actions against employment discrimination.

We need to see discrimination in the workplace addressed. We have to protect employees' rights to bring suit together. I urge my colleagues to support this legislation. Help restore the legal rights of ordinary citizens over corporations.

FIX HEALTH CARE THE RIGHT WAY

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

Mr. ROE of Tennessee. Mr. Speaker, next week the Supreme Court is expected to rule on the constitutionality of President Obama's health care law.

While we don't yet know the outcome, there are things that we do know. We know that no matter what happens, you'll still be able to see your doctor, the emergency room will still treat you if you're in an accident or have a problem, and the pharmacy down the street will fill your prescription.

We know that the American people don't want government bureaucrats making their health care decisions, but they do want us to address real problems like skyrocketing costs of care or the challenges that many people are having of finding a physician.

We all know this law must be repealed. In its place, we must adopt reforms that will lower the cost of care, increase access, and enhance the quality. This must be done in a transparent, bipartisan way.

No matter what the Ccourt determines, our work here has just begun. As representatives of the American people, we have a responsibility to fix health care in the right way.

BUSINESSES NEED STABILITY

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

Mr. LANKFORD. Mr. Speaker, I come from an energy State, a State that has done hydraulic fracking since the 1940s. It is a State that has beautiful lands, clean air, and clean water.

But energy requires a tremendous amount of capital, and so it needs consistency in its laws and its regulations. In this day and age, that's a problem apparently because Federal regulations continue to change.

It shouldn't be an issue. We're a Nation of laws, not a Nation of leaders. As a Nation of laws, we center around what is consistent and stable so business can invest. When that is destabilized, no one knows what to do, no one knows how to invest, and jobs don't grow.

Let me just give you a few examples. The recess appointments done by this President just a few months ago destabilized the NLRB and CFPB. The Boeing rule that was put down just 2 years ago now by the NLRB telling Boeing where they can and can't build. The immigration laws that are coming out right now begin to destabilize because no one knows when the law is going to be enforced and when it's not going to be enforced, and who gets a waiver and who doesn't. The Defense of Marriage Act that now is not going to be enforced anymore by this administration. The HHS decision that comes down and tells a religious group what they can practice as their doctrine and what they can't practice. And then yesterday, a requirement for executive privilege based on Fast and Furious.

The Missouri Senate has experienced this. Hosanna Tabor v. EEOC was a 9–0 Supreme Court ruling, kicking out the Obama administration trying to redefine what is a minister. It is time for stable regulations, stable rules, and the law to come around to Congress again.

EXECUTIVE PRIVILEGE AND FAST AND FURIOUS

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

Mr. POE of Texas. Mr. Speaker, the government continues to hide the evidence of the Fast and Furious gun running scheme.

The attorney general says he doesn't know who authorized this reckless and deadly operation, but he still conceals documents to show what occurred. The President claims he was not involved, but minutes before Congress began the process to hold the Attorney General in contempt, the President—''the leader of the most transparent administration in history''—desperately asserted executive privilege to withhold the documents from Congress.

According to The Washington Times, when the President was a Senator, he said this about the previous administration:

> There has been a tendency on the part of the administration to try to hide behind executive privilege every time there is something a little shaky taking place. I think the administration would best be served by coming clean on this. There doesn't seem to be any national security involved.

Mr. Speaker, that was then, and this is now. And this President conveniently does exactly what he criticized others for doing.

So the saga of the Republic continues, and that's just the way it is.

□ 0910

AMERICA'S HIGHWAY AND TRANSIT PROGRAMS

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

Mr. CLEAVER. Mr. Speaker, unless we act now, the highway and transit programs will expire in a few days, endangering our roads, bridges, transit systems; and everyone who uses them will experience a decline in what they view as America.

So I would like to list the reasons we need to move quickly to pass a highway bill that is not simply an extension. One, we must raise America's standing in the world of infrastructure from 24th place to first. Three months ago, the Senate passed a responsible, bipartisan 2-year transportation bill that would save or create 2 million jobs. We have 2.2 million construction and manufacturing workers out of work; $1,060 is how much we could save each family in transportation costs if we could come to an agreement. H.R. 7 was called by my friend Secretary LaHood ''the most partisan transportation bill that (he had) ever seen, the worst transportation bill.''

Mr. Speaker, I have more points. I will try to get them in later.

DOMESTIC ENERGY AND JOBS ACT

GENERAL LEAVE

Mr. LAMBORN. 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. 4480.

The SPEAKER pro tempore (Mr. ROE of Tennessee). Pursuant to House Resolution 691 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4480.

Will the gentleman from Texas (Mr. POE) kindly take the chair.

□ 0911

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 20, 2012, a request for a recorded vote on amendment No. 17 printed in House Report 112–540 offered by the gentleman from Virginia (Mr. RIGELL) had been postponed.

AMENDMENT NO. 18 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 112–540.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE ____—MISCELLANEOUS PROVISIONS

SEC. ____1. ELIGIBILITY FOR NEW LEASES AND THE TRANSFER OF LEASES.

(a) ISSUANCE OF NEW LEASES.—

(1) IN GENERAL.—The Secretary of the Interior shall not offer new leases under a plan required by subsection (k) of section 161 of the Energy Policy and Conservation Act, as amended by section 102 of this Act, to a person described in paragraph (2) unless the person has renegotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) PERSONS DESCRIBED.—A person referred to in paragraph (1) is a person that—

(A) is a lessee that—

(i) holds a covered lease on the date on which the Secretary considers the issuance of the new lease; or

(ii) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or

(B) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

(b) DEFINITIONS.—In this section:

(1) COVERED LEASE.—The term ''covered lease'' means a lease for oil or gas production in the Gulf of Mexico that is—

(A) in existence on the date of enactment of this Act;

(B) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104–58); and

(C) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) LESSEE.—The term ''lessee'' includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee.

(3) NEW LEASE.—The term ''new lease'' means a lease issued in a lease sale under this Act, the amendments made by this Act, or any plan, strategy, or program under this Act.

The Acting CHAIR. Pursuant to House Resolution 691, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chair, much of this bill deals with new giveaways to Big Oil. The issue that I'm raising right now is to deal with a continuing longstanding giveaway.

The Big Five oil companies made a record profit of $137 billion last year; and in the first quarter of this year, they continued to capitalize on the pain that Americans are feeling at the pump, raking in $368 million in profits per day.

Oil companies are not paying any royalties to the American people on oil produced in the Gulf of Mexico from leases issued between 1996 and 2000. Zero. No royalties. They're pumping this oil for free without paying the taxpayers a single dime. Now they got this giveaway because of an incentive back in 1995 to companies to drill for oil when oil was selling for less than $20 a barrel.

In recent years, the amount of free oil these companies have been pumping has gone through the roof as more of these faulty leases have gone into production. In fact, right now, more than 25 percent of all oil produced offshore on Federal lands is produced royalty-free, no payments to the taxpayers for the use of their land. These oil companies are getting a complete windfall on 25 percent of all the oil they produce offshore in the United States. They do not pay the American people one penny for this right, regardless of the fact that now oil is selling at about $80 a barrel.

The number one entitlement program that should be on the chopping block for Congress shouldn't be Medicare. It shouldn't be Social Security. It shouldn't be health care for children. It should be the free drilling entitlement that oil companies are enjoying on public lands.

According to the Interior Department, American taxpayers stand to lose about $9.5 billion over the next 10 years from this giveaway alone, this giveaway to Big Oil. The Government Accountability Office projects that all of this free drilling will cost us as much as $53 billion over the life of these leases. My amendment would recover those revenues because they belong to the American people. These oil giants already receive $4 billion a year in tax subsidies. They don't need an additional $1 billion or more per year in free drilling.

The amendment would offer oil companies a choice: they can choose either to continue to produce royalty-free oil in the gulf but not be able to receive new leases, or they can agree to pay their fair share and be able to bid on new leases under this bill. And this amendment would not force companies to give up their leases. It would just simply impose a condition on future leases.

The Congressional Research Service has agreed repeatedly that this amendment would not be an abrogation of contracts or constitute a takings, as some of my colleagues have suggested it might. As CRS has stated:

> As a general matter, the United States has broad discretion in setting the qualifications of those with whom it contracts.

These oil companies are the most profitable companies in the history of the world; yet they receive, as I said—and it's worth repeating—$4 billion a year in taxpayer subsidies. They don't need to be drilling for free on public lands as well.

If my colleagues on the other side of the aisle are serious about paying down the deficit and realistically financing necessary investments in this Nation, then there is no excuse for not supporting this amendment to recover roughly $1 billion a year that is rightfully owed to the American people.

It's time to end this taxpayer rip-off, this giveaway to Big Oil.

I reserve the balance of my time.

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

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

Mr. LAMBORN. Well, I respect the relationship that I have with my friend and colleague from New Jersey. I appreciate the fact that Mr. HOLT is the ranking member of the Subcommittee on Energy and Mineral Resources. I appreciate the fact that he came to Denver recently for a field hearing that the subcommittee had on hydraulic fracking.

So I do appreciate the work he does on the subcommittee, but I have to disagree with him on this amendment. And I would urge opposition to this amendment.

It's identical to one that failed on this House floor by a bipartisan vote earlier this year in February. And I have to remind my friend and colleague that this issue has been repeatedly settled in the Nation's courts of law with the courts determining that rewriting the terms of these leases to include price thresholds, which the Clinton administration apparently forgot to include in the leases, would be a direct violation of contract law.

Specifically, the U.S. Supreme Court found that the Department of the Interior did not have the authority to rewrite these contracts that were issued during the Clinton administration under the 1995 law. And I will also remind the gentleman that the Department of the Interior has lost this issue in the district court, appellate court, and the Supreme Court.

□ 0920

If this amendment passed, the issue would most certainly be challenged once again in court, where the Department would use taxpayer dollars to lose again.

Ultimately, this amendment seeks to force U.S. companies to break a contract negotiated under then-current government law or else be denied the opportunity to do business in the United States. The amendment aims to back companies into a corner and attempts to force them to break a legally binding contract.

Again, this amendment has failed on the House floor before, and I would urge continued opposition and a ''no'' vote.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from New Jersey has 30 seconds remaining.

Mr. HOLT. I thank the Chair.

Mr. Chair, this amendment breaks no contracts. We are here because the Congress, well over a decade ago when prices were less than $20 a barrel, decided this giveaway made sense. If it

made sense then, it certainly does not make sense now.

Oil companies drill one-quarter of all offshore oil for free. If the other side is serious about addressing the deficit, this is revenue that should be received.

Please support this amendment.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I would urge opposition once again to this amendment, as we have done before in the House, and I would urge a ''no'' vote.

I yield back the balance of my time.

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

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

Mr. HOLT. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 19 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 112–540.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE ____—ADVANCING OFFSHORE WIND PRODUCTION

SEC. ____1. SHORT TITLE.

This title may be cited at the ''Advancing Offshore Wind Production Act''.

SEC. ____2. OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECTS.

(a) DEFINITION OF AN OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECT.—In this section, the term ''offshore meteorological site testing and monitoring project'' means a project carried out on or in the waters of the Outer Continental Shelf administered by the Department of the Interior to test or monitor weather (including wind, tidal, current, and solar energy) using towers, buoys, or other temporary ocean infrastructure, that—

(1) causes—

(A) less than 1 acre of surface or seafloor disruption at the location of each meteorological tower or other device; and

(B) not more than 5 acres of surface or seafloor disruption within the proposed area affected by for the project (including hazards to navigation);

(2) is decommissioned not more than 5 years after the date of commencement of the project, including—

(A) removal of towers, buoys, or other temporary ocean infrastructure from the project site; and

(B) restoration of the project site to approximately the original condition of the site; and

(3) provides meteorological information obtained by the project to the Secretary of the Interior.

(b) OFFSHORE METEOROLOGICAL PROJECT PERMITTING.—

(1) IN GENERAL.—The Secretary of the Interior shall by regulation require that any applicant seeking to conduct an offshore meteorological site testing and monitoring project on the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.)) must obtain a permit and right of way for the project in accordance with this subsection.

(2) PERMIT AND RIGHT OF WAY TIMELINE AND CONDITIONS.—

(A) DEADLINE FOR APPROVAL.—The Secretary shall decide whether to issue a permit and right of way for an offshore meteorological site testing and monitoring project within 30 days after receiving an application.

(B) PUBLIC COMMENT AND CONSULTATION.—During the period referred to in subparagraph (A), the Secretary shall—

(i) provide an opportunity for submission of comments by the public; and

(ii) consult with the Secretary of Defense, the Commandant of the Coast Guard, and the heads of other Federal, State, and local agencies that would be affected by issuance of the permit and right of way.

(C) DENIAL OF PERMIT; OPPORTUNITY TO REMEDY DEFICIENCIES.—If the application is denied, the Secretary shall provide the applicant—

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

(ii) an opportunity to remedy such deficiencies.

(c) NEPA EXCLUSION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to an offshore meteorological site testing and monitoring project.

(d) PROTECTION OF INFORMATION.—The information provided to the Secretary of the Interior pursuant to subsection (a)(3) shall be treated by the Secretary as proprietary information and protected against disclosure.

The Acting CHAIR. Pursuant to House Resolution 691, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, today, the House is taking an independent and important step forward to develop domestic sources of energy, create American jobs, and reduce our reliance on foreign sources of energy. And I'm a strong proponent of an all-of-the-above energy policy.

As a scientist by trade, I understand the need to achieve a balance to foster development of American energy while at the same time protecting the integrity of our environment. We can achieve efficiency and protection, and this bill helps us achieve both goals.

Offshore wind energy is an important component, furthering development of clean, renewable American energy sources. Unfortunately, the process is often unnecessarily slowed for years by bureaucratic hurdles in the permitting process and numerous other delays. The Cape Wind project in Massachusetts only recently received Federal permitting approval, a process 10 years in the making.

The U.S. built the Hoover Dam in 5 years during the height of the Great Depression. Within a decade of President Kennedy's call to put a man on the Moon, the U.S. had won the space race. Americans have proven that we can accomplish great engineering and technical feats in small periods of time. However, today it's frustrating that this administration cannot point to one wind turbine operating offshore in Federal waters. They can, however, point to layer after layer after layer of regulations, bureaucracy, and red tape.

While it is critical that energy development is safe and environmentally friendly, the process must become more efficient. This amendment facilitates the development of an all-of-the-above energy strategy by streamlining the process for the Bureau of Ocean Energy Management to develop offshore wind power.

My amendment will speed the production of wind energy, as it sets a 30-day time line for the Secretary of the Interior to act on permits for all weather testing and monitoring projects in the United States Outer Continental Shelf. This amendment will also streamline the environmental review process for these small wind testing towers.

This amendment also requires coordination with the Department of Defense and other affected agencies so the projects do not disrupt national security or other critical projects. This provision is especially important for the Commonwealth of Virginia, with its active defense community.

This amendment is identical to H.R. 2137, legislation I authored that passed out of the House Natural Resources Committee last July. This effort has been endorsed by the U.S. Chamber of Commerce and the National Ocean Industries Association.

I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, the amendment creates a brand-new, burdensome permitting scheme that would complicate the process for obtaining a permit to construct a meteorological tower offshore and undermine offshore wind development. Let me say that again. This will actually make it harder to build an offshore wind project, not easier.

This amendment is similar to H.R. 2173, which was reported out of the Natural Resources Committee last year. When moving this bill through committee, the Republican majority was unable to find a single wind industry witness to come to testify on this bill, and that is because the industry that the majority is trying to help with this bill doesn't think that the measure is helpful.

So the wind industry does not support this bill. I'll just make that clear, if you are interested in helping an industry to grow. The bill has not been endorsed by any offshore wind companies or trade groups and those kinds of

companies that have popped up all over the country now. None of those companies are endorsing this bill.

I'm going to read a statement that is part of the legislative hearing record on this amendment. It is from Jim Lanard, the president of the Offshore Wind Development Coalition. Here's what he says on behalf of the coalition: Streamlining approvals of towers or buoys to test wind speeds offshore is an important goal. We believe that NEPA will allow this goal to be achieved.

So NEPA clearly is not the enemy here. But in case there is still doubt, he says: Disregarding the bill's NEPA exclusion, we believe—this is, again, Mr. Lanard speaking for the Offshore Wind Development Coalition—we believe that current practices are adequate for the approval of these towers or buoys.

This bill represents a fundamental misunderstanding of what the offshore wind industry really needs. A company is simply not going to invest millions of dollars engineering and constructing a huge meteorological tower on the Outer Continental Shelf unless they have a guarantee that they'll be able to use that area to build a wind farm.

To be very clear, the industry wants a lease before they invest millions of dollars into a project. To get a lease, we should and we do require consideration of the impacts of development on the environment and the competing uses of these public waters. We should and we do require coordination with the other agencies using the Outer Continental Shelf, like the Navy, the FAA and FCC. This amendment would dismantle that process.

This amendment says sorry, wind industry. You may have sunk millions of dollars into your meteorological tower, but it's time to tear it down. We let you build it without fully considering the impacts. And no wind farm either.

Plain and simple, this bill certainly reduces the likelihood that we will see wind constructed off the shores of our country. The companies affected by this bill were not consulted before creating it.

I have a document here from the Navy commenting on this bill. Essentially, it says the 30-day limit on consultations in the amendment is problematic. The Federal Aviation Administration has expressed similar concerns. The Federal Communications Commission has expressed similar concerns. This bill will make it harder to construct offshore wind projects, and maybe—and I think this is what it's all about—that's the point after all.

I reserve the balance of my time.

□ 0930

Mr. WITTMAN. Mr. Chairman, I yield 1 minute to the chairman of the Subcommittee on Energy and Mineral Resources, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, I would like to point out to my colleague, Representative MARKEY, that this administration has not yet seen the completion of a single wind tower off the shore of the United States in over 3 years. Not a single one. This is a sincere and genuine attempt to cut through some of the red tape that's causing this kind of delay. How in the world can you have less red tape being bad for the construction of wind towers? This is truly a good solution. I applaud this legislation.

Representative WITTMAN has offered a bill that embodies the same concept that passed the committee by a bipartisan vote earlier this year. This is a good bill, a good amendment from that bill, and I would urge its adoption.

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

Mr. MARKEY. Mr. Chairman, the bottom line is that President Bush's Interior Department sat on offshore wind regulations for 4 years. Do you want to hear that again? President Bush's Interior Department sat on offshore wind regulations for 4 years. Did not promulgate them. President Obama got them done in his first 6 months. The Obama administration passionately believes in new wind. In fact, there's 35,000 new megawatts onshore, and they desperately want it offshore as well, and the process is working.

We agree that during the Bush years, the Cape wind process did not work, but there were no rules that were promulgated. Obama did it. The project is now approved for Cape wind, and it should move forward. There's nothing wrong with the process, and I urge a ''no'' vote on this amendment.

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

Mr. WITTMAN. Mr. Chairman, I would like to remind folks that this bill does accommodate concerns that may be raised by the Department of Defense and other Federal agencies to make sure that all those thoughts and ideas are put into place in considering this permitting process. But it streamlines it. That's a simple, thoughtful process that gets to the point much quicker. So instead of taking 3 years to permit a tower, now it goes to 30 days. It seems to me it's counterintuitive to say that longer is better. In this case, since there are no active mills, windmills offshore, wind turbines offshore, it seems to me that we ought to quicken the process. This clearly does, yet it allows for proper due diligence, proper consideration of all of the different concerns. And this amendment, indeed, facilitates the development of an all-of-the-above energy strategy by streamlining the process with the Bureau of Ocean Energy Management to develop offshore wind power and also to support good-paying American jobs. Let's not forget about that.

I urge my colleagues to accept this amendment and expedite offshore wind energy development, and with that, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 20 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 112–540.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VIII—SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS

SEC. 801. SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS.

Section 342(c) of the Energy Policy and Conservation Act (42 U.S.C. 6313(c)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) The term '(SOC-SC-M)' means a medium temperature commercial refrigerator—

''(i) with a self-contained condensing unit and equipped with sliding or hinged doors in the back intended for use by sales personnel, and with glass or other transparent material in the front for displaying merchandise; and

''(ii) that has a height not greater than 66 inches and is intended to serve as a counter for transactions between sales personnel and customers.

''(C) The term 'TDA' means the total display area (ft^2) of the refrigerated case, as defined in Air-Conditioning, Heating, and Refrigeration Institute Standard 1200.'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following:

''(4) Each SOC-SC-M manufactured on or after the date which is 6 months after the date of enactment of the Better Use of Refrigerator Regulations Act shall have a total daily energy consumption (in kilowatt hours per day) of not more than 0.6 x TDA + 1.0.''.

The Acting CHAIR. Pursuant to House Resolution 691, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I rise today in support of my bipartisan amendment to H.R. 4480 with my colleague from Iowa (Mr. BRALEY).

Like this legislation, the amendment we offer today would ease expensive and burdensome energy regulations and help save American jobs.

By placing service-over-the-counter refrigerator units—which is a fancy

way of saying refrigerated display cases like you see in grocery stores and delis—into their own product classification, we can remove a burdensome regulation that could put this entire industry out of business.

Currently, these deli display cases are in the same classification as commercial reach-in refrigerators, similar to those you have in your home. This means that they must also meet the energy efficiency standards of those refrigerators. But that doesn't make any sense. These two types of refrigerators are designed for completely different purposes. Your refrigerator at home is only opened so many times. It has a light that comes on only when you open the door. These display cases are well lit. There's a lot of glass, which makes it harder to keep the energy efficiency at the same level as a reach-in refrigerator. And if you don't want to reach in and grab your popsicle and just come up with a stick, we need to put this in a totally different classification.

In my district, it's going to mean the cost of about 1,100 jobs. Across the United States, it's about 8,500 jobs that would be lost if these people are put out of business. As this bill does and as this amendment does, we think that it helps save jobs.

So with that, I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I rise in opposition to the Westmoreland amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Let's just get to the heart of the question of energy efficiency. Back in 1987, I was the author of the Appliance Efficiency Act of 1987, which is the constitution for energy efficiency in the appliance field. Since that time, the efficiency of appliances has increased so dramatically that we have reduced the need for between 100 and 150 new coal-fired plants from ever having to be constructed in the United States. Why is that? Well, electricity that is not consumed results in less need for new coal-fired or any kind of fired electricity, saving the consumers, saving the environment, and just working smarter, not harder. If you can keep the popsicle cool with a more efficient refrigeration process, if you can have the toast pop up with a more efficient toasting process, if you can have every one of the appliances that we use, including the air-conditioning in this room—the air-conditioning in this room is just as good as it was in 1987 but it is 50 percent more efficient in its generating capacity than it was in 1987. That reduces the need to generate new electricity that is needed. That saves money, and it saves on environmental damage as well.

So right now we're about to consider something that deals with deli-style refrigerators. Now, we're having this conversation having had no hearings on this issue in the Energy and Commerce Committee. We've had no testimony from the industry, no testimony from the Department of Energy on what this amendment could mean in terms of its impact. And we've had no evidence of an incapacity to be able to comply with these rules except for the fact that no one ever wants to necessarily become more efficient if they have to go through the extra effort and have never been required to do so.

□ 0940

The reason that we have these energy efficiency rules is that we're doing it for the betterment of the whole country and moving industries along, making sure that we do not have to produce this additional new electricity.

So, I think that it's better if we save money and save energy at the same time. That's what efficiency is all about. That's what working smarter, not harder is all about. The evidence is clear, since 1987, that we've done it. We've moved every other device along and made it more efficient, so I just don't know the reason why we would need a provision like this.

At this point, I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, sometimes up here we have people that think they know more than the industry. This industry has jobs, it employs people, and they're trying to do the best they can with their technology. But we can't be up here and tell industry what's best for them if we don't know anything about refrigeration or the energy efficiencies that they're trying to do.

These folks are trying to do the right thing. They are trying to do it to the best of their ability, but with these regulations, they're unable to do it right now. All we're asking for is to save 8,500 jobs across this country. And with unemployment in Georgia above the national average, it's 1,100 jobs just in Georgia. So I hope that my colleagues on both sides of the aisle will support this amendment, and let's save 8,500 jobs.

I yield back the balance of my time.

Mr. MARKEY. I yield myself, again, as much time as I may consume.

You know, this is just a continuation of the Republican obsession and opposition—obstinate, obdurate opposition—to increased efficiency in our society. Just a couple weeks ago they brought a bill out here on the floor that would roll back the efficiency of light bulbs in the United States, even though the entire industry has already complied with it. They were still trying to roll back the efficiency of light bulbs. Now we have the deli freezer, and we'll move on to product by product that they don't believe it is necessary to improve its efficiency whatsoever. And they just respond one by one almost to an incomprehensible set of demands made by, as yet, nonexistent experts telling us that it's impossible to comply.

So, why don't we have a hearing? Why don't we get the evidence? Why don't we hear what every company in the United States says about deli freezers and then we can act upon it after we hear the evidence? But acting this way—you know, ''congressional expert'' is an oxymoron. We're not experts compared to real experts. We're only experts compared to other Congressmen. ''Congressional expert'' is an oxymoron, like jumbo shrimp or Salt Lake City nightlife. I mean, there is no such thing as a congressional expert. We should not be acting this way on the House floor trying to make ad hoc changes in efficiencies rules. It just doesn't make any sense.

Again, I oppose the way in which this is occurring, and I urge a ''no'' vote on the Westmoreland amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MS. BASS OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 112–540.

Ms. BASS of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 10, strike ''The Committee'' and insert the following:

(1) IN GENERAL.—The Committee

Page 8, after line 13, insert the following:

(2) ADDITIONAL ANALYSIS.—The Committee shall conduct an analysis of how to shield American consumers and the United States economy from gasoline price fluctuations and supply disruptions in the oil market by reducing the dependence of the United States on oil.

Page 8, line 15, strike ''analysis conducted under this section'' and insert ''analysis conducted under subsection (a)(1)''.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from California (Ms. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BASS of California. Mr. Chairman, my Los Angeles district is home to one of the largest urban oilfields in the United States, the Inglewood Oil Field. My constituents suffer from anxiety and stress because of the oil drilling. In 2006, drilling operations were ramped up, and the release of harmful fumes forced nearby residents to evacuate their homes.

In April 2012, the County of Los Angeles conducted a study in which over 70 percent of residents living near the oilfields expressed concerns about exposure to emissions from the oilfield. Meanwhile, my colleagues, unfortunately, on the other side of the aisle continue to push for more domestic drilling and relaxed regulations.

The bill before us today is based on two claims that appear to have become articles of faith. The claims are that

gas prices will fall if we weaken environmental protections and if we open more areas for drilling in the United States. The problem is that there is no empirical evidence supporting these claims. Oil prices are set on a world market, and no amount of domestic drilling in the United States will have a meaningful impact on that price. This isn't spin from some interest groups; this is the conclusion drawn by experts. It has been corroborated by the Associated Press and the Congressional Budget Office.

The AP conducted a thorough study of gasoline prices and U.S. oil production over the last 36 years and found zero correlation between the two. In other words, changes in U.S. oil production had absolutely no effect on gasoline prices, but that doesn't mean there's nothing we can do to help American families burdened by high fuel costs.

CBO recently released a study on energy security. They found that boosting U.S. oil production will not protect Americans from gasoline price spikes. Instead, CBO found that the only way to protect consumers from these spikes is to use less oil. The reason for this is simple: Gasoline prices are linked to the global oil market. That's why Japan, which imports all of its oil it uses, and Canada, which exports more than 75 percent of the oil it produces, experience the very same gasoline spikes we experience.

The best way to save money at the pump is to drive right past it. The Obama administration has been helping consumers do just that. We know that efficiency works to reduce cost. The Energy Information Administration has found that the cost per mile of driving has fallen by more than 25 percent since 1980 due to improvements in the efficiency of our vehicles.

President Obama has already taken action to reduce costs further. The new vehicle efficiency and greenhouse gas standards for model years 2012–2016 will save consumers, on average, over $3,000 over the life of a vehicle, which is hundreds of dollars per year. The millions of Americans that have bought model year 2012 cars are already enjoying savings at the pump. In fact, the new standards are currently saving consumers 14 cents per gallon.

Furthermore, the energy efficiency sector is a booming job-creating field. In my district, CODA Automotive, an electric car company, recently opened their new headquarters. In a few short months last year they created 300 new jobs, and hundreds more will be created in the coming years. This is the type of job creation and cost savings that we should be focused on.

My amendment simply improves the bill by adding a provision that actually has something to do with gasoline prices. This amendment would require the newly created Interagency Committee to analyze how to protect American consumers from gasoline price spikes by reducing America's dependence on oil.

I hope my colleagues will join me in recognizing that efficiency works and must be part of the solution. If not, this legislation will continue to ignore the only approach identified by CBO as helpful in protecting consumers from supply disruption and price spikes.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. GARDNER. Mr. Chairman, I seek time in opposition to the amendment.

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

Mr. GARDNER. I have great respect for the gentlelady from California who joined this Congress in the class of 2010 election and served as Speaker of the House in California. It's great to work with you on the House floor, but unfortunately I am going to have to oppose the amendment.

The best way to reduce our dependence on foreign oil is to increase our energy opportunities right here in our own backyard. That's what the Domestic Energy and Jobs Act is all about. The components and pieces, the seven parts of this bill, are designed to reduce red tape to increase opportunity for American energy production—those productions occurring on our Federal lands, including renewable energy; the opportunity to create wind energy, solar energy on our Federal lands, making sure the Department of the Interior is planning for that, taking a look at.

But, again, the best way to reduce our reliance on oil imports is domestic production, the opportunity to increase that production right here in our own backyard. That's what this bill is about.

□ 0950

It's about creating jobs and opportunity for the American people. It's about making sure that we can reduce the price at the pump.

And let me talk just a little bit about reducing the price at the pump. The gentlelady from California mentioned the issue of CAFE standards, increasing efficiency in cars. Well, you know, you're only going to achieve those higher efficiencies through CAFE standards if you're able to afford a new car.

But we know that that is going to make cars more expensive. It's going to cost $1,000 in the near term. It's going to add $3,000 by 2025 to the cost of a vehicle. That's going to be higher if you talk to the National Automobile Dealers Association, the NADA.

So if you're not struggling under the burden of higher gas prices, then I guess you can afford a new car. Maybe you can, I don't know. But the fact is, if we continue to allow energy increases to increase nearly 100 percent, as they have over the past 3 years, the American people, our constituents, will be priced out of the ability to even contemplate the purchase of a new vehicle, continuing their struggle to make ends meet, to heat and cool their home because of the cost of energy prices.

We know that we have opportunities right here in our own back yard: the Keystone XL pipeline, North American energy, energy from the Bakken oil fields of North Dakota. The cause of gasoline price fluctuation is already known.

The gentlelady from California mentioned the CBO study. The CBO study talks about demand as a factor in price, but seems to neglect that there is no supply connection. Supply matters. Supply and demand matters.

Let's take a look at natural gas. Production of natural gas right now, the price is at low levels because we have almost a glut of natural gas. As a result, the price of natural gas is low. Supply matters.

Secretary Chu testified before the Energy and Commerce Committee that supply matters. It's not just a demand equation. You can't just turned around and say as more people consume oil that increases the price of oil without taking a look at the other part of the equation: supply. More supply. Secretary Chu said so.

With that, Mr. Chairman, the best way to reduce our reliance on foreign imports is to create American jobs with American energy.

I reserve the balance of my time.

Ms. BASS of California. I yield back the balance of my time.

Mr. GARDNER. I urge opposition to the amendment.

I yield back the balance of my time.

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

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

Ms. BASS of California. Mr. Chairman, I demand a recorded vote.

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

The Chair understands that amendment No. 22 will not be offered.

AMENDMENT NO. 23 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 112–540.

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk. It is No. 23.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 9, at the end of title II, add the following new section:

SEC. 207. ENSURING FEASIBLE ANALYSES.

(a) DETERMINATION OF FEASIBILITY OF ANALYSES.—Notwithstanding any other provision of this title, if the Secretary of Energy determines that the analyses required under section 203 are infeasible to conduct, require data that does not exist, or would generate results subject to such large estimates of uncertainty that the results would be neither reliable nor useful, the requirements under section 203(a) shall cease to be effective.

(b) NO REPORT OR DELAY OF FINAL ACTION ON CERTAIN RULES IF ANALYSES ARE INFEASIBLE.—If, pursuant to subsection (a), the requirements under section 203(a) cease to be effective, then the requirements under sections 204 and 205 shall cease to be effective.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my hope that we can all simply agree to this amendment.

Among this bill's many provisions is one that creates a new interagency committee to do the impossible. It is charged with conducting an analysis of the EPA air quality rules that have not been proposed, using data that does not even exist. I'm concerned that this new interagency committee is being set up to fail.

First, the bill before us requires the new committee to examine the potential impact of several EPA air quality rules on gasoline prices. There's one significant problem. These rules have not yet been proposed.

Now, we can argue about whether they have been initiated, contemplated, discussed, mulled over, considered and so forth. But the fundamental fact is that the rules and their requirements have not even yet been proposed. The committee simply has nothing concrete to analyze.

As a result, any report that this new interagency committee would complete would be the product of a series of best guesses, estimates, approximations, and assumptions that cannot possibly provide credible assessment of a potential impact of these potential rules on gasoline prices.

Moreover, it may not even be possible for the interagency committee to complete this analysis, as insufficient as it will be, without a significant investment of resources at the Department of Energy.

We asked the Energy Information Administration what it would take to complete such an analysis. EIA, which is better positioned than any other government agency to tackle this project, said that it currently does not have the analytic capability even to conduct the State or regional level breakdowns required by such a bill.

The agency also would have to collect or purchase new data, despite the bill's hollow assurances that this isn't necessary. And the Department of Energy would have to devote significant new staff and contractor time to be able to comply with the bill's requirements. In essence, this bill proposes to devote scarce taxpayer dollars to produce a report that will not be reliable, credible, or even valuable to anyone.

My amendment simply states that if the Energy Department determines that that analysis is not feasible to conduct, requires data that does not exist, or generates results that would not be reliable or useful, then the interagency committee does not have to complete the report. If it determined that such an analysis is infeasible, the 6-month delay of EPA rules then would not go into effect.

This amendment is a good-governance amendment that ensures effective use of taxpayer dollars. It's common sense.

I urge my colleagues to vote ''yes'' on this amendment.

I reserve the balance of my time.

Mr. GARDNER. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. GARDNER. Mr. Chairman, I've enjoyed serving on the committee with the gentlelady from California, but I must oppose the amendment.

Talking about the process that we're going through on regulations, you know, this is the very heart of the bill, to understand the cost feasibility, what pressures regulations can put on the price of energy, the price of gasoline, and whether or not these regulations are going to cause price increases.

In fact, we know very well that they are going to cause price increases because we've had testimony from the Environmental Protection Agency admitting that some of these regulations, proposed regulations that they have on the books, or that they have promulgated contemplating will increase the price of gasoline and other prices in other energy areas.

These have real effects on consumers. In fact, if you just increase the price of gasoline by a penny a gallon, it will increase the daily cost to the American consumers and businesses millions and millions of dollars each and every day, one penny a gallon costing our economy millions and millions of dollars a day.

And so with this we're trying to actually say let's take a look at it to understand. We're not stopping them from going forward with their plans or developing rules. Certainly, we want to encourage the protection of our environment and make sure they're doing their job to protect our environment.

But we also need to have our eyes open and make sure that we have a chance to look before we leap when it comes to these regulations.

Delving down into the EPA's own process, though, if you look at what happens under the regulatory process, the cumulative impact analyses are feasible and already required by President Clinton's Executive Order 12866 and President Obama's Executive Order 13563. As recently as March of this year, just a couple of months ago, the White House issued a memo reiterating that ''agencies should take active steps to take account of the cumulative effects of new and existing rules.''

The EPA's own action development process, the internal process of the EPA, requires that the analysis start early in rule development. That doesn't say you wait until the rule is developed. It doesn't say you wait until it's all done, complete, out there. Early in the rule development process, action development process, taking a look at it.

This information's available. They've got the data. They've got the studies. It's time that they use that information to understand the impact that it will have on our constituents back home who are finding it increasingly difficult to balance the cost of energy with costs like paying for their home mortgage, putting food on the table. And that's why we have an opportunity, with this bill, to create American energy security and to create jobs in this country.

With that, I reserve the balance of my time.

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Mrs. CAPPS. Mr. Chairman, I have no further speakers, so I am prepared to close.

Mr. Chairman, as we know and as my colleague from Colorado has just illustrated, the bill creates redundant layers of bureaucracy and requires a study of key air pollution standards that are not even yet proposed by the EPA. This is clearly designed to postpone pollution cleanup.

My amendment is a straightforward amendment which simply says if the Energy Department's analysis of the EPA's air quality rules is not feasible or not useful, we should not be spending taxpayer resources on it.

I would note again that these EPA air quality rules that would be analyzed aren't even on the books yet. We shouldn't be wasting agency time and resources on tasks like the ones proposed here. This amendment is one of common sense. It is straightforward and very simple. So I hope my colleagues will support this amendment.

I yield back the balance of my time.

Mr. GARDNER. Again, analyzing rules is part of its job. That's part of the EPA's job. It's part of the DOE's job. The DOE has a budget in excess of $26 billion. In fact, we found out just a couple of days ago that one program at the Department of Energy is costing $1.2 million per job created. It has the resources to do it within existing funds. This isn't going to cost any new money. What it is going to do is to make sure that we're protecting the American consumers before cost increases occur. With that, I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

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

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentlewoman from California will be postponed.

AMENDMENT NO. 24 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 112–540.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, strike ''and'' after the semicolon at line 2, strike the period at line 9 and insert ''; and'', and after line 9 insert the following:

''(G) 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 on lands defined as 'available lands' by section 203 of the Hawaiian Homes Commission Act, 1920, and any other lands deemed by the Territory or State of Hawaii, as the case may be, to be included within that definition.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chairman, this amendment adds to title III, the Quadrennial Strategic Federal Onshore Energy Production Strategy, by providing another subsection, G, which basically mirrors the language found in the prior section, which addresses the Indian tribal lands. This particular amendment includes in that the Hawaiian Homes Commission Act lands.

As you are probably well aware, Hawaii is in a unique situation in that, in 1920, this Congress created the Hawaiian Homes Commission Act; and there is a special body of land, 203,000 acres approximately, which is under the control of Congress. Congress approves whether or not things can be amended in the act. Even upon statehood, that right was retained.

As such, this amendment seeks to have all of the alternative and renewable energy sources, including geothermal, solar, wind, and other renewable energy sources and lands, defined as ''available lands'' under the Hawaiian Homes Commission Act in the strategic review. We believe this is not expanding this. It has no implications other than the fact that there is a body of land which somehow has been forgotten and that falls under Federal jurisdiction.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Colorado is recognized for 5 minutes.

There was no objection.

Mr. LAMBORN. Mr. Chairman, we are prepared to accept this amendment.

Native Hawaiian homelands are not managed as tribal lands by the Federal Government, which is why they were not included in the underlying legislation. However, Hawaiian homelands can provide another great source for domestic energy development; therefore, we are prepared to accept this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 112–540.

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, strike lines 3 through 5.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Mr. Chair, I rise to introduce an amendment to the Strategic Energy Production Act. This bill is being pitched as an all-of-the-above energy bill when, in reality, it is an oil-above-all bill, which is full of giveaways to big energy companies.

Title IV of H.R. 4480 would impose arbitrary deadlines on the Interior Department's review of applications for permits to drill for oil and gas onshore. After 60 days, if the Interior Department has not completed its review of an application to drill, the permit would be deemed ''approved'' regardless of whether the Department ensured that the drilling was safe.

My amendment is quite simple. It would just strike this unwise and unwarranted provision. First, a little context would be helpful.

The United States is in the middle of a great drilling boom. In fact, the Obama administration has issued more drilling permits in the last 3 years than were issued in the first 3 years of the Bush administration. A recent Citigroup report suggests that the U.S. is already the world's fastest-growing oil and natural gas producer. In counting the output from Canada and Mexico, North America is the ''new Middle East.'' Meanwhile, the top five oil companies made $137 billion in profits last year. They are reaping the benefits of this revival, and they are doing just fine.

Oil and gas companies are currently sitting on 6,700 approved—and I underscore ''approved''—drilling permits that are not being used. Issuing more drilling permits more quickly is not the answer. What we should not be doing is tying the hands of Interior Department regulators by imposing an artificial and arbitrary shot clock in approving these drilling permits, especially when the risks of safety problems remain high. In fact, oil companies are already committing scores of serious safety violations when drilling on public lands onshore.

According to a recent Natural Resources Committee report, more than 2,000 safety and drilling violations were issued to 335 companies drilling in 17 States between 1998 and 2011. Overall, the analysis shows that only a very small percentage of these violations ever receive fines. In fact, of all of the fines issued, it only generated $273,000 out of the 2,000 violations.

Here is an example: on dozens of occasions, oil and gas companies began drilling on Federal lands without the formal approval to do so. Many violations were issued because companies failed to keep proper records or to conduct routine safety tests. Some significant ones include: in 2009, an operator in Mississippi was found operating a well without any blow-out preventer or any equivalent well-control equipment. In 2010, an inspector at a New Mexico well found that one of the valves in the blow-out preventer, which is responsible for mitigating excessive pressure and flow, was leaking.

We have many examples of when safety was not put first. Instead of preventing these sorts of safety violations, this bill puts profits first and safety and oversight last.

I am pleased that the majority has acknowledged the important role the National Environmental Policy Act and the Endangered Species Act play in the proper review of drilling permits and that it has included language to prevent permits from being deemed approved in cases where reviews under those laws are still ongoing after 60 days.

However, I think it is important for us to look at the unintended consequences. If this provision is enacted, it could actually lead to more applications for drilling permits being rejected because the Secretary may have no choice but to reject any application for a permit to drill that was nearing the 60-day time limit if the safety review were not completed.

□ 1010

The bottom line here is that the United States oil and gas production is at an all-time high.

Allowing for proper safety review of permits is a necessary safeguard for the American people, and this is a prudent step. Taxpayers deserve a process that ensures that any drilling on their public lands is held to commonsense safety standards. Let's not compromise the safety of drilling on public lands in a headstrong rush to give the oil and gas industry the free pass it demands.

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

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

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

Mr. LAMBORN. Mr. Chairman, I do oppose this amendment.

The legislation we're looking at today, H.R. 4480, aims to reduce bureaucracy and ensure much needed certainty to allow energy production and job creation to move forward. It will give permit applicants assurance that their permits will be processed by the government in a timely fashion and ensure that needless bureaucratic delays are not hampering energy production as they are sometimes today.

The Department of the Interior is plagued with delays in permitting energy projects on Federal lands. These delays result in developers abandoning Federal lands to develop energy only on private land. This hinders the creation of thousands of American jobs. This legislation simply requires that a decision on a drilling permit be made. It does not require an approval, but simply a decision. The government must answer ''yes'' or ''no.'' It's not acceptable for the government to stall, drag its feet, or even not respond.

These are decisions that State agencies are making in days, while the BLM is taking months. This amendment, however, would delete this deadline for the government to provide an answer. Under this amendment, the Federal Government could literally take forever to respond. A deadline is absolutely necessary to give energy producers the confidence they need to seek out Federal land for development rather than seeking to exclusively develop on private land.

An identical amendment to the one offered by the gentlewoman from California failed during the Natural Resources Committee markup, and it failed on a bipartisan vote. So I would ask for the same response here, that we vote this amendment down. I urge its opposition.

With that, Mr. Chairman, I yield back the balance of my time.

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

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

Ms. SPEIER. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 26 OFFERED BY MS. DELAURO

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in House Report 112–540.

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE __—MISCELLANEOUS PROVISIONS

SEC. _____. CERTAIN REVENUES GENERATED BY THIS ACT TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION TO LIMIT EXCESSIVE SPECULATION IN ENERGY MARKETS.

(a) ESTABLISHMENT OF TREASURY ACCOUNT.—The Secretary of the Treasury (in this section referred to as the ''Secretary'') shall establish an account in the Treasury of the United States.

(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) the first $128,000,000 of the total of the amounts received by the United States under leases issued under this Act, the amendments made by this Act, or any plan, strategy, or program under this Act.

(c) AVAILABILITY AND USE OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the amounts in the account established under subsection (a) shall be made available to the Commodity Futures Trading Commission to use its existing authorities to limit excessive speculation in energy markets.

(2) SUBJECT TO APPROPRIATIONS.—The authority provided in paragraph (1) may be exercised only to such extent, and with respect to such amounts, as are provided in advance in appropriations Acts.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, this amendment would restore full funding, per the President's request of $308 million, to the Commodity Futures Trading Commission. The additional $128 million in funds would be raised through the sale of new leases.

The current funding level for CFTC sets the commission up for failure. If the current funding level remains as is, Wall Street will be able to continue the risky manipulation of derivatives that brought on the last collapse, and Big Oil will continue to enjoy inflated profits every year due to erratic and artificially swollen oil prices. The losers will be the American people, who will pay more at the pump, or even worse.

At this funding level, the House majority sets up taxpayers to pay for yet another costly bailout of Wall Street. Republican and Democratic experts agree that the CFTC needs to be fully funded. Republican Gene Guilford, President and CEO of the Independent Connecticut Petroleum Association, served in the Commerce and Energy Departments under Ronald Reagan. He has said that the funding level for CFTC is ''horribly counterproductive.'' It would ''weaken its ability to enforce the oversight laws necessary to protect the American people.''

According to Brooksley Born, the former chair of the CFTC, the commission is ''desperately in need of additional funding.'' This budget, she argues, ''would leave us all vulnerable to future financial crises.''

According to Gary Gensler, the current chairman of the CFTC, the agency is only 10 percent larger than it was in the 1990s, even as the futures market has grown to approximately $37 trillion notional.

And through the Dodd-Frank reforms, Congress has added oversight of the $300 trillion swaps market, which is even more complex, and increased the number of trades under their jurisdiction by 334 percent in 2011.

Gensler says, ''It is as if all of a sudden the National Football League expanded eight times to play more than 100 games in a weekend with the same amount of referees.''

We know for a fact that the risky behavior in the derivatives market is what precipitated the 2008 financial meltdown. It's still happening. We have seen it at MF Global and J.P. Morgan. We also know for a fact that excessive speculation in oil markets causes gas prices to oscillate wildly. Even the CEO of Exxon has said as much.

I urge my colleagues to support this amendment to help to make sure that the CFTC has the resources to do its job, and I reserve the balance of my time.

Mr. GARDNER. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. GARDNER. Mr. Chairman, this bill is trying to deal with the rising prices of energy by addressing the very important issue of supply and demand. While I think there's nothing wrong with looking into the possibility of market manipulation, I do think this bill is trying to address another very important part of the price equation, and that is supply and demand.

This issue has been studied, and it will continue to be studied. But I'll remind the gentlelady that we're dealing with an agency that has over $200 million already in its budget, and this amendment adding $128 million would be a significant increase in funding for FY12 for the CFTC budget. So I would urge a ''no'' vote on this amendment.

If you would just look at what the CFTC has said, going back in 2008:

The task force's preliminary assessment is that current oil prices and the increase in oil prices between January 2003 and June 2008 are largely due to fundamental supply and demand factors.

In 2009:

We find little evidence that hedge funds and other noncommercial (speculator) position changes cause price changes; the results instead suggest that price changes do precede their position changes.

So we can go on and on about what the CFTC has already said, but this bill deals with the issue of supply and demand.

With that, I would yield 2 minutes to a great leader from the State of Texas (Mr. CONAWAY) who has done tremendous work on this issue over at the CFTC and in commodity issues.

Mr. CONAWAY. I thank the gentleman for yielding.

I am the chairman of the Agriculture Subcommittee on General Farm Commodities and Risk Management that does have oversight of the CFTC.

I expected the arguments for this particular amendment to go a different direction, but it does occur to me that we are chastised, those of us on authorizing committees, Mr. Chairman, during the appropriations process, that trying to write policy in the approps bills is not allowed. Well, this is appropriating in an authorizing bill. It makes no sense whatsoever.

The Subcommittee on Agriculture on the Appropriations Committee goes through these spending requests in detail, over and over, in a few weeks of committee work, and then they will come to their conclusion. They have, in fact, come to their conclusion, and they will bring this bill forward next week.

It's a bit presumptuous to come in here to ask this body to spend another $128 million on an agency that the Appropriations Subcommittee on Agriculture has already spent plenty of time deciding how much that agency needs to spend over the coming year.

I would urge a ''no'' vote on this amendment.

Ms. DELAURO. If I might just take a second to remind the gentleman from Texas that, in fact, this amendment was made in order. And in the body of the language, it does talk about it being subject to appropriations.

Mr. Chairman, may I inquire as to how much time we have left?

The Acting CHAIR. The gentlewoman from Connecticut has 2¼ minutes remaining.

Ms. DELAURO. I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

□ 1020

Mr. MARKEY. I thank the gentlelady.

Back 10 years ago, about a third of all of the interest in the oil futures marketplace was controlled by speculators, but two-thirds was controlled by the airline industry, the trucking industry, industries that are dependent upon oil. Today it's just the flip. Today two-thirds of that oil futures marketplace is controlled by speculators, and only one-third is controlled by the airline industry, trucking industry, and others dependent upon the price of oil.

So what happened? What happens is, all of a sudden, you have this crazy volatility where experts say that upwards of 20 percent of the price of a barrel of oil in the futures marketplace is related to speculation. It's not related to anything in the real marketplace. And so what happens? Well, that has a dramatically negative impact on truckers, on the airline industry because there are games being played out there.

By the way, with the speculators, they make money on the way up and they make money on the way down. That's not true for ordinary companies because they're not in there playing a game. They are not speculators. They are not doing this as part of some kind of a casino that speculators thrive in.

And here's the rule: On the way up, the big guy cleans up; on the way down, the little guy gets cleaned out. And that's what we're seeing over and over and over again.

So the President has asked to increase the number of cops on the beat, the CFTC cops on the beat that can patrol to make sure that the games that are being played don't hurt the little guy. And what are the Republicans saying? They're saying they want to cut the President's request for more cops on the beat sixfold. And what happens then? Well, we're going to be deepsixing the hopes, the dreams, the aspirations of ordinary companies who are still going to see these games being played. The DeLauro amendment makes it possible to put the CFTC cops back on the beat.

Mr. GARDNER. Mr. Chairman, again, we have to understand that the best thing that this Congress can do to drive down the price of gasoline is increasing our supply opportunities right here, to drive down the cost of energy by increasing our production right here.

I urge a ''no'' vote on this amendment, and I reserve the balance of my time.

Ms. DELAURO. We are not here as representatives of Wall Street, but we are representatives of the American people. We need the CFTC to oversee the risky behaviors to enforce the law. We are here to represent the American taxpayer, not Wall Street or big banks.

The current funding that's being pursued by the majority is reckless. I urge my colleagues to put Main Street over Wall Street and support the amendment.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I urge a ''no'' vote.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 27 OFFERED BY MS. BASS OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 112–540.

Ms. BASS of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. Does the gentlewoman rise as the designee of the gentlewoman from Texas?

Ms. BASS of California. I do rise as the designee for the gentlewoman from Texas, Representative SHEILA JACKSON LEE.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE ____—OFFICE OF ENERGY EMPLOYMENT AND TRAINING AND OFFICE OF MINORITY AND WOMEN INCLUSION

SEC. __01. 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 efforts of the Department of the Interior's energy planning, permitting, and regulatory activities to carry out the purposes, objectives, and requirements of this Act.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be directed by an Assistant Secretary for Energy Employment and Training, who shall report directly to the Secretary and shall be fully employed to carry out the functions of the Office.

(2) DUTIES.—The Assistant Secretary for Energy Employment and Training shall perform the following functions:

(A) Develop and implement systems to track the Department's compliance with the purposes, objectives, and requirements of the Act.

(B) Report at least quarterly to the Secretary regarding the Department's compliance with the purposes, objectives, and requirements of this Act, including but not limited to specific data regarding the numbers and types of jobs created through the Department's efforts and a report on all job training programs planned or in progress by the Department.

(C) Design and recommend to the Secretary programs and policies aimed at ensuring the Department's compliance with the purposes, objectives, and requirements of this Act, and oversee implementation of such programs approved by the Secretary.

(D) Develop procedures for enforcement of the Department's requirements and responsibilities under this Act.

(E) Support the activities of the Office of Minority and Women Inclusion and any other offices or branches established by the Secretary within the Office of Energy Employment and Training.

SEC. __02. OFFICE OF MINORITY AND WOMEN INCLUSION.

(a) OFFICE OF MINORITY AND WOMEN INCLUSION.—

(1) ESTABLISHMENT.—The Secretary of the Interior shall establish an Office of Minority and Women Inclusion not later than 6 months after the effective date of this Act, that shall be responsible for all matters of the Department of the Interior relating to diversity in management, employment, and business activities.

(2) TRANSFER OF RESPONSIBILITIES.—The Secretary of the Interior shall ensure that the responsibilities described in paragraph (1) (or comparable responsibilities) that are assigned to any other office, agency, or bureau of the Department on the day before the date of enactment of this Act are transferred to the Office of Minority and Women Inclusion.

(3) DUTIES WITH RESPECT TO CIVIL RIGHTS LAWS.—The responsibilities described in paragraph (1) do not include enforcement of statutes, regulations, or executive orders pertaining to civil rights, except each Director shall coordinate with the Secretary, or the designee of the Secretary, regarding the design and implementation of any remedies resulting from violations of such statutes, regulations, or executive orders.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall have a Director who shall be appointed by, and shall report to, the Secretary of the Interior. The position of Director shall be a career reserved position in the Senior Executive Service, as that position is defined in section 3132 of title 5, United States Code, or an equivalent designation.

(2) DUTIES.—The Director shall develop standards for—

(A) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of the Department;

(B) increased participation of minority-owned and women-owned businesses in the programs and contracts of the Department, including standards for coordinating technical assistance to such businesses; and

(C) assessing the diversity policies and practices of entities regulated by the Department.

(3) OTHER DUTIES.—The Director shall advise the Secretary of the Interior on the impact of the policies and regulations of the Department on minority-owned and women-owned businesses.

(4) RULE OF CONSTRUCTION.—Nothing in paragraph (2)(C) may be construed to mandate any requirement on or otherwise affect the lending policies and practices of any regulated entity, or to require any specific action based on the findings of the assessment.

(c) INCLUSION IN ALL LEVELS OF BUSINESS ACTIVITIES.—

(1) IN GENERAL.—The Director shall develop and implement standards and procedures to ensure, to the maximum extent possible, the fair inclusion and utilization of minorities, women, and minority-owned and women-owned businesses in all business and activities of the Department at all levels, including in procurement, insurance, and all types of contracts.

(2) CONTRACTS.—The procedures established by the Department for review and evaluation of contract proposals and for hiring service providers shall include, to the extent consistent with applicable law, a component that gives consideration to the diversity of the applicant. Such procedure shall include a written statement, in a form and with such content as the Director shall prescribe, that a contractor shall ensure, to the maximum extent possible, the fair inclusion of women and minorities in the workforce of the contractor and, as applicable, subcontractors.

(3) TERMINATION.—

(A) DETERMINATION.—The standards and procedures developed and implemented under this subsection shall include a procedure for the Director to make a determination whether a Department contractor, and, as applicable, a subcontractor has failed to make a good faith effort to include minorities and women in their workforce.

(B) EFFECT OF DETERMINATION.—

(i) RECOMMENDATION TO SECRETARY.—Upon a determination described in subparagraph (A), the Director shall make a recommendation to the Secretary that the contract be terminated.

(ii) ACTION BY SECRETARY.—Upon receipt of a recommendation under clause (i), the Secretary may—

(I) terminate the contract;

(II) make a referral to the Office of Federal Contract Compliance Programs of the Department of Labor; or

(III) take other appropriate action.

(d) 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 contractors since the previous report;

(2) the percentage of the amounts described in paragraph (1) that were paid to contractors described in subsection (c)(1);

(3) the successes achieved and challenges faced by the Department in operating minority and women outreach programs;

(4) the challenges the Department may face in hiring minority and women employees and contracting with minority-owned and women-owned businesses; and

(5) any other information, findings, conclusions, and recommendations for legislative or Department action, as the Director determines appropriate.

(e) DIVERSITY IN DEPARTMENT WORKFORCE.—The Secretary shall take affirmative steps to seek diversity in the workforce of the Department at all levels of the Department in a manner consistent with applicable law. Such steps shall include—

(1) recruiting at historically black colleges and universities, Hispanic-serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(2) sponsoring and recruiting at job fairs in urban communities;

(3) placing employment advertisements in newspapers and magazines oriented toward minorities and women;

(4) partnering with organizations that are focused on developing opportunities for minorities and women to be placed in energy industry internships, summer employment, and full-time positions;

(5) where feasible, partnering with inner-city high schools, girls' high schools, and high schools with majority minority populations to establish or enhance financial literacy programs and provide mentoring; and

(6) any other mass media communications that the Office determines necessary.

(f) 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, which 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 is a person who is an American Indian, Eskimo, Aleut or Native Hawaiian, and regarded as such by the community of which the person claims to be a part. Native Americans must be documented members of a North American tribe, band, or otherwise organized group of native people who are indigenous to the continental United States and proof can be provided through a Native.

(3) NMSDC.—The term ''NMSDC'' means the National Minority Supplier Development Council.

(4) OFFICE.—The term ''Office'' means the Office of Minority and Women Inclusion established under subsection (a).

(5) 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.

The Acting CHAIR. Pursuant to House Resolution 691, the gentlewoman from California (Ms. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BASS of California. Mr. Chairman, I rise today as the designee to present Representative SHEILA JACKSON LEE's amendment No. 27 to H.R. 4480, which would establish an Office of Energy Employment and Training as well as an Office of Minority and Women Inclusion that would be responsible for all matters relating to diversity in management, employment, and business activity.

This amendment simply recognizes the importance of developing a diverse and highly skilled technical workforce within the Department of the Interior. The Department of the Interior reviews permits, examines lease sales, and ensures that each application meets the highest safety standards. We should be focused on providing the Department of the Interior with trained technical engineers and other such necessary personnel to review drilling permit applications both carefully and thoroughly. Given the aftermath of the BP oil spill, it is easy to understand the importance of addressing all safety concerns prior to the issuance of oil and gas lease sales.

Since the disaster, Federal safety regulations have been tightened, spill

containment response capability has been enhanced, and lessons have been learned. These lessons must be understood by everyone involved in reviewing and approving each and every application for permits and lease sales. Responsible onshore drilling includes having our best minds working to carefully and diligently review each application. This amendment is intended to include both women and minorities in the process.

This amendment is designed to ensure that DOI is able to recruit, retain, and train skilled professionals, many of whom require a science, technology, or math background. The DOI would be encouraged to reach out to high school students, college students, and professionals.

It establishes an Office of Energy Employment and Training, which will oversee the efforts of the Department of the Interior's energy planning, permitting, and regulatory activities related to this act. This office will be responsible for issuing quarterly reports to the Secretary, which will include the amount of jobs created by the DOI, as well as reporting the types of job training programs that have been implemented or proposed.

This amendment also addresses the need to encourage diversity within the DOI by creating the Office of Minority and Women Inclusion, which is specifically designed to encourage diversity by reaching out to both women and minorities. Specifically, the DOI would have a director appointed by the Secretary of the Interior who will develop clear standards for equal employment opportunities and will address the need for increased racial, ethnic, and gender diversity at both the junior and senior management levels of the Department.

This amendment would require the DOI to take affirmative steps to seek diversity in the workforce of the Department at all levels. The Department of the Interior would be required to sponsor job fairs in urban communities and partner with organizations that are focused on developing opportunities for both minorities and women in the energy industry.

Again, it is the job of the DOI to ensure that all lease sales meet the highest reasonable standards for safety. This amendment is meant to ensure that women and minorities have a fair opportunity to participate in making these types of decisions within the Interior Department.

I support my colleague Ms. JACKSON LEE's amendment and urge my colleagues to do the same.

I reserve the balance of my time.

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

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

Mr. LAMBORN. I rise to oppose this amendment, reluctantly. I understand the gentlewoman's intentions of this amendment, and portions of this idea have strong merit.

Let there be no doubt that the Department of the Interior can do a better job of both hiring and contracting in these areas, but this debate today isn't the most appropriate place for us to consider these particular reforms.

Every provision in this legislation has been carefully vetted through the legislative process. The House Natural Resources and Energy and Commerce Committees have both held oversight and legislative hearings and committee markups on the underlying legislation.

This subject, while it is something definitely worth considering, has not had this level of review under the legislative process and would insert a major programmatic and bureaucratic change in a simple bill that is geared toward expanding American energy production and jobs. Also, as currently drafted, the proposal is over 12 pages long and would add significant new Federal bureaucracy.

If the gentlewoman is willing to withdraw her amendment, I will commit the Natural Resources Committee to work with her to address this subject, and if she will not withdraw, then I must reluctantly oppose this amendment.

I reserve the balance of my time.

Ms. BASS of California. I thank the gentleman for his offer, but given that I am the designee for Representative JACKSON LEE, I don't feel it is appropriate for me to withdraw the amendment.

I would simply close by saying that the purpose of the amendment is to recognize the importance of developing a diverse and highly skilled technical workforce within the DOI, and all studies have indicated that there is a serious lack of diversity.

With that, I yield back the balance of my time.

□ 1030

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to my friend and colleague, Representative GARDNER from Colorado.

Mr. GARDNER. I thank my colleague from Colorado for giving me the time on this amendment.

I want to tell a little story. A year ago, I had the opportunity to visit a hydraulic fracturing site in my district, a county called Weld County in northern Colorado, and when you're dealing with hydraulic fracturing, what happens is about 2 or 3 in the morning the crews that are overseeing the hydraulic fracturing—at least in this particular area—get up, they go to their trucks that actually have this panoramic view of the well site so they can monitor everything that's taking place. They can monitor all the equipment. They have computers inside the truck that explain and expound upon what's happening in the operation at that point. It's filled with engineers.

And on this particular tour site that I went to, the hydraulic fracturing, the production engineer was a woman. And I'm pretty sure that I would have been rejected by her college for the engineering program before I even applied. So it was an incredible opportunity to learn from her the work that she was doing. There were many other women members of that particular crew.

And so I think the best way that we can get more women and more minorities hired and working in this country, whether it's energy or not, is to create more opportunity. More opportunity means more jobs. More jobs means more hiring. And when you have more hiring, we're going to put more people back to work: Men, women, minorities.

That's the opportunity that this bill presents. It's an opportunity to create jobs, an opportunity to lower the price of gas so that men, women, and minorities are able to afford the price of a gallon of gasoline to get to their job.

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

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today to debate my amendment No. 27 to H.R. 4480, the "Strategic Energy Production Act of 2012," which would establish an Office of Energy Employment and Training, as well as, an Office of Minority and Women Inclusion that would be responsible for all matters relating to diversity in management, employment, and business activities.

As well as establishing an Office of Minority and Women Inclusion for the purpose of addressing the need for diversity within the DOI and within the pool of businesses that the DOI engages.

Texas serves as proof that the energy industry offers tremendous potential to provide jobs and foster economic growth. As a matter of fact, in 2008, Texas was one of the few States that saw its economy grow; grossing the second highest revenue of all States at $1.2 trillion.

As the Representative of the 18th Congressional District of Houston, Texas, I can attest to the importance of a healthy energy industry. My district is the energy hub of Texas and is recognized worldwide for its energy industry, particularly for oil and natural gas, as well as biomedical research and aeronautics. Renewable energy sources—wind and solar—are also growing economic bases in Houston.

The energy industry and its supporting businesses provide my fellow Texans with tens of thousands of jobs, and have helped keep the State of Texas significantly below the national unemployment rate.

This prosperity can expand well beyond Texas, if the Federal and State governments will act decisively and responsibly to expand domestic energy productions in an environmentally conscious manner, and keep billions of dollars and countless jobs here at home. However I must place emphasis on the need to act both decisively and responsibly. It remains to be seen whether this bill truly accomplishes those goals. My amendment is designed to address the need for training and diversity in the Energy sector.

AMENDMENT NO. 27

My amendment recognizes the importance of developing a diverse and highly skilled technical workforce within the Department of Interior.

The Department of Interior reviews permits, and examines lease sales. Further, the DOT is responsible for ensuring that each application meets the highest safety standards.

We should be focused on providing the Department of Interior with trained technical engineers and other such necessary personnel to review drilling permit applications both carefully and thoroughly.

Given the aftermath of the BP Oil spill, it is easy to understand the importance of addressing all safety concerns prior to the issuance of oil and gas lease sales.

Since the disaster federal safety regulations have been tightened, spill containment response capability has been enhanced and lessons have been learned.

These lessons must be understood by everyone involved in reviewing and approving each and every application for permits and lease sales.

Responsible onshore drilling includes having our best minds working to carefully and diligently review each application. This amendment is intended to include both women and minorities in the process.

This amendment is designed to ensure that DOT is able to recruit, retain and train skilled professionals, many of whom require a science, technology, engineering, or math (STEM) backgrounds. The DOT will be encouraged to reach out to high school students, college students, and professional.

My Amendment establishes an Office of Energy Employment and Training which will oversee the efforts of the Department of Interior's energy planning, permitting, and regulatory actives related to this Act.

This Office will be responsible for issuing quarterly reports to the Secretary which will include the amount of jobs created by the DOT, as well as, reporting the types of job training programs that have been implemented or proposed.

This amendment also addresses the need to encourage diversity within the Department of Interior. By creating an the Office of Minority and Women Inclusion which is specifically designed to encourage diversity by reaching out to both women and minorities.

Specifically the DOT will have a Director appointed by the Secretary of the Interior who will develop clear standards for equal employment opportunities and will address the need for increased racial, ethnic, and gender diversity at both the junior and senior management levels of the Department.

This amendment would require the DOT to take affirmative steps to seek diversity in the workforce of the Department at all levels of the Department.

These steps would include recruiting at historically black colleges and universities, Hispanic-service institutions, and women's colleges and other majority minority service institutions. The Department will be able to find qualified candidates from diverse backgrounds if they expand the pool of candidates from which they select candidates.

The DOT would be required to sponsor job fairs in urban communities and partner with organization that are focused on developing opportunities for both minorities and women in the energy industry.

Again, it is the job of the Department of the Interior to ensure that all lease sales meet the highest reasonable standards for safety. This amendment is meant to include encourage and ensure that women and minorities have a fair opportunity to participate in making these types of decisions the DOI.

I urge my colleagues to join me in supporting my Amendment No. 27 to H.R. 4480.

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

The amendment was rejected.

Mr. LAMBORN. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve, had come to no resolution thereon.

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 10 o'clock and 34 minutes p.m.), the House stood in recess.

□ 1059

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GARDNER) at 10 o'clock and 59 minutes a.m.

DOMESTIC ENERGY AND JOBS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 691 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4480.

Will the gentlewoman from Missouri (Mrs. EMERSON) kindly take the chair.

□ 1100

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve, with Mrs. EMERSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 27 printed in House Report 112–540 offered by the gentlewoman from California (Ms. BASS) had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–540 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. HASTINGS of Washington.

Amendment No. 7 by Mr. WAXMAN of California.

Amendment No. 8 by Mr. CONNOLLY of Virginia.

Amendment No. 9 by Mr. GENE GREEN of Texas.

Amendment No. 11 by Mr. RUSH of Illinois.

Amendment No. 12 by Mr. HOLT of New Jersey.

Amendment No. 13 by Mr. CONNOLLY of Virginia.

Amendment No. 14 by Mr. AMODEI of Nevada.

Amendment No. 15 by Mr. MARKEY of Massachusetts.

Amendment No. 16 by Mr. LANDRY of Louisiana.

Amendment No. 17 by Mr. RIGELL of Virginia.

Amendment No. 18 by Mr. HOLT of New Jersey.

Amendment No. 19 by Mr. WITTMAN of Virginia.

Amendment No. 21 by Ms. BASS of California.

Amendment No. 23 by Mrs. CAPPS of California.

Amendment No. 25 by Ms. SPEIER of California.

Amendment No. 26 by Ms. DELAURO of Connecticut.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 253, noes 163, not voting 16, as follows:

[Roll No. 392]

AYES—253

Adams	Barrow	Black
Aderholt	Bartlett	Blackburn
Akin	Barton (TX)	Bonner
Alexander	Bass (NH)	Bono Mack
Altmire	Benishek	Boren
Amash	Berg	Boswell
Amodei	Biggert	Boustany
Austria	Bilbray	Brady (TX)
Bachmann	Bilirakis	Brooks
Bachus	Bishop (GA)	Broun (GA)
Barletta	Bishop (UT)	Buchanan