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

NOT VOTING—12

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1410

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

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

THE JOURNAL

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

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

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

FEDERAL LANDS JOBS AND ENERGY SECURITY ACT

GENERAL LEAVE

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

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

There was no objection.

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

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

□ 1414

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes, with Ms. FOXX in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from Washington.

□ 1415

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Madam Chair, I reserve the balance of my time.

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

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

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

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

On October 16, a headline read:

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

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

But they are wrong. Flat-out wrong.

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

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

□ 1430

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

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

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

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

The CHAIR. The time of the gentleman has expired.

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

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

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

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

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

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

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

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

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

The CHAIR. The time of the gentleman has expired.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Madam Chairwoman, I urge support for this bill.

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

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

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

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

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

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

Let's deal with facts.

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

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

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

□ 1445

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

Madam Chair, I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I urge the immediate passage of this bill.

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

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

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

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

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

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

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

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

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

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

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

Well, why did you waste a week?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1500

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

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

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

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

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

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

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

Mr. DEFAZIO. I thank the gentleman.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1515

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

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

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

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

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

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

Why is that important?

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

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

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

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

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

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

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–26 is adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Lands Jobs and Energy Security Act of 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

TITLE I—FEDERAL LANDS JOBS AND ENERGY SECURITY

SEC. 1001. SHORT TITLE.

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

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

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

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

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

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

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

Subtitle A—Onshore Oil and Gas Permit Streamlining

SEC. 1101. SHORT TITLE.

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

CHAPTER 1—APPLICATION FOR PERMITS TO DRILL PROCESS REFORM

SEC. 1111. PERMIT TO DRILL APPLICATION TIMELINE.

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

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

''(A) TIMELINE.—The Secretary shall decide whether to issue a permit to drill within 30 days after receiving an application for the permit. The Secretary may extend such period for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant. The notice shall be in the form of a letter from the Secretary or a designee of the Secretary, and shall include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

''(B) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

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

''(ii) an opportunity to remedy any deficiencies.

''(C) APPLICATION DEEMED APPROVED.—If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved, except in cases in which existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

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

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

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

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

''(E) FEE.—

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

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

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

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

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

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

Management solar and wind permit approval activities; and

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

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

CHAPTER 2—ADMINISTRATIVE PROTEST DOCUMENTATION REFORM

SEC. 1121. ADMINISTRATIVE PROTEST DOCUMENTATION REFORM.

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

''(4) PROTEST FEE.—

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

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

CHAPTER 3—PERMIT STREAMLINING

SEC. 1131. IMPROVE FEDERAL ENERGY PERMIT COORDINATION.

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

(b) MEMORANDUM OF UNDERSTANDING.—

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

(A) the Secretary of Agriculture;

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

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

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

(c) DESIGNATION OF QUALIFIED STAFF.—

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

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

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

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under the National Forest Management Act of 1976 (16 U.S.C. 472a et seq.); and

(E) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the Bureau of Land Management Field Managers in the office to which the employee is assigned;

(B) be responsible for all issues relating to the energy projects that arise under the authorities of the employee's home agency; and

(C) participate as part of the team of personnel working on proposed energy projects, planning, and environmental analyses on Federal lands.

(d) ADDITIONAL PERSONNEL.—The Secretary shall assign to each Bureau of Land Management field office identified in subsection (a) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) FUNDING.—Funding for the additional personnel shall come from the Department of the Interior reforms identified in sections 1111, 1112, and 1121.

(f) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency whose employees are participating in the Project.

(g) DEFINITION.—For purposes of this section the term ''energy projects'' includes oil, natural gas, coal, and other energy projects as defined by the Secretary.

SEC. 1132. ADMINISTRATION OF CURRENT LAW.

Notwithstanding any other law, the Secretary of the Interior shall not require a finding of extraordinary circumstances in administering section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942).

CHAPTER 4—JUDICIAL REVIEW

SEC. 1141. DEFINITIONS.

In this chapter—

(1) the term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal lands of the United States; and

(2) the term ''covered energy project'' means the leasing of Federal lands of the United States for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy, and any action under such a lease, except that the term does not include any disputes between the parties to a lease regarding the obligations under such lease, including regarding any alleged breach of the lease.

SEC. 1142. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the district court where the project or leases exist or are proposed.

SEC. 1143. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action must be filed no later than the end of the 90-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 1144. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 1145. STANDARD OF REVIEW.

In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 1146. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation. In addition, courts shall limit the duration of preliminary injunctions to halt covered energy projects to no more than 60 days, unless the court finds clear reasons to extend the injunction. In such cases of extensions, such extensions shall only be in 30-day increments and shall require action by the court to renew the injunction.

SEC. 1147. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code, (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

SEC. 1148. LEGAL STANDING.

Challengers filing appeals with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as challengers before a United States district court.

CHAPTER 5—KNOWING AMERICA'S OIL AND GAS RESOURCES

SEC. 1151. FUNDING OIL AND GAS RESOURCE ASSESSMENTS.

(a) IN GENERAL.—The Secretary of the Interior shall provide matching funding for joint projects with States to conduct oil and gas resource assessments on Federal lands with significant oil and gas potential.

(b) COST SHARING.—The Federal share of the cost of activities under this section shall not exceed 50 percent.

(c) RESOURCE ASSESSMENT.—Any resource assessment under this section shall be conducted by a State, in consultation with the United States Geological Survey.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of $50,000,000 for fiscal years 2014 through 2017.

Subtitle B—Oil and Gas Leasing Certainty

SEC. 1201. SHORT TITLE.

This subtitle may be cited as the ''Providing Leasing Certainty for American Energy Act of 2013''.

SEC. 1202. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE LEASE SALES.

In conducting lease sales as required by section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)), each year the Secretary of the Interior shall perform the following:

(1) The Secretary shall offer for sale no less than 25 percent of the annual nominated acreage not previously made available for lease. Acreage offered for lease pursuant to this paragraph shall not be subject to protest and shall be eligible for categorical exclusions under section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942), except that it shall not be subject to the test of extraordinary circumstances.

(2) In administering this section, the Secretary shall only consider leasing of Federal lands that are available for leasing at the time the lease sale occurs.

SEC. 1203. LEASING CERTAINTY.

Section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)) is amended by inserting ''(1)'' before ''All lands'', and by adding at the end the following:

''(2)(A) The Secretary shall not withdraw any covered energy project issued under this Act without finding a violation of the terms of the lease by the lessee.

''(B) The Secretary shall not infringe upon lease rights under leases issued under this Act by indefinitely delaying issuance of project approvals, drilling and seismic permits, and rights of way for activities under such a lease.

''(C) No later than 18 months after an area is designated as open under the current land use plan the Secretary shall make available nominated areas for lease under the criteria in section 2.

''(D) Notwithstanding any other law, the Secretary shall issue all leases sold no later than 60 days after the last payment is made.

''(E) The Secretary shall not cancel or withdraw any lease parcel after a competitive lease

sale has occurred and a winning bidder has submitted the last payment for the parcel.

''(F) Not later than 60 days after a lease sale held under this Act, the Secretary shall adjudicate any lease protests filed following a lease sale. If after 60 days any protest is left unsettled, said protest is automatically denied and appeal rights of the protestor begin.

''(G) No additional lease stipulations may be added after the parcel is sold without consultation and agreement of the lessee, unless the Secretary deems such stipulations as emergency actions to conserve the resources of the United States.''.

SEC. 1204. LEASING CONSISTENCY.

Federal land managers must follow existing resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or revised, until such time as a new record of decision is signed.

SEC. 1205. REDUCE REDUNDANT POLICIES.

Bureau of Land Management Instruction Memorandum 2010–117 shall have no force or effect.

SEC. 1206. STREAMLINED CONGRESSIONAL NOTIFICATION.

Section 31(e) of the Mineral Leasing Act (30 U.S.C. 188(e)) is amended in the matter following paragraph (4) by striking ''at least thirty days in advance of the reinstatement'' and inserting ''in an annual report''.

Subtitle C—Oil Shale

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the ''Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act'' or the ''PIONEERS Act''.

SEC. 1302. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

(a) REGULATIONS.—Notwithstanding any other law or regulation to the contrary, the final regulations regarding oil shale management published by the Bureau of Land Management on November 18, 2008 (73 Fed. Reg. 69,414) are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement those regulations, including the oil shale leasing program authorized by the regulations, without any other administrative action necessary.

(b) AMENDMENTS TO RESOURCE MANAGEMENT PLANS AND RECORD OF DECISION.—Notwithstanding any other law or regulation to the contrary, the November 17, 2008 U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement the oil shale leasing program authorized by the regulations referred to in subsection (a) in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

SEC. 1303. OIL SHALE LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of oil shale resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

(b) COMMERCIAL LEASE SALES.—No later than January 1, 2016, the Secretary of the Interior shall hold no less than 5 separate commercial lease sales in areas considered to have the most potential for oil shale development, as determined by the Secretary, in areas nominated through public comment. Each lease sale shall be for an area of not less than 25,000 acres, and in multiple lease blocs.

Subtitle D—Miscellaneous Provisions

SEC. 1401. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to authorize the issuance of a lease under the Mineral Leasing Act (30 U.S.C. 181 et seq.) to any person designated for the imposition of sanctions pursuant to—

(1) the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability and Divestiture Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a), or the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.);

(2) Executive Order 13622 (July 30, 2012), Executive Order 13628 (October 9, 2012), or Executive Order 13645 (June 3, 2013);

(3) Executive Order 13224 (September 23, 2001) or Executive Order 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

TITLE II—PLANNING FOR AMERICAN ENERGY

SEC. 2001. SHORT TITLE.

This title may be cited as the ''Planning for American Energy Act of 2013''.

SEC. 2002. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

(a) IN GENERAL.—The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY.

''(a) IN GENERAL.—

''(1) The Secretary of the Interior (hereafter in this section referred to as 'Secretary'), in consultation with the Secretary of Agriculture with regard to lands administered by the Forest Service, shall develop and publish every 4 years a Quadrennial Federal Onshore Energy Production Strategy. This Strategy shall direct Federal land energy development and department resource allocation in order to promote the energy and national security of the United States in accordance with Bureau of Land Management's mission of promoting the multiple use of Federal lands as set forth in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) In developing this Strategy, the Secretary shall consult with the Administrator of the Energy Information Administration on the projected energy demands of the United States for the next 30-year period, and how energy derived from Federal onshore lands can put the United States on a trajectory to meet that demand during the next 4-year period. The Secretary shall consider how Federal lands will contribute to ensuring national energy security, with a goal for increasing energy independence and production, during the next 4-year period.

''(3) The Secretary shall determine a domestic strategic production objective for the development of energy resources from Federal onshore lands. Such objective shall be—

''(A) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil and natural gas from the Federal onshore mineral estate, with a focus on lands held by the Bureau of Land Management and the Forest Service;

''(B) the best estimate, based upon commercial and scientific data, of the expected increase in domestic coal production from Federal lands;

''(C) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of strategic and critical energy minerals from the Federal onshore mineral estate;

''(D) the best estimate, based upon commercial and scientific data, of the expected increase in megawatts for electricity production from each of the following sources: wind, solar, biomass, hydropower, and geothermal energy produced on Federal lands administered by the Bureau of Land Management and the Forest Service;

''(E) the best estimate, based upon commercial and scientific data, of the expected increase in unconventional energy production, such as oil shale;

''(F) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil, natural gas, coal, and other renewable sources from tribal lands for any federally recognized Indian tribe that elects to participate in facilitating energy production on its lands; and

''(G) the best estimate, based upon commercial and scientific data, of the expected increase in production of helium on Federal lands administered by the Bureau of Land Management and the Forest Service.

''(4) The Secretary shall consult with the Administrator of the Energy Information Administration regarding the methodology used to arrive at its estimates for purposes of this section.

''(5) The Secretary has the authority to expand the energy development plan to include other energy production technology sources or advancements in energy on Federal lands.

''(b) TRIBAL OBJECTIVES.—It is the sense of Congress that federally recognized Indian tribes may elect to set their own production objectives as part of the Strategy under this section. The Secretary shall work in cooperation with any federally recognized Indian tribe that elects to participate in achieving its own strategic energy objectives designated under this subsection.

''(c) EXECUTION OF THE STRATEGY.—The relevant Secretary shall have all necessary authority to make determinations regarding which additional lands will be made available in order to meet the production objectives established by strategies under this section. The Secretary shall also take all necessary actions to achieve these production objectives unless the President determines that it is not in the national security and economic interests of the United States to increase Federal domestic energy production and to further decrease dependence upon foreign sources of energy. In administering this section, the relevant Secretary shall only consider leasing Federal lands available for leasing at the time the lease sale occurs.

''(d) STATE, FEDERALLY RECOGNIZED INDIAN TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.—In developing each strategy, the Secretary shall solicit the input of affected States, federally recognized Indian tribes, local governments, and the public.

''(e) REPORTING.—The Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of meeting the production goals set forth in the strategy. The Secretary shall identify in the report projections for production and capacity installations and any problems with leasing, permitting, siting, or production that will prevent meeting the goal. In addition, the Secretary shall make suggestions to help meet any shortfalls in meeting the production goals.

''(f) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—Not later than 12 months after the

date of enactment of this section, in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall complete a programmatic environmental impact statement. This programmatic environmental impact statement will be deemed sufficient to comply with all requirements under that Act for all necessary resource management and land use plans associated with the implementation of the strategy.

''(g) CONGRESSIONAL REVIEW.—At least 60 days prior to publishing a proposed strategy under this section, the Secretary shall submit it to the President and the Congress, together with any comments received from States, federally recognized Indian tribes, and local governments. Such submission shall indicate why any specific recommendation of a State, federally recognized Indian tribe, or local government was not accepted.

''(h) STRATEGIC AND CRITICAL ENERGY MINERALS DEFINED.—For purposes of this section, the term 'strategic and critical energy minerals' means those that are necessary for the Nation's energy infrastructure including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production and those that are necessary to support domestic manufacturing, including but not limited to, materials used in energy generation, production, and transportation.''.

(b) FIRST QUADRENNIAL STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress the first Quadrennial Federal Onshore Energy Production Strategy under the amendment made by subsection (a).

TITLE III—NATIONAL PETROLEUM RESERVE IN ALASKA ACCESS

SEC. 3001. SHORT TITLE.

This title may be cited as the ''National Petroleum Reserve Alaska Access Act''.

SEC. 3002. SENSE OF CONGRESS AND REAFFIRMING NATIONAL POLICY FOR THE NATIONAL PETROLEUM RESERVE IN ALASKA.

It is the sense of Congress that—

(1) the National Petroleum Reserve in Alaska remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transportation of oil and natural gas from and through the Reserve.

SEC. 3003. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

Section 107(a) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a(a)) is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the reserve in accordance with this Act. Such program shall include at least one lease sale annually in those areas of the reserve most likely to produce commercial quantities of oil and natural gas each year in the period 2013 through 2023.''.

SEC. 3004. NATIONAL PETROLEUM RESERVE IN ALASKA: PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior, in consultation with other appropriate Federal agencies, shall facilitate and ensure permits, in a timely and environmentally responsible manner, for all surface development activities, including for the construction of pipelines and roads, necessary to—

(1) develop and bring into production any areas within the National Petroleum Reserve in Alaska that are subject to oil and gas leases; and

(2) transport oil and gas from and through the National Petroleum Reserve in Alaska in the most direct manner possible to existing transportation or processing infrastructure on the North Slope of Alaska.

(b) TIMELINE.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timeline:

(1) Permits for such construction for transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary has issued a permit to drill shall be approved within 60 days after the date of enactment of this Act.

(2) Permits for such construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved within 6 months after the submission to the Secretary of a request for a permit to drill.

(c) PLAN.—To ensure timely future development of the Reserve, within 270 days after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a plan for approved rights-of-way for a plan for pipeline, road, and any other surface infrastructure that may be necessary infrastructure that will ensure that all leasable tracts in the Reserve are within 25 miles of an approved road and pipeline right-of-way that can serve future development of the Reserve.

SEC. 3005. ISSUANCE OF A NEW INTEGRATED ACTIVITY PLAN AND ENVIRONMENTAL IMPACT STATEMENT.

(a) ISSUANCE OF NEW INTEGRATED ACTIVITY PLAN.—The Secretary of the Interior shall, within 180 days after the date of enactment of this Act, issue—

(1) a new proposed integrated activity plan from among the non-adopted alternatives in the National Petroleum Reserve Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013; and

(2) an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) for issuance of oil and gas leases in the National Petroleum Reserve-Alaska to promote efficient and maximum development of oil and natural gas resources of such reserve.

(b) NULLIFICATION OF EXISTING RECORD OF DECISION, IAP, AND EIS.—Except as provided in subsection (a), the National Petroleum Reserve-Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013, including the integrated activity plan and environmental impact statement referred to in that record of decision, shall have no force or effect.

SEC. 3006. DEPARTMENTAL ACCOUNTABILITY FOR DEVELOPMENT.

The Secretary of the Interior shall issue regulations not later than 180 days after the date of enactment of this Act that establish clear requirements to ensure that the Department of the Interior is supporting development of oil and gas leases in the National Petroleum Reserve-Alaska.

SEC. 3007. DEADLINES UNDER NEW PROPOSED INTEGRATED ACTIVITY PLAN.

At a minimum, the new proposed integrated activity plan issued under section 3005(a)(1) shall—

(1) require the Department of the Interior to respond within 5 business days to a person who submits an application for a permit for development of oil and natural gas leases in the National Petroleum Reserve-Alaska acknowledging receipt of such application; and

(2) establish a timeline for the processing of each such application, that—

(A) specifies deadlines for decisions and actions on permit applications; and

(B) provide that the period for issuing each permit after submission of such an application shall not exceed 60 days without the concurrence of the applicant.

SEC. 3008. UPDATED RESOURCE ASSESSMENT.

(a) IN GENERAL.—The Secretary of the Interior shall complete a comprehensive assessment of all technically recoverable fossil fuel resources within the National Petroleum Reserve in Alaska, including all conventional and unconventional oil and natural gas.

(b) COOPERATION AND CONSULTATION.—The resource assessment required by subsection (a) shall be carried out by the United States Geological Survey in cooperation and consultation with the State of Alaska and the American Association of Petroleum Geologists.

(c) TIMING.—The resource assessment required by subsection (a) shall be completed within 24 months of the date of the enactment of this Act.

(d) FUNDING.—The United States Geological Survey may, in carrying out the duties under this section, cooperatively use resources and funds provided by the State of Alaska.

TITLE IV—BLM LIVE INTERNET AUCTIONS

SEC. 4001. SHORT TITLE.

This title may be cited as the ''BLM Live Internet Auctions Act''.

SEC. 4002. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting '', except as provided in subparagraph (C)'' after ''by oral bidding''; and

(2) by adding at the end the following:

''(C) In order to diversify and expand the Nation's onshore leasing program to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods. Each individual Internet-based lease sale shall conclude within 7 days.''.

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted under the amendment made by subsection (a), the Secretary of the Interior shall analyze the first 10 such lease sales and report to Congress the findings of the analysis. The report shall include—

(1) estimates on increases or decreases in such lease sales, compared to sales conducted by oral bidding, in—

(A) the number of bidders;

(B) the average amount of bid;

(C) the highest amount bid; and

(D) the lowest bid;

(2) an estimate on the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the Federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

TITLE V—NATIVE AMERICAN ENERGY

SEC. 5001. SHORT TITLE.

This title may be cited as the ''Native American Energy Act''.

SEC. 5002. APPRAISALS.

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISAL REFORMS.

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal

conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of subsections (2) and (3) below.

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

SEC. 5003. STANDARDIZATION.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

SEC. 5004. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) IN GENERAL.—For any major Federal action on Indian lands of an Indian tribe requiring the preparation of a statement under subsection (a)(2)(C), the statement shall only be available for review and comment by the members of the Indian tribe and by any other individual residing within the affected area.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 5006 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 5005. JUDICIAL REVIEW.

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109-58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92-203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SEC. 5006. TRIBAL BIOMASS DEMONSTRATION PROJECT.

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years 2014 through 2018, the Secretary shall enter into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than September 20, 2015, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including

forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.''.

SEC. 5007. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 5008. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

SEC. 5009. NONAPPLICABILITY OF CERTAIN RULES.

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 113–271. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–271.

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 17, strike ''$10,000,000'' and insert ''$5,000,000''.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, this amendment makes adjustments in the bill to the amount of funds authorized to be made available to BLM field offices for energy permitting. This change is made to ensure the bill meets its goal of reducing the deficit, not increasing spending.

According to information from the Congressional Budget Office, after adoption of this amendment the underlying bill would reduce the deficit by $26 million, while generating more American energy and new jobs for American workers.

This amendment sets the funding directed to wind and solar energy permitting in local BLM field offices at $5 million each fiscal year. Currently, under existing law, no funds get sent to those doing the work to permit these renewable projects. After the amendment, the amount to help foster renewable energy on Federal lands is less than currently in the bill, but is far more than the zero dollars allocated today.

A vote for this amendment is a vote for an all-of-the-above approach to American energy. It is a vote for more American-made energy, and it is a vote to support renewable energy that uses its own funds and not taxpayers' subsidies; and, Mr. Chairman, it is a vote to reduce the deficit.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I wanted to point out a curious, but revealing, point about this amendment.

In order to get the bill to score properly to fit with the policy of the Republican Conference, it was necessary to cut $5 million out of the authorization in the bill.

So where did they go? To cut $5 million out of renewable energy and let the tens of millions of dollars of authorized funds for the oil and gas to sit untouched.

But I would really like to address something else that the gentleman said that has to do with the whole reason we are here today on this bill instead of doing that important work that Mr. HOYER spoke of earlier.

The gentleman talked about how we have to increase the supply of oil so that we can drive down prices at the pump and talked about how the policies of President Bush were responsible for the undeniable increases in onshore oil production.

They say that gas was as much as $4 a gallon in 2008. You know whose fault that was.

And then, in 2009, it was $2 a gallon.

Did the supply in the United States change that much in 1 year? No. This shows quite clearly that it is not because of the amount of drilling on public lands. That has nothing to do with it. It has a scant effect on the price at the pump.

It is amazing, Mr. Speaker. When confronted with something uncomfortable, the Republicans always have a convenient excuse.

Gas prices were $4 a gallon in 2008. Oh, that is because NANCY PELOSI was Speaker of the House.

Gas prices plummet later that year to half that amount. Well, that is because President Bush said we need to drill more.

Then, gas prices shoot up after JOHN BOEHNER becomes Speaker of the House, but that is because President Obama is in office.

And, now, oil production on Federal lands skyrockets under President Obama, and it is a boom. But that is really because of President Bush.

So if gas prices go down further this year, maybe that is because of, I don't know, was it Eisenhower or Reagan?

Give me a break.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 9, strike the closing quotation marks and the following period, and after line 9 insert the following:

''(C) RIGHT TO PETITION PRESERVED.—This paragraph shall not be construed to abridge the right of the people to petition for the redress of grievances, in violation of the first article of amendment to the Constitution of the United States.''.

The Acting CHAIR. Pursuant to House Resolution 419, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank Mr. HOLT and Mr. HASTINGS and the Rules Committee for admitting this amendment.

Mr. Chairman, we could all engage in discussions about our commitment to a national energy policy. I would venture to say that we would not find one Member of this body that was not committed to the idea of individuals being

able to have low costs at the pump and to be able to have heat in the severe winters and air conditioning for those of us in the heat of summer in places like Texas and elsewhere. We are committed to doing so.

□ 1530

I said this earlier this morning on the rule. Let me thank the Rules Committee for this amendment that has been admitted on my behalf, but let me also say that we will do better if we come across the aisle and talk about the issues—again, sustainable environment, sustainable energy policy, the creation of jobs, and addressing the needs of low-income families. That is the American way. The American way is also the ability to petition your government in the system of laws that we have.

My amendment is simple. It indicates that the underlying bill should not be construed to abridge the right of the people to petition for the redress of grievances in violation of the first article of the amendment to the Constitution in the Bill of Rights.

It is important to note that there is a $5,000 fee for anyone who wants to protest the particular structure in this bill, upon aggrieved parties, to challenge the award by the agency of a lease, of a right-of-way, of a permit to drill on public lands. This $5,000 fee is supposed to give comfort because, on the larger entities—the businesses—it is a $6,500 fee. For many parties, that may adversely affect the individuals, who would be homeowners, small businesses, nonprofits, and community organizations. A filing or a documentation fee of this amount, in many cases, is prohibitive and will discourage many injured parties from taking the actions necessary to vindicate their rights.

My amendment seeks to avoid this undesirable result by making it plain that it is not the intent of Congress to discourage parties from seeking relief where necessary or to deny access to justice to any party with a legitimate claim. I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. Chairman, my amendment is simple and straightforward. The Jackson Lee Amendment provides that nothing in section 1121 of the bill:

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

Section 1121 amends the Mineral Leasing Act (30 U.S.C. 226(p)) to impose a $5,000 "documentation fee" upon aggrieved parties to challenge the award by the agency of a lease, right of way, permit to drill on public lands.

For many parties that may be adversely affected by these types of agency actions—individuals, home owners, small businesses, nonprofits and community organizations—a filing or documentation fee of this amount in many cases is prohibitive and will discourage many injured parties from taking the action necessary to vindicate their rights.

My amendment seeks to avoid this undesirable result by making plain that it is not the intent of Congress to discourage parties from seeking relief where necessary or to deny access to justice to any party with a legitimate claim.

The Jackson Lee Amendment is intended to provide flexibility to the agency and the courts in considering a request to waive all or a portion of the "documentation fee."

It does not direct or require the agency to grant such waivers. The amendment is intended only to permit and encourage such waivers in appropriate cases.

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

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

I am pro-energy independence, "pro-jobs," "pro-growing economy" and pro-sustainable environment. As a senior member of the Judiciary Committee, I am also "pro-fairness."

The Jackson Lee Amendment seeks to establish fairness and restore balance in the application and implementation of this law.

I urge my colleagues to support this amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

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

To be clear, nothing in this act prohibits individuals from asserting their rights to petition the government. In fact, it would be ridiculous for us to try to write a statute that would negate the First Amendment, so nothing in this bill does that at all. Let me talk about the process here.

The BLM undertakes multiple layers of rulemaking and environmental review when going through its Federal actions. Nearly every layer of this process allows for the opportunity for public comments, involvement, and questions regarding BLM's actions. Nothing, Mr. Chairman, in this legislation impacts an individual's right to comment, petition, and object to the actions of BLM under this bill. Nothing, by the way, in this legislation stops individuals from filing lawsuits. That is important in this debate on this amendment.

H.R. 1965 simply implements a cost recovery fee for the formal process of filing protests of oil and gas leasing. These formal protests require a direct BLM response, using staff time, energy, and resources to address what is, simply, often a delaying tactic. This paperwork recovery fee will ensure that BLM has the resources necessary to address the protests but that it has the necessary resources to carry out the functions of the Bureau of Land Management, which is for multipurpose use in this country.

So it is for these reasons, Mr. Chairman, that I oppose this amendment, because it does not add anything to what people already have a constitutional right to do.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I take issue with my good friend from Washington State.

This bill has a $5,000 documentation fee on the stage of protest and petition. Obviously, our good friends on the industry side don't even pay anything to nominate land, but it is a $5,000 barrier.

My friend refers to the administrative process. I am a lawyer. It is under the APA code. That is different from being able to go to a higher level and to be able to comment under the Federal Register and write that ''I don't like this,'' and then you are ruled against anyhow. Then your next level of protest is to be able to protest at the level that requires you to pay $5,000, not even $1,000. We are scoring this, and we are doing it on the backs of citizens.

My amendment does make sense because what it says is that we are committed as a Congress not to block people from being able to have an equal opportunity to protest. They may not prevail, Mr. Chairman, but they should have an equal opportunity.

I believe it would be senseless for Republicans and Democrats not to go on record to say that we support the opportunity for protest and petition. I am pro-energy independence, pro-jobs, pro-growing the economy, pro-fairness, pro-sustainable environment, and I believe that there are opportunities for us to come together. We haven't listened to each other. The gentleman from New Jersey (Mr. HOLT) just made some very important statements. I am making a statement about the idea.

I believe it is egregious to have a $5,000 fee on individuals—nonprofits, farmers, ranchers, neighbors, et cetera. I will say to you, if you want to understand what it means, in my town, there is a group going to court to fight against a high-rise. That high-rise, Mr. Chairman, went through every process—the planning commission, the city council—and they were rejected, but they are going into a lawsuit. They happen to be a little bit more prosperous. Farmers, ranchers, and others who are having to pay $5,000 and neighbors who are having to pay $5,000, I simply think that is excessive.

My colleagues, since the amendment that I had was to eliminate the $5,000, I welcome a compromise of $1,000; but I offer this simple statement that what we do today shall not be construed to abridge the right of the people to petition for the redress of grievances in violation of the first article of the amendment, and it protects the Fifth Amendment as well, which is due process—the right to protect your property.

Frankly, I believe that it is extremely important because there are entities that are near Federal lands.

So, with a generosity of spirit, I would ask my colleagues to support the Jackson Lee amendment.

I yield back the balance of my time.

Mr. HASTINGS of Washington. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 3 minutes remaining.

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

First of all, Mr. Chairman, this bill has nothing to do with high-rises, so we should set that apart, and I know the gentlelady was using that as an example.

I have to say this in a larger sense, which is that, in the time that I have had the privilege to chair this committee, we have seen over and over and over what I would call ''frivolous action'' by people with lawsuits who are trying to slow down the process. The gentlelady used her example of high-rises in Houston. I will use another example that, I think, this House needs to address, and that is the issue of the Endangered Species Act and how it affects development in other parts of the country.

In setting that aside for now, this bill simply says that, in going through the process, there should be something up front if you are serious about your issue. It is nothing more than that. This is a modest way to say, if people are serious about the actions that they are trying to take, then there ought to be nothing more than some skin in the game. That is what this bill does. This amendment would take that out. That is why I oppose the amendment and why I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, beginning at line 20, strike section 1132.

Beginning at page 16, line 24, strike '', except that'' and all that follows through page 17, line 2 and insert a period.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

The amendment I offer today maintains the Interior Department's ability to review oil and gas activities for significant impacts on public health and safety, among other extraordinary circumstances.

While predictable, it is unfortunate that the majority again and again is willing to throw out basic health and safety protections in order to speed up oil and gas extractions for industry. Whether it is in this oil and gas industry bill today, in last week's mining industry bill, or in tomorrow's natural gas industry bill, the majority's common theme is that of getting rid of transparency and protections for public health and safety and of threatening our environment in the name of increased profits for industry.

This is not okay with me. This is not why I came to Washington.

The oil and gas industry is the most profitable in the world, and the rates of domestic extraction have increased under the Obama administration. ExxonMobil reported a net income of over $44 billion in 2012. I know it and Wall Street knows it, and their balance sheets prove it. These companies are doing fine. So why are we stripping our oversight agencies and the ability of the public to ensure that extraction is done responsibly and not at the expense of the welfare of this and future generations? I think it is shortsighted; I think it is irresponsible; and I think it is wrong.

H.R. 1965, as it is currently written, would prevent the Interior Department from reviewing oil and gas activities that would otherwise qualify for skipping the National Environmental Policy Act for extraordinary circumstances.

Section 390 of the Energy and Policy Act of 2005 allows certain qualifying oil and gas activities to potentially skip a full NEPA process through a categorical exclusion. Title 43 of section 46.205 of the Code of Federal Regulations requires that the Interior Department test for extraordinary circumstances in which a normally excluded action may have a significant environmental effect and require additional analysis and action. Title 43 of section 46.215 of the Code of Federal Regulations goes on to list the types of extraordinary circumstances to be tested before proceeding with a categorical exclusion for the oil and gas activity.

Thus, before the Interior Department bypasses NEPA, this is what it currently checks for:

Are there significant impacts upon public health or safety? Are there violations of Federal, State, local, or tribal law? Are there limits to access and ceremonial use of Indian sacred sites? Is there the introduction, continued existence, or spread of noxious weeds or of nonnative invasive species? It also lists eight other potential significant problems.

This is what the existing law and regulation does. It helps to protect the public and the environment during oil and gas activities. Simply speaking, H.R. 1965 eliminates these protections. My amendment would simply preserve them, and I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

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

This amendment would increase regulatory red tape and opportunities for frivolous lawsuits to stop what we are trying to do here—American energy production and job creation. It would achieve the exact opposite of what our Nation needs and what the bill provides.

H.R. 1965 seeks to streamline and expedite the onshore oil and gas and renewable permitting process, and it does so in a safe and responsible way. This amendment would simply reinject the same uncertainty and bureaucracy into the permitting process that this legislation seeks to do away with.

The Energy Policy Act of 2005, Mr. Chairman, established in a broad, bipartisan fashion the use of categorical exclusions for energy projects in specific and limited circumstances. This provision was intended to expedite the permit approvals of certain energy projects on disturbed land, on operations with a small footprint, or in areas that were previously approved in recent years. Again, the Energy Policy Act of 2005 was a bipartisan attempt, and this provision which I just described was part of the 2005 Act.

□ 1545

These pro-energy reforms are designed to allow minor actions that do not significantly affect the environment to move forward without the burdensome and lengthy full costly environmental review.

To the point the gentleman is making and what the gentleman's amendment addresses, this legislation clarifies the Department's ability to use the categorical exclusion tool to quickly permit energy projects. This amendment, unfortunately, would require the Department of the Interior to unreasonably review what we call ''extraordinary circumstances'' which require additional NEPA reviews, thereby essentially negating any value from expediting a project and inserting more certainty into an already uncertain energy permitting process.

The intent of this legislation is to streamline and simplify projects that are held up, often for years, in bureaucratic red tape and regulatory uncertainty. This amendment backtracks

from the goal by injecting more bureaucracy and regulatory hurdles into the process.

Mr. Chairman, I don't think this amendment adds anything to what we are trying to accomplish. In fact, I think it goes the other way. It goes the other way in such a way that negates what the Energy Act of 2005 in a bipartisan manner said.

I urge rejection of the amendment, and I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. LOWENTHAL. Thank you.

Mr. Chairman, the gentleman from Washington is saying that, if we remove the extraordinary circumstances part of seeing whether, in fact, we grant a categorical exemption—what my amendment does by saying ''no'' is that the public must have an opportunity, if we are going to grant an exemption, which we think is fine, but what is wrong with finding out whether there is going to be a significant impact on health and safety? What is wrong with finding out if there is going to be a violation of State, Federal, local, or tribal law? What is wrong with understanding what are the limits to access to ceremonial use of sacred sites? He says that by asking these questions before we give an exemption, that this imposes regulatory red tape that is exactly the opposite of what the Nation needs, it is more bureaucracy.

It is just the opposite. This protects the Nation. This allows us to understand, when we are given a categorical exemption, that we are protecting the public health of the Nation.

I urge an ''aye'' vote on my amendment, and I yield back the balance of my time.

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

Notwithstanding what my good friend from California said, I just want to make this point, which ironically was not brought out at all in the gentleman's argument. That is the issue of categorical exclusion.

That has been in place on energy projects now for 8 years. If there is something wrong with that or there is an example of where it has been abused, then maybe the gentleman has a case, but the gentleman didn't speak at all—not at all—to the point that that provision in the 2005 Energy Act has been abused. That alone should be enough to reject this amendment.

In any case, I do not believe that his amendment adds to what we are trying to do to streamline the process of energy creation and creating American energy jobs.

I urge rejection of this amendment, and I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, beginning at line 4, strike section 1147.

The Acting CHAIR. Pursuant to House Resolution 419, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I yield myself 3 minutes.

I again thank the managers, Mr. HOLT and Mr. HASTINGS.

Mr. Chairman, I again make the same comment about what I have heard on this floor from Members on both sides of the aisle: that they are pro-energy policy, pro-environment, pro-jobs, pro-sustainable environment. They simply want an opportunity to work on legislation to activate or to ensure that that occurs.

There is a prohibition contained in section 1147 of this legislation with respect to the recovery of attorney fees and costs by a prevailing party pursuant to the Equal Access to Justice Act. My amendment removes the prohibition, a prohibition that has been established law for a very long time.

This amendment is needed to level the playing field and conform the bill to current law and practice. I think that if we listen to each other, it will be a simple answer of ''yes'' if we ask any citizen should they have a right to sue, and if they prevail under the Equal Access to Justice Act, that they are able to get attorney fees.

I think the answer, when clear heads would respond, is not whether it is an energy bill or not, or who the defendant is; they would say, Why shouldn't this bill be subjected to the law that exists?

The Equal Access to Justice Act allows individuals, small businesses, and nonprofits to recover attorney fees from the Federal Government. This act is used to vindicate a variety of Federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

Therefore, to eliminate that is again to cut into—to cut into—the very Bill of Rights of your right to petition, to the right to counsel, all of that, because it indicates that you have a right to prevail in attorney fees.

It is a simple process that does not undermine, if you will, the question of the energy policy in the United States.

If we look at the first poster, we will acknowledge the fact that, interestingly enough, the average amount of money under these cases was $1.8 million annually over the last 8 years. The EPA only paid out $280,000 annually over the last 5 years. I venture to say with the average payment of $100,000 this is not busting the bank. This is allowing citizens who prevail to be able to have attorney fees. I clearly believe that the legislation that we have warrants a fix, a fair fix, to be able to ensure that anyone that has a disagreement post the administrative process and goes into court can, in fact, utilize.

This is one that shows that, in fact, local environmental groups and national environmental groups are no more than others. The largest amount goes to various State governments, individuals, various unions and workers that got a minimal amount or may not have even prevailed.

So I think it is important to recognize that this is not one that is going to destroy this bill, it is going to enhance the bill.

With that, I reserve the balance of my time.

Mr. Chairman, my amendment removes the prohibition contained in Section 1147 with respect to the recovery of attorney fees and costs by a prevailing party pursuant to the Equal Access to Justice Act (5 U.S.C. § 504 and 28 U.S.C. § 2412).

This amendment is needed to level the playing field and conform the bill to current law and practice.

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

EAJA allows individuals, small businesses and nonprofits to recover attorney fees from the federal government.

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

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

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

Mr. Chairman, fee awards under the EAJA are NOT available in any and every case. Rather, attorneys' fees are only recoverable in cases where plaintiffs prevail and the government cannot demonstrate that its legal position was ''substantially justified.''

The amount of attorney fees awarded cannot exceed $125 per hour, a figure is far below the amount currently charged by big city law firms.

No law firm or public interest group is getting rich off a practice relying upon EAJA awards for its attorney fees.

A new report, Shifting the Debate: In Defense of the Equal Access to Justice Act, concludes that EAJA has been cost-effective, applies only to meritorious litigation and that existing legal safeguards and the independent discretion of federal judges will continue to ensure its prudent application.

Moreover, the claim that large environmental groups are getting rich on attorney fees simply is not supported by available evidence.

A recent GAO study (requested by House Republicans) of cases brought against EPA found: most environment lawsuits (48%) were brought by trade associations and private companies; attorney fees were awarded only about eight percent of the time; among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups; and the average award under the EAJA was only about $100,000.

In reality, EAJA ''reforms'' would have the effect of watering down the implementation and enforcement of law enacted to protect the public health and safety.

Much has been made about environmental groups obtaining fees in suits that are ''merely'' procedural.

Both public-interest and industry litigants agree that ''procedural'' litigation under the Administrative Procedure Act is essential to checking executive power on a range of issues.

Additionally, it should be pointed out that procedural requirements and deadlines contained in environmental laws are paramount to ensuring the protections that Congress has enacted.

Indeed, in the case of the National Environmental Policy Act, the nation's foundational environmental statute, following sound procedure is the entire point of the law.

NEPA requires agencies to take a ''hard look'' at the consequences of their actions and to carefully consider alternatives, but compels no particular outcomes.

Mr. Chairman, the provision in the bill that prohibits recovery of attorney fees under the EAJA is not ''reform''; it is a step backwards.

Instead of providing an important tool by which the public can hold the federal government accountable for its actions, Section 1147 wold deny the benefit of this proven accountability tool to unwelcome legal challenges and to prejudice a subset of disfavored plaintiffs.

I urge my colleagues to support the Jackson Lee Amendment.

JACKSON LEE AMENDMENT #4

1. EAJA attorney fees awards do not cost a lot of money

According to GAO, the EAJA attorney fees paid to successful plaintiffs on average: by the Treasury Department: $1.8 million annually over the last 8 years; by EPA: $280,000 annually over the last 5 years; average Payment: $100,000.

2. EAJA attorney fees awards are infrequently awarded

Attorney fees were awarded only about eight percent (8%) of the time according to a July 2013 report by the Environmental Law Institute, ''The Environmental Relevance of the Equal Access to Justice Act.''

3. Most environmental cases are brought by industry trade associations and private companies

In August 2011 GAO conducted study of cases brought against EPA and found: most suits were brought by trade associations and private companies; and, among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups.

4. Largest EAJA attorney fees have been awarded in actions brought by industry trade group plaintiffs, private companies, and state or local government agencies

$500,000: National Cotton Council;

$150,000: Honeywell International, Inc.;

$95,000: National Pork Producers Council & American Farm Bureau;

$92,000. American Trucking Association;

$22,000: American Corn Growers Association.

$400,000: State of New Jersey;

$100,000: State of North Carolina;

$127,500: Commonwealth of Massachusetts;

$198,000: State of New York;

$240,000: South Coast Air Quality Management District (Calif.).

In August 2011 GAO conducted a study of cases brought against EPA and found:

1. most suits were brought by trade associations and private companies; and

2. among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups.

Share of environmental cases by lead plaintiff type: FY 1995–2010 by type of group	Number of cases	Percentage
Trade associations	622	25
Private companies	566	23
Local environmental and citizens' groups	388	16
National environmental groups	338	14
States, territories, municipalities, and regional government entities	297	12
Individuals	185	7
Unions, workers' groups, universities, and tribes	46	2
Other	33	1
Unknown	7	1
Total	2,482	100

On average, EAJA attorney fees paid to successful plaintiffs:

Treasury: $1.8 million annually over the last 8 years;

EPA: $280,000 annually over the last 5 years; average payment: $100,000.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

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

Mr. Chairman, as I say, I rise to oppose this amendment.

The Equal Access to Justice Act, or the EAJA, was created, rightfully so, to level the playing field between citizens seeking to do the right thing and a well-funded Federal Government. Unfortunately, wealthy activist groups have been able to distort the intended purpose of the EAJA by exploiting the program as a cash register to file thousands of lawsuits, many based on frivolous technicalities.

Further, Federal payments to lawyers fighting lawsuits come out of each agency's budgets, which, of course, hinders the agency's ability to do their job and forces tighter budgets on the agencies working on behalf of Americans.

Every year, numerous energy projects are held up by burdensome legal challenges by activist groups whose aim is to hold up or simply stop energy production in this country.

Under the guise of ''responsible development,'' these groups file lawsuit after lawsuit that force the government to use Federal resources and millions of dollars in taxpayer funds to litigate these lengthy and burdensome lawsuits. These well-funded activist groups have the resources to hire, in some cases, multiple lawyers to sue the Federal Government.

These unnecessary delays in energy projects result in a domino effect of delays in economic development, of delays, obviously, in job creation, of delays in income generation for local, State, and, indeed, the Federal Government, and delays in making the United States becoming energy independent.

Further, many small communities depend on a robust energy sector to provide jobs for its residents and generate income for their local schools and for their communities. These well-funded activist organizations should not be rewarded, Mr. Chairman, with taxpayer dollars for delaying American job creation and the generation of funds for our local communities.

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

Ms. JACKSON LEE. Mr. Chairman, let me be very clear that the awards under the EAJA are not available for any and every case. Only when the plaintiff prevails. Is that not fair?

When an individual, a nonprofit, who has sought to even the playing field, who wants to make sure that we have a strong energy policy but they are praying that you listen to them as to how it is destroying their property, their house, their quality of life, they have a right to petition.

So I want to correct the gentleman's interpretation. I heard on the floor of the House that he mentioned the word ''frivolous.'' As a lawyer, and one who adheres to the Constitution, I would like to not think that if you are concerned about an issue, that you cannot get into the court of justice and that you cannot make your case. You may not win, but I want to surprise him with the fact that the large number of cases that went under this act and sued the EPA were trade associations—622; private companies—556. There are a variety of others, not collectively together. State territories and municipalities—297. Should they not recover if they prevail? Should environmental groups not recover if they prevail—only at 388? Should individuals at 185 cases not prevail if they win? Should workers groups and universities and tribes not prevail if they should win?

I think that we are wrongheaded if we simply do not adhere to the existing law; not use the terminology ''frivolous'' but applaud Americans who are willing to stand up for their rights.

My example was correct. It was an analogy. These homeowners are fighting Big Business, but what they decided to do is, after they were ruled against by every administrative local body, they have gone into the courthouse. They happen to be more prosperous than someone else, but why would you fault an individual who is using their meager pennies with an attorney to try and prevail on something that they believe will harm them?

My amendment is very simple. It just indicates, if you prevail, you should not be denied the attorney fees that anyone else would get and, if you will, debunks and rebuts the proposition that only those groups that we might not enjoy their position—trade associations, private big companies—I ask my colleagues to support the Jackson Lee amendment for fairness and justice in America.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of the time.

I would just simply say that what this bill and the bill tomorrow, for that matter—this bill is designed to create an atmosphere for more American energy production, which I think is badly needed in our economy, because we know that a growing economy by any measure has to have a predictable energy source. That has been lacking on our Federal lands. That is what the underlying bill does.

What we have seen, and what we have observed in our committee, is the fact that the courtroom is used to slow down so many projects on Federal land. This provision in the current bill simply, I think, clarifies and rectifies that we can have some certainty in the law. That, I think, is the important part of creating American energy. I don't think that this amendment adds anything to that.

I urge rejection of the amendment, and I yield back the balance of my time.

□ 1600

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 5 OFFERED BY MS. HANABUSA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, on line 15, strike ''and'', on line 20, strike the period and insert ''; and'', and after line 20 insert the following:

''(H) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of geothermal, solar, wind, or other renewable energy sources from 'available lands' (as such term is defined in section 203 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), and including any other lands deemed by the Territory or State of Hawaii, as the case may be, to be included within that definition) that the agency or department of the government of the State of Hawaii that is responsible for the administration of such lands selects to be used for such energy production.

The Acting CHAIR. Pursuant to House Resolution 419, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is nearly identical to one I proposed last Congress to a similar Natural Resources bill numbered H.R. 4480, which was agreed to by a voice vote.

This amendment simply adds to title II, the Planning for America Energy Act of 2013, a subsection (h), which essentially mirrors the language found in a prior subsection addressing Native American tribal lands. This particular amendment requires the inclusion of Hawaiian Homes Commission Act lands.

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

This amendment seeks to have those Hawaiian Home lands that the State agency or department responsible for the administration of these lands has selected to be used for the very development of geothermal, solar, wind, and other renewable energy sources included in the Quadrennial Federal Onshore Energy Production Strategy. It has no implications other than the fact that these lands could be used for renewable energy development and that these lands have somehow become forgotten, but do necessarily fall under Federal jurisdiction.

Mr. HASTINGS of Washington. Will the gentlelady yield?

Ms. HANABUSA. I yield to the gentleman.

Mr. HASTINGS of Washington. I have no problem with your amendment. As you rightfully said, in the last Congress this was accepted by a voice vote. I think it adds more lands for energy production; and as the gentlelady knows, we are in favor of that. So we accept the gentlelady's amendment.

Ms. HANABUSA. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, after line 4, insert the following:

''(6) The Secretary shall include in the Strategy a plan for addressing new demands for transmission lines and pipelines for distribution of oil and gas across Federal lands to ensure that energy produced can be distributed to areas of need.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

Study after study proves that pipelines are the safest, most environmentally friendly, and most efficient method for transporting oil and natural gas. A company in my district tried to expand a current pipeline or build a new pipeline through a recreation area, but was unable to do so because of bureaucratic red tape and mess.

Instead of expanding a pipeline that was in the ground before the recreation area was created, the company had to loop the pipeline around the recreation area in order to provide natural gas to residents in New Jersey. This forced the company to add seven additional miles of pipeline, even though it would be more environmentally friendly to build a pipeline through the park. Yet the level of bureaucratic red tape in trying to construct oil and gas pipelines through Federal lands is nothing short of ludicrous.

My amendment wouldn't solve the problem we experienced in my district; however, this amendment takes a small step in addressing the difficulties in constructing pipelines by requiring the Secretary of the Interior to include a plan for addressing new demands for transmission lines and pipelines for distribution of oil and gas across Federal lands to ensure that energy produced can be distributed to areas of need.

Common sense tells us that without the necessary pipeline infrastructure to transport the energy, it will be much more difficult to meet America's future oil and gas demands.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. MARINO. I yield to the gentleman.

Mr. HASTINGS of Washington. I want to thank the gentleman for bringing this amendment to the floor. I think it adds a great deal to what we are trying to do with energy development in this country, and I am prepared to accept the amendment. I thank the gentleman for yielding to me.

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

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE ___—MISCELLANEOUS PROVISIONS

SEC. _01. STUDY OF EFFECTS OF FLOODING ON OIL AND GAS FACILITIES.

The Secretary of the Interior shall enter into an arrangement with the National Academy of Sciences under which the Academy shall study and report to the Congress on the effect of flooding on oil and gas facilities, and the resulting instances of leaking and spills from tanks, wells, and pipelines.

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, I offer my amendment along with Representative HUFFMAN from California. It is a very simple amendment. It would require the National Academy of Sciences to study and report to Congress about the impact of flooding on oil and gas facilities and the resulting instances of leaking and spills from tanks, wells, and pipelines.

Sadly, this is an issue that hits very close to home. In my district in Colorado, we recently suffered from the great flood of 2013. Many counties in my district were declared Federal disaster areas. Many of those counties are also home to significant extraction operations. Floods can happen anywhere, and this one occurred well outside of a floodplain; but it is important to understand how to minimize damage to oil and gas infrastructure in the event of a flood. Constituents in my district in Colorado are rebuilding. We are working hard, and we wish we had the kind of information that this study would produce years before the flood so we could have better prepared with regard to our oil and gas infrastructure and the safeguards around it.

We do know a few things about the impact of the floods so far with regard to oil and gas facilities in northern and northeastern Colorado. Over 43,000 gallons of oil and 26,000 gallons of produced water have spilled from the tanks, wells, and pipelines in the floodwater.

If we learn a lot from this experience, I hope that future areas impacted by flooding, as well as ours, because we never know whether the next flood is decades or years or centuries away, will be able to avoid these kinds of spills in our communities.

On September 25, I did join Representative DEFAZIO in sending a letter to Chairman HASTINGS requesting a hearing to understand the consequences resulting from the flood. I continue to hope that the gentleman will be open to scheduling that hearing with regard to the impact of flooding, or perhaps more generally disasters, and how we can better safeguard our oil and gas infrastructure in this country.

The floods in Colorado did shed a light on the need to better understand how we can safeguard our oil and gas infrastructure from disasters generally and, in our case, a terrible flood that had seven confirmed fatalities and hundreds of millions of dollars of property damage.

We would all benefit from learning more about how disasters like the Colorado flood can impact communities, States, and, indeed, the Federal Government. Local elected officials, first responders, experts in oil and gas technology innovation, and the Academy of Sciences can help enhance our understanding of how to prevent damage to oil and gas infrastructure and avert spills and leaks in other communities. We don't want our communities to have to learn the hard way, as ours has done. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition.

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

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

Mr. Chairman, in light of the recent flooding in the gentleman's home State of Colorado, I can appreciate his concern about this issue. However, this amendment contains no restrictions on the scope and breadth of this study, and it seems to be endless. In fact, the study is not focused on the tragic flooding in Colorado, and it is so expansive it can include all flooding anywhere, and the term ''oil and gas'' facilities is undefined. That is what the amendment says.

''Oil and gas'' facilities could be interpreted to mean many things, much of which is outside of the jurisdiction of this committee. This could include corner gasoline stations or private gas meters. And ''leaking and spills from tanks, wells, and pipelines'' does not have to be associated with natural gas. It can be anything, such as a septic or water or sewer tanks and pipelines.

Further, this amendment does not specify that the study be conducted in conjunction with production on Federal land, which of course is what this legislation specifically deals with. The result is a nationwide study that can touch a variety of sources, right down to private homes, the results of which will have nothing to do with the energy production process that this legislation seeks to streamline.

This study, undoubtedly at the expense of taxpayer dollars, will have no impact on energy production; and, frankly, it has no clear goal.

Finally, the proper place to examine the effects of flooding in Colorado is in Colorado. In testing done by the Colorado State Department of Public Health and the Environment, they found pollutants from oil and gas in the aftermath of the spills at 29 specific sites, but no pollutants in Colorado's waterways. However, the incidence of E. coli and raw sewage was measurable and did have an impact on public health, which is not limited to one industry and is not even covered by this study.

Mr. Chairman, for a variety of reasons, and I think I have tried to touch on the major ones that I just enunciated, I urge rejection of this amendment.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, again, regarding the language of the amendment, of course it is not designed to apply narrowly to Colorado. That would be considered an earmark, prohibited under the rules of the House. In addition, it is not designed just to serve the needs of my district.

This amendment is designed to learn from this so other areas of the country don't go through the same damage from flooding to our oil and gas infrastructure that occurred in my district.

The language is very limiting with regard to the report to Congress, very boilerplate language that we have used for other studies which have been successfully accomplished by the Academy of Sciences, reporting to Congress ''on the effect of flooding on oil and gas facilities, and the resulting instances of leaking and spills from tanks, wells, and pipelines,'' precisely what has occurred as a result of the flooding in Colorado and could, of course, occur as a result of flooding in other areas of the country that have a significant presence of the extraction industry.

I hope that my colleagues will support this measure that Mr. HUFFMAN and I have brought forward. I think it would be a commonsense report that would be of great value to this Congress in protecting our infrastructure and our environment from the impact of flooding.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN), the author of this legislation.

Mr. LAMBORN. Mr. Chairman, I thank the full committee chairman for yielding me this time.

I want to applaud and commend my colleague from Colorado for his concern and thoughtfulness to the people impacted in Colorado, many of which were in his and Representative CORY GARDNER's district, some even further south in my district where there was, unfortunately, some loss of life also. So we all share that same concern.

□ 1615

To put things in perspective, though, when we look at the oil and gas impact of the flooding, there was no hydraulic fracturing going on during the flooding, and the spillage that was later determined to have taken place was relatively minor. There were about 1,000 barrels of oil and gas spilled, with about 400 barrels of production water. That is about 1,500 barrels, which is about 62,000 gallons. To put that in perspective, this was considered a 1 trillion-gallon rainfall in a period of 7 days or so. That would amount to more than that every second. Every single second would have 67,000 barrels of river flow. So 1 second's worth of oil and gas in the entire horrific rainfall, I think, puts things in perspective.

So I ask for a ''no'' vote on this amendment. It is a lot broader than just the Federal lands that this legislation talks about, and so it goes beyond the scope of the legislation and I don't think it is really called for.

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

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

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

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

Mr. LAMBORN. Just to conclude, when you put things in perspective, I think that there were a lot more serious issues with the flooding, some of which continue to today and will continue far into the future. Those are the issues we should really concentrate on.

For that reason, I ask for a ''no'' vote on this amendment.

Mr. POLIS. Mr. Chairman, I do want to again elaborate a little bit. The gentleman from Washington brought up germaneness and jurisdictional issues.

This amendment has been advanced to the floor by the Rules Committee with the necessary waivers granted, so it does not need to go through any other committee. It is here for the full House to consider. I appreciate it being included in the rule. I encourage Members to make the decision on the merits. It has been granted the necessary waivers to be considered on the House floor. Again, I do think this study would be of value to Congress, if, in fact, the 43,000 gallons of oil don't represent any kind of danger or risk that will be included in the report.

The National Academy of Sciences will have access to the information that we as policymakers will need and my State will need for future planning and other States that have an extraction industry will benefit from in the event of a flood. This can save the health of people, it can save lives, and it can save costly infrastructure in the oil and gas industry. It is a commonsense measure, a useful study.

I encourage my colleagues to vote ''yes,'' and I yield back the balance of my time.

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

As I mentioned in my initial remarks, this amendment really is very broadly written. And when we had other amendments talking about potential lawsuits, boy, adopting this amendment here would really be a litigant's dream if it were to be part of the legislation.

I urge rejection of this amendment, and I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113–271.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents accordingly):

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 6001. CERTAIN REVENUES GENERATED BY THIS ACT TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION TO LIMIT EXCESSIVE SPECULATION IN ENERGY MARKETS.

The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. REVENUES TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION.

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

''(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) the first $10,000,000 of the total of the amounts received by the United States under leases issued under this Act or any plan, strategy, or program under this Act.

''(c) AVAILABILITY AND USE OF FUNDS.—

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

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

The Acting CHAIR. Pursuant to House Resolution 419, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, much of the majority's argument here is based on providing relief to the American consumer, and this amendment would provide a real and potentially immediate relief to American consumers.

Two years ago in the Senate, in the spring when we were having a big run-up in oil prices, they had the head of Exxon Mobil testify. He said, Hey, don't blame us for those high prices. He said, Blame Wall Street. He basically said that 60 cents to 70 cents per gallon at the pump is going to Wall Street speculators. So if we want to provide real relief to the American people, we need to rein in speculation.

But the Republicans only have one watchdog out there—the Commodity Futures Trading Commission. They are supposed to set up position limits for nonparticipants, people just speculating on price, not people actually utilizing these commodities. That hasn't been done, and they are otherwise under relenting attack, including a $10 million cut in their budget by the Republicans.

So if we really wanted to do something to help consumers, we would pass this amendment, get a few more watchdogs downtown, put in place those position limits on speculators, and next May you wouldn't see prices run up $1, $1.25, $1.50 a gallon like we see every May. That has to do with two things: refinery manipulation by the industry and speculation by Wall Street. We are not addressing either of those things.

Today, we are talking about putting more land up for leasing. And today, we have a total of 35,397,010 acres of active leases, and the nonproducing leases are 30,019,256, i.e., that is about 85 percent of the leases that are nonproducing leases.

They have got plenty of places to go now. It is in their interest to constrain supply somewhere along the way. It hasn't been on the side of production because we are exporting crude oil. We are still exporting gasoline, even. It has been on the refinery side and has been speculation by Wall Street that has driven up the price.

I urge adoption of this amendment and reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, let me be very clear that I do oppose this amendment.

This amendment is costly and wasteful. The amendment would redirect $10 billion away from Federal permitting streamlining, which we know would help lower costs and produce more energy, and instead funnel the money to another fruitless study of the unfounded position of somehow market speculation is impacting energy prices.

Mr. Chairman, earlier this year, researchers Christopher Knittel and Robert S. Pindyck from the Massachusetts Institute of Technology, Sloan School of Management, MIT, found that speculation wasn't driving up energy prices. I will quote them, Mr. Chairman.

Back to those pesky speculators for a moment: surely, their bets on oil have had at least some effect on prices?

According to our latest research, the answer is: not really. In our recent paper, we explore the link between speculation and inventory changes. We calculate a series of speculation-free prices by creating a stable inventory of oil, providing us with a picture of what the market might look like in the absence of speculation. We focus on inventory for a simple reason: if oil prices are changing because of speculators, then there would have to be commensurate changes to inventories—a buildup when prices are increasing and a drawdown when prices are falling.

But when the economy was strong and oil prices were increasing, we didn't see large increases in inventories. In fact, they fell somewhat. This means that peak prices would have actually been higher if you take away any effects of speculation.

And let me repeat that final part:

But when the economy was strong and oil prices were increasing, we didn't see large increases in inventories. In fact, they fell somewhat. This means that peak prices would have actually been higher if you take away any effects of speculation.

Time and time again, we have heard from those opposed to oil and gas drilling that it is the shady Wall Street speculator, the man behind the curtain who is driving up energy prices. The truth is that the best way to fight speculators, or foreign cartels, is simply to outproduce them, and that should be our solution here today.

We should be working to figure out how to use more than just 2 percent of our Federal lands for energy development. We should find a way to have Federal lands keep pace with private lands in the revolution of energy production as currently taking place in the United States. Yet the Congressional Research Service tells us:

All of the increase from fiscal year 2007 to fiscal year 2012 took place on non-Federal lands, and the Federal share of total U.S. crude oil production fell by about 7 percentage points.

Yet, instead of reversing this trend, streamlining permitting, the author of this amendment wants to siphon off money for studies.

The legislation before us today is designed to streamline and produce more onshore energy production. This will create jobs and reduce our dependence on foreign imports. It demands an all-of-the-above energy agenda, and I would like to think that the folks on the other side could at least embrace that part of it.

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

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

The Acting CHAIR. The gentleman from Oregon has 2½ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of the gentleman's amendment today, which helps ensure that our derivatives regulator can protect our financial markets and economy. This amendment improves the funding situation of the CFTC by giving back $10 million that my Republican colleagues proposed to cut earlier this year.

Many Americans are unaware that the CFTC is charged with enforcing laws designed to thwart Wall Street from manipulating the cost of commodities, which affects the price at the pump and the cost of food on our plates. Just as importantly, the CFTC has been tasked with writing and enforcing rules reforming the financial markets and participants like AIG that contributed to the worst financial crisis since the Great Depression.

For these reforms to have teeth, we need a cop with the resources and staff to hold the financial industry accountable. And yet, despite the overwhelming need, House Republicans want to cut the CFTC's budget, deciding this year to provide the CFTC a funding level that is 40 percent below the President's request. This funding level is in addition to sequester cuts, which have caused temporary staff layoffs as well as the agency-wide closure for 2 weeks during the Republican shutdown.

Mr. Chairman, we are witnessing a multifaceted effort by the Republican majority to undercut laws and regulations with which Republicans and certain special interests disagree, halting Dodd-Frank rulemaking through litigation and legislation, while simultaneously depriving our market cops of resources.

The DeFazio amendment is a first step towards countering this offensive, by funding Wall Street's cop, at a minimum, with the same resources as last year.

I thank my thoughtful friend from Oregon and urge adoption of this amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I am prepared to close if the gentleman is prepared to close, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, according to MIT, then, the head of Exxon Mobil perjured himself under oath at the Senate and the Federal Reserve Bank in St. Louis is wrong because they have an in-depth study not paid for by the industry that says, indeed, speculation is a major factor.

Here is over 1 month where you see the price vary by up to $11 per day.Now, you tell me that the supply changed by $11 worth in a day and then, whoops, the next day it is back down? Then, Ben Bernanke said he saw a further decline coming and the industry tanked oil futures by $6.

This is pure speculation. Don't defend it. Support the amendment and give the American people real relief from high gas prices that are unnecessary.

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

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

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

Mr. Chairman, I know there is no truism specifically in economic theory, but one thing we do know about crude oil is that it is subject to international pricing.

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We do know that a big part of the international pricing and production is conducted by a cartel, namely, OPEC. The last figure I saw was about 45 percent of the international market. Well, when you have 45 percent controlled by one entity, you are going to have some price pressures that are coming. Indeed, you probably have some speculation.

Mr. Chairman, this is the important part of what this underlying bill and the bill that we will have on the floor tomorrow does.

The only way that you are going to beat cartels is to outproduce them. I don't care if you are talking about crude oils or if you are talking about apples or you are talking about potatoes or you are talking about timber. The whole idea, if you have somebody that controls a big part of the marketplace, the way you beat them is to outproduce them.

This bill allows America to outproduce our foreign competitors. This amendment adds nothing to that. I urge rejection of the amendment.

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

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

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

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

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

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMBORN) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1900, NATURAL GAS PIPELINE PERMITTING REFORM ACT

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–272) on the resolution (H. Res. 420) providing for consideration of the bill (H.R. 1900) to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PEPFAR STEWARDSHIP AND OVERSIGHT ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1545) to extend authorities related to global HIV/AIDS and to promote oversight of United States programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''PEPFAR Stewardship and Oversight Act of 2013''.

SEC. 2. INSPECTOR GENERAL OVERSIGHT.

Section 101(f)(1) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(f)(1)) is amended—

(1) in subparagraph (A), by striking ''5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013'' and inserting ''coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2018''; and

(2) in subparagraph (C)—

(A) in clause (ii)—

(i) in the heading, by striking ''SUBSEQUENT'' and inserting ''2010 THROUGH 2013''; and

(ii) by striking ''the last four plans'' and inserting ''the plans for fiscal years 2010 through 2013''; and

(B) by adding at the end the following new clause:

''(iii) 2014 PLAN.—The plan developed under subparagraph (A) for fiscal year 2014 shall be completed not later than 60 days after the date of the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

''(iv) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2015 through 2018, respectively.''.

SEC. 3. ANNUAL TREATMENT STUDY.

(a) ANNUAL STUDY; MESSAGE.—Section 101(g) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(g)) is amended—

(1) in paragraph (1), by striking ''through September 30, 2013'' and inserting ''through September 30, 2019'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

''(2) 2013 THROUGH 2018 STUDIES.—The studies required to be submitted by September 30, 2014, and annually thereafter through September 30, 2018, shall include, in addition to the elements set forth under paragraph (1), the following elements:

''(A) A plan for conducting cost studies of United States assistance under section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2) in partner countries, taking into account the goal for more systematic collection of data, as well as the demands of such analysis on available human and fiscal resources.

''(B) A comprehensive and harmonized expenditure analysis by partner country, including—

''(i) an analysis of Global Fund and national partner spending and comparable data across United States, Global Fund, and national partner spending; or

''(ii) where providing such comparable data is not currently practicable, an explanation of why it is not currently practicable, and when it will be practicable.''; and

(4) by adding at the end the following new paragraph:

''(4) PARTNER COUNTRY DEFINED.—In this subsection, the term 'partner country' means a country with a minimum United States Government investment of HIV/AIDS assistance of at least $5,000,000 in the prior fiscal year.''.

SEC. 4. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.

(a) LIMITATION.—Section 202(d)(4) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''2013'' and inserting ''2018'';

(B) in clause (ii)—

(i) by striking ''2013'' and inserting ''2018''; and

(ii) by striking the last two sentences; and

(C) in clause (vi), by striking ''2013'' and inserting ''2018''; and

(2) in subparagraph (B)—

(A) by striking ''under this subsection'' each place it appears;

(B) in clause (ii), by striking ''pursuant to the authorization of appropriations under section 401'' and inserting ''to carry out section 104A of the Foreign Assistance Act of 1961''; and

(C) in clause (iv), by striking ''2013'' and inserting ''2018''.

(b) WITHHOLDING FUNDS.—Section 202(d)(5) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended by—

(1) in paragraph (5)—

(A) by striking ''2013'' and inserting ''2018'';

(B) in subparagraph (C)—

(i) by inserting ''in an open, machine readable format'' after ''site'';

(ii) by amending clause (v) to read as follows:

''(v) a regular collection, analysis, and reporting of performance data and funding of grants of the Global Fund, which covers all principal recipients and all subrecipients on the fiscal cycle of each grant, and includes the distribution of resources, by grant and principal recipient and subrecipient, for prevention, care, treatment, drugs, and commodities purchase, and other purposes as practicable;'';

(C) in subparagraph (D)(ii), by inserting '', in an open, machine readable format,'' after ''audits'';

(D) in subparagraph (E), by inserting '', in an open, machine readable format,'' after ''publicly'';

(E) in subparagraph (F)—

(i) in clause (i), by striking ''; and'' and inserting a semicolon; and

(ii) by striking clause (ii) and inserting the following new clauses:

''(ii) all principal recipients and subrecipients and the amount of funds disbursed to each principal recipient and subrecipient on the fiscal cycle of the grant;

''(iii) expenditure data—

''(I) tracked by principal recipients and subrecipients by program area, where practicable, prevention, care, and treatment and reported in a format that allows comparison with other funding streams in each country; or

''(II) if such expenditure data is not available, outlay or disbursement data, and an explanation of progress made toward providing such expenditure data; and

''(iv) high-quality grant performance evaluations measuring inputs, outputs, and outcomes, as appropriate, with the goal of achieving outcome reporting;''; and

(F) by amending subparagraph (G) to read as follows:

''(G) has published an annual report on a publicly available Web site in an open, machine readable format, that includes—

''(i) a list of all countries imposing import duties and internal taxes on any goods or services financed by the Global Fund;

''(ii) a description of the types of goods or services on which the import duties and internal taxes are levied;

''(iii) the total cost of the import duties and internal taxes;

''(iv) recovered import duties or internal taxes; and

''(v) the status of country status-agreements;''.

SEC. 5. ANNUAL REPORT.

Section 104A(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(f)) is amended to read as follows:

''(f) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than February 15, 2014, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report in an open, machine readable format, on the implementation of this section for the prior fiscal year.

''(2) REPORT DUE IN 2014.—The report due not later than February 15, 2014, shall include the elements required by law prior to