates go up. And, as you say, they have got until 2016. Well, the Obama administration will leave office in 2016, and that is when you are really going to see the impact of rates going up in States like South Carolina, Nebraska, and others that use coal. The Obama administration won't feel the impact and the pressure from the voters because they will no longer be in office.

But let me tell you about a winning message, and that is jobs, energy, and the Founding Fathers, things we have talked about this week as we passed this energy package.

Jobs. Let's unleash and unbridle that innovative and entrepreneurial spirit in America. Let Americans create jobs with the understanding that government creates jobs, but the government creates government jobs.

□ 1945

Americans create American jobs, and they do that through energy. Energy is a segue to job creation, and, if you dispute that fact, go to North Dakota, Oklahoma, Texas, or Louisiana. Look at the jobs that are created there. There are low unemployment rates, even negative unemployment rates, in North Dakota.

It is an energy-driven economy. Jobs and energy. Energy is a segue to job creation. Our Founding Fathers unleashing that entrepreneurial spirit, understanding the American Dream, understanding limited government, free markets, and individual liberties.

We do that by simple things like approving the Keystone pipeline to bring that friendly Canadian oil down to the refineries where we have capacity in this country, working with our best and largest trading partner to the North.

It just makes sense as you approach American energy independence. If we as a Congress can't approach American energy independence, why not North American energy independence, working with the Canadians and also looking south to Mexico, which just did away with the nationalization of their energy sector, privatizing more and more of Pemex and the other energy resources, opening up the Transboundary Hydrocarbon Agreement area in the western gap? A million and a half acres are now open to production on the Mexican and U.S. sides of the western gap.

In South Carolina, we want offshore energy production. I want to applaud the Palmetto Policy Forum for a study they just put out that shows the economic impact. When people think about energy jobs and offshore, they think about the guys in the hard hats and the oily uniforms turning the drill on the derrick.

But guess what? It is all the jobs that are created onshore to support that effort offshore. Those are the pipefitters and the welders and the widgetmakers and the auto body mechanics and the supply vessels and the heating and air repair guys that go out to the rigs and repair the heating and air and the refrigeration and other things that are going on out there because it is a way of life.

Those guys are onshore, at home, and they are eating at their local restaurants and tipping their waitresses and going to their churches and tithing. They are joining the United Way and the chamber of commerce and sponsoring those ball teams.

It is a trickle down. The first domino that falls is for us to allow offshore drilling.

The bill we passed this week does a lot. I want to applaud the Energy and Commerce Committee, but I also want to applaud DOC HASTINGS and the Natural Resources Committee.

It increases offshore production, increases onshore production. It opens up that Federal land that is currently off the table for oil and gas production, but also wind, solar, and transmission lines and all the things that happen, that is now off the table on Federal land out West.

Look at a map of the West. There are a lot of sunny areas out there in the desert; but guess what? You own it. Your taxpayer dollars set it aside. It is Federal lands, but it is off-limits. Even if you believe in solar and wind power, you can't have that on Federal land because it is off the table for that type of production as well.

This prevents duplicative hydraulic fracturing regulations. Guess what? We have got an abundance of natural gas in this country, and we are finding more and more every day onshore. We can build LNG terminals.

We heard a great speech from the President of Ukraine today. If we could export LNG from America to Ukraine, lessen Ukraine's dependence on Russian gas and also export the technology that we have for fracturing, they want that technology because they want to lessen their dependence on Russian gas.

It is because of a word that he mentioned over and over today, Mr. Speaker, and that was ''freedom.'' Freedom. Freedom from Russian gas and that dependence. Europe wants it because they are dependent on Russian gas as well.

Let's export the LNG, the gas that we are producing in abundance in this country, and let's help our allies in Europe and Ukraine.

All that we do, all the bills that we talked about, we have had an absent Senate when it comes to energy independence, and we have had an absent White House when it comes to energy independence, other than supporting Solyndra and other green initiatives and wasting taxpayer dollars.

We need real things that work. It takes 24/7 base load power in this country to make the engines of the economy work. 24/7. What does that mean? Base load power, what does that mean? That means when you flip the light switch and the lights come on; and, when the companies that are manufacturing products all over this great land cut those machines on, this power supply is available to turn the engines of the economy, producing American jobs, producing American manufacturing items.

That happens with 24/7 base load power that comes from coal, natural gas, hydro, that comes from nuclear power, all of the things we should support while we continue to work on the necessary components for wind and solar to actually work, and that is the storage capacity because wind and solar is intermittent.

The sun doesn't always shine, and the wind doesn't always blow, but I will tell you what works, and that is the proven technologies of oil and gas, nuclear, hydro, the things that we are talking about in the bills we passed today that actually work.

Jobs, energy, and our Founding Fathers. Let's put Americans to work. Let's unleash that innovative and entrepreneurial spirit. Let's have an energy-driven economy, and we can do it.

South Carolina wants to be a part of that. Nebraska is already a part of that. Indiana—I have talked with Indiana folks that are here. South Carolina wants to be a part of that as well.

I thank the gentleman for his leadership on this.

Mr. TERRY. Thank you. I appreciate that.

I now yield to Mrs. BROOKS from Indiana.

Mrs. BROOKS of Indiana. Thank you to the gentleman from Nebraska for bringing together my colleagues, with tremendous energy—my colleagues who have the energy to talk about this package of bills that will encourage investment in our infrastructure, lower energy prices, and create good-paying jobs for millions of Americans.

My home State of Indiana is especially well-positioned to take advantage of Chairman UPTON's and what they are calling in Energy and Commerce the ''architecture of abundance'' that is embodied in the bill that we just voted on and passed.

Last week, the commissioner of Indiana's Department of Environmental Management testified before the Energy and Commerce Committee that, in fact, 28,000 Hoosiers are employed in the coal industry and that our State sits on top of a 300-year supply of this abundant resource.

By rolling back the disastrous proposed EPA regulations on coal-fired gas plants, this bill will save Hoosiers 32 percent on their electric rates and keep our businesses competitive.

As the Nation's leading manufacturing State, Indiana heavily contributes to the oil and gas extraction business by producing the equipment that makes the energy renaissance possible.

In fact, the industry already contributes $16.6 billion to the Hoosier economy, while supporting over 136,000 jobs. H.R. 2 will expedite LNG export applications and approve the Keystone pipeline, initiatives that we know would add billions of annual GDP to our economy and create tens of thousands of good-paying jobs.

Make no mistake, I also fully understand the value that renewable resources play in our energy mix. My district alone is home to two ethanol plants, a wind farm, and a newly-opened solar plant.

Renewables bolster Indiana's local economies while supporting 53,000 Hoosier jobs. This is a massive growth sector in our State, and H.R. 2 would continue to promote the development of alternative sources of energy for the benefit of our economy and the environment.

The Congressman from Nebraska's bill makes pipelines more feasible; and, as the nonpartisan Congressional Research Service found, ''pipelines provide safer, less expensive transportation than railroads'' that currently carry gas and oil.

Pipelines mean fewer spills, less emissions from vehicles transporting fuel, and better access to natural gas which produces 30 percent less emissions than petroleum.

Republicans are committed to a responsible environmental policy that protects our children from pollutants and preserves our pristine wildlife for generations to come.

However, American ingenuity and technological advancements have allowed U.S. energy-related carbon emissions to fall to their lowest levels in nearly two decades, showing we can tap into our vast natural resources while still being responsible stewards of our environment.

Indiana Governor Mike Pence and 14 other Governors recently wrote to the President:

> The economic health of our Nation depends on accomplishing a balanced energy and environmental policy.

Madam Speaker, that is exactly what this bill does. I hope the President listens, and I applaud the gentleman from Nebraska for his leadership on this issue.

Mr. TERRY. Thank you, Representative BROOKS. You had mentioned something that we really haven't injected into this particular conversation, and that is the renewables.

I am proud that our local power district has 30 percent of their energy produced by wind, a renewable source. I personally think that solar is going to be, over time, a significant part of a portfolio, but maybe not in the way that many people think because many people think of filling the desert with these solar panels.

The reality is that technology today is to be integrated into buildings. Think of your office building's windows generating power. That is exciting technology that is in the research labs right now, so we need to include that.

I am glad you brought it up because people listening may think that we only want fossil—but it is just that fossil fuels are under attack—and you need a diverse portfolio; otherwise, you really jeopardize your economy. If you are just only on oil and you only get it from overseas, you can see where you are in jeopardy.

I just wanted to thank you for bringing that up.

Mrs. BROOKS of Indiana. Thank you. And the diverse all-of-the-above energy policy, if we use renewables in addition to oil and gas, that creates even more jobs, and I applaud you for your effort to always think about the environment as well.

Mr. TERRY. Thank you.

I want to yield to the gentleman from Georgia. I don't know if you are a Bulldog or not, but you are in Congress.

I now yield to ROB WOODALL, the gentleman from Georgia.

Mr. WOODALL. I thank my friend from Nebraska. We are all Bulldogs in Georgia, even those folks who went to the trade school in downtown Atlanta known as Georgia Tech. We are Bulldogs at heart.

I want to thank you for leading this hour tonight because, so often, when folks think about what we do here, they are thinking about Republican this, Democrat that, partisan this, partisan that. Folks get mired down in philosophical debates.

What you have done here tonight is get into the core of what I think we all, as Americans, care about. We are talking about energy security. We are talking about an all-of-the-above energy strategy that lowers energy prices, puts more money in the pockets of every single family through lower prices, and creates job opportunities not just in your State or my State, but all across this country, and, Madam Speaker, that provides us with energy security.

I grew up in the seventies. I remember the gas lines. I remember sitting outside. That was our great President from the State of Georgia that was presiding in those days, and I will never forget President Reagan's first inaugural address.

He was talking about the challenges that we were facing as Americans. He was talking about the big dreams that it was going to take to overcome those challenges. He conceded that they were big dreams, but he said, ''Why shouldn't we dream those dreams?'' Because, after all, we are Americans, we are Americans.

What my friend from Nebraska said about the oil exploration in Canada really struck me. We have this debate about whether or not we should build a pipeline to bring Canadian energy down into America to provide American jobs, American construction, American manufacturing, and there are those who say, ''Well, no, don't do it because it would be better if that oil stayed in the ground.''

That is not a choice. That is not an option that is anywhere in this House or that is anywhere within our jurisdiction. The gentleman pointed out exactly the truth of the matter which is, if we don't do it, somebody else will. If we don't do it, somebody else will.

There is not a nation on the planet that is going to burn that oil more responsibly than we will, and I love that about us. Madam Speaker, I love that about us, that no one will do it better than we will.

This bill is H.R. 2. We reserve those numbers for the most important things that we do. I don't know if folks know that, Madam Speaker.

Those top 10 numbers in the bill calendar are reserved for the biggest and best thing that we do, but, because people think this is such a partisan institution, they might think we save those numbers for the ''Republicans are the Greatest Act.'' They might think we save those numbers for the ''It's Our Way or the Highway Act.'' Nonsense. We save those numbers for the things that matter to everyone.

My friend from Nebraska can correct me if I am wrong, but we have packaged together a collection of bills that have passed this House. We put them together in H.R. 2, and every single bill in that package passed with a bipartisan vote.

Mr. TERRY. It is true.

Mr. WOODALL. Madam Speaker, I want you to hear that. We had a chance here. Republicans run this show. If we wanted to just jam something through, we could, but, when we talk about energy independence, we are not talking about Republicans and Democrats. We are talking about Americans.

□ 2000

We are talking about every family in this country. And what the gentleman from Nebraska has done is put together those commonsense ideas that have been agreed upon by both sides of the aisle—bipartisan votes, every one—and said let's not let this year expire without doing those things that we can do, agreeing on those things on which we can agree.

Mr. TERRY. May I interrupt you on that point because it is interesting.

When I am back home—and maybe you get this—we get input from our constituents. And one of the most frequent ones is: Why don't you do the bills that you do agree on?

In essence, that is what this bill does because we have had 30, 40, 50 Democrats involved in the bills and voting for them; and so this is an amalgamation of bipartisan bills, but yet we had less Democratic support for today's bill than we did as individual bills, and I think maybe there is a little bit of politics being played.

Mr. WOODALL. You may not know, Madam Speaker, but my friend from Nebraska is the author of the Northern Route Approval Act. It is one of those bills that passed here with a bipartisan majority, and it is in this package. It is in this underlying package.

We talk about this as if it is an energy bill. Because it is H.R. 2, it is the energy bill. But that very same language that my friend has authored and led through this House of Representatives is included in the Study Committee package known as the JOBS bill, JOBS Act, that collection of bills that will put Americans back to work, that will grow the economy, that will do those things that are on the minds of every single American family.

Too often we talk about energy issues as if they are separate from those issues; and what my friend knows and what he has been leading in this hour tonight, Madam Speaker, is that energy issues are jobs issues. Energy issues are family issues. Energy issues are issues to every single American citizen.

Never before in my lifetime have I had the hope that we would get the hands that have been around the American neck by those who supply us with energy. We have that opportunity.

I was listening to my friend from Indiana talk about coal. We are the Saudi Arabia of coal in America, the Saudi

Arabia of coal. And the administration is trying to singlehandedly tie the hands of the energy industry not to exploit—and I mean ''exploit'' in the best possible sense of the word; I mean ''exploit'' in the utilize, in the harness, in the grow sense of the word—taking that off the table. That is not an environmental decision. That is a jobs decision, and we feel that in each and every one of our districts.

Madam Speaker, there are a lot of ways to run this institution. You can run this institution with the iron fist that says ''my way or the highway,'' or you can run this institution with those commonsense ideas that speak to every single American family.

Folks think this is an election year, I say to my friend from Nebraska, and they think that that brings out the worst in this body. What I want to say to you, under your leadership, these bills that we see here tonight, these bills that were packaged in H.R. 2, that most preeminent number in priority here at the House of Representatives, what you are leading is that language, that bill, that opportunity that puts America first and being a Republican or a Democrat way, way down the list.

I think that is what folks are looking for. I think good policy is good politics. I think doing the right thing for the right reason is better than having the right commercial at the right time.

It matters, and it matters to me that we have leaders like you who carry that message. I am grateful to you for leading the hour tonight. I am grateful to you for including me in it, and I am grateful to you for yielding me the time.

Mr. TERRY. And I am grateful you stayed long enough to speak tonight. You did a great job, and I really appreciate all of the work and effort you do to secure America's future.

In conclusion, Madam Speaker, energy, again, is the cornerstone of our economy. Sometimes we speak rather scientifically. We don't speak in the terms of how does it really affect me, not as a Member of Congress, but, you know, we represent 600,000 or 700,000 people in our districts. What we are trying to do is secure America's future. If we focus on energy, we secure it in so many different ways.

I hear from my constituents that they are frustrated at the increase of food prices in the grocery store, the continuous up-and-down swings of gasoline at the pump. The costs per family for just transportation fuel has gone from 6 percent of their income to now 11.6 percent, just in the last 6 years. Those are the type of things that really make it more difficult for our families in our districts. So a solid, encompassing energy policy helps alleviate those cost frustrations of every family.

Many people will say, You talk about affordability and reliability. What are you talking about? How does it actually make things more affordable? What is reliability?

Well, if your electric bill is going to go up, if you have an existing powerplant that can't meet the new rule where the plans have to be submitted in June of 2016, so what they will have to do is either close that plant or invest, some are talking anywhere from 100 to $500 million or more to comply to this rule. What do you think happens when that power district spends $500 million? They pass that on to the consumers. Your electric bills will go up.

We met with our electric generators over the break, and they told me that some of these, they are just going to have to shut down these smaller powerplants.

What happens to those communities? They can't invest $100 million or more into those, so they just close them down, go onto the market and bid for the energy that is out there.

But when you have—and a new GAO report just came out recently, or some report, that they expect even more powerplants to close because of these rules. So when you have more communities and districts bidding against each other, the price is going to go up for that electricity as well.

So you have kind of got it both ways. If you comply to the rule, you are going to raise costs. If you just close the powerplant, the rates are going to go up.

What we are trying to do here is just figure out a pathway where we don't have to have this level of disruption and price increases by these rules. And what we are saying here is, come forward with a better rule that gives us more time and a bright pathway so that we don't make a financial impact to our families.

So the bottom line here, Madam Speaker, is, if we secure our own energy future, our country will continue to be the greatest country in the world.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. WALORSKI). 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.

MILITANT ISLAMISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Florida (Mr. CLAWSON) for the remainder of the hour as the designee of the majority leader.

Mr. CLAWSON of Florida. Madam Speaker, I would like to start by commending the Congressman from Nebraska. Having invested across borders in many different countries around the world, I believe that good-paying American jobs come mostly from competitiveness.

In order for our companies to be competitive and produce good-paying American jobs, we need competitive energy prices. Therefore, I support this bill and think that it can produce lots of great jobs in America. I, for one, drive an automobile made by Americans in America.

Yesterday, I voted ''no'' on the proposal to train and arm Syrian rebels. I did so because I am convinced that we and our allies need to come together and unite behind a much broader and very long-term plan with the goal of ending militant Islamism across the globe once and for all. In my opinion, anything less, such as reacting crisis by crisis, like playing Whac-A-Mole, is doomed to failure.

To begin, we must accept the realities of the challenges we face and the generational nature of the threat. We can easily agree that ISIS today is the most visible and immediate threat of militant Islamic extremism. It is a clear and present danger to the Middle East region and, yes, beyond. We can all agree, ISIS must be eliminated. But moving forward, it would be a mistake and, I think, a missed opportunity to focus solely on ISIS. ISIS is only one part of a widespread metastasizing cancer of hatred, intolerance, and violence.

We are facing a cancer of militant Islamism, with cells under various names in dozens of countries. In planning the elimination of ISIS, we, with a coalition of the willing, must do so, recognizing it as part of an overall global disease. Success requires a broad, diverse, and longstanding international coalition committed to defeating the cancer of militant Islamism once and for all.

Now America is uniquely qualified to provide the leadership, including the airpower and mission command structure; but this time, the funding, military equipment, and ground forces must be provided by others.

Too many times in the past, the United States has borne an extremely disproportionate part of these burdens. This time it must be understood that U.S. forces are not going to be the combat boots on the ground, nor will the American taxpayer be paying the bill.

It is time for our allies, especially the Arab and Muslim nations, those most significantly and most immediately threatened, to step up. They need to provide the resources, especially the ground forces that are needed in this conflict. And coalition plans and action plans going forward must be guided by an overarching strategic vision of a world someday, somehow free of militant Islamism. That must be our cause.

Success will begin but not end with the containment, isolation, and, over time, elimination of ISIS and other militant cells, wherever and whenever they arise.

One by one, Islamic militant organizations must be eradicated around the world. They must be eliminated from the Middle East, from the Near East, sub-Saharan and north Africa, and south Asia. Any additional cancer cells or seeds of cancer in Europe, the U.S., or elsewhere must be also be eliminated.

The coalition must also follow the money and take actions to halt all financing for militant jihadists from banks, oil revenues, and states sponsoring terrorism. The coalition must be united long term behind a goal of a world where today's oppression, intolerance, violence, brainwashing, and genocide give way to liberty, religious and ethnic tolerance, and opportunity for all, regardless of one's sex, faith, or ethnicity.

The coalition must also address the root causes of the cancer, something we have been avoiding up until now, something that presents an additional challenge of monumental proportions. This means correcting conditions that become recruitment tools for jihadist organizations.

Impoverished areas, especially those with disadvantaged Muslim populations, must evolve to where they can provide information, education, skills training, and economic opportunities for their young people to counter environmental conditions that are so ripe for radicalization by radical jihadists.

These challenges are huge, even generational. Handouts are not the answer, in my view. The coalition must address these issues with the nations involved and with moderate Muslim leaders, providing assistance wherever possible. Ultimately, the battle for the hearts and minds must be won by voices of moderation and opportunity in rejection of extremist voices who offer only hatred and bloodshed.

□ 2015

Schools and hospitals and, yes, even mosques must condemn and combat violence and militant jihad.

Moderate Muslim leaders must be encouraged to speak out against extremism.

This does require courage. And as moderate Muslims emerge, the coalition must stand ready to defend and support them against those who would try to silence their voices.

Over time, any and all teachings of hatred and intolerance must be brought to an end.

As with cancer in our bodies, the worst thing to do is to deny it, ignore it, minimize it, or hope that it will just go away on its own. Or fail to call it by its proper name. And when a cancer metastasizes, we must accept that we cannot cut it out in one location.

For decades, we have been fighting the cancer of militant Islamism sort of like playing Whac-A-Mole. Whenever an Islamic threat pops up of radical nature, be it in the Near East or in the Middle East, New York, London, Nigeria, Sudan, Southeast Asia, or elsewhere, be it an organized effort or even a lone wolf, we react to it and try to smash it away, only to see another Whac-A-Mole pop up soon after in a different location.

After decades of rising Islamism, the Middle and Near East regions have seen leadership voids filled by Islamic radicals. As despots are threatened or driven out by revolutions or internal civil wars, the resulting voids are being filled by others, many of whom are bad players. Often the new leaders are worse than those they replace.

Transforming nations from totalitarian rule to a sustainable form of representative governance poses huge challenges, as we have seen in recent years.

This challenge will not end with the elimination of ISIS. Am I overstating my concerns? I don't think so.

I am convinced that America must lead the civilized world and accept the nature and breadth and complexity of global militant Islamism and call it by its name. And lead a coalition resolved to stay the course and end this cancer once and for all.

We must stop kicking this cancer down the road to jeopardize future generations.

It is neither naive nor idealistic to suggest that the world must unite behind the long-term goal of ending radical global militant Islamism. Because the alternative is simply not acceptable.

Madam Speaker, I yield back the balance of my time.

GREEN THE ECONOMY: SAVE THE WORLD

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

Mr. SWALWELL of California. When it comes to climate change, we are facing a stark choice in America. We can do nothing and see if it happens or we can do something, protect our children, and actually grow jobs and our economy.

If you believe climate change is not happening, if you are a denier of climate change, you do not need to listen any further.

But I do have a wall that I would like to put your name on. I call it the Wall of Climate Denial. Heck, let's put this wall on the National Mall. And I would like to invite all my colleagues across the aisle to put their names on it. And that way our children and grandchildren can visit this wall decades from now and see for themselves who acted on climate change and who stood in the way.

If we act, we can start to change course, and that wall would only be a monument to a way of thinking that was on the wrong side of science.

If we do not act, it will be a monument to those responsible for the massive loss of human life and economic productivity. It will also be, if we do not act, likely, a wall that is underwater.

Global climate change is one of the greatest challenges that we face. And I agree with the previous speaker: there is no question one of the most immediate threats that we face in our country right now is defeating and wiping from this Earth ISIL.

But one of the longest-term threats to our own energy security and our existence is global climate change.

Last September, the Intergovernmental Panel on Climate Change released a report which states with a 95 percent certainty that human activities are responsible for climate change.

This report was based on a rigorous review of thousands of scientific papers published by over 800 of the world's leading scientists making it clear that if we do not act on climate change, if we don't take the necessary steps to halt this change, the repercussions for humans across this globe and the environment will be catastrophic.

We need to move forward now at this moment to take the necessary steps to combat the warming of our planet before these impacts become inevitable.

I represent the East Bay in California, where people understand the effects of climate change and are willing to do whatever is necessary to take the big steps, do the big things, take some risk to address this and grow our economy.

We are facing big energy challenges in this country and around the world. But we know that our old, dirty methods are not sustainable.

We know that the dynamics of the energy marketplace are shifting. Far from being stagnant and hopeless, we are now seeing an unprecedented amount and an unprecedented pace of change that was unpredictable even a few years ago.

For instance, renewables are penetrating at a remarkable rate, with growth in wind alone outpacing natural gas in 2012.

Our responsibility is to make sure that our country is prepared for whatever changes the markets may experience.

Overreliance on a limited range of technologies and finite resources is unreasonable. We know that the United States consumes 25 percent of the world's oil. But, at best, we only have 3 percent of the U.S. oil reserves. This is not a problem that we can drill our way out of. That is only a short-term bridge.

Our strength will lay in our ability to transition to new, cleaner, more sustainable resource energy future.

We must be competitive and not let ourselves get behind. As Washington bickers, our competitors are pulling out every imaginable stop to capitalize on the booming clean-energy economy.

It is time for us to get serious about creating green energy policy to enable us to compete more globally.

A recent article in The New York Times over the weekend pointed out how far ahead our European friends are. Germany will soon be getting 30 percent, 30 percent of their power, from renewable sources. By contrast, in 2013, renewable sources of energy accounted for only about 10 percent of the United States' energy consumption and 13 percent of electricity generation.

Are we any less capable than Germany of harnessing the energy from the wind and the sun?

I believe, Madam Speaker, we are not. We are not less capable. But right now, we might be less willing.

Step one in addressing climate change is admitting that it is a problem. Too often in Washington we see this false choice, this debate that if we accept climate change as a problem, then it is going to kill jobs, and we should do, therefore, nothing about it.

But if we don't accept climate change as a problem, we will never be singing off the same sheet of music. Once we sing off the same sheet of music, we can start to take the steps necessary to address that climate change is indeed a problem.

There is overwhelming consensus among scientists across our globe that it is a problem.

Here is what we know: the current warming trend is a particular concern because it is very likely that it is based on human-induced activities.

The heat-trapping nature of carbon dioxide and other gases was demonstrated in the mid-19th century. Ice cores drawn from Greenland, Antarctica, and tropical mountain glaciers show that the Earth's climate responds to changes in solar output, and the Earth's orbit, and in greenhouse gas levels. They also show that in the past, large changes in climate happened very quickly, geologically speaking—in tens of years, not millions or thousands.

How about sea-level rise? Global sea level rose about 17 centimeters, that is just under 7 inches, in the last century.

As far as global temperature rise, all three major levels of global surface temperatures showed that the Earth has warmed since 1880. Most of this warming occurred since 1970, with 20 of the warmest years having occurred since 1981, and with 10 of the warmest years occurring in the past 12.

The oceans are also rising and warming. The oceans have absorbed much of this increased heat, with the top 700 meters of ocean showing a warming of 0.302 degrees Fahrenheit since 1969.

Extreme events, the number of record high temperature events in the United States, have been increasing, while the number of record low temperature events has been decreasing, since 1950. The U.S. has also witnessed increasing numbers of intense windfall events.

So once we can address and accept that climate change is occurring, we can end this false debate of, do we do anything or do we do something?

And I submit to America that if we do something, not only can we address climate change, save the world, protect our children, we can actually create jobs.

My district is home to several businesses and initiatives that are fighting to green our economy and combat global warming but that are also economically successful.

In my district, we have a program called i-GATE, or the Innovation for Green Advanced Transportation Excellence. I-GATE is a regional incubator in the Tri-Valley specializing in growing green technology startups. With a network that includes two national laboratories, Lawrence Livermore National Laboratory and Sandia National Laboratories, with over 7,000 scientists, investors, and advisers, and leading universities and corporate partners, i-GATE has created a unique ecosystem for growing the startups that are working to address our biggest energy challenges.

The startups that i-GATE incubates are working to create better lithium ion batteries, provide region- and crop-specific information to farmers on how climate change could change and affect their crop revenue, and create low-cost diagnostics to screen for life-threatening diseases.

We also have an interesting company that I had the opportunity to visit at their ribbon-cutting called Siluria Technologies. It is in Hayward, California. And they are pioneering the commercial production of fuels and chemicals made from clean, abundant natural gas and renewable methane.

Since its opening in 2013, Siluria has already demonstrated how their technology can be employed to produce gasoline, an achievement that paves the way for the first such commercial facilities producing liquid fuels in 2017.

This year, Siluria unveiled a first-of-its-kind development for producing cleaner fuels from natural gas and renewable methane.

This accomplishment is an important milestone in moving forward. It represents the last scale upstep prior to full commercialization of Siluria platform technology.

Then there is UltraCell. James Kaschmitter, a former employee of Lawrence Livermore National Lab, founded the company UltraCell in Livermore, California. They are designated as a veteran-owned small business, making compact high power, long endurance, off-grid portable power.

I also want to tell you the story of a small business in Dublin, California. I visited this small business when they put solar panels on their rooftop just a few weeks ago.

Now, their business owner is admittedly a pretty conservative guy. And so I asked him, I said: ''You're putting solar on your rooftop. You know, solar is often affiliated with addressing climate change and investing in renewables, and sometimes conservatives don't always agree with that.''

Well, the business owner told me: ''Eric, this is going to reduce my energy bill, which is about the equivalent cost of a supermarket, by hundreds of thousands of dollars every year.''

□ 2030

He used a small company in my district called Cool Earth Solar which also came out of our national laboratories; so they used federally-funded research dollars that were put into our national laboratories, and then they transferred that out to the private market and created this technology that a small conservative business owner is using in my district to save money so he can create more jobs. We can green the economy, save the world, and protect our planet for our children.

Cool Earth Solar joined with the Livermore Valley Open Campus and Sandia National Laboratories in a public-private partnership to make solar energy more affordable and accessible. Sandia National Laboratories researchers, with the laboratory's solar energy program, are testing and helping bring to market their innovative technology which uses cheaper and fewer materials to capture solar energy so that it is more affordable for small business owners, like the one in Dublin at All American Label, so that they can save money and create more jobs.

Then there are the two national laboratories. Sandia National Laboratories is home to the Combustion Research Facility. The Combustion Research Facility is a public-private partnership, and I stress these public-private partnerships because the Federal Government cannot do this alone.

We could spend the money on the basic research to get this to the marketplace, but we need faithful, committed actors in the private sector to make this successful. It is a public-private collaboration with industry, including General Motors, Cummins, ExxonMobil, and Caterpillar.

The facility focuses on the advanced combustion strategies required by industry to develop a new generation of high-efficiency clean engines.

Then there is the Lawrence Livermore National Laboratory which is also in my district, and it is home to the National Ignition Facility, also known as NIF. NIF is the largest and most energetic inertial confinement fusion device built to date, and it is the largest laser in the world. Fusion holds the promise of providing a practically limitless supply of clean energy to the world.

Across the country, there are other national laboratories, including Argonne National Laboratory, which is the home to the Joint Center for Energy Storage Research.

This world class research is working towards developing new technologies that move beyond lithium ion batteries and store at least five times more energy than today's battery, at one-fifth the cost. Then there is the Idaho National Laboratory, managing the Feedstock Process Demonstration Unit.

Look at this: across America, different laboratories are harnessing their local resources. The PDU provides an industrial-scale research system for testing feedstock formulation processes, collecting process data, and producing larger quantities of formulated feedstocks for conversion testing, a key step to getting a new biofuel to the market.

There are also very interesting ventures across America taking place in a bipartisan way to address climate

change. Launched in October 2013, the Risky Business project focuses on quantifying and publicizing the economic risks from the impacts of a changing climate.

Risky Business was cochaired by a bipartisan group of leaders, Hank Paulson, Michael Bloomberg, and Tom Steyer. The Risky Business project has found that our economy is vulnerable to an overwhelming number of risks from climate change and that the current path will only make these risks worse.

Climate change is our planet's way of charging compound interest. They find that the longer we wait to pay down our climate debt, the more it will cost the American economy, and the harder it gets to adapt. There is no such thing, they find, as ''business as usual'' and that the only path forward for businesses and individuals is to act now to reduce these risks.

Their assessment found that, if we act immediately, we can still avoid some of the worst impacts and significantly reduce the odds of costly, catastrophic climate outcomes, but only if we start changing our business and public policy decisions today.

They are calling on American business leaders and investors to get into the game, to get into the game of climate investment. America's businesses are fully capable of rising to this challenge of climate change, and we must do more now, just as we are seeing done in Germany.

This is not a problem for another day. The investments that we are making today, this week, this month, this year will determine our economic future.

They point to short-term problems and long-term problems. In the short term, we are going to see the cost of coastal property and infrastructure. Within the next 15 years, higher sea levels combined with a storm surge will likely increase the average annual cost of coastal storms along the Eastern coast and the Gulf of Mexico by $2 billion to $3.5 billion. Adding in potential changes in hurricane activity, the likely increase in annual losses grows to about $7.3 billion.

How about agriculture? California is the largest agriculture State in the country. A defining characteristic of agriculture in the United States is its ability to adapt, but the adaptation challenge going forward for certain farmers in specific counties in the Midwest and in the South will be significant.

Without adaptation, some midwestern and southern counties could still see a decline in yields of more than 10 percent over the next 5 to 25 years should they continue to sow corn, wheat, soy, and cotton, with a 1 in 20 chance of yield losses of these crops of more than 20 percent.

Most importantly, energy. Greenhouse-driven changes in temperature will likely necessitate the construction of up to 95 gigawatts of new power generation capacity over the next 5 to 25 years, the equivalent of roughly 200 average coal or natural gas-fired power plants, costing residential and commercial ratepayers up to $12 billion a year.

Then there are the large-scale losses to coastal property and infrastructure. If we continue on this current path, by 2050, between $66 billion and $106 billion worth of existing coastal property will likely be below sea level nationwide, with $238 billion to $507 billion worth of property below sea level by 2100.

Who is standing in the way of climate change action? We know who they are. We know this family. Koch Industries spent over $25 million in campaign contributions by the end of 2013.

They have spent over $84 million in lobbying as of the end of 2013. Americans for Prosperity does not have to fully disclose spending since, technically, it is a not-for-profit entity; so the numbers are actually truly unknown.

The Koch brothers have funneled $67 million to groups who deny climate change and actively try to delay policies and regulations aimed at stopping global warming.

The Koch brothers run oil refineries and control thousands of miles of pipeline, giving them a massive personal financial stake in the fossil fuel industry.

Koch-owned Flint Hills Resources, a subsidiary, owns refineries in Alaska, Minnesota, and Texas that process more than 800,000 barrels of crude oil daily. The company owns a 3 percent stake in the Trans-Alaska Pipeline System, 4,000 miles of oil and products pipelines in the United States, and an 80,000 barrels per day refinery in Rotterdam.

In addition, Koch Industries has held multiple leases on the polluting tar sands of Alberta, Canada, since the 1990s, and the Koch Pipeline Company operates the pipelines that carry the tar sands from Canada into Minnesota and Wisconsin, where Koch's Flint Hills Resources owns oil refineries.

It is time that we have real campaign finance reform in this country. It is time that we pass a constitutional amendment that reverses the decision in Citizens United. It is time that we take the influence that Koch Industries has on policymakers to standing up for climate change.

It is also time that we end this false debate. Let's accept that climate change is truly happening. Let's believe in the science, the overwhelming majority of scientists who accept that it is happening. Let's move past that debate.

Once we move past that debate, let's have the real debate: What do we do next? How do we address climate change without killing jobs in America? How do we invest in our own energy resources?

It is often said that, ''Well, if the sun doesn't shine and the wind doesn't blow, there is not much you can do with renewables.'' Well, there is great research taking place in our national laboratories and in the private sector to better store renewables, to use fuel storage methods for our renewables. Let's look at better investments and fuel storage renewables.

We have a unique opportunity in this country to do something. The cost of doing nothing is too great. The cost of doing nothing means leaving our children a future that is more insecure. The cost of doing nothing means spending more money in defense because we don't have our own energy resources that we can draw from, making us more vulnerable to people across oceans who aren't necessarily our allies to receive our energy resources.

The cost of doing nothing means our entire planet could one day be under water. We have an opportunity to do something. We can green our economy. We can create jobs.

My district is not unique. There are great minds across our country who can answer this call for action. There are great minds who can create jobs in every district in this country through wind, solar, fuel storage, and other alternatives to dirty fossil fuels. I believe in an all-of-the-above energy approach.

We should not just pull the plug immediately on fossil fuels; but, if we don't look forward, as our ally Germany is doing—30 percent renewable consumption by the end of 2014, 30 percent. If we don't look forward in that way, we will pay a steep, steep price.

Let's build that climate wall—I hope there aren't many names on it. Let's build that wall of climate denial. If you truly believe we should do nothing, if you believe the answer is to just cover our eyes, put our fingers in our ears, bury our heads in the sand, and just reject all of the science, that wall will likely be under water.

But America is too great. America has always responded to changing science and has always harnessed our own resources. I believe we can seize on this opportunity. We can green our economy, save the world, and leave a better planet for our children.

With that, Madam Speaker, I yield back the balance of my time.

BOSNIA TODAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 30 minutes.

Mr. SMITH of New Jersey. Madam Speaker, last week Congressman TRENT FRANKS and I had an important meeting with Reis Emeritus Dr. Mustafa Ceric, the former Grand Mufti of the Islamic community of Bosnia-Herzegovina.

Dr. Ceric is internationally recognized and renowned as a man of peace, a leader in interreligious dialogue. For example, in 2008, he led the Muslim delegation to the Catholic-Islamic Forum,

and he did that kind of work on many, many occasions.

Last week, we talked about Bosnia since the conflict and the genocide of the 1990s, about where Bosnia is today and where it needs to go.

□ 2045

I would like to share with my colleagues what Reis Ceric had to say. Dr. Ceric briefed and updated us on Bosnia's struggle to hold itself together, build its economy, and integrate into NATO and the European Union.

He talked about a country where, 19 years after Srebrenica and the horrific genocide that occurred there and the Dayton Peace Accords, ethnic divisions remain strong and, in many ways, have hardened as a generation has grown up in a system that classifies people into one of three ethnic communities—Bosniak, Serb, or Croat—and in a system that diminishes the rights of anyone that doesn't belong to one of those communities, including Jews and Roma.

In Bosnia today, only ethnic Bosniaks, Serbs, and Croats can be elected to the legislature—the House of Peoples—or to the Presidency. This structurally-embedded discrimination is a legacy of the Dayton Peace Accords brokered under American watch.

While this design was probably necessary at the time to stop the genocide and aggression, in today's time and expanding Europe, it clearly violates our basic values of freedom and equality.

As a result, in Bosnia today, all persons are not equal and—based on race, religion, and ethnicity—entire segments of the population are excluded from full political participation.

The Dayton Peace Accords were a tourniquet to end the genocidal conflict in 1995. However, that is all they were really intended to be. Dayton was never intended to operate as Bosnia's Constitution, certainly not for 19 years.

As a result of Dayton's severe limitations on its democracy, Bosnia cannot be fully integrated into Euro-Atlantic structures. Without amending the Dayton Accords to respect basic human rights and political rights of one person-one vote, Bosnia will never even be a candidate for the European Union.

So a question mark hangs over Bosnia's future, as ethnic activists continue to agitate to partition the country and threaten daily to secede, taking large swaths of ethnically-cleansed territories with them. Such action might lead to a revival of hostilities.

What further aggravates the condition is a sustained campaign of mischaracterization and outright denial of genocide by some government officials of the Republika Srpska, the smaller of Bosnia's two entities.

Milorad Dodik, the President of the Republika Srpska, is publicly calling for the naming of public squares, roads, and boulevards after indicted war criminals such as Ratko Mladic and Radovan Karadzic; yet Dayton provides no mechanism by which Bosnia, Madam Speaker, can be fully democratized.

Significant leadership by Bosnian leaders is going to be absolutely necessary to break through the stalemate created by ethnic interests, and, of course, the United States must do its part to ensure that the Bosnian dream of a robust democracy, respect for the fundamental human rights, and rule of law is reached. I respectfully submit that delay is denial and that the Bosnians deserve better.

Madam Speaker, the United States has a special responsibility to Bosnia. We could have done more for them in the 1990s. I know, I was here.

I held hearing after hearing, traveled to the former Yugoslavia repeatedly, joined by other colleagues like FRANK WOLF, trying to get this country to stand up and assist those who were being victimized by an invasion; instead, we left it to the Europeans in the 1990s, and, unfortunately, it was a train wreck.

We could have lifted the arms embargo on Bosnia earlier, which may have prevented the genocide.

I would note, parenthetically, that I was the sponsor of legislation to lift the egregiously-flawed arms embargo that hindered both the Croats' and the Bosnians' ability to defend against aggression.

Only after the tragic and preventable Srebrenica genocide in early July 1995—and thanks to the leadership of some of us in the House and Senate—did our government swing into action and broker the peace deal.

Bosnians, Madam Speaker, of every ethnicity and faith look to the United States to help move the country forward. I agree with Reis Ceric that, without American leadership and help to evolve the Dayton Accords toward a democratic constitution, the situation will likely fester and get worse.

Madam Speaker, in the 1990s, throughout the darkness of the Balkan war, Reis Ceric was a powerful, persistent, reasonable, and dynamic voice for peace, human rights, the rule of law, and accountability for genocide.

Reis Ceric is a good friend of mine and truly an inspiring man of God.

TAX-PAYER-FUNDED ABORTION

Mr. SMITH of New Jersey. Madam Speaker, I would like to address another issue before the House today.

Madam Speaker, 5 years ago, about 5 feet from where I am standing right now, President Obama told lawmakers and the American public in a specially called joint session of Congress on health care reform that, ''Under our plan, no Federal dollars will be used to fund abortion.''

That was September 9, 2009. In an eleventh hour ploy to garner support from a remnant of pro-life congressional Democrats absolutely needed for passage of ObamaCare, the President issued an executive order on March 24, 2010, that said:

The Affordable Care Act maintains current Hyde amendment restrictions governing abortion policy and extends those restrictions to newly-created health insurance exchanges.

It turns out, Madam Speaker, that those ironclad promises made by the President himself are absolutely untrue.

Agree or disagree with public funding of abortion—and a significant majority of Americans oppose it—but no one likes to be misled. Today, as I think many of my colleagues know, a growing number of Americans are recognizing that abortion is violence against children and hurts women.

Abortion methods rip, tear, and dismember or chemically poison the fragile bodies of unborn children. There is nothing benign, compassionate, or just about an act that utterly destroys a baby and often physically, psychologically, or emotionally harms the mother.

At its core, Madam Speaker—and this has been missed by many, especially in the media—the Hyde amendment has two parts. It prohibits funding for abortion, but it also prohibits funding for any insurance plan that includes abortion, except in the cases of rape, incest, or to save the life of the mother.

Remember, the President stood here and then, in his executive order, said that the act maintains the Hyde amendment restrictions governing abortion and extends those restrictions to the newly-created health insurance exchanges. That is what the executive order said, and yet, now, we know that is absolutely untrue.

A comprehensive Government Accountability Office report released this week documents massive new public funding for abortion in the President's new health care law.

Like so many of the President's promises that litter the political landscape, GAO has found that, in 2014, taxpayers are funding over 1,000—let me repeat that—1,000 ObamaCare health plans that subsidize abortion on demand—even late-term abortion—decimating the Hyde amendment that the President said he would honor.

Again, if you fund the insurance plan, the purchase of a plan, it is a violation of the Hyde amendment that the President said that he would extend to the newly-created health insurance exchanges.

According to the Government Accountability Office, in their findings, every ObamaCare taxpayer-funded health insurance plan in my own State of New Jersey, Connecticut, Vermont, Rhode Island, and Hawaii pays for abortion on demand, every one of them.

In New York, a whopping 405 out of 426 ObamaCare plans subsidize abortion on demand. In California, it is 86 plans out of 90; in Massachusetts, 109 out of 111; in Oregon, 92 out of 102; in Washington, 23 of the 34 plans; and so it goes.

According to the Congressional Budget Office, or CBO, their April 2014 estimate, Madam Speaker, between 2014

and 2024, taxpayer subsidies to buy ObamaCare health plans will total $855 billion, making taxpayers unwittingly, wherever they live, complicit in abortion.

GAO has also found that even an accounting trick embedded in ObamaCare requiring premium payers to be assessed a separate, monthly abortion surcharge is being completely ignored. The surcharge would have added some modicum of transparency so individuals would know whether they are purchasing a pro-life or pro-abortion health insurance plan.

Senator Ben Nelson of Nebraska summed up the plain meaning—the absolutely plain meaning—of the law when he said that you have to write two checks, one for the abortion coverage and one for the rest of the premium.

According to the GAO, none of the 18 insurance companies they interviewed are billing the abortion surcharge separately. None. So much for the rule of law.

Last year, Members of Congress and some staff were barred from any further participation in the Federal Employees Health Benefits plan, the FEHB, and compelled on to ObamaCare exchanges.

After months of misinformation, obfuscation, and delay, I finally learned that, of the 112 plans offered on the exchange for my family, 103 of those plans pay for abortion on demand, a clear violation of the Smith amendment, a Hyde-like amendment that I first sponsored on the floor back in 1983 and has been the law of the land for all of these years, except for 2 years during the Clinton administration.

Madam Speaker, Americans throughout the country have raised very serious questions that they find it nearly impossible to determine whether the plan that they are purchasing finances or subsidizes the killing of unborn children—there is little or no transparency—hence the request by several Members of Congress, including our distinguished Speaker, Speaker BOEHNER, that the Government Accountability Office investigate.

As the November 15 open enrollment approaches for ObamaCare, we have no reason now to believe that the President's promise of this most transparent government in history will give consumers basic information about the abortion coverage.

First, we were told it wouldn't be in there—again, a promise made right from this podium, Madam Speaker—and then by way of executive order; and, now, we can't even find out, clearly and unmistakably, which plans include abortion and which do not.

To end President Obama's massive new funding of abortion on demand, Madam Speaker, last January, the House of Representatives passed my bill—a totally bipartisan bill—overwhelmingly known as the No Taxpayers Funding for Abortion and Abortion Insurance Full Disclosure Act.

Madam Speaker, when our friend and colleague on the other side of this building, HARRY REID, was a Member of the House, he was as pro-life as Henry Hyde. Now, as a majority leader, he refuses to even allow H.R. 7 and its companion bill offered by Senator WICKER to come up for a vote.

With respect to the distinguished Senator and on behalf of the weakest and the most vulnerable, the unborn children and those who will be hurt by abortion—their moms—I respectfully ask that he reconsider and post the legislation for a vote.

Madam Speaker, I yield back the balance of my time.

UNITED STATES TAX CODE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 30 minutes.

□ 2100

Mr. WOODALL. Madam Speaker, I appreciate the recognition. I appreciate you staying with me into the evening tonight.

I wish I could tell you I was bringing you good news, but I am bringing you some bad news. It is bad news that you have already heard. I have the most recent Tax Foundation rankings of international tax competitiveness.

We talk so much about jobs and the economy. We talk about how to make a difference in the lives of middle class families. We talk about jobs that are moving overseas. We talk about whether or not we are going to grow this economy. This is the ranking of the most competitive Tax Codes in this country.

I want you to think about, Madam Speaker, what those things are that we can do to be more competitive in this country.

We could lower everyone's wages. That would make it cheaper to build things in this country. I think that is an awful idea.

We could ignore environmental regulations. That would make things easier and cheaper to build in this country. That is an awful idea.

One of the things we could do, though, is deal with our tax system, a tax system that, so says the Tax Foundation, is the 32nd worst tax system of the 34 OECD countries—32nd worst in tax competitiveness.

Now, they are looking at everything. They are looking at individual taxes. They are looking at corporate taxes. You go way over here on the end, Madam Speaker, you get to the international tax rules rank. That is how well we work with the rest of the world with our tax system. America ranks dead last.

Why do I bring that up, Madam Speaker? I bring it up because I am reading from our Treasury Secretary, Jack Lew, his comments at the Urban Institute last week. He's talking about American corporations moving their headquarters overseas. Not moving a factory overseas, but moving their international headquarters overseas. And he says this:

> This practice allows the corporation to avoid their civic responsibilities while continuing to benefit from everything that makes America the best place in the world to do business.

Worst place in the world to do business, that is what the Tax Foundation tells us.

I read on from Jack Lew's speech. He said:

> The best place in the world to do business: our rule of law, our intellectual property rights, our support for research and development, our universities, our innovative and entrepreneurial culture, our skilled workforce.

Again, speaking about the practice of moving your headquarters overseas, he says:

> This may be legal, but it is wrong, and our laws should change. By effectively renouncing their citizenship, these companies are eroding America's corporate tax base.

That means all other taxpayers will have to shoulder their responsibility.

I go again to a Tax Foundation chart, Madam Speaker. It is a chart of what the rate is. And you can't see what the individual corporate tax rates are, but what you can see is the green lines here. That is the average corporate tax rate. Around the world, it is 25 percent.

You see another green line, that is the weighted average by the size of the economy. That of course gives more weight to the larger economies on the planet. That goes up to 29 percent.

And at the bottom of this chart, Madam Speaker, you see in red the United States of America, with the absolute highest corporate tax rate in the world. By our own design—and I say ''our own.'' I have not gotten to vote on a corporate Tax Code, Madam Speaker, since I have been in this Chamber for 3½ years, but by our design as a nation we have created the absolute worst place to do business on the entire planet.

Our Treasury Secretary calls companies who observe that and make changes because of that so that our grandmothers and our grandfathers and our pension programs and everyone who relies on the success of those companies in order to meet their fixed income demands so that those companies can succeed, he calls that a shirking of civic responsibility.

I am on the floor tonight, Madam Speaker, to suggest that it is not those companies that observed that America is the worst on the planet and move elsewhere that are shirking their responsibilities. It is those of us in this Chamber, those of us on Capitol Hill, those of us in Washington, D.C., who are responsible for this corporate tax road, it is we who are shirking our civic responsibilities because we can do better.

I know it is getting late, Madam Speaker, and I hate to take you

through the math, but when we talk about tax codes and why they are so bad, it is the math that matters. This is the tax liability for a corporation doing business in the United States of America.

Let's say you earned $1,000. You are going to pay a 35 percent rate. You are going to add State taxes to that rate as well. It is going to be about 39.1 percent, on average, about $391 out of every $1,000. So at the end of the day, you are going to be able to take home $609 to pay your salaries, to invest in your business, to grow your company—$609. That is an American company doing business in America.

How about a Canadian company doing business in Canada? Same $1,000 worth of income. They are paying a 15 percent tax rate at the national level. They are also having a provincial tax rate added to that, totals to about 26.5 percent, $265. They are taking home $735.

You earn $1,000 worth of income as an American company doing business in America, you take home $609. You earn $1,000 in income in a Canadian company doing business in Canada, you take home $735.

I know what you are thinking, Madam Speaker. You are thinking that's apples to oranges. One is doing business in America; one is doing business in Canada. Let's look further.

Let's say we take those same two companies, that one American company, that one Canadian company, and let's say they are both doing business in the United States of America. They earn $1,000. They pay $391 in taxes. They are at the highest corporate tax rate in the world. That American company takes home $609.

Go to the Canadian company doing business in America. They earn that same $1,000. They pay that same highest corporate tax rate that America has, the highest in the world. They take home $609. Whether you are the U.S. company or the Canadian company, you do business in America, you pay the same tax.

I know what you are thinking, Madam Speaker. You are saying, Well, what is the argument here? What is the issue that we have to come together and solve? It is this issue right here, Madam Speaker.

Let's say you are not doing business in America. Let's say you are doing business in Canada. We are going to take that same American company, we are going to take that same Canadian company, and we are going to look at what happens when they are doing business in Canada.

That American company earns $1,000. It pays the Canadian Government $265. The Canadian company raises $1,000, and they pay the Canadian Government $265. But it is what happens next that makes America one of the worst tax codes in the world.

When you try to bring that $735 you have left over back to America, you pay American taxes on top of what you have already paid Canada.

So the U.S. corporation doing business in Canada earns $1,000; they end up with $650 at the end of the day. The Canadian company doing $1,000 worth of business in Canada pays their taxes, ends up with $735 at the end of the day. That is why companies are moving overseas. They do exactly the same business in exactly the same place as all of their international competitors, but simply because their headquarters is based in America, they pay more.

The power to tax is the power to destroy. And because of the way we have chosen to tax our companies, a methodology that has been rejected by most of the rest of the world, we punish every single company that chooses to stay in America employing Americans.

We have been talking about it in terms of Burger King and Tim Hortons. I don't know if you are a Burger King fan, Madam Speaker. I don't know if you are a Tim Hortons fan. I love them both. I love them both. And the suggestion has been made that when Burger King and Tim Hortons are going to get together and the headquarters is going to be located in Canada instead of America, that that is somehow an unpatriotic decision being made by Burger King.

I want you to see the revenue by category that this new Burger King-Tim Hortons merger is going to have. This acquisition by Burger King is going to have about 20 percent of the revenue coming from America, about 67 percent of the revenue coming from Canada, about 13 percent coming internationally.

I go back to this chart, Madam Speaker, where I said, What if you are doing business in Canada? If you are an American company, you take home less, not a little less, but more than 10 percent less. If you are a Canadian company, you take home more. Same amount of business, same country of business location, but because your headquarters is somewhere different, you take home less money.

Well, if you are Burger King and you are in this Tim Hortons acquisition, you are making most of your money in Canada, so what are you supposed to do?

If I ask the White House, they would tell me I am supposed to stay in America and put up with the absolute worst Tax Code the country has ever seen, this country has ever seen, but also the worst tax code anywhere on the planet.

This is America for Pete's sakes. We can do better.

It is not that Burger King is choosing to leave America; it is that America is running Burger King out. And that, that responsibility lies with us here in this Chamber.

It is an arcane issue called a worldwide tax system versus a territorial tax system. When you are in a worldwide tax system—and there are only seven countries left in the world that do this—you double-tax your companies. You charge them a tax based on the country in which they earned the money, and then if they bring that money back to America, you charge them another tax on top of that.

Most nations on this planet, most nations with First World economies, they use what is called a territorial tax system. That means whatever country you raise the money in, you pay the tax in; and when you bring that money back to your home country, you are not double-taxed one more time.

This is the issue we ought to be talking about. We shouldn't be talking about patriotism. We should be talking about common sense as it relates to having America compete in a global economy.

I ask you, Madam Speaker, if we have the absolute worst tax code in the world, if we have the absolute highest corporate tax rate in the would, if we have the least competitive international tax system in the world, what do you think is going to happen to international businesses when they make their decision about whether or not to locate in America? They decide no. They decide no.

Madam Speaker, I want to talk just a little bit about what President Obama has said. It is called corporate inversion. When you move your headquarters from America, you acquire a different company overseas, you make that your international headquarters, it is called a corporate inversion. You may have seen that in the news. Here is what President Obama's has had to say about it:

> Even as corporate profits are higher than ever, there is a small but growing rube of big corporations that are fleeing the country to get out of paying taxes.

Fleeing the country to get out of paying taxes.

President Obama goes on. He says,

> I say ''fleeing the country,'' but they are not actually doing that. They are not going anywhere. They are keeping their business here, but they are moving their headquarters. They don't want to give up the best universities, the best military, the advantages. They just don't want to pay for it, so they are technically renouncing their U.S. citizenship.

Well, that sounds very similar to what I read from Jack Lew a little bit earlier. That is the party line coming out of the White House.

I go on. President Obama says:

> These businesses are playing by the rules, but these companies are cherry-picking the rules and it damages our Nation's finances. It makes it harder to invest in things like job training.

He says:

> I am not interested in punishing these companies, but I am interested in economic patriotism.

As a government, we have crafted the most punishing tax code on the face of this Earth. We have created the longest list of disincentives to locate your business in our country that is available anywhere on the planet today. And the question the President is asking is: I don't want to punish these companies, but where is their economic patriotism?

Madam Speaker, where is our economic patriotism? The Tax Code is something we created. Do you believe for a moment if the 435 of us in this Chamber got together to write the Tax Code today we would write the absolute worst tax code available anywhere on planet Earth? I don't think so. If we designed this Tax Code from scratch, we would have done something very different, but this is where we would have ended up.

I will close with this from the President:

> Now, the problem is this loophole. They are using it in our tax laws, but it is actually legal. My attitude is I don't care if it is legal; it is wrong.

I don't care if it's the law of the land, I don't care if it's the law, they shouldn't do it anyway.

□ 2115

When I think about the law, Madam Speaker, I don't know where you go, but I go to the courts for answers. And it is interesting that this idea of economic patriotism—this isn't the first time we have heard it—it has been argued in court time and time again.

I quote from the Second Circuit, affirmed by the Supreme Court:

> Anyone may so arrange his affairs that his taxes shall be as low as possible; he is not bound to choose that pattern which best pays the Treasury. There is not even a patriotic duty to increase one's taxes.

We have had the suggestion: economic patriotism, you should pay more, you should pay more. It is not our fault, it is the Congress; it is not our fault, it is the government; it is your fault as the job creator out in America, you should be doing something different.

We saw this again, another Second Circuit case:

> Over and over again the courts have said that there is nothing sinister in so arranging one's affairs as to keep taxes as low as possible. Everybody does so, rich or poor alike, and all do right. For nobody owes any public duty to pay more than the law demands. Taxes are enforced extractions, not voluntary contributions. To demand more in the name of morals is mere cant. Taxes are extractions, not voluntary contributions.

Madam Speaker, I want to say to all of my colleagues, everybody in the administration: If you don't believe you are paying enough in taxes, we can give you an address to the Treasury Department where you can mail your check. Taxes are extractions. If you are interested in a voluntary contribution, I can tell you where to mail your check.

Tax law exists to provide certainty, not just certainty to employers, but also to investors, also to entrepreneurs, also to families, also to employees, to those folks who show up to work day in and day out. The law provides us with certainty.

We, as a government, have created the worst tax environment on the planet in which to do business, and the leader of our government wants to blame the companies that have stuck with us day in and day out for the last 50 years. The wonder isn't that companies are leaving us today, Madam Speaker; the wonder is that companies didn't leave us long ago. It is a punishing environment to do business in America.

So what is the solution? Because, Madam Speaker, you know I am not going to come down here and identify a problem and not talk to you about how to solve it. But before I get to my solutions, I want to talk to you about President Obama, whom I have quoted tonight; what Secretary of Treasury Jack Lew, whom I quoted tonight, what they have to say about the solution, and it is this: the best way to level the playing field is through tax reform that lowers the corporate tax rate, closes wasteful loopholes, and simplifies the Tax Code for everybody. I am with him 100 percent—with him 100 percent. What the President has said here, I support 100 percent.

That is not what he is saying on the campaign trail. On the campaign trail he is saying: any business that tries to do what is best for its employees, what is best for its shareholders, and what is best for its customers is unpatriotic. If they choose to try to improve the lot of their customers, their shareholders, and their employees that somehow there is an obligation to subject yourself to what this Congress and this White House, this country, has created, a monstrosity of a tax code.

Maybe Jack Lew had a different idea as Treasury Secretary. He says:

> Only tax reform can solve the problems in our Tax Code that lead to inversions.

I know what you are thinking, Madam Speaker. You are wondering if I brought the wrong slides to the floor tonight. You are wondering if I made some sort of terrible mistake. Because I have been talking about how President Obama said it was unpatriotic, how he said it was their fault, how he said they ought to fix it, they ought to stay. And Jack Lew said it is their fault, they have a duty, they ought to fix it, and they ought to stay.

No. These are the very same men saying something entirely different. Because they know, not on the campaign trail, but in the serious rooms where they are talking about serious policy, that the only way to take America into this next century, the only way to make us the most competitive Nation on the planet, the only way to get those jobs back in America, back from overseas, is fundamental Tax Code reform.

Burger King can't do fundamental Tax Code reform, only the Congress can. Tim Hortons can't do fundamental Tax Code reform, only the Congress can. Warren Buffett can't do fundamental tax reform, only this Congress can. We can and we should. In fact, our Ways and Means chairman, DAVE CAMP, Madam Speaker, has tried.

Let me go on and just get the other side of the issue from folks here on Capitol Hill. I quoted folks in the White House and the administration. House Speaker JOHN BOEHNER says this, talking about all these statements about unpatriotic behavior:

> Instead of dividing people for political advantage, the President can endorse our push for comprehensive tax reform or convince Senate Democrats to act. Let's solve the real problem here.

Because it is the real problem here: the worst tax code on the planet. We have done this to ourselves.

House Ways and Means chairman, DAVE CAMP:

> Everyone agrees that tax reform is the only solution that will both keep companies from moving their headquarters out of the United States and, more importantly, encourage more businesses to grow, hire, and increase wages for American workers.

Folks, that is what it is about: grow, hire, increase wages for American workers. It is not about passing a mandatory minimum wage. That is going to kill jobs. It is going to increase some people's salaries at the expense of others. It is not about doing away with environmental protections. We support environmental protections.

Obviously, there are some regulations that make no sense, but those regulations that protect us, we need those. It is not going back to the time when rivers were on fire and our environment was at risk. The answer is in fundamental Tax Code reform so that we can grow, so that we can hire, so that we can increase American wages.

And over on the Senate side, Chairman RON WYDEN, Democratic Senate Finance Committee Chairman RON WYDEN, says this:

> America should not be part of a race to the bottom. It is clear that America must establish a more efficient and competitive corporate tax rate.

People wonder why it is we can't get things done here, Madam Speaker. You and I wonder why it is we can't get more done. It is because when folks are on the campaign trail, they tell one story. They tell a story that divides us. They tell a story that tells us who to blame. They tell a story about the big corporations who happen to provide a lot of jobs to a lot of American families. But that is not the story they tell. They tell the story of greed and perversion in the Tax Code.

But when they get down to serious policy conversations, when they get off the campaign trail and start talking about what really makes a difference, they all agree fundamental tax reform makes the difference.

Now, how are we going to get there? We have seen the shenanigans that go on that prevent us from going there, we have seen the desperate need that requires that we get there. How are we going to get there?

Well, Madam Speaker, the President's Council on Jobs and Competitiveness has been clear on this topic. This is President Obama's Council on Jobs and Competitiveness:

> We have to view our corporate tax rates as part of our national package for attracting job-creating investment.

I will give you a hint, Madam Speaker. If you want your corporate tax rates to be part of a package for attracting jobs in national investment, you don't want them to be the worst in the world, you want them to be the best in the world. The President's Council knows this.

Our system of corporate taxation hurts business competitiveness and American workers and it cries out for reforms. The President's Council says our corporate Tax Code hurts American workers and business competitiveness. They don't conclude that businesses are evil and greedy and out to stick it to American taxpayers. They conclude that businesses are struggling and trying, but it is our Tax Code that is the albatross around their neck:

> A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

Madam Speaker, I am going to read that again, because we don't have that conversation enough. These are not my words, these are the words of the President's Council on Jobs and Competitiveness:

> A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

The United States of America, worst international competitiveness anywhere on the planet, worst international tax code anywhere on the planet. The United States of America, highest corporate tax rate anywhere on the planet, largest disincentive to do business anywhere on the planet.

The President's Council on Jobs and Competitiveness:

> These giant corporate tax rates don't punish corporations, they punish American workers.

My friends, Madam Speaker, we don't have corporations that pay taxes, we have corporations that raise prices. We don't have corporations that pay taxes, we have corporations that lower wages. We don't have corporations that pay taxes, we have corporations that lower return on capital. Corporations don't pay taxes, they collect taxes. They collect them from the people who buy their products, they collect them from their employees in those lower wages, they collect them in lower returns to capital—their shareholders, our seniors on those fixed incomes. High corporate tax rates don't punish corporations, they don't punish employers, they punish employees, they punish middle class American families.

Madam Speaker, the President's Council recommended a move to that territorial tax system I talk about. They recommended eliminating this vestige of an older time where capital was not so mobile, a vestige only seven countries in the world still use. We are the largest economy to still use it. It disadvantages us more than it does anybody else. The President's Council recommends eliminating that territorial tax system, not double-taxing. It says:

> The current worldwide system makes investing . . . in the United States more expensive from a tax point of view than reinvesting them abroad, where they are not subject to additional corporate income tax.

Think about the lunacy of that, Madam Speaker. In the name of so-called ''helping the American economy'' by bringing in more revenue through higher tax rates, what we do to American companies is discourage them from bringing money home and investing it here, and instead encourage them to keep the money overseas and invest there.

I don't know what you are thinking of when you are thinking of investment. I am thinking of building a new factory, I am thinking of expanding productivity of your workers, I am thinking of those things that grow economies.

The President's Council says our Tax Code encourages those things to happen for other people's citizens. I want to encourage those things to happen for our citizens. Corporate tax reform is the answer.

Madam Speaker, I am going to close in a place that makes me happy. I told you I had bad news when I got down here to start. I did have bad news. The bad news is we have tied one arm of the American economy behind America's back. We have burdened ourselves with the worst Tax Code the world has ever seen, and we are demanding that American companies follow our disastrous model or else face the accusation that they are somehow unpatriotic. That has been the White House's solution to a slow economy and rapid job deterioration.

Madam Speaker, what you can't see on this poster is Ronald Reagan's solution to some of those very same challenges. Because when he was elected in 1980, he faced some of those very same economic challenges that we are facing here today. And Ronald Reagan came together with the U.S. House of Representatives, led by Democrats, and passed fundamental tax reform for the last time it was passed in this country—1986—last large tax reform that we had in this country. They said he couldn't do it. They said he couldn't do it, Madam Speaker. They said it was too big.

He did two things that this White House, this administration, has not done, and that I implore them to do, Madam Speaker—two things.

Number one, he didn't just talk about it, he released a proposal of his own. He didn't just release one proposal, his Treasury Department released two proposals. Our Treasury Department giving speeches on why it is a corporation's fault, Ronald Reagan's Treasury Department offering solutions; two entire fundamental tax reform proposals for the Congress to examine, improve, and pass.

Ronald Reagan said this, Madam Speaker. He said:

> Just as sure as Ruth could hit home runs and Rose can break records, during this session of the Congress, America's tax plan will become law. But it's going to take all of us and all of you letting the folks in Washington know you that you want this change made.

He led, Madam Speaker. I thank you for your leadership, I ask my colleagues for their leadership, and, together, we can make sure that American jobs come first and the American economy is first in the world.

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of a death in the family.

Mr. CONAWAY (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of attending a funeral.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2651. An act to repeal certain mandates of the Department of Homeland Security Office of Inspector General; to the Committee on Transportation and Infrastructure; in addition, to the Committee on Homeland Security 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.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4751. An act to make technical corrections to Public Law 110–229 to reflect the renaming of the Bainbridge Island Japanese American Exclusion Memorial, and for other purposes.

H.R. 4809. An act to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 476. An act to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission.

S. 1603. An act to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

S. 2154. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2258. An act to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, September 19, 2014, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7245. A letter from the Director, Issuance Staff, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Modernization of Poultry Slaughter Inspection [Docket No.: FSIS-2011-0012] (RIN: 0583-AD23) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7246. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Litchi and Logan Fruit From Vietnam Into the Continental United States [Docket No.: APHIS-2010-0116] (RIN: 0579-AD51) received September 8, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7247. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Modification of the Handling Regulations for Yellow Fleshed and White Types of Potatoes [Docket No.: AMS-FV-14-0026; FV14-946-1 FIR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7248. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Regulations Issued Under the Export Apple Act; Exempting Bulk Shipments to Canada From Minimum Requirements and Inspection [Doc. No.: AMS-FV-14-0022; FV14-33-1 FIR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7249. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Doc. No.: AMS-FV-14-0057; FV14-987-3 IR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7250. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Spearmint Oil Produced in the Far West; Decreased Assessment Rate [Doc. No.: AMS-FV-14-0027; FV14-985-3 FIR] received September 8, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7251. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species (HMS); Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks (SCS) in the Atlantic Region [Docket No.: 120706221-2705-02] (RIN: 0648-XD369) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7252. A letter from the Chief of Staff, Natural Resources Conservation Service, transmitting the Service's final rule — Changes to Existing Conservation Program Regulations [Docket No.: NRCS-2014-0006] (RIN: 0578-AA60) received August 14, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7253. A letter from the Secretary, Department of Defense, transmitting notification that the Department anticipates it will be prepared to commence chemical agent destruction operations at the Pueblo Chemical Depot chemical demilitarization site in Pueblo, Colorado, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

7254. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Clyde D. Moore II, United States Air Force, and his advancement on the retired list to the grade of lieutenant general; to the Committee on Armed Services.

7255. A letter from the Director, Congressional Activities, Department of Defense, transmitting a letter regarding the report known as ''World Wide Threat Report''; to the Committee on Armed Services.

7256. A letter from the Acting Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2014-0002] [Internal Agency Docket No. FEMA-8349] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7257. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Environmental Compliance Recordkeeping Requirements [Docket No.: FR-5616-F-02] (RIN: 2506-AC34) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7258. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Adjustable Rate Mortgage Notification Requirements and Look-Back Period for FHA-Insured Single Family Mortgages [Docket No.: FR-5744-F-02] (RIN: 2502-AJ20) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7259. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Handling Prepayments: Eliminating Post-Payment Interest Charges [Docket No: FR-5360-F-02] (RIN: 2502-AJ17) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7260. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Removal of Obsolete Community Planning and Development (CPD) Regulations [Docket No.: FR-5798-F-01] (RIN: 2506-AC36) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7261. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — OCC Guidelines Establishing Heightened Standards for Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches; Integration of Regulations [Docket ID: OCC-2014-001] (RIN: 1557-AD78) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7262. A letter from the Deputy Director, Centers for Disease Control and Prevention, transmitting the Centers' final rule — Specifications for Medical Examinations of Coal Miners [Docket No.: CDC-2014-0011; NIOSH-276] (RIN: 0920-AA57) received August 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7263. A letter from the Deputy 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 September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7264. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Eighteenth Report on the Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523 Public Law 109-58, section 1810; to the Committee on Energy and Commerce.

7265. A letter from the Deputy Director — ODRM, Department of Health and Human Services, transmitting the Department's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9939-IFC] (RIN: 0938-AR42) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7266. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Postmarketing Safety Reports for Human Drug and Biological Products; Electronic Submission Requirements [Docket No. FDA-2008-N-0334] (RIN: 9010-AF96) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7267. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Disposal of Controlled Substances [Docket No.: DEA-316] (RIN: 1117-AB18) received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7268. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Suvorexant into Schedule IV [Docket No.: DEA-381] received August 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7269. 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; Wyoming; Revisions to the Wyoming Air Quality Standards and Regulations; Ambient Standards for Nitrogen Oxides and for Ozone [EPA-R08-OAR-2011-0659; FRL-9916-43-Region-8] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Arizona; Redesignation of Phoenix-Mesa Area to Attainment of the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2013-0686;

FRL-9916-12-Region 9] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard [EPA-R07-OAR-2014-0271; FRL-9916-50-Region 7] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Infrastructure SIP for the 2010 Nitrogen Dioxide Primary Standards [EPA-R02-OAR-2013-0527; FRL-9916-49-Region 2] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sulfentrazone; Pesticide Tolerances [EPA-HQ-OPP-2013-0712; FRL-9915-47] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; South Coast 1-Hour and 8-Hour Ozone [EPA-R09-OAR-2014-0185; FRL-9915-86-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plan Revisions; State of California; South Coast VMT Emissions Offset Demonstrations [EPA-R095-OAR-2013-0823; FRL-9915-85-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Submit a Prevention of Significant Deterioration State Implementation Plan Revision for Particulate Matter Less Than 2.5 Micrometers (PM2.5); California; North Coast Air Quality Management District [EPA-R09-OAR-2014-0589; FRL-9916-04-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Kasugamycin; Pesticide Tolerances [EPA-HQ-OPP-2010-0297; FRL-9911-57] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2013-0785] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7279. 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 [EPA-HQ-OPPT-2012-0727; FRL-9914-19] (RIN: 2070-AB27) received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7280. 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; Indiana; Indiana PSD Increments [EPA-R05-2012-0567; FRL-9914-94-Region 5] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7281. 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; Virginia; Removal of Two Operating Permits and a Consent Agreement for the Potomac River Generating Station from the State Implementation Plan [EPA-R03-OAR-2014-0511; FRL-9915-06-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7282. 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; Virginia; Revision to the Maintenance Plans for the Richmond 1990 1-Hour and Richmond-Petersburg 1997 8-Hour Ozone Maintenance Areas to Remove the Stage II Vapor Recovery Program [EPA-R03-OAR-2014-0142; FRL-9914-49-Region 2] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7283. 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; Virginia; Revisions to the Definition of Volatile Organic Compounds [EPA-R03-OAR-2014-0499; FRL-9914-54-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7284. 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; Wisconsin; Finding of Failure to Submit a PSD State Implementation Plan Revision for PM2.5 [EPA-R05-OAR-2014-0517; FRL-9914-95-Region 5] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7285. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho: Infrastructure Requirements for the 2010 Nitrogen Dioxide and 2010 Sulfur Dioxide National Ambient Air Quality Standards [EPA-R10-OAR-2013-0708; FRL-9914-90-Region 10] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7286. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Commonwealth of Virginia; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R03-OAR-2010-0160; FRL-9914-70-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7287. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluopicolide; Pesticide Tolerances [EPA-HQ-OPP-2014-0225; FRL-9914-37] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7288. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Emergency Vehicle Rule — SCR Maintenance and Regulatory Flexibility for Nonroad Equipment [EPA-HQ-OAR-2011-1032; FRL-9914-63-OAR] (RIN: 2060-AR46) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7289. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants Residual Risk and Technology Review for Flexible Polyurethane Foam Production [EPA-HQ-OAR-2012-0510; FRL-9914-30-OAR] (RIN: 2060-AR58) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7290. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives; Extension of Compliance and Attest Engagement Reporting Deadlines for 2013 Renewable Fuel Standards [EPA-HQ-OAR-2014-0575; FRL-9914-88-OAR] (RIN: 2060-AS29) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7291. A letter from the Associate Bureau Chief, Wireline Competition, Federal Communications Commission, transmitting the Commission's final rule — Modernizing the E-rate Program for Schools and Libraries [WC Docket No.: 13-184] received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7292. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Department's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Caseville and Pigeon, Michigan; Harbor Beach and Lexington, Michigan [MM Docket No.: 01-229] [RM-10257] [RM-11285] [RM-11291] [MM Docket No.: 01-231] [RM-10259] [RM-11285] received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7293. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rule Fees (RIN: 3084-AA98) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7294. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Environmental Issues Associated with New Reactors [NRC-2013-0212] received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7295. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Specific Environmental Guidance for Light Water Small Modular Reactor Reviews [NRC-2013-0211] received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7296. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations [Docket No.: 140812660-4660-01] (RIN: 0694-AG26) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7297. A letter from the Census Bureau Federal Register Liaison Officer, Department of Commerce, transmitting the Department's

final rule — Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information [Docket Number: 140626542-4542-01] (RIN: 0607-AA52) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7298. A letter from the Under Secretary, Department of Commerce, transmitting a report on Russian Sanctions: Restriction on Certain Military End Uses and End-Users; to the Committee on Foreign Affairs.

7299. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Implementation of Understandings Reached at the 2005, 2012, and 2013 Nuclear Suppliers Group (NSG) Plenary Meetings and a 2009 NSG Intersessional Decision; Additions to the List of NSG Participating Countries; Correction [FR Doc. 2014-18064] (RIN: 0694-AD58) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7300. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 09-14 informing of an intent to sign the Memorandum of Understanding with the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

7301. A letter from the Assistant Legal Advisor, Office of 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.

7302. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to the Department of the Treasury specific licenses as required by section 1705(e)(6) of the Cuban Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

7303. 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 Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Foreign Affairs.

7304. A letter from the Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7305. A letter from the Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7306. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's annual report for Fiscal Year 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7307. A letter from the Acting Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''District of Columbia Agencies' Compliance with Fiscal Year 2014 Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2014''; to the Committee on Oversight and Government Reform.

7308. A letter from the Departmental Privacy Officer, Department of the Interior, transmitting the Department's final rule — Privacy Act Regulations; Exemption for the Debarment and Suspension Program (RIN: 1090-AA94) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7309. A letter from the Departmental Privacy Officer, Department of the Interior, transmitting the Department's final rule — Privacy Act Regulations; Exemption for the Incident Management, Analysis and Reporting System (RIN: 1090-AB02) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7310. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations (RIN: 0648-BC90) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7311. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 130925839-4174-02] (RIN: 0648-XD449) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7312. A letter from the Acting 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; Trimester Closure for the Common Pool Fishery [Docket No.: 140106011-4338-02] (RIN: 0648-XD441) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7313. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD379) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7314. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended; TN Visas from NAFTA Countries (RIN: 1400-AD29) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7315. A letter from the Secretary, Judicial Conference of the United States, transmitting a letter regarding H.R. 1233 and H.R. 5170; to the Committee on the Judiciary.

7316. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Lower Mississippi River Mile 94.0 to Mile 95.0; New Orleans, LA [Docket: USCG-2014-0531] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7317. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Seafood Festival Fireworks, Fox River, Menasha, WI [Docket No.: USCG-2014-0748] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7318. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulfstar 1 SPAR, Mississippi Canyon Block 724, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2014-0242] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7319. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation and Safety Zone; Marine Events in Captain of the Port Long Island Sound Zone [Docket Number USCG-2014-0717] (RIN: 1625-AA08; 1625-AA00) September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7320. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Detroit Offshore Grand Prix, Detroit River, Detroit, MI [Docket No.: USCG-2014-0729] (RIN: 1625-AA08) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7321. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events, Wrightsville Channel; Wrightsville Beach, NC [Docket No.: USCG-2014-0200] (RIN: 1625-AA08) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7322. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone, Change of Enforcement Period, Chesapeake Bay; Between Sandy Point and Kent Island, MD [Docket No.: USCG-2014-0296] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7323. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Martha's Vineyard, Massachusetts [USCG-2014-0708] (RIN: 1625-AA87) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7324. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Hydrocross, Lake Dora; Tavares, FL [Docket No.: USCG-2014-0691] (RIN: 1625-AA08) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7325. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Tri-Rock Triathlon; San Diego Bay, San Diego, CA [Docket No.: USCG-2014-0600] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7326. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vigor Industrial Ferry Construction, West Duwamish Waterway, Seattle, WA

[Docket No.: USCG-2014-0805] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7327. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Tarague Basin; Andersen AFB, GU [Docket No.: USCG-2014-0732] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7328. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones, Facilities on the Outer Continental Shelf in the Gulf of Mexico [Docket No.: USCG-2013-0874] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7329. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Urban Shield 2014, South San Francisco Bay, Oakland, CA [Docket No.: USCG-2014-0658] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7330. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Shallowbag Bay; Manteo, NC [Docket No.: USCG-2014-0723] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7331. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lucas Oil Thunder on the River; Thompson Bay, Lake Havasu City, AZ [Docket No.: USCG-2014-0611] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7332. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2014-0176; Directorate Identifier 2013-NM-066-AD; Amendment 39-17951; AD 2014-16-27] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7333. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Airplanes [Docket No.: FAA-2014-0254; Directorate Identifier 2013-NM-047-AD; Amendment 39-17910; AD 2014-15-98] (RIN: 2120-AA64) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7334. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ocean Dumping: Cancellation and Modification of Final Site Designations [EPA-R06-OW-2014-0234; FRL-9914-59-Region 6] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7335. A letter from the Deputy Director, Office of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Special Home Adaptation Grants for Members of the Armed Forces and Veterans with Certain Vision Impairment (RIN: 2900-AP12) received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7336. A letter from the Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Substitution in Case of Claimant (RIN: 2900-AN91) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7337. A letter from the Deputy Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Updating Certain Citations in VA Medical Regulations (RIN: 2900-AP04) received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7338. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of Returns and Claims for refund, credit, or abatement; determination of tax liability (Rev. Proc. 2014-53) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7339. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD 9690] (RIN: 1545-BM38) received August 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7340. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Rev. Proc. 2011-16 (Rev. Proc. 2014-51) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7341. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Investment in group trusts by certain Puerto Rico retirement plans and by certain insurance company separate accounts (Rev. Rul. 2014-12) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7342. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of the Expiration Date for State Disability Examiner Authority to Make Fully Favorable Quick Disability Determinations and Compassionate Allowances [Docket No.: SSA-2014-0045] (RIN: 0960-AH69) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7343. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Law Enforcement Support Activities (RIN: 0596-AB61) received September 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Natural Resources.

7344. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — 2014 Edition Release 2 Electronic Health Record (EHR) Certification Criteria and the ONC HIT Certification Program; Regulatory Flexibilities, Improvements, and Enhanced Health Information Exchange (RIN: 0991-AB92) received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7345. A letter from the Deputy Director — ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Modifications to the Medicare and Medicaid Electronic Health Record (EHR) Incentive Program for 2014 and Other Changes to the EHR Incentive Program; and Health Information Technology: Revisions to the Certified EHR Technology Definition and EHR Certification Changes Related to Standards [CMS-0046-F and CMS-0052-F] (RINs: 0938-AR71 and 0938-AS30) (RINs: 0991-AB89 and 0991-AB97) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7346. A letter from the Designated Federal Official, World War One Commission, transmitting a periodic report for the period ended 6/30/14; jointly to the Committees on Natural Resources and Oversight and Government Reform.

7347. A letter from the Acting Director, Office of the National Drug Control Policy, transmitting 2014 National Drug Control Strategy, pursuant to 21 U.S.C. 1504; jointly to the Committees on the Judiciary, Agriculture, Armed Services, Energy and Commerce, Financial Services, Oversight and Government Reform, Foreign Affairs, Transportation and Infrastructure, Ways and Means, Veterans' Affairs, Homeland Security, Natural Resources, Intelligence (Permanent Select), and Education and the Workforce.

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:

[Omitted from the Record of July 29, 2014]

Mr. UPTON: Committee on Energy and Commerce. H.R. 4709. A bill to improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes (Rept. 113–605 Pt. 1). Ordered to be printed.

[Submitted September 18, 2014]

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5077. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; with an amendment (Rept. 113–604). Referred to the Committee of the Whole House on the state of the Union.

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 Ms. SLAUGHTER (for herself, Mr. DUNCAN of Tennessee, and Mr. WALZ):

H.R. 5525. A bill to amend the Lobbying Disclosure Act of 1995 to require the disclosure of political intelligence activities, to amend title 18, United States Code, to provide for restrictions on former officers, employees, and elected officials of the executive and legislative branches regarding political intelligence contacts, and for other purposes; to the Committee on the Judiciary.

By Ms. ESTY (for herself and Mr. COLLINS of New York):

H.R. 5526. A bill to emphasize manufacturing in engineering programs by directing the National Institute of Standards and Technology, in coordination with other appropriate Federal agencies including the Department of Defense, Department of Energy, and National Science Foundation, to designate United States manufacturing universities; to the Committee on Science, Space, and Technology.

By Ms. ESTY (for herself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 5527. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Science, Space, and Technology.

By Mr. CAMP (for himself and Mr. LEVIN):

H.R. 5528. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 5529. A bill to establish a worker adjustment assistance program to provide assistance and job retraining for workers who have lost their jobs due to unplanned closures of coal and coal dependent industries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, 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. BROUN of Georgia:

H.R. 5530. A bill to require that hunting activities be a land use in all management plans for Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to the extent that such use is not clearly incompatible with the purposes for which the Federal land is managed, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. CARTWRIGHT (for himself and Mr. MARINO):

H.R. 5531. A bill to amend title XVIII of the Social Security Act to permit the 2-year phase-in for changes in hospital wage index classification from rural to urban without requiring waiver of a wage index increase, and for other purposes; to the Committee on Ways and Means.

By Mr. BARLETTA:

H.R. 5532. A bill to improve the Compliance, Safety, Accountability initiative of the Federal Motor Carrier Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POCAN (for himself, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. ELLISON, Ms. MOORE, Mr. SERRANO, Ms. WILSON of Florida, and Mr. CONYERS):

H.R. 5533. A bill to promote apprenticeships for credentials and employment, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TONKO (for himself and Mr. WAXMAN):

H.R. 5534. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 5535. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to provide grants to States and units of local government for the video recording of custodial interrogations; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 5536. A bill to encourage States to provide for enhanced sentencing penalties for persons convicted of committing, or attempting to commit, an act of domestic violence in the presence of minor children; to the Committee on the Judiciary.

By Mr. MCKINLEY:

H.R. 5537. A bill to require the Comptroller General to conduct a study of the interoperability of computer systems used by hospitals to store and access electronic health records, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 5538. A bill to establish a grant program to empower relatives, friends, and coworkers of domestic violence victims to create safety plans; to the Committee on the Judiciary.

By Mr. BURGESS (for himself and Ms. SCHWARTZ):

H.R. 5539. A bill to amend title XI of the Social Security Act to exempt from manufacturer transparency reporting certain transfers used for educational purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 Ms. JACKSON LEE (for herself and Mr. CARTWRIGHT):

H.R. 5540. A bill to establish a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and to provide funding for their further education in subjects relating to mathematics, science, engineering, and technology; to the Committee on Education and the Workforce.

By Mr. FARR (for himself and Ms. DUCKWORTH):

H.R. 5541. A bill to promote the provision of exercise and fitness equipment that is accessible to individuals with disabilities; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, 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. CRAWFORD (for himself, Mr. GRIFFIN of Arkansas, Mr. WOMACK, and Mr. COTTON):

H.R. 5542. A bill to amend the Agricultural Act of 2014 to require the Secretary of Agriculture to extend the term of a marketing assistance loan and the deadline for repayment of a farm ownership, operating, or emergency loan when the purchaser of the agricultural commodity subject to the marketing assistance loan declared bankruptcy before paying the farmer for the commodity; to the Committee on Agriculture.

By Mr. DAINES:

H.R. 5543. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. BROUN of Georgia (for himself, Mr. SMITH of Texas, Mr. BUCSHON, Mr. JOHNSON of Ohio, and Mr. COLLINS of New York):

H.R. 5544. A bill to increase the understanding of the health effects of low doses of ionizing radiation; to the Committee on Science, Space, and Technology.

By Mr. FARR (for himself, Mr. YOUNG of Alaska, and Mrs. CAPPS):

H.R. 5545. A bill to reauthorize the Federal Ocean Acidification Research and Monitoring Act of 2009; to the Committee on Science, Space, and Technology.

By Mr. HECK of Washington (for himself, Mr. MCDERMOTT, Mr. HUFFMAN, Mr. BLUMENAUER, Mr. KILMER, Mr. SMITH of Washington, and Mr. LARSEN of Washington):

H.R. 5546. A bill to authorize the Secretary of Commerce to identify, declare, and respond to marine disease emergencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. CARTWRIGHT (for himself and Mr. MICHAUD):

H.R. 5547. A bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT:

H.R. 5548. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. DOGGETT:

H.R. 5549. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Ways and Means.

By Ms. JACKSON LEE:

H.R. 5550. A bill to provide for a reduction in the amount that may be awarded to a unit of local government under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) for a unit of local government that funds an amount that is greater than 18 percent of its operating budget using revenue generated from collecting fines and other fees related to violations of traffic laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. BACHMANN (for herself, Mr. HUELSKAMP, Mr. HARRIS, Mr. PEARCE, Mr. BRADY of Texas, Mr. PITTS, Mr. LONG, Mr. GIBBS, Mr. HUIZENGA of Michigan, Mr. LATTA, and Mr. JOHNSON of Ohio):

H.R. 5551. A bill to ensure that women seeking an abortion receive an ultrasound and an opportunity to review the ultrasound before giving informed consent to receive an abortion; to the Committee on Energy and Commerce.

By Mr. BARBER (for himself, Mr. PASTOR of Arizona, Mr. GRIJALVA, Mrs. KIRKPATRICK, Ms. SINEMA, and Mr. SCHWEIKERT):

H.R. 5552. A bill to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the ''Raul Hector Castro Port of Entry''; to the Committee on Ways and Means.

By Mrs. BEATTY (for herself and Mr. HECK of Washington):

H.R. 5553. A bill to provide access to information and loan modifications for successors in interest, and for other purposes; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself and Mr. RANGEL):

H.R. 5554. A bill to amend the Internal Revenue Code of 1986 to permit distributions

from 529 accounts for medical expenses of account owners who are veterans with disability ratings of greater than 50 percent; to the Committee on Ways and Means.

By Mrs. BLACK (for herself and Mr. POE of Texas):

H.R. 5555. A bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. DAVID SCOTT of Georgia, Mrs. BLACKBURN, and Mr. GRIFFIN of Arkansas):

H.R. 5556. A bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 Mrs. BLACK:

H.R. 5557. A bill to reform the verification and reporting processes for the health care premium and cost-sharing subsidies; to the Committee on Ways and Means, 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 Mrs. BLACK (for herself and Mr. WELCH):

H.R. 5558. A bill to amend title XVIII of the Social Security Act to improve the Medicare accountable care organization (ACO) program, and for other purposes; to the Committee on Ways and Means, 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. BLUMENAUER (for himself, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. KIND, Mr. PASCRELL, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. MORAN, Ms. LEE of California, Mr. RYAN of Ohio, Mr. LANGEVIN, and Mr. LOEBSACK):

H.R. 5559. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions relating to energy, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5560. A bill to amend the Higher Education Act of 1965 to establish a grant program for undergraduate students with financial need to assist such students in completing degrees at institutions of higher education; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself and Mr. JONES):

H.R. 5561. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate high priority corridors on the National Highway System in the State of North Carolina, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. LAMALFA, Mr. HUFFMAN, Mr. GARAMENDI, Mr. MCCLINTOCK, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA of California, Mr. COOK, Mr. MCNERNEY, Mr. DENHAM, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mr. VALADAO, Mr. NUNES, Mr. MCKEON, Ms. BROWNLEY of California, Ms. CHU, Mr. SCHIFF, Mr. CÁRDENAS, Mr. SHERMAN, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. BECERRA, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Ms. ROYBAL-ALLARD, Mr. TAKANO, Mr. CALVERT, Ms. WATERS, Ms. HAHN, Mr. CAMPBELL, Ms. LORETTA SANCHEZ of California, Mr. LOWENTHAL, Mr. ROHRABACHER, Mr. ISSA, Mr. HUNTER, Mr. VARGAS, Mr. PETERS of California, Mrs. DAVIS of California, and Mrs. NEGRETE MCLEOD):

H.R. 5562. A bill to designate the facility of the United States Postal Service located at 801 West Ocean Avenue in Lompoc, California, as the ''Federal Correctional Officer Scott J. Williams Memorial Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CÁRDENAS (for himself, Mr. JOLLY, Ms. BROWNLEY of California, Mr. MCGOVERN, Mr. CARSON of Indiana, Mr. VEASEY, Mr. CICILLINE, Mr. JONES, and Mr. BUTTERFIELD):

H.R. 5563. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' 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.

By Mr. CÁRDENAS (for himself, Ms. NORTON, Mr. LOWENTHAL, Mr. CARTWRIGHT, and Ms. ROYBAL-ALLARD):

H.R. 5564. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Science, Space, and Technology, and Appropriations, 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. CARNEY:

H.R. 5565. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 5566. A bill to amend the Higher Education Act of 1965 to restore National SMART Grants for a certain number of award years; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 5567. A bill to carry out pilot programs to improve skills and job training, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASTRO of Texas:

H.R. 5568. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to award interest-free student loans to certain students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CICILLINE:

H.R. 5569. A bill to include community partners and intermediaries in the planning and delivery of education and related programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CLYBURN (for himself, Ms. FUDGE, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CLAY, Mr. CONYERS, Mr. ELLISON, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, and Ms. WILSON of Florida):

H.R. 5570. A bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program; to the Committee on Natural Resources.

By Mr. CLYBURN (for himself, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WATERS, and Ms. WILSON of Florida):

H.R. 5571. A bill to provide an increased allocation of funding for assistance in persistent poverty counties, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, Financial Services, Science, Space, and Technology, Energy and Commerce, and the Judiciary, 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. CONYERS (for himself, Mr. COHEN, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 5572. A bill to provide consumer protections for students; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' 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.

By Mr. COOK:

H.R. 5573. A bill to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD:

H.R. 5574. A bill to abolish the Chemical Corps of the Army and to transfer to the Ordnance Corps of the Army the functions of and members previously assigned to the Chemical Corps; to the Committee on Armed Services.

By Mr. CROWLEY (for himself, Mr. RANGEL, Mr. MEEKS, and Mr. NADLER):

H.R. 5575. A bill to direct the Secretary of Transportation to establish a program to provide grants to carry out projects to reduce railway noise levels that adversely impact schools located in urbanized areas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 5576. A bill to establish USAccounts, and for other purposes; to the Committee on Ways and Means.

By Mrs. DAVIS of California:

H.R. 5577. A bill to amend the Higher Education Act of 1965 to eliminate origination fees for Federal Direct Loans; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5578. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans; to the Committee on Ways and Means.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. LIPINSKI):

H.R. 5579. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, 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 Ms. DELAURO (for herself and Mr. HIGGINS):

H.R. 5580. A bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

By Ms. DELAURO:

H.R. 5581. A bill to amend the Defense Production Act of 1950 to provide for a net benefit review of certain covered transactions, and for other purposes; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Mr. COURTNEY, Ms. ESTY, Mr. HIMES, and Mr. LARSON of Connecticut):

H.R. 5582. A bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself and Mr. CONYERS):

H.R. 5583. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Ways and Means.

By Ms. DELBENE (for herself, Ms. CHU, Mr. SEAN PATRICK MALONEY of New York, Mrs. NEGRETE MCLEOD, Mr. RUSH, Ms. SEWELL of Alabama, Ms. NORTON, Mr. MAFFEI, Mr. SERRANO, Mr. PETERS of California, and Ms. BROWNLEY of California):

H.R. 5584. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. DUFFY:

H.R. 5585. A bill to amend the Communications Act of 1934 and title 17, United States Code, to provide greater access to in-State television broadcast programming for cable and satellite subscribers in certain counties; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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. FARENTHOLD:

H.R. 5586. A bill to amend title 17, United States Code, to provide that the first sale doctrine applies to any computer program that enables a machine or other product to operate; to the Committee on the Judiciary.

By Mr. FOSTER (for himself, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN of Ohio, Ms. EDWARDS, Ms. ESTY, and Ms. SHEA-PORTER):

H.R. 5587. A bill to reduce opioid misuse and abuse; to the Committee on Energy and Commerce.

By Mr. FOSTER:

H.R. 5588. A bill to assess the State by State impact of Federal taxation and spending; to the Committee on Oversight and Government Reform.

By Ms. FRANKEL of Florida (for herself, Mr. BILIRAKIS, and Mr. TAKANO):

H.R. 5589. A bill to direct the Secretary of Education to establish a grant program to assist institutions of higher education in establishing, maintaining, and improving veteran student centers; to the Committee on Education and the Workforce.

By Ms. FUDGE (for herself and Mr. GIBSON):

H.R. 5590. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award Early College Federal Pell Grants; to the Committee on Education and the Workforce.

By Ms. FUDGE:

H.R. 5591. A bill to enhance transportation programs in order to connect people to jobs, schools, and other essential services through a multimodal transportation network, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. GABBARD (for herself and Mr. YOUNG of Alaska):

H.R. 5592. A bill to require the Secretary of Health and Human Services to include certain areas within the frontier and remote area levels designations; to the Committee on Energy and Commerce.

By Ms. GABBARD:

H.R. 5593. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to enhance security clearance investigation procedures, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. GABBARD (for herself and Mr. PERRY):

H.R. 5594. A bill to suspend from the visa waiver program any country that has identified passport holders fighting with an Islamist extremist organization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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 Ms. GABBARD (for herself and Mr. GOWDY):

H.R. 5595. A bill to reform the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Intelligence (Permanent Select), and Homeland Security, 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. GARCIA (for himself, Mr. HASTINGS of Florida, Mr. MURPHY of Florida, and Mr. PAYNE):

H.R. 5596. A bill to provide borrowers of Federal Family Education Loans with the repayment terms available to borrowers of Federal Direct Loans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GOHMERT (for himself, Mr. HARRIS, Mrs. BACHMANN, Mr. WESTMORELAND, Mr. MARCHANT, Mr. STOCKMAN, Mr. ROGERS of Alabama, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. YOHO, Mr. LANKFORD, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, and Mr. MCHENRY):

H.R. 5597. A bill to prohibit the Federal Government from issuing or enforcing certain requirements for schools relating to food; to the Committee on Education and the Workforce.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. JONES, and Mr. SALMON):

H.R. 5598. A bill to require the Bureau of Land Management to incorporate the needs, uses, and input of affected communities, and to obtain the concurrence of affected communities, before taking any travel management action affecting access to public lands, including access to mining claims or access using motorized vehicles or nonmotorized means, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mr. CHABOT, Mr. SCHWEIKERT, Mr. HANNA, Mr. HUELSKAMP, Mr. COLLINS of New York, Mr. LUETKEMEYER, Mr. TIPTON, Mr. KING of Iowa, and Mr. RICE of South Carolina):

H.R. 5599. A bill to clarify that the use of electronic signatures and records in SBA loan and related financing programs is permitted; to the Committee on Small Business.

By Mr. GRAVES of Missouri:

H.R. 5600. A bill to amend the Small Business Act to establish rules for franchisee eligibility for financial assistance under certain small business programs; to the Committee on Small Business.

By Mr. GRAYSON:

H.R. 5601. A bill to provide amounts from the recent settlement between the Department of Justice and Bank of America for assistance under the Neighborhood Stabilization Program; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 5602. A bill to designate the facility of the United States Postal Service located at 21350 Avalon Boulevard in Carson, California, as the ''Juanita Millender-McDonald Post Office''; to the Committee on Oversight and Government Reform.

By Mr. HALL:

H.R. 5603. A bill to provide for the conveyance of the Lake Fannin Tract of the Caddo National Grasslands in Fannin County, Texas, to the County, and for other purposes; to the Committee on Agriculture.

By Mr. HALL:

H.R. 5604. A bill to direct the Secretary of the Army to revise the management plan for the conservation pool in Lake Texoma, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HOLDING:

H.R. 5605. A bill to disapprove an amendment to the Sentencing Guidelines relating to sentences for drug offenses which was transmitted to Congress by the United States Sentencing Commission on April 30, 2014, including any retroactive effect for that amendment; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Ms. BASS, Mr. WAXMAN, Mr. CONYERS, Ms. LEE of California, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. LOWENTHAL, and Mr. CICILLINE):

H.R. 5606. A bill to amend chapter 44 of title 18, United States Code, to require homemade firearms to have serial numbers, and for other purposes; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Mr. POE of Texas, Mr. RODNEY DAVIS of Illinois, Ms. BASS, Mr. GRIJALVA, and Ms. MCCOLLUM):

H.R. 5607. A bill to establish the United States Advisory Council on Human Trafficking to review Federal Government policy

on human trafficking; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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. HORSFORD:

H.R. 5608. A bill to take certain land in the State of Nevada into trust for the Duckwater Shoshone Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. HUNTER (for himself, Mr. CUMMINGS, Mr. LOBIONDO, Mr. RICHMOND, Mr. JONES, Mr. LUETKEMEYER, Mr. COOPER, Mr. JOLLY, Ms. HERRERA BEUTLER, Mr. YOUNG of Alaska, and Mr. ENYART):

H.R. 5609. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; to the Committee on Transportation and Infrastructure.

By Mr. HURT (for himself and Mr. BARROW of Georgia):

H.R. 5610. A bill to amend the Patient Protection and Affordable Care Act to provide privacy protections that enable certain individuals to remove their profiles from the healthcare.gov website, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself and Mr. KING of New York):

H.R. 5611. A bill to provide for temporary emergency impact aid for local educational agencies; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 5612. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce the testing requirements for part A of title I of such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 5613. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that liquid over-the-counter medications are packaged with appropriate dosage delivery devices and, in the case of such medications labeled for pediatric use, appropriate flow restrictors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself and Mr. TONKO):

H.R. 5614. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas:

H.R. 5615. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Ms. KAPTUR (for herself, Ms. FUDGE, Ms. MOORE, Ms. NORTON, Ms. MATSUI, Ms. PINGREE of Maine, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. CONYERS, and Mr. YOUNG of Alaska):

H.R. 5616. A bill to promote and enhance urban agricultural production and agricultural research in urban areas, and for other purposes; to the Committee on Agriculture.

By Mr. KILMER (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. CONNOLLY, Ms. DELBENE, Mr. DEUTCH, Ms. ESTY, Ms. HAHN, Mr. HANNA, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MCDERMOTT, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mr. POLIS, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. SCHIFF, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. BLUMENAUER, Ms. SCHWARTZ, Mr. SWALWELL of California, Mr. GRIJALVA, Mr. SMITH of Washington, Mr. HIMES, Ms. KUSTER, Mr. PETERS of California, Ms. MENG, and Ms. BROWNLEY of California):

H.R. 5617. A bill to amend title 17, United States Code, with respect to the definition of ''widow'' and ''widower'', and for other purposes; to the Committee on the Judiciary.

By Mr. KILMER (for himself, Mr. CUELLAR, Mr. CARNEY, Mr. BARBER, and Mr. GALLEGO):

H.R. 5618. A bill to establish a pilot program to improve the management and accountability within the Veterans Health Administration of the Department of Veterans Affairs, to provide oversight of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, 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. KING of New York (for himself, Mr. FITZPATRICK, Mr. LOBIONDO, Mr. PIERLUISI, Mr. PASCRELL, and Mr. SCHNEIDER):

H.R. 5619. A bill to amend title 5, United States Code, to provide that for purposes of computing the annuity of certain law enforcement officers, any hours worked in excess of the limitation applicable to law enforcement availability pay shall be included in such computation, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself and Mr. PASCRELL):

H.R. 5620. A bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes; to the Committee on Homeland Security, 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. LANGEVIN (for himself, Mr. PRICE of North Carolina, Ms. DUCKWORTH, Mr. COHEN, Mr. QUIGLEY, Mr. RYAN of Ohio, and Mr. HOLT):

H.R. 5621. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to carry out a transit accessibility innovation program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANGEVIN (for himself, Mr. PASCRELL, Mr. KING of New York, Ms. KUSTER, Mr. FITZPATRICK, Mr. COOPER, Ms. NORTON, Mr. LARSON of Connecticut, Mr. VAN HOLLEN, Mr. HOLT, Mr. GRIJALVA, Mr. JOHNSON of Ohio, and Mr. ISRAEL):

H.R. 5622. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 5623. A bill to establish a National Parents Corps Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LOWENTHAL:

H.R. 5624. A bill to amend title 49, United States Code, to establish a Multimodal Freight Funding Formula Program and a National Freight Infrastructure Competitive Grant Program to improve the efficiency and reliability of freight movement in the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, 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 Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 5625. A bill to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; to the Committee on Natural Resources.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5626. A bill to provide uniform authority for executive departments to use funds from the disposal of Federal real property and to establish a pilot program in certain agencies for the use of public-private agreements to enhance the efficiency of Federal real property; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, 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. MAFFEI (for himself, Mr. SEAN PATRICK MALONEY of New York, Mr. RUIZ, Mr. QUIGLEY, and Ms. KAPTUR):

H.R. 5627. A bill to amend title 44, United States Code, to require the Public Printer to adjust the fonts used in documents printed by the Government Printing Office if adjusting the fonts will reduce printing costs, and for other purposes; to the Committee on House Administration.

By Mr. MEADOWS:

H.R. 5628. A bill to prohibit accessing pornographic web sites from Federal computers, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MEEHAN (for himself and Mr. MCCAUL):

H.R. 5629. A bill to amend the Homeland Security Act of 2002 to strengthen the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security.

By Mr. MURPHY of Florida (for himself, Mr. RICE of South Carolina, Ms. KUSTER, Mr. SWALWELL of California, Mr. JOLLY, Mr. MULVANEY, Ms. SINEMA, and Mr. PETERS of California):

H.R. 5630. A bill to amend the Inspector General Act of 1976 to fill Inspector General vacancies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Florida (for himself, Mr. JOLLY, Mr. HASTINGS of Florida, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Ms. FRANKEL of Florida, Mr. GARCIA, Mr. DEUTCH, and Mr. POSEY):

H.R. 5631. A bill to authorize the Central Everglades Planning Project, Florida, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NEUGEBAUER:

H.R. 5632. A bill to reform and update the flat rent structure for public housing; to the Committee on Financial Services.

By Mr. PASCRELL:

H.R. 5633. A bill to authorize grants for the support of caregivers; to the Committee on Energy and Commerce.

By Mr. PETERS of California:

H.R. 5634. A bill to amend the Federal Crop Insurance Act to require the public disclosure of crop insurance premium subsidies made on behalf of Members of Congress and

their immediate families, Cabinet Secretaries and their immediate families, and entities of which any such individual or combination of such individuals is a majority shareholder, and to require the public disclosure of the underwriting gains earned by private insurance provider and the business expenses covered by the Federal Government; to the Committee on Agriculture.

By Mr. PETERS of California (for himself, Mr. CONNOLLY, Mr. TONKO, and Mr. ISRAEL):

H.R. 5635. A bill to amend chapter 11 of title 31, United States Code, to require the Director of the Office of Management and Budget to annually submit to Congress a report on all disaster-related assistance provided by the Federal Government; to the Committee on Transportation and Infrastructure.

By Mr. PETERS of California (for himself, Mrs. NAPOLITANO, Mr. VARGAS, Mr. MURPHY of Florida, and Mr. DELANEY):

H.R. 5636. A bill to amend the Internal Revenue Code of 1986 to cut and reduce excess and duplicative tax assessments and paperwork for entrepreneurs; to the Committee on Ways and Means.

By Mr. PETERS of California (for himself and Mr. VARGAS):

H.R. 5637. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for discharge of consumer indebtedness; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. SENSENBRENNER, and Mr. DUFFY):

H.R. 5638. A bill to allow railroad employees to remain on duty as necessary to clear a blockage of vehicular traffic at grade crossings; to the Committee on Transportation and Infrastructure.

By Mr. PRICE of North Carolina:

H.R. 5639. A bill to strengthen the disclosure requirements for creditors under the Truth in Lending Act; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself, Mr. ADERHOLT, Mr. QUIGLEY, Mr. BACHUS, and Mr. MCDERMOTT):

H.R. 5640. A bill to amend the AIDS Housing Opportunity Act to modernize the formula and terms for allocations to prevent homelessness for individuals living with HIV or AIDS; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself and Mr. VAN HOLLEN):

H.R. 5641. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on House Administration.

By Mr. REED:

H.R. 5642. A bill to amend the Food and Nutrition Act of 2008 to modify the eligibility disqualification for certain convicted felons; to the Committee on Agriculture.

By Mr. REED (for himself and Mr. MCINTYRE):

H.R. 5643. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the public safety and community policing grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Ms. DEGETTE, and Mr. WHITFIELD):

H.R. 5644. A bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. REICHERT (for himself, Mr. LARSON of Connecticut, Mr. NEAL, Mr. PAULSEN, Mr. TIBERI, and Mr. SCHOCK):

H.R. 5645. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, Mr. THOMPSON of California, Mr. PAULSEN, Mr. POLIS, and Mr. WALDEN):

H.R. 5646. A bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. PERRY, Mr. YOHO, and Mr. DESANTIS):

H.R. 5647. A bill to promote transparency, accountability, and reform within the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and for other purposes; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN:

H.R. 5648. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. PERRY, Mr. YOHO, and Mr. DESANTIS):

H.R. 5649. A bill to promote transparency, accountability, and reform within the United Nations Human Rights Council, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROSS:

H.R. 5650. A bill to grant a Federal charter to the National Academy of Inventors; to the Committee on the Judiciary.

By Mr. RUIZ:

H.R. 5651. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the employer health insurance mandate for small businesses which are experiencing hardship; to the Committee on Ways and Means.

By Mr. RUIZ (for himself, Ms. KUSTER, Mr. MURPHY of Florida, Mr. SWALWELL of California, Ms. SINEMA, and Mr. GALLEGO):

H.R. 5652. A bill to provide for fiscal responsibility by the Federal Government through the use of accountability laws; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, and Financial Services, 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. SALMON:

H.R. 5653. A bill to provide for recipients of community development block grant funds to return such funds to the Treasury of the United States without prejudice, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. WAXMAN, Mr. BUTTERFIELD, Ms. DEGETTE, Mr. PALLONE, Mr. RUSH, and Mr. TONKO):

H.R. 5654. A bill to amend title 49, United States Code, to provide for increased and improved public access to motor vehicle safety information, enhanced tools and accountability for the National Highway Traffic Safety Administration, and protection of motor vehicle consumers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. BLUMENAUER, Mr. KELLY of Pennsylvania, and Mr. KIND):

H.R. 5655. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself and Ms. MCCOLLUM):

H.R. 5656. A bill to authorize the Feed the Future Initiative to reduce global poverty and hunger in developing countries on a sustainable basis, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STIVERS (for himself and Mr. WELCH):

H.R. 5657. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that eligible product developers have competitive access to approved drugs and licensed biological products, so as to enable eligible product developers to develop and test new products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STUTZMAN (for himself, Mrs. WALORSKI, and Mr. DUFFY):

H.R. 5658. A bill to revise the definition of ''manufactured home'' under the Manufactured Housing Construction and Safety Standards Act of 1974 to clarify the exclusion of certain recreational vehicles, and for other purposes; to the Committee on Financial Services.

By Mr. STUTZMAN:

H.R. 5659. A bill to reduce Federal, State, and local costs of providing high-quality drinking water to millions of Americans residing in rural communities by facilitating greater use of cost-effective well water systems, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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. TAKANO:

H.R. 5660. A bill to amend the Federal Election Campaign Act of 1971 to provide for a limitation on the time for the use of contributions or donations, and for other purposes; to the Committee on House Administration.

By Mr. VAN HOLLEN (for himself, Mr. LOWENTHAL, Mr. RUPPERSBERGER, Ms. SLAUGHTER, Mr. SABLAN, Mr. PASCRELL, Mr. TAKANO, Ms. MCCOLLUM, Mr. HONDA, and Ms. PINGREE of Maine):

H.R. 5661. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

By Mr. VAN HOLLEN (for himself and Mr. CLYBURN):

H.R. 5662. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration; to the Committee on Ways and Means.

By Mr. VEASEY:

H.R. 5663. A bill to provide for a competitive grant program for apprenticeship and internship programs through the Manufacturing Extension Partnership Program; to the Committee on Science, Space, and Technology.

By Ms. WATERS:

H.R. 5664. A bill to amend the Transportation Equity Act for the 21st Century to modify a high priority project in the State of California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEBER of Texas (for himself, Mr. SMITH of Texas, Mr. SESSIONS, Mr. FARENTHOLD, Mr. BRADY of Texas, Mr. CARTER, and Mr. SAM JOHNSON of Texas):

H.R. 5665. A bill to promote transparent, collaborative, and cost-effective national ambient air quality standards for ozone under the Clean Air Act and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas (for himself and Mr. SMITH of Texas):

H.R. 5666. A bill to strengthen United States-Israel science and technology cooperation; to the Committee on Science, Space, and Technology.

By Mr. WILLIAMS:

H.R. 5667. A bill to exempt small mortgage originators from certain licensing requirements and debt-to-income requirements for qualified mortgages; to the Committee on Financial Services.

By Mr. YOHO (for himself, Mr. POE of Texas, Mr. COLLINS of Georgia, Mr. WEBER of Texas, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. PERRY, Mr. COFFMAN, Mr. FLEMING, Mr. POSEY, and Mr. HARRIS):

H.R. 5668. A bill to suspend the provision of United States foreign assistance to the Palestinian Authority, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YOHO:

H.R. 5669. A bill to amend the Immigration and Nationality Act to provide for the loss of nationality by native-born or naturalized citizens due to affiliation with designated foreign terrorist organizations; to the Committee on the Judiciary.

By Mr. YOHO (for himself, Mr. MURPHY of Florida, Ms. ROS-LEHTINEN, Mr. GRAYSON, Mr. COLLINS of New York, Mr. RICE of South Carolina, Mr. JOLLY, Mr. RODNEY DAVIS of Illinois, Ms. BROWN of Florida, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. STOCKMAN, Mr. WEBER of Texas, Mr. DIAZ-BALART, Mr. SOUTHERLAND, and Mr. BILIRAKIS):

H.R. 5670. A bill to require the Secretary of the Treasury to implement security measures in the electronic tax return filing process to prevent tax refund fraud from being perpetrated with electronic identity theft; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5671. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD (for himself, Mr. GRIFFIN of Arkansas, Mr. MEADOWS, Mr. COTTON, Mr. SCALISE, Mrs. NOEM, Mr. GRAVES of Georgia, Mr. RODNEY DAVIS of Illinois, Mr. HARRIS, Mr. COLLINS of New York, Mr. MULVANEY, Mr. ROSS, Mr. SCHOCK, Mrs. WAGNER, Mr. MCHENRY, Mr. CALVERT, Mr. CRAMER, Mr. CULBERSON, Mr. ADERHOLT, and Mr. YODER):

H.J. Res. 126. A joint resolution proposing an amendment to the Constitution of the United States to control entitlement spending; to the Committee on the Judiciary.

By Mr. GOHMERT (for himself, Mrs. BACHMANN, Mr. SALMON, Mr. GOSAR, Mr. BARTON, Mr. HARRIS, and Mr. WEBER of Texas):

H.J. Res. 127. A joint resolution declaring that a state of war exists between the self-described ''Islamic State'' and its direct affiliates and subsidiaries, and the Government and the people of the United States and making provisions to prosecute the same; to the Committee on Foreign Affairs.

By Mr. KILMER (for himself, Mr. COURTNEY, Mr. LANGEVIN, Mr. FORBES, and Mr. GALLEGO):

H. Con. Res. 116. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 4,000 ballistic missile submarine (SSBN) deterrent patrols; to the Committee on Armed Services.

By Mr. LANCE:

H. Con. Res. 117. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a commemorative postage stamp honoring Admiral Ben Moreell and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Oversight and Government Reform.

By Ms. SHEA-PORTER (for herself, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. DEUTCH, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. KUSTER, and Mr. BILIRAKIS):

H. Res. 734. A resolution expressing the condolences of the House of Representatives to the families of James Foley and Steven Sotloff, and condemning the terrorist acts of the Islamic State of Iraq and the Levant; to the Committee on Foreign Affairs. considered and agreed to. considered and agreed to.

By Mr. HUIZENGA of Michigan (for himself and Mr. MEEKS):

H. Res. 735. A resolution expressing the sense of the House of Representatives that recently proposed measures that will reduce transparency and public participation at the International Association of Insurance Supervisors (IAIS) should be disapproved by United States representatives to the IAIS; to the Committee on Foreign Affairs.

By Mr. BARBER (for himself, Mrs. KIRKPATRICK, Mr. GRIJALVA, Mr. GOSAR, Mr. SALMON, Mr. SCHWEIKERT, Mr. PASTOR of Arizona, Mr. FRANKS of Arizona, and Ms. SINEMA):

H. Res. 736. A resolution affirming the importance of the Electronic Proving Ground at Fort Huachuca, Arizona, to the United States Armed Forces and national security on its 60th anniversary; to the Committee on Armed Services.

By Mr. GARDNER (for himself, Mr. WELCH, Mr. FRANKS of Arizona, Mr. GRIJALVA, Mr. MORAN, Mr. MCKINLEY, Mr. SCHRADER, Mrs. BLACKBURN, Mr. PETERS of California, Ms. TSONGAS, Mr. WILSON of South Carolina, Ms. CLARK of Massachusetts, Mr. KINZINGER of Illinois, Mr. GRIFFIN of Arkansas, Ms. SHEA-PORTER, Mr. HUDSON, Mr. YARMUTH, Mr. CÁRDENAS, Mr. TERRY, Mr. WEBSTER of Florida, Mr. PALLONE, Mr. HUFFMAN, Mr. SHIMKUS, Mr. COFFMAN, Mr. SARBANES, Ms. KUSTER, Mr. STUTZMAN, Mrs. MCMORRIS RODGERS, and Ms. LOFGREN):

H. Res. 737. A resolution expressing the sense of the House of Representatives that performance-based contracts for energy savings are a budget-neutral means to support the Federal Government in reducing its energy consumption without increasing spending while simultaneously supporting United States based jobs and economic development; to the Committee on the Budget.

By Mr. HOLDING (for himself, Mr. KING of New York, Mr. PETRI, Mr. MCINTYRE, Mr. MURPHY of Florida, Mr. HIGGINS, Mr. GRAYSON, and Ms. WILSON of Florida):

H. Res. 738. A resolution recognizing the self determination of Gibraltar to determine its status as a British Overseas Territory; to the Committee on Foreign Affairs.

By Ms. MENG:

H. Res. 739. A resolution supporting the goals and ideals of the International Day of Non-Violence; to the Committee on Oversight and Government Reform.

By Mr. NEUGEBAUER:

H. Res. 740. A resolution expressing support for designation of September 2014 as ''National Prostate Cancer Awareness Month''; to the Committee on Energy and Commerce.

By Mr. OLSON:

H. Res. 741. A resolution disapproving of the President's expression of intent to expand amnesty to undocumented immigrants through Executive order after the 2014 congressional midterm elections; to the Committee on the Judiciary.

By Mr. OLSON:

H. Res. 742. A resolution expressing the sense of the House of Representatives that it is unconstitutional for the President of the United States to continue to provide deferred action for childhood arrivals in enforcement of the immigration laws; to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mr. GRIJALVA, Mr. MCINTYRE, Mr. HINOJOSA, Mr. CICILLINE, Mr. VAN HOLLEN, Mr. YARMUTH, Ms. NORTON, Mr. ROE of Tennessee, and Mr. HOLT):

H. Res. 743. A resolution expressing support for designation of the week of September 22, 2014, as National Adult Education and Family Literacy Week; to the Committee on Education and the Workforce.

By Mr. POSEY:

H. Res. 744. A resolution expressing the sense of the House of Representatives that the Republic of Argentina's continued participation in the Group of Twenty Finance Ministers and Central Bank Governors (G20) nations should be conditioned on its adherence to international norms of economic cooperation and the rule of law; to the Committee on Foreign Affairs.

By Mr. RICE of South Carolina:

H. Res. 745. A resolution expressing the sense of the House that a Contract with America should restore American competitiveness; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Natural Resources, and 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. SMITH of New Jersey (for himself and Mr. KEATING):

H. Res. 746. A resolution expressing support for the people of Bosnia and Herzegovina as they seek to hold government officials accountable, prepare for elections at the state, entity, and cantonal level, and consider constitutional or other reforms to enhance the country's prospects for European and Euro-Atlantic integration; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

318. The SPEAKER presented a memorial of the Legislature of the State of Michigan, relative to Joint Resolution V petitioning the Congress of the United States to call a convention to propose amendments to the Constitution of the United States to require a balanced federal budget; to the Committee on the Judiciary.

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 Ms. SLAUGHTER:
H.R. 5525.
Congress has the power to enact this legislation pursuant to the following:
Sections 5 and 8 of Article I of the Constitution of the United States
By Ms. ESTY:
H.R. 5526.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Ms. ESTY: H.R. 5527.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. CAMP
H.R. 5528.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 and 18 of Section 8 of Article I of the United States Constitution, and Amendment XVI to the United States Constitution.
By Mr. McKINLEY:
H.R. 5529.
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.
By Mr. BROUN of Georgia:
H.R. 5530.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Sec. 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.
By Mr. CARTWRIGHT:
H.R. 5531.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)
By Mr. BARLETTA:
H.R. 5532.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, of the United States Constitution.
By Mr. POCAN:
H.R. 5533.
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. TONKO:
H.R. 5534.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Ms. JACKSON LEE:
H.R. 5535.
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 3 of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 5536.
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, Clauses 1, 3, and 18 of the United States Constitution.
By Mr. McKINLEY:
H.R. 5537.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8 of the Constitution of the United States.
By Ms. JACKSON LEE:
H.R. 5538.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.
By Mr. BURGESS:
H.R. 5539.
Congress has the power to enact this legislation pursuant to the following:
Per Section 8, Clause 1 of the Constitution, Congress shall have the power to lay and collect taxes. Per the Section 8, Clause 3 of the Constitution, Congress shall have the power regulate Commerce with foreign Nations and among the several States.
By Ms. JACKSON LEE:
H.R. 5540.
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 3 of the United States Constitution.
By Mr. FARR:
H.R. 5541.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8,''. . . Congress shall have power to . . . provide for the . . . general welfare of the United States . . .''
and specifically, Article I, Sec. 8, Cl. 2, ''. . . to regulate commerce . . .''
By Mr. CRAWFORD:
H.R. 5542.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, Clause 3, of the U.S. Constitution.
By Mr. DAINES:
H.R. 5543
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2 of the Constitution of the United States.
By Mr. BROUN of Georgia:
H.R. 5544.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution—''Congress shall have Power to regulate Commerce with Foreign nations and among the several States, and with the Indian Tribes;'' and
Article I, Section 8, Clause 18 of the Constitution—''Congress shall have Power 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, of in any Department or Officer thereof.''
By Mr. FARR:
H.R. 5545.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8. ''. . . Congress shall have power to . . . provide for the . . . general welfare of the United States.''
By Mr. HECK of Washington: H.R. 5546.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. CARTWRIGHT:
H.R. 5547.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)
By Mr. CARTWRIGHT:
H.R. 5548.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)
Article I; Section 8; (relating to the power of Congress to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;)
By Mr. DOGGETT:
H.R. 5549.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 5550.
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, Clauses 1, 3, and 18 of the United States Constitution.
By Mrs. BACHMANN:
H.R. 5551.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. BARBER:
H.R. 5552.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. The Congress shall have power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the commond defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.
By Mrs. BEATTY:
H.R. 5553.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. BISHOP of New York:
H.R. 5554.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.
By Mrs. BLACK:
H.R. 5555.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 6
The Congress shall have Power . . . 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 Mrs. BLACK:
H.R. 5556.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. BLACK:
H.R. 5557.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. BLACK:
H.R. 5558.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BLUMENAUER:

H.R. 5559.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution provides that ''Congress shall have Power to lay and collect Taxes . . . '' (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that ''Congress shall have power to lay and collect taxes on incomes, from whatever source derived. . . .'' (Sixteenth Amendment).

By Mr. BRALEY of Iowa:

H.R. 5560.

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 18 of the United States Constitution.

By Mr. BUTTERFIELD:

H.R. 5561.

Congress has the power to enact this legislation pursuant to the following:

Under Article I Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mrs. CAPPS:

H.R. 5562.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the United States Constitution, which reads: ''The Congress shall have Power ... To establish Post Offices and post Roads''

Article 1, Section 8, Clause 18 of the United States Constitution, which reads: ''The Congress shall have Power. . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. CÁRDENAS:

H.R. 5563.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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. CÁRDENAS:

H.R. 5564.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 1. All legislative Powers herin granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CARNEY:

H.R. 5565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the United States Constitution, the Taxing and Spending Clause: ''The 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 . . . ''

By Mr. CARNEY:

H.R. 5566.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The 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 . . . ''

By Mr. CARNEY:

H.R. 5567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the United States Constitution, the Taxing and Spending Clause: ''The 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 . . . ''

By Mr. CASTRO of Texas:

H.R. 5568.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . 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. CICILLINE:

H.R. 5569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. CLYBURN:

H.R. 5570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CLYBURN:

H.R. 5571.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CONYERS:

H.R. 5572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COOK:

H.R. 5573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAWFORD:

H.R. 5574.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article 1, Section 8 Clause 15 which grants Congress the power to make rules for the Government and Regulation of the land and naval Forces.

By Mr. CROWLEY:

H.R. 5575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States. . .''

By Mr. CROWLEY:

H.R. 5576.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article 1:

The Congress shall have the power to Pay a collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense a General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.

By Mrs. DAVIS of California:

H.R. 5577.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RODNEY DAVIS of Illinois:

H.R. 5578.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5579.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Ms. DeLAURO:

H.R. 5580.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Ms. DeLAURO:

H.R. 5581.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution—The Commerce Clause

By Ms. DeLAURO:

H.R. 5582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. DeLAURO:

H.R. 5583.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, the Commerce Clause

By Ms. DelBENE:

H.R. 5584.

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 . . . general Welfare of the United States;. . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DUFFY:

H.R. 5585.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. FARENTHOLD:

H.R. 5586.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the United States Constitution

By Mr. FOSTER:

H.R. 5587.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The 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. FOSTER:

H.R. 5588.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, 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 Ms. FRANKEL of Florida:

H.R. 5589.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (Clauses 1, 12, 13, and 14) of the United States Constitution, which grants Congress the power to lay and collect taxes for the purpose of spending; to raise and support armies; to provide and maintain a navy; and to make rules for the government and regulation of the land and naval forces.

By Ms. FUDGE:

H.R. 5590.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3, the Commerce Clause.

By Ms. FUDGE:

H.R. 5591.

Congress has the power to enact this legislation pursuant to the following:

Article 1 & 8 Clause 1

Artcle 1 & 8 Clause 3

Article 1 & 8 Clause 18

By Ms. GABBARD:

H.R. 5592.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article I, Section 8.

By Ms. GABBARD:

H.R. 5593.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. GABBARD:

H.R. 5594.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. GABBARD:

H.R. 5595.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GARCIA:

H.R. 5596.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3 of the U.S. Constitution and Article 1, section 8, clause 18 of the U.S. Constitution

By Mr. GOHMERT:

H.R. 5597.

Congress has the power to enact this legislation pursuant to the following:

Under the 10th Amendment to the U.S. Constitution, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively.'' The power to completely control what school children eat for breakfast or lunch is not an enumerated power of Congress and therefore a decision best left to the States.

By Mr. GOSAR:

H.R. 5598.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

Currently, the federal government owns approximately 29 percent of all land in the United States. The U.S. Constitution specifically addresses the relationship of the federal government to these lands. Article IV, Section 3, Clause 2—the Property Clause—gives Congress full authority over federal property including the National Park System. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. GRAVES of Missouri:

H.R. 5599.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States);

and

Article I, section 8, clause 3 (relating to the power to regulate interstate commerce); and

Article I, section 8, clause 18 (relating to all Laws which shall be necessary and proper for carrying into Execution the foregoing powers).

By Mr. GRAVES of Missouri:

H.R. 5600.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1 (relating to the general welfare of the United States); and

Article 1, section 8, clause 3 (relating to the power to regulate interstate commerce); and

Article 1, section 8, clause 18 (relating to all Laws which shall be necessary and proper for carrying into Execution the foregoing powers).

By Mr. GRAYSON:

H.R. 5601.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. HAHN:

H.R. 5602.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

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. HALL:

H.R. 5603.

Congress has the power to enact this legislation pursuant to the following:

Article 4, 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. HALL:

H.R. 5604.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the United States Constitution.

By Mr. HOLDING:

H.R. 5605.

Congress has the power to enact this legislation pursuant to the following:

Per Article I, Section 8, Clause 18 of the Constitution

By Mr. HONDA:

H.R. 5606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. HONDA:

H.R. 5607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. HORSFORD:

H.R. 5608.

Congress has the power to enact this legislation pursuant to the following:

Article. I. Section. 8. Clause, 18. and

Article. IV. Section. 3. Clause. 2.

By Mr. HUNTER:

H.R. 5609.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Clause 18

By Mr. HURT:

H.R. 5610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. ISRAEL:

H.R. 5611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ISRAEL:

H.R. 5612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ISRAEL:

H.R. 5613.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. JOHNSON of Ohio:

H.R. 5614.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 5615.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. KAPTUR:

H.R. 5616.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 5617.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 8 and

Amendment XIV Sections 1 and 5

By Mr. KILMER:

H.R. 5618.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KING of New York:

H.R. 5619.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power ... 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. KING of New York:

H.R. 5620.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States, which grants

Congress the power to provide for the common Defence of the United States.

By Mr. LANGEVIN:

H.R. 5621.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. LANGEVIN:

H.R. 5622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, and Article I, Section 8 of the United States Constitution.

By Mr. LEWIS:

H.R. 5623.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOWENTHAL:

H.R. 5624.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization

Article I, Section 8, Clause 1

The 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.

Necessary and Proper Regulations to Effectuate Powers

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5625.

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 3 of the United States Constitution.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5626.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. MAFFEI:

H.R. 5627.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. MEADOWS:

H.R. 5628.

Congress has the power to enact this legislation pursuant to the following:

''The Congress shall have the Poert 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.'' – Article 1, Section 8, Clause 18

By Mr. MEEHAN:

H.R. 5629.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. MURPHY of Florida:

H.R. 5630.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1 Section 8 of the United States Constitution.

By Mr. MURPHY of Florida:

H.R. 5631.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Constitution of the United States, which states the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. NEUGEBAUER:

H.R. 5632.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. PASCRELL:

H.R. 5633.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PETERS of California:

H.R. 5634.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of US Constitution.

By Mr. PETERS of California:

H.R. 5635.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of US Constitution.

By Mr. PETERS of California:

H.R. 5636.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of US Constitution

By Mr. PETERS of California:

H.R. 5637.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of US Constitution

By Mr. PETRI:

H.R. 5638.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. PRICE of North Carolina:

H.R. 5639.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PRICE of North Carolina:

H.R. 5640.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. PRICE of North Carolina:

H.R. 5641.

Congress has the power to enact this legislation pursuant to the following:

Congressional power to provide for public financing of campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution.

In Buckley v. Valeo, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, ''In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising.''

By Mr. REED:

H.R. 5642.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. REED:

H.R. 5643.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—promoting the general welfare.

By Mr. REED:

H.R. 5644.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. REICHERT:

H.R. 5645.

Congress has the power to enact this legislation pursuant to the following:

''Article I, Section 8, Clause 1: The 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. REICHERT:

H.R. 5646.

Congress has the power to enact this legislation pursuant to the following:

''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 Ms. ROS-LEHTINEN:

H.R. 5647.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROS-LEHTINEN:

H.R. 5648.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROS-LEHTINEN:

H.R. 5649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. ROSS:

H.R. 5650.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RUIZ:

H.R. 5651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution provides Congress ''power to lay and collect taxes.''

By Mr. RUIZ:

H.R. 5652.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 18 of the United States Constitution, to make all laws necessary and proper to carry out the powers of Congress.

By Mr. SALMON:

H.R. 5653.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Ms. SCHAKOWSKY:
H.R. 5654.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. SCHOCK:
H.R. 5655.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.
By Mr. SMITH of New Jersey:
H.R. 5656.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.
By Mr. STIVERS:
H.R. 5657.
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 3 of the United States Constitution. The Constitution's Commerce Clause allows Congress to enact laws when reasonably related to the regulation of interstate commerce.
By Mr. STUTZMAN:
H.R. 5658.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution which states, ''Congress shall have the power ... to regulate commerce with foreign nations, and among the several states and among the Indian Tribes.''
By Mr. STUTZMAN:
H.R. 5659.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution which states, ''Congress shall have the power...to regulate commerce with foreign nations, and among the several states and among the Indian Tribes.''
By Mr. TAKANO:
H.R. 5660.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the Constitution of the United States.
By Mr. VAN HOLLEN:
H.R. 5661.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. VAN HOLLEN:
H.R. 5662.
Congress has the power to enact this legislation pursuant to the following:
Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.
By Mr. VEASEY:
H.R. 5663.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8: The Congress shall have a Power to lay and collect taxies, duties, imposts and excises, to pay the debts and provide for the Congress shall have the power for the common defense and general welfare of the United States.
By Ms. WATERS:
H.R. 5664.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 1 of the U.S. Constitution and
Article 1, Section 9, clause 7 of the U.S. Constitution.
By Mr. WEBER of Texas:
H.R. 5665.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
Article I, Section 8, Clause 18
The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. WEBER of Texas:
H.R. 5666.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; and
Article I, Section 8, Clause 18: The Congress shall have power 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. WILLIAMS:
H.R. 5667.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3: To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes.
By Mr. YOHO:
H.R. 5668.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. YOHO:
H.R. 5669.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4 of the Constitution of the United States, which grants Congress the Power ''To establish an uniform Rule of Naturalization...''
By Mr. YOHO:
H.R. 5670.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''
By Mr. YOUNG of Alaska:
H.R. 5671.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. CRAWFORD:
H.J. Res. 126.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article V of the United States Constitution
By Mr. GOHMERT:
H.J. Res. 127.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8 of the U.S. Constitution, ''Congress shall have Power. . . To declare War.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. JEFFRIES.
H.R. 139: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 274: Mr. GALLEGO.
H.R. 366: Mr. GARCIA and Mr. REED.
H.R. 385: Mr. LUCAS.
H.R. 386: Mr. BUTTERFIELD.
H.R. 401: Mr. GINGREY of Georgia.
H.R. 445: Ms. LEE of California.
H.R. 460: Ms. SINEMA and Mr. NOLAN.
H.R. 485: Mr. KEATING.
H.R. 494: Mr. JOYCE.
H.R. 499: Mr. LOWENTHAL.
H.R. 525: Mr. PERRY.
H.R. 578: Mr. MCCLINTOCK.
H.R. 596: Ms. CHU.
H.R. 609: Ms. BONAMICI.
H.R. 640: Mr. HENSARLING.
H.R. 645: Mr. JEFFRIES.
H.R. 690: Mr. COHEN.
H.R. 713: Mr. SEAN PATRICK MALONEY of New York.
H.R. 719: Mr. TAKANO and Mr. CHABOT.
H.R. 725: Ms. KAPTUR and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 790: Ms. EDWARDS.
H.R. 792: Mr. POE of Texas and Mr. SCHOCK.
H.R. 855: Ms. TSONGAS.
H.R. 942: Mr. BISHOP of New York, Mr. PAULSEN, and Mr. ISRAEL.
H.R. 958: Mr. SEAN PATRICK MALONEY of New York.
H.R. 962: Ms. DUCKWORTH and Mr. NOLAN.
H.R. 1009: Mr. NOLAN.
H.R. 1015: Mr. KEATING.
H.R. 1070: Mr. DOGGETT, Ms. BROWNLEY of California, Mr. PALAZZO, Mr. SOUTHERLAND, Mr. CICILLINE, Mr. MCNERNEY, Mr. CULBERSON, Mr. BISHOP of New York, Mr. BRALEY of Iowa, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of Michigan, Mr. NADLER, Mr. NUGENT, Ms. TSONGAS, Mr. LAMBORN, Mr. SERRANO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFRIES, and Mr. MURPHY of Pennsylvania.
H.R. 1074: Mr. LANGEVIN, Mr. BARR, Mr. BOUSTANY, and Mr. NADLER.
H.R. 1125: Mr. BERA of California.
H.R. 1250: Mr. MILLER of Florida and Mr. LAMBORN.
H.R. 1252: Mr. SEAN PATRICK MALONEY of New York and Mr. DANNY K. DAVIS of Illinois.
H.R. 1271: Mr. CARTWRIGHT.
H.R. 1284: Mr. AMODEI.
H.R. 1318: Mr. PRICE of North Carolina.
H.R. 1339: Mrs. MCCARTHY of New York, Mr. MCINTYRE, Mr. CLEAVER, Mr. NADLER, and Mr. PETERS of Michigan.
H.R. 1380: Mr. MORAN.
H.R. 1386: Mr. DENT.
H.R. 1428: Mr. DANNY K. DAVIS of Illinois.
H.R. 1440: Mr. GUTHRIE and Ms. DUCKWORTH.
H.R. 1507: Mr. COOPER.
H.R. 1538: Mr. CARTWRIGHT.
H.R. 1553: Mr. PETERS of California and Ms. WASSERMAN SCHULTZ.
H.R. 1556: Mr. GEORGE MILLER of California.
H.R. 1563: Mr. PALAZZO, Ms. ESTY, and Ms. CLARK OF MASSACHUSETTS.
H.R. 1601: Ms. SCHWARTZ and Ms. SLAUGHTER.
H.R. 1620: Mr. JOHNSON of Georgia.
H.R. 1630: Ms. DUCKWORTH and Mr. CLEAVER.
H.R. 1666: Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of Michigan, Mr. NADLER, and Mr. MCINTYRE.
H.R. 1714: Mr. BUTTERFIELD.
H.R. 1731: Mr. RUIZ and Mr. DELANEY.
H.R. 1738: Mr. TIERNEY.
H.R. 1783: Ms. PINGREE of Maine, Mr. GARCIA, Mr. COHEN, Ms. LEE of California, Mr. HUFFMAN, Mr. NADLER, Mr. HONDA, Mr. DEFAZIO, Mr. SCHIFF, Mr. CARSON of Indiana, Mr. CICILLINE, and Ms. KUSTER.

H.R. 1795: Mr. WALZ.
H.R. 1821: Mr. CICILLINE.
H.R. 1827: Mr. COHEN and Mr. NADLER.
H.R. 1830: Mr. MURPHY of Pennsylvania.
H.R. 1852: Mr. PETRI and Ms. DUCKWORTH.
H.R. 1998: Mrs. BEATTY, Mr. CARTWRIGHT, and Mr. SIRES.
H.R. 2144: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2147: Mr. CARTWRIGHT.
H.R. 2241: Ms. ESTY.
H.R. 2315: Mr. BISHOP of New York.
H.R. 2329: Mr. MILLER of Florida.
H.R. 2330: Mr. MURPHY of Pennsylvania.
H.R. 2342: Mr. CARTWRIGHT.
H.R. 2350: Ms. LEE of California.
H.R. 2362: Mr. VEASEY.
H.R. 2453: Mr. MILLER of Florida.
H.R. 2457: Mr. JEFFRIES.
H.R. 2468: Mr. SMITH of Washington.
H.R. 2500: Mr. GERLACH, Mr. MURPHY of Florida, Mr. PETERS of California, and Mr. DENT.
H.R. 2510: Ms. SHEA-PORTER.
H.R. 2523: Ms. BORDALLO.
H.R. 2529: Mr. CONNOLLY.
H.R. 2536: Mr. MCDERMOTT.
H.R. 2543: Mr. LARSON of Connecticut, Mr. RODNEY DAVIS of Illinois, Mr. ISSA, and Mr. FARR.
H.R. 2591: Ms. BROWNLEY of California.
H.R. 2638: Ms. DUCKWORTH.
H.R. 2651: Mr. STIVERS.
H.R. 2662: Ms. DUCKWORTH.
H.R. 2676: Mr. DAVID SCOTT of Georgia.
H.R. 2738: Mr. JEFFRIES.
H.R. 2745: Mr. ROSS.
H.R. 2780: Mr. POLIS.
H.R. 2821: Ms. KAPTUR.
H.R. 2831: Ms. PINGREE of Maine, Mr. NADLER, Mr. COHEN, Ms. KUSTER, Mr. CARSON of Indiana, and Ms. SHEA-PORTER.
H.R. 2835: Mr. MURPHY of Pennsylvania.
H. R. 2847: Mr. CUMMINGS
H.R. 2851: Ms. DELBENE and Ms. SLAUGHTER.
H.R. 2856: Ms. ESHOO, Ms. MCCOLLUM, Mr. CARTWRIGHT, Mr. CLEAVER, Mr. CARSON of Indiana, Ms. BONAMICI, Mr. BERA of California, Mr. GRIMM, Mr. SARBANES, Mr. SMITH of Washington, Mr. COFFMAN, Ms. SINEMA, Mr. PAYNE, Mrs. MCCARTHY of New York, Mr. MICHAUD, and Mr. HORSFORD.
H.R. 2901: Ms. SCHAKOWSKY, Mr. LANCE, Ms. MATSUI, Mr. TONKO, Mr. JEFFRIES, Mr. KING of Iowa, and Mr. COOK.
H.R. 2907: Ms. DUCKWORTH.
H.R. 2918: Mr. BENISHEK, Mr. THOMPSON of Mississippi, and Ms. SINEMA.
H.R. 2921: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2959: Mr. CHAFFETZ.
H.R. 2994: Ms. MCCOLLUM, Mr. RICE of South Carolina, Ms. SINEMA, Mr. RODNEY DAVIS of Illinois, and Mr. BUCSHON.
H.R. 3040: Mr. SMITH of Washington.
H.R. 3063: Mr. GARCIA.
H.R. 3116: Mr. MESSER.
H.R. 3135: Mr. ISRAEL.
H.R. 3240: Mr. LATTA, Mr. TAKANO, Mr. LOEBSACK, and Mr. JOYCE.
H.R. 3367: Mr. GUTHRIE, Mr. MESSER, and Mr. DENHAM.
H.R. 3369: Ms. MATSUI.
H.R. 3382: Mr. SIMPSON.
H.R. 3398: Ms. DELAURO, Ms. SLAUGHTER, and Mr. HANNA.
H.R. 3401: Mr. CARTWRIGHT.
H.R. 3408: Ms. DUCKWORTH.
H.R. 3461: Ms. DUCKWORTH and Mr. FOSTER.
H.R. 3486: Mr. SESSIONS and Mr. DIAZ-BALART.
H.R. 3508: Mr. BRADY of Pennsylvania.
H.R. 3532: Ms. SHEA-PORTER.
H.R. 3643: Mr. HONDA.
H.R. 3650: Ms. DUCKWORTH.
H.R. 3662: Ms. BROWNLEY of California.
H.R. 3708: Mr. RICE of South Carolina, Mr. COTTON, Mr. LUETKEMEYER, Mr. CÁRDENAS, Mr. BISHOP of New York, and Mr. COOK.
H.R. 3710: Mr. BISHOP of New York.
H.R. 3717: Mr. GINGREY of Georgia, Mr. SIMPSON, Mr. MARINO, Mr. GUTHRIE, Mr. MICA, Mr. DEUTCH, and Ms. ROS-LEHTINEN.
H.R. 3723: Mr. TAKANO, Mr. LANCE, Mr. BISHOP of New York, Mr. POCAN, Mr. HORSFORD, Mr. DAVID SCOTT of Georgia, Ms. CLARK of Massachusetts, Mr. SERRANO, and Mr. VEASEY.
H.R. 3740: Ms. BONAMICI.
H.R. 3782: Mr. MURPHY of Florida.
H.R. 3833: Mr. CICILLINE.
H.R. 3850: Mr. GARCIA, Ms. LEE of California, Mr. COHEN, and Ms. KUSTER.
H.R. 3877: Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DESANTIS, and Mr. RODNEY DAVIS of Illinois.
H.R. 3938: Mr. GARCIA.
H.R. 3970: Mr. RANGEL.
H.R. 3991: Mr. CRAWFORD.
H.R. 4060: Mr. COSTA.
H.R. 4110: Mr. CARTWRIGHT.
H.R. 4128: Ms. LEE of California and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4136: Mr. PETERS of California.
H.R. 4158: Mr. GINGREY of Georgia.
H.R. 4172: Mr. DEFAZIO, Mr. SEAN PATRICK MALONEY of New York, Mrs. NAPOLITANO, Mr. HORSFORD, and Mr. SCHOCK.
H.R. 4178: Mr. MURPHY of Florida.
H.R. 4187: Mr. BOUSTANY and Mr. KELLY of Pennsylvania.
H.R. 4190: Ms. PINGREE of Maine, Mr. GRIJALVA, and Mr. PETERS of Michigan.
H.R. 4212: Ms. SINEMA.
H.R. 4223: Mr. CONAWAY, Mr. ADERHOLT, and Ms. SINEMA.
H.R. 4234: Ms. TSONGAS.
H.R. 4237: Mr. JOLLY.
H.R. 4249: Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Ms. PINGREE of Maine, Mr. TAKANO, Mr. CARSON of Indiana, Ms. KUSTER, Ms. SHEA-PORTER, and Ms. ROYBAL-ALLARD.
H.R. 4300: Mr. NUNES and Mr. THOMPSON of California.
H.R. 4344: Mr. WELCH.
H.R. 4351: Mr. JEFFRIES.
H.R. 4365: Mr. SEAN PATRICK MALONEY of New York.
H.R. 4377: Mr. MCDERMOTT, Mr. KEATING, Ms. JACKSON LEE, Mr. CONNOLLY, Mr. CICILLINE, Mr. KING of New York, and Ms. MENG.
H.R. 4383: Mr. NOLAN.
H.R. 4407: Mr. GUTHRIE.
H.R. 4432: Mr. PERRY .
H.R. 4440: Ms. CLARK of Massachusetts, Mr. LOWENTHAL, Ms. MCCOLLUM, and Mr. CUMMINGS.
H.R. 4446: Mr. MCKEON, Mr. KING of New York, Mr. JONES, and Mr. COBLE.
H.R. 4447: Mr. SALMON.
H.R. 4510: Ms. WATERS, Mr. RICHMOND, Mr. DOYLE, and Ms. CLARKE of New York.
H.R. 4511: Ms. SHEA-PORTER.
H.R. 4515: Ms. NORTON.
H.R. 4521: Mr. CASSIDY.
H.R. 4525: Mr. O'ROURKE.
H.R. 4526: Mrs. NAPOLITANO and Mr. POLIS.
H.R. 4538: Mr. CONNOLLY.
H.R. 4567: Mr. HECK of Washington, Ms. MCCOLLUM, and Mr. NOLAN.
H.R. 4574: Mr. ELLISON.
H.R. 4577: Ms. HERRERA BEUTLER.
H.R. 4582: Mrs. NAPOLITANO.
H.R. 4595: Mr. LOEBSACK.
H.R. 4607: Mr. DOGGETT.
H.R. 4611: Mr. LANGEVIN.
H.R. 4612: Mr. WENSTRUP.
H.R. 4625: Mr. CUELLAR.
H.R. 4637: Mrs. MILLER of Michigan, Mr. JONES, and Mr. PERLMUTTER.
H.R. 4647: Mr. KLINE.
H.R. 4679: Ms. ROYBAL-ALLARD and Mrs. LOWEY.
H.R. 4682: Mr. COHEN.
H.R. 4714: Mr. POLIS.
H.R. 4717: Mrs. WAGNER and Mr. NOLAN.
H.R. 4726: Mr. HARPER and Mr. BLUMENAUER.
H.R. 4740: Mr. CAPUANO.
H.R. 4741: Ms. TITUS.
H.R. 4772: Mr. FINCHER.
H.R. 4793: Mr. LOWENTHAL, Mr. JOHNSON of Georgia, and Ms. SINEMA.
H.R. 4807: Mr. JOLLY.
H.R. 4813: Mrs. HARTZLER.
H.R. 4814: Mr. SHERMAN, Mr. CARTWRIGHT, Mr. NOLAN, and Mr. POCAN.
H.R. 4824: Ms. LEE of California and Mr. FOSTER.
H.R. 4837: Mr. LOEBSACK and Mr. CLEAVER.
H.R. 4843: Ms. PINGREE of Maine and Mr. FALEOMAVAEGA.
H.R. 4857: Mr. NEAL.
H.R. 4878: Mr. SMITH of Missouri.
H.R. 4880: Ms. SHEA-PORTER and Mr. MCGOVERN.
H.R. 4886: Mr. KINGSTON and Mr. CARTWRIGHT.
H.R. 4920: Mr. REED, Ms. DUCKWORTH, Mr. TIPTON, Ms. SLAUGHTER, Mr. JOHNSON of Georgia, Mr. RUSH, Mr. MILLER of Florida, Mr. PETERSON, and Mr. KING of New York.
H.R. 4929: Mr. CARTWRIGHT.
H.R. 4930: Ms. FRANKEL of Florida and Mr. JOYCE.
H.R. 4960: Mr. VEASEY, Mr. HARPER, Mr. BARLETTA, Mr. RODNEY DAVIS of Illinois, Mr. GUTHRIE, Mr. FINCHER, Mr. CARTER, and Mr. WENSTRUP.
H.R. 4964: Mrs. BEATTY and Mr. JEFFRIES.
H.R. 4966: Ms. SHEA-PORTER.
H.R. 4969: Mr. BARLETTA, Mr. MICHAUD, Mr. FORTENBERRY, Mr. HECK of Nevada, and Mr. CALVERT.
H.R. 4977: Ms. FRANKEL of Florida.
H.R. 4981: Mr. JEFFRIES.
H.R. 4998: Mr. NADLER.
H.R. 5012: Mr. SEAN PATRICK MALONEY of New York, Mr. SCHIFF, Mr. HONDA, Mr. SARBANES, Mr. HIGGINS, Mrs. NEGRETE MCLEOD, Mr. HUFFMAN, Mr. NADLER, Mr. GARCIA, Mr. ENYART, Ms. LEE of California, Ms. PINGREE of Maine, Mrs. DAVIS of California, Mr. COHEN, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. KUSTER, Ms. MENG. and Ms. BONAMICI.
H.R. 5024: Mrs. CAPPS and Mr. RYAN of Ohio.
H.R. 5025: Ms. BROWNLEY of California.
H.R. 5051: Mr. LARSON of Connecticut.
H.R. 5055: Mr. GALLEGO.
H.R. 5059: Mr. HINOJOSA, Mr. VEASEY, Mr. SOUTHERLAND, Mr. GUTIÉRREZ, Mr. RUPPERSBERGER, Mr. NEAL, Mr. BILIRAKIS, Ms. TSONGAS, Mr. HECK of Washington, Mr. YOUNG of Indiana, and Mr. SCHOCK.
H.R. 5069: Mr. JOHNSON of Ohio, Mr. GIBSON, and Mr. AUSTIN SCOTT of Georgia.
H.R. 5071: Mr. MICHAUD and Mr. DAINES.
H.R. 5083: Mr. RUSH, Mr. PETERSON, Mr. MILLER of Florida, Mr. KING of Iowa, Mr. DAVID SCOTT of Georgia, and Mr. ROTHFUS.
H.R. 5087: Mr. NADLER.
H.R. 5088: Mr. JOHNSON of Georgia.
H.R. 5098: Mr. PERRY.
H.R. 5110: Mr. BILIRAKIS.
H.R. 5113: Mr. CALVERT.
H.R. 5119: Mr. JONES.
H.R. 5126: Mr. WELCH and Mr. HONDA.
H.R. 5128: Mr. PETERS of California.
H.R. 5130: Ms. LOFGREN, Mr. GUTIÉRREZ, Mr. LYNCH, Mr. WELCH, Mr. KIND, and Mr. PRICE of North Carolina.
H.R. 5159: Ms. MCCOLLUM.
H.R. 5160: Mr. ROSS.
H.R. 5168: Mr. DELANEY and Ms. ROYBAL-ALLARD.
H.R. 5182: Mr. LEWIS, Ms. MOORE, Mr. VARGAS, Ms. ROYBAL-ALLARD, Mr. CAPUANO, Mr. HASTINGS, of Florida, and Mr. FARR.
H.R. 5190: Mr. JEFFRIES and Mr. QUIGLEY.
H.R. 5194: Mr. MULVANEY.
H.R. 5207: Mr. CLEAVER, Mr. AL GREEN of Texas, Ms. KELLY of Illinois, Mr. RUSH, Mr. CLAY, and Mr. JOHNSON of Ohio.

H.R. 5211: Ms. DUCKWORTH, Mr. COLE, and Ms. GABBARD.
H.R. 5212: Mr. ELLISON and Mr. TIPTON.
H.R. 5213: Mrs. HARTZLER, Mr. TIBERI, Mr. BRADY of Texas, Mr. STIVERS, Mr. AUSTIN SCOTT of Georgia, and Mr. GALLEGO.
H.R. 5217: Mr. CAPUANO.
H.R. 5226: Mr. CALVERT.
H.R. 5227: Mr. PAYNE, Ms. MATSUI, Mr. GRIFFIN of Arkansas, and Ms. Jenkins.
H.R. 5231: Mr. COBLE.
H.R. 5232: Mr. RANGEL.
H.R. 5240: Mr. RICHMOND, Mr. HORSFORD, Ms. JACKSON LEE, Mr. HIGGINS and Mr. PAYNE.
H.R. 5242: Ms. LEE of California, Ms. PINGREE of Maine, Mr. TAKANO, Mr. COHEN, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. TITUS, Ms. KUSTER, Ms. MENG and Ms. ROYBAL-ALLARD.
H.R. 5252: Mr. FRANKS of Arizona and Mr. FORTENBERRY.
H.R. 5262: Mr. ROSKAM, Mr. JONES, Mr. SCHOCK, Mr. RIBBLE, Mr. Rodney Davis of Illinois, and Mr. RICE of South Carolina.
H.R. 5263: Mr. DANNY K. DAVIS of Illinois.
H.R. 5264: Mr. KIND and Mr. REED.
H.R. 5267: Mr. FARR, Ms. LOFGREN, Mr. MCDERMOTT, Mr. GERLACH, Ms. SINEMA, Mr. MCNERNEY, Mr. KEATING, Ms. PINGREE of Maine, Mr. GRIJALVA, Mr. BARLETTA, Mr. BISHOP of New York, Mr. O'ROURKE, Mr. POLIS, Mr. WHITFIELD, Mr. NEAL, Mr. CAPUANO, Mr. KENNEDY, Ms. TSONGAS, and Mr. TIERNEY.
H.R. 5269: Mr. DELANEY.
H.R. 5270: Mrs. NAPOLITANO, Mrs. KIRKPATRICK, Mr. DEFAZIO, and Mr. PETERS of California.
H.R. 5271: Mr. RANGEL and Ms. LOFGREN.
H.R. 5277: Ms. ROYBAL-ALLARD and Ms. CHU.
H.R. 5283: Ms. CHU and Ms. LEE of California.
H.R. 5285: Mr. SESSIONS, Mr. POSEY, and Mr. ROONEY.
H.R. 52.94: Mr. COHEN.
H.R. 5306: Mr. CAPUANO.
H.R. 5313: Mr. BISHOP of New York and Mr. MAFFEI.
H.R. 5323: Mr. COHEN.
H.R. 5334: Mr. KILMER.
H.R. 5336: Ms. CLARK of Massachusetts and Ms. SINEMA.
H.R. 5340: Ms. BROWN of Florida and Mr. RUIZ.
H.R. 5343: Ms. ROYBAL-ALLARD.
H.R. 5352: Mr. COHEN.
H.R. 5362: Mrs. NAPOLITANO, Ms. NORTON, Mr. NADLER, Ms. LEE of California, and Mr. SWALWELL of California.
H.R. 5363: Mr. RUIZ.
H.R. 5364: Mr. RUIZ, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. SABLAN, Ms. CHU, Mr. PAYNE, Mrs. KIRKPATRICK, and Ms. SHEA-PORTER.
H.R. 5369: Mr. MCKEON, Mr. PETERS of California, Mr. YOHO, and Mr. RANGEL.
H.R. 5379: Mr. JOHNSON of Ohio, Mr. MCGOVERN, and Mr. ROHRABACHER.
H.R. 5382: Mrs. BEATTY.
H.R. 5392: Mrs. HARTZLER.
H.R. 5403: Mrs. CAPITO, Ms. JENKINS, Mr. MEADOWS, Mr. KING of New York, Mr. ROKITA, Mrs. ROBY, Mr. HUDSON, Mr. HARPER, Mr. SESSIONS, Mr. TERRY, Mr. HOLDING, Mr. MURPHY of Pennsylvania, Mr. TIPTON, Mr. PALAZZO, Mr. HUIZENGA of Michigan, Mr. GUTHRIE, Mr. PETRI, Mr. HURT, Mr. SOUTHERLAND, Mr. SWALWELL of California, Mr. BARROW of Georgia, Mr. DENT, Mr. FOSTER, Ms. SINEMA, Mr. FLEISCHMANN, Mr. GALLEGO, Mr. CARTER, Mr. CALVERT, and Ms. SHEA-PORTER.
H.R. 5408: Mr. MULVANEY, Mr. WALBERG, and Mr. BROUN of Georgia.
H.R. 5409: Mr. BROOKS of Alabama.
H.R. 5413: Mr. MURPHY of Florida and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 5439: Mr. DINGELL, Mrs. BEATTY, Mr. MAFFEI, and Ms. MOORE.
H.R. 5441: Mr. BLUMENAUER, Mrs. BLACK, Mr. RANGEL, Mr. CRAMER, Mr. FRELINGHUYSEN, Ms. SEWELL of Alabama, Mr. RICE of South Carolina, Mr. GRIFFITH of Virginia, Mr. NUNNELEE, Mrs. NEGRETE MCLEOD, Ms. KUSTER, Mr. HECK of Nevada, Mr. KING of New York, and Mr. MURPHY of Pennsylvania.
H.R. 5445: Mr. POCAN and Ms. MCCOLLUM.
H.R. 5451: Mr. HONDA and Mr. GRIJALVA.
H.R. 5456: Mrs. MILLER of Michigan.
H.R. 5459: Mr. SEAN PATRICK MALONEY of New York.
H.R. 5460: Ms. BONAMICI.
H.R. 5463: Mr. RIBBLE.
H.R. 5470: Mr. CULBERSON.
H.R. 5474: Mrs. NEGRETE MCLEOD.
H.R. 5477: Mr. ROKITA.
H.R. 5478: Mr. SCOTT of Virginia, Ms. KAPTUR, Mr. MCGOVERN, Mr. BLUMENAUER and Mr. JONES.
H.R. 5480: Mr. FARENTHOLD, Mr. GOHMERT, Mr. SESSIONS, Mr. BROUN of Georgia, Mr. PEARCE, Ms. GRANGER, Mr. MARCHANT, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. CARTER, Mr. HENSARLING, and Mr. BRADY of Texas.
H.R. 5481: Mr. STEWART and Mr. CHAFFETZ.
H.R. 5483: Mr. KING of New York, Mr. MEADOWS, Mr. RAHALL, Mr. BENTIVOLIO, Mr. SMITH of Nebraska, Mr. HUELSKAMP, Mr. BARR, and Mr. BARLETTA.
H.R. 5484: Ms. BROWNLEY of California.
H.R. 5485: Mr. VAN HOLLEN and Mr. SCOTT of Virginia.
H.R. 5486: Mr. JOHNSON of Georgia.
H.R. 5503: Ms. ESTY.
H.R. 5508: Mr. NOLAN, Mr. LOEBSACK, Mr. PETERS of California, and Ms. CLARKE of New York.
H.R. 5516: Ms. KAPTUR.
H.R. 5520: Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. BARLETTA, and Mr. SMITH of Texas.
H.R. 5524: Mr. MCNERNEY, Mr. RUSH, Ms. SINEMA, Mr. RYAN of Ohio and Mr. SWALWELL of California.
H.J. Res. 56: Mr. BERA of California.
H.J. Res. 125: Mr. MORAN, Ms. SCHAKOWSKY, and Mr. CONNOLLY.
H. Con. Res. 97: Mr. NUGENT.
H. Con. Res. 114: Mr. CONYERS, Ms. CLARK OF MASSACHUSETTS, Mr. O'ROURKE, Ms. HAHN, Mr. NOLAN, Mr. HONDA, Ms. PINGREE of Maine, and Ms. TSONGAS.
H. Res. 208: Ms. CLARK OF MASSACHUSETTS.
H. Res. 231: Mr. GARCIA, Mr. HONDA, and Mr. MEEKS.
H. Res. 239: Mr. GRIJALVA.
H. Res. 276: Mr. GARCIA.
H. Res. 281: Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, and Mr. GUTHRIE.
H. Res. 412: Mr. MEEKS.
H. Res. 428: Mr. MCALLISTER and Mr. PETERSON.
H. Res. 456: Ms. EDWARDS, Ms. KUSTER, Mr. GARCIA, and Mr. PRICE of Georgia.
H. Res. 536: Mr. PETERSON, Mr. POCAN, and Mr. RODNEY DAVIS of Illinois.
H. Res. 571: Mr. GARCIA.
H. Res. 614: Mr. HURT.
H. Res. 619: Ms. SHEA-PORTER.
H. Res. 620: Mr. STOCKMAN, Mr. THOMPSON of Pennsylvania, Mr. PERRY, Mr. MESSER, and Mr. WEBSTER of Florida.
H. Res. 658: Ms. SHEA-PORTER.
H. Res. 668: Mr. RUSH, Ms. BORDELLO, Ms. PINGREE of Maine, Mr. POCAN, Mr. COHEN, Ms. CHU, Ms. ROYBAL-ALLARD, and Mr. POLIS.
H. Res. 688: Mr. VEASEY, Mr. MARCHANT, Mr. KILMER, Mr. VELA, Mr. HECK of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS of California, and Mrs. DAVIS of California.
H. Res. 707: Mr. YODER, Mr. PASCRELL, Mr. BISHOP of Georgia, Mr. TERRY, Mr. LEWIS, Ms. FUDGE, Mr. CLAY, Mrs. BACHMANN, Mr. LARSON of Connecticut, Mr. NUNNELEE, Ms. JENKINS, Mr. MESSER, Ms. NORTON, Mr. BRIDENSTINE, Mr. LYNCH, Mr. WALBERG, Mr. FRELINGHUYSEN, Mr. BYRNE, Mr. HENSARLING, Mrs. MCMORRIS RODGERS, Mr. POMPEO, Mr. BACHUS, Ms. ROYBAL-ALLARD, Mr. DUNCAN of South Carolina, Mr. SCOTT of Virginia, Mr. AUSTIN SCOTT of Georgia, Ms. CLARK OF MASSACHUSETTS, Mr. ROE of Tennessee, Mr. SESSIONS, Mr. MURPHY of Pennsylvania, Mr. BARBER, Mr. UPTON, Mr. SMITH of New Jersey, Mr. JEFFRIES, and Mr. FORBES.
H. Res. 711: Mr. TONKO, Mr. BERA of California, Ms. ROYBAL-ALLARD, Mrs. MCCARTHY of New York, Mr. GIBSON, Mr. PAYNE, and Mr. MURPHY of Pennsylvania.
H. Res. 716: Mr. PETERS of Michigan.
H. Res. 723: Ms. VELÁZQUEZ, Mr. CAPUANO, Mr. VEASEY, Mr. SABLAN, Mr. SWALWELL of California, and Ms. MENG.
H. Res. 724: Mrs. MILLER of Michigan.
H. Res. 730: Mr. FARR, Mr. SARBANES, Mr. MCNERNEY, Mr. PAULSEN, Mr. CARTWRIGHT, and Mr. ELLISON.
H. Res. 731: Mr. GRIJALVA and Ms. JACKSON LEE.
H. Res. 733: Ms. SPEIER.

PETITIONS, ETC.

Under clause 3 of rule XII

100. The SPEAKER presented a petition of The National Society Sons of the American Revolution, Louisville, Kentucky, relative to a resolution endorsing the passage of the Joint Resolutions pending in both houses of Congress to confer Honorary Citizenship to General Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez; to the Committee on the Judiciary.