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We all know this law must be repealed.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 Court 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 consistent 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 CPPB. 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 can’t depend on 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 HHIS 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.

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 may lose America’s 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 workers manufacturing 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

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 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 the Interior, 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 Chair 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:
The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

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 fracting.

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. 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 1996 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.

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 attempt 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 contract. 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 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 meteoro-

ological 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. 1311 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 for denial and the specific 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 (16 U.S.C. 4332(2)(C)) shall 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 to foster development of American energy sources, 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 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 coastal waters. 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 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. 2173, 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 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 into 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 to lease, 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 do require coordination with the other agencies using the Outer Continental Shelf, like the Navy, the FAA and FERC. 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 off the short coast 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.

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

Mr. LAM BORN. 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 wind tower? This is truly a good solution. I applaud this legislation.

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

Mr. WITTMAN. Mr. Chairman, the bottom line is that 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.

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 the processes 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 get construction approval, 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 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 18 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.

Mr. WESTMORELAND. 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:

‘‘(ii) 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 front 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 of the refrigerated case, as determined in Air-Conditioning, Heating, and Refrigeration Institute Standard 1200.’’;

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

(3) by inserting after paragraph (5) 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 9.6 x TDA + 1.6.’’

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. BR ALEY).

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, those deli display cases are in a separate 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, because those 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 into 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 goes along, 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 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 businesses necessarily would become more efficient if they have to go through the extra effort and have never been required to do so.

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, 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—obstruct, obdurate opposition—to increased efficiency in our society. Just a few years ago, just a few years ago, we bought a drill/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 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.

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 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)”.
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 own energy security as much as possible 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.

It’s about creating jobs and opportunity for American workers. 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.

As 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 consumer 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 also supply coming into the market. 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 it will generate results subject to such large estimates of uncertainty that the results would cause the Commerce Committee to have it.

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

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

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

The Acting CHAIR. The question is taken; and the Act—

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

Ms. CAPPS. Mr. Chairman, I have an amendment at the desk. It is No. 23. The Acting CHAIR. The Clerk will designate the matter on 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 unreliable or not useful, the requirements under section 203(a) shall cease to be effective.
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. 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 have to take account of the cumulative effects of new and existing rules. 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 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, 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 understand 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 is 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. 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.
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 51 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’ under 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 House Resolution 691, the gentlewoman as the case may be, to be included within Commission Act, 1920, and any other lands thermal, solar, wind, or other renewable energy sources, of the expected increase in domestic production of geothermal, solar, wind, or other renewable energy sources, of the expected increase in domestic production of geo-

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.

Ms. SPEIER. Mr. Chair, I rise to introduce an amendment to the Strategic 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 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.

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.

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

Ms. SPEIER. Mr. Chair, I rise to introduce an amendment to the Strategic 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.

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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.

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

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 on 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.

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 bureaucratic delays that hinder energy production and job creation. It will provide 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 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 to respond. 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 gentleman 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 failed on a bipartisan vote. So I would ask for the same response here, that we failed on a bipartisan vote. So I would ask for the same response here, that we failed on a bipartisan vote.

Ms. SPEIER. Mr. Chairman, I am opposed.

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

AMENDMENT NO. 26 OFFERED BY MS. DELAURO

The Acting CHAIR. The Amendment 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:

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TITLE — MISCELLANEOUS PROVISIONS

SEC. 5. 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 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 the extent of amounts provided in advance 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 fund and restore 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 inflate 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 bail out 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 preceed 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 I do owe it to me that we are aware of those of the authorizing committees, Mr. Chairman, during the appropriations process, that trying to write policy in the appropriations bill is not allowed. Well, this is appropriating in an authorizing bill. It makes it a little more difficult.

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 $12 billion in 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. DELAUNO. 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. 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. DELAUNO. 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. DELAUNO).

The question was taken; and the Acting CHAIR will direct the Sergeant at Arms to post the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 91. 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 review 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 this 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 office or agency established by the Secretary within the Office of Energy Employment and Training.

SEC. 92. 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 direct that the responsibilities described in paragraph (1) (or comparable responsibilities) that are assigned to any other office, agency, or bureau of the Department before the date of enactment of this Act are transferred to the Office of Minority and Women Inclusion.

(b) DUTIES WITH RESPECT TO CIVIL RIGHTS LAWS.—The responsibilities described in paragraph (1) do not include enforcement of statutes, regulations, and executive orders pertaining to civil rights.

The Acting CHAIR. The Clerk will designate the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

The text of the amendment is as follows:

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The text of the amendment is as follows:
(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 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 activities 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 actions taken under subsection (a) on the Department on minority-owned and women-owned businesses.

(4) Rule of construction.—Nothing in this section shall 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 Director for review and evaluation of contract proposals and for hiring service providers shall include, to the extent consistent with applicable law, a component that strives to reflect 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 the maximum extent possible, the fair inclusion of women and minorities in the workplace 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 good faith effort to include minorities and women in their workforce.
      (B) Effect of determination.—Upon a determination by the Director that a Department contractor, and as applicable, a subcontractor has failed to make a good faith effort to include minorities and women in their workforce, the Director may—
         (i) terminate the contract;
         (ii) refer the case to the Office of Federal Contract Compliance Programs of the Department of Labor; or
         (III) take any other appropriate action.
   (d) Reports.—The Secretary shall submit to Congress an annual report on 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 success achieved and challenges faced by the Department in operating minority and women’s programs;
   (4) the challenges the Department may face in hiring minority and women employees and contracting with minority-owned and women-owned businesses;
   (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 diversity—
   (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 diversity advertisements in newspapers and magazines oriented toward minorities and women;
   (4) partnering with organizations that are focused on developing minority and women employees and women to be placed in energy industry internships, summer employment, and full-time positions;
   (5) partnering with inner city high schools, girls’ high schools, and high schools with majority minority populations to establish or enhance financial literacy programs, mentoring, and other programs; 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, that is majority-owned and controlled by minority group members. A “minority group member” means an individual who is a United States citizen whose origins are from any of the Spanish-speaking areas of the following regions: Mexico, Central America, South America, and the Caribbean basin.
   (3) Black American, which is a United States citizen having origins in any of the Black racial groups of Africa.
   (4) Hispanic American, which is a United States citizen of Spanish origin, from any of the Spanish-speaking areas of the following regions: Mexico, Central America, South America, and the Caribbean basin.
   (5) Native American, which is a person who is an American Indian, Eskimo, Aleut or Native Hawaiian, and regarded as such by the traditional customs of the person, and who is an American Indian, Eskimo, Aleut or Native Hawaiian, and regarded as such by the traditional customs of the person, for the purpose of this section.
   (6) 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 woman 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).
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 meditating on this kind of thing, you start thinking 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 equipment, they go to the hydraulic fracturing device, and 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 site, it is a very 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.

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, and specifically 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 environment-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) background. The DOT will be encouraged to reach out to high school students, college students, and professionals.

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 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 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 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 organizations 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 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. BASIL of California.

Amendment No. 23 by Mrs. CAPPS of California.

Amendment No. 25 by Ms. SPEIER of California.

Amendment No. 26 by Ms. DE LAURO 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—aye 253, noes 163, not voting 16, as follows:

[Roll No. 392]

AYES—253

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barley
B śułuke
Buchanan
Bouchard
Bourque
Bowman
Brady (TX)
Brooks
Brown (GA)
Brown (GA)
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boehnery
Boehnery
Bradley (TX)
Brooks
Broun (GA)
Brown (GA)
Buchanan

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