Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Roybal-Allard
Royce
Ruiz
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—64

Amash
Babin
Bishop (UT)
Blackburn
Brat
Bridenstine
Brooks (AL)
Buck
Chabot
Chaffetz
Clawson (FL)
Culberson
DeSantis
DesJarlais
Duncan (SC)
Farenthold
Fleming
Franks (AZ)
Gohmert
Gosar
Gowdy
Graves (LA)
Guinta
Harper
Harris
Hice, Jody B.
Holding
Huelskamp
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
Lamborn
Loudermilk
Love
Lummis
Marchant
Massie
Meadows
Miller (FL)
Mooney (WV)
Mulvaney
Palazzo
Palmer
Perry
Poe (TX)
Ratcliffe
Rogers (AL)
Rohrabacher
Rothfus
Salmon
Sanford
Schweikert
Smith (MO)
Smith (NE)
Stewart
Stutzman
Walker
Weber (TX)
Wenstrup
Yoder
Yoho

NOT VOTING—10

Aguilar
Cuellar
Garrett
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

□ 1918

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Madam Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 653, I would have voted "no."

Had I been present on rollcall vote 654, I would have voted "no."

Had I been present on rollcall vote 655, I would have voted "yes."

Had I been present on rollcall vote 656, I would have voted "no."

Had I been present on rollcall vote 657, I would have voted "yes."

Had I been present on rollcall vote 658, I would have voted "yes."

Had I been present on rollcall vote 659, I would have voted "yes."

Had I been present on rollcall vote 660, I would have voted "yes."

Had I been present on rollcall vote 661, I would have voted "yes."

Had I been present on rollcall vote 662, I would have voted "yes."

Had I been present on rollcall vote 663, I would have voted "yes."

Had I been present on rollcall vote 664, I would have voted "no."

Had I been present on rollcall vote 665, I would have voted "yes."

PERSONAL EXPLANATION

Mr. CUELLAR. Madam Speaker, on Wednesday, December 2nd, I am not recorded on any votes because I was absent due to family reasons. If I had been present, I would have voted: "nay," on rollcall 653, on ordering the Previous Question providing for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015; providing for consideration of the conference report to accompany S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

"Nay," on rollcall 654, on agreeing to H. Res. 542—Providing for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015; providing for consideration of the conference report to accompany S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

"Yea," on rollcall 655, on the motion to instruct conferees on H.R. 644.

"Nay," on rollcall 656, on the Upton amendment to H.R. 8.

"Nay," on rollcall 657, on the Tonko amendment to H.R. 8.

"Yea," on rollcall 658, on the Gene Green amendment to H.R. 8.

"Nay," on rollcall 659, on the Beyer amendment to H.R. 8.

"Nay," on rollcall 660, on the Schakowsky amendment to H.R. 8.

"Yea," on rollcall 661, on the Tonko amendment to H.R. 8.

"Yea," on rollcall 662, on the Castor amendment to H.R. 8.

"Yea," on rollcall 663, on the Polis amendment to H.R. 8.

"Yea," on rollcall 664, on the Barton/Cuellar/McCaul/Flores/Conaway amendment to H.R. 8.

"Yea," on rollcall 665, on agreeing to the Conference Report to Accompany S. 1177—Every Student Succeeds Act.

HOUR OF MEETING ON TOMORROW

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Is there objection to the request of the gentleman from Nebraska?

There was no objection.

NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 542 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8.

Will the gentlewoman from Tennessee (Mrs. BLACK) kindly resume the chair.

□ 1921

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, with Mrs. BLACK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 25 printed in House Report 114–359 offered by the gentleman from Texas (Mr. BARTON) had been disposed of.

AMENDMENT NO. 26 OFFERED BY MR. CRAMER

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in House Report 114–359.

Mr. CRAMER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ____—OTHER MATTERS

SEC. _____. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from North Dakota (Mr. CRAMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Dakota.

Mr. CRAMER. Madam Chair, this amendment simply authorizes the voluntary—and I stress voluntary—vegetation management within 150 feet of the exterior boundary of the right-of-way near structures on U.S. Forest Service land.

As a former energy regulator and a utility commissioner, I know there are many threats to power lines running across this country. Most of the time, this comes down to vegetation, as odd as it might seem, but especially in areas where there are a lot of trees and that are remote areas hard to get to.

Off-right-of-way vegetation management on these lands are the responsibility of the United States Forest Service. But for any number of reasons, they aren't conducting this critical work to ensure the reliability of our electricity.

Utility companies don't want to do the work off their right-of-way due to the lack of clarity in their legal liability or a strict liability standard. This amendment provides that legal certainty and holds utilities accountable for gross negligence or criminal misconduct.

Lastly, Madam Chair, it is important to note that this amendment demonstrates that this is not—and I stress is not—a backdoor to logging and prevents the sale of the vegetation by the utility and clarifies it shall be the property of the United States.

Madam Chair, I would also emphasize that the Edison Electric Institute and the American Public Power Association support this amendment.

Mr. UPTON. Will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Michigan.

Mr. UPTON. Madam Chair, I want to stress that this authorizes voluntary vegetation management within 150 feet of the exterior boundary of the right-of-way, prevents the sale of vegetation, and limits legal liability. I think it is a good amendment.

Madam Chair, I urge my colleagues to support it.

Mr. CRAMER. Madam Chair, I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I rise in opposition to the amendment.

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

Mr. PALLONE. Madam Chair, the manager's amendment to H.R. 8 already includes a provision which would hand over management of vast swaths of U.S. public lands to private corporations and other utility providers under the guise of preventing forest fires.

This provision was inserted in the dead of night, and the full House won't get to vote on it. This is a terrible way to treat our public lands.

As if this weren't enough, this amendment would go even further, allowing electric utilities to clear-cut a football field-length swath of national forest adjacent to transmission rights-of-way.

It would also shift liability for fire damage caused by transmission infrastructure from the utilities to the American taxpayers, and that is just not right.

The Forest Service and the BLM are already working with utilities to improve right-of-way maintenance, and both agencies testified before the Natural Resources Committee that prior agency approval is not necessary for emergency vegetation maintenance work.

Mr. HUFFMAN offered a commonsense amendment at markup which would have required proactive planning by utilities in coordination with land managers to identify and address potential fire threats, but every Republican voted against it. Instead, they are supporting legislation which would lead to less responsible stewardship of the American people's forests.

According to the National Interagency Fire Center, power lines were responsible for causing only 0.03 percent of forest fires in past 5 years.

Madam Chair, if Republicans were serious about preventing and fighting forest fires, they would work with us to adequately fund the Forest Service and fix the problem of fire borrowing, which last year burned up 52 percent of the agency's budget.

But this isn't about solving a problem. This is about control. It is regrettable that House Republicans seek to give away the people's land to private interests. It is outrageous that this would happen.

Madam Chair, I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. CRAMER. Madam Chair, I just want to correct a couple of the statements made sincerely by the opposition to this. I want to be clear that the cost of this is borne not by the taxpayers, but by the utilities themselves. The reason that they are not able to do it now, of course, is because of a lack of clarity and the liability. So this simply clears that part of it up.

Again, I want to get back to I was a regulator for nearly 10 years. Some people may remember not so many years ago a major rolling brownout that led to blackouts in the northeastern part of this country.

All of that was caused by trees growing into transmission lines. It has a cascading effect. And, yes, if it is a large forest, those trees growing into transmission lines can also create forest fires.

This is a very basic approach. Most of the arguments that the gentleman raised are to the underlying bill, not to this amendment. This amendment is very straightforward.

I urge a ''yes'' vote.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Dakota (Mr. CRAMER).

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

Mr. PALLONE. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 27 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 114–359.

Mr. DUFFY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—OTHER MATTERS

SEC. 7001. ASSESSMENT OF REGULATORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall ensure that the requirements described in subsection (b) are satisfied.

(b) REQUIREMENTS.—The Administrator shall satisfy—

(1) section 4 of Executive Order 12866 (5 U.S.C. 601 note) (relating to regulatory planning and review) and Executive Order 13563 (5 U.S.C. 601 note) (relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order 13132 (5 U.S.C. 601 note) (relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Madam Chair, today I rise to talk about a commonsense amendment, an amendment that takes aim at excessive bureaucratic rulemaking at the EPA.

□ 1930

The EPA has long been known to issue onerous and costly rules with little regard to the impact on American businesses and the families who run those businesses.

According to some estimates, 17 of the EPA's major rules implemented between 2000 and 2013 have imposed an annual economic impact of $90 billion—a $90 billion annual impact per year, which means real jobs and a real impact on our economy.

Adding to the frustration, the EPA often ignores longstanding executive orders that require them to improve their own regulatory coordination planning and reviews. These executive orders were issued under the Clinton and Obama administrations, two administrations that have a very positive outlook towards the EPA. By no stretch of the imagination do we consider them conservatives.

These orders require departments, but not independent regulatory agencies like the EPA, to follow certain guidelines when it comes to major rules that would have a dramatic impact on State, local, or tribal government, or private sector expenditures in the aggregate of more than $100 million a year. So those are big rules that have big impacts.

The mercury rule put forward by the EPA is a prime example of that. It was going to cost $10 billion. This summer, the U.S. Supreme Court struck down that rule because the EPA unreasonably failed to consider the cost. My amendment would require the EPA to actually follow existing requirements to improve regulatory planning, coordination, and reviews.

American families and businesses can't afford the EPA to continue with duplicative and overreaching regulations. The EPA should have to follow the same rules that other departments in American government must follow.

Mr. UPTON. Will the gentleman yield?

Mr. DUFFY. I yield to the gentleman from Michigan.

Mr. UPTON. I just want to say to the Chair and colleagues, this amendment requires the EPA to satisfy regulatory planning review requirements established by both the Clinton and Obama administrations.

I think the amendment is a good one, and I urge my colleagues to support it.

Mr. DUFFY. Madam Chair, I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I claim the time in opposition to the amendment.

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

Mr. PALLONE. Madam Chair, I rise in opposition to this amendment which would require EPA to satisfy within 30 days certain regulatory requirements included in three executive orders in two sections of the U.S. Code. This amendment is a solution in search of a problem.

EPA, in carrying out its responsibilities to write regulations as required by various statutes—for example, the Clean Air Act and the Clean Water Act—already complies with the EPA's specific responsibilities included in the three executive orders and two sections cited in this amendment.

I say ''EPA'' specifically because some of these laws and executive orders impose ongoing obligations on these agencies and place responsibility on parties other than the EPA—for example, the Vice President and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget. In such cases, it will not be possible for EPA to ''ensure that the requirements of subsection (b) are satisfied,'' as the amendment requires.

In addition, some matters, such as the publication of the Regulatory Flexibility Agenda in the Federal Register, as cited in section 602 of title 5 of the U.S. Code, are handled by the General Services Administration on behalf of other Federal agencies and are therefore similarly outside of the EPA's control.

Moreover, Madam Chair, this amendment has the potential to lead to confusion in the future because it requires the EPA also to satisfy requirements in any successor executive orders that may establish requirements applicable to the uniform reporting of regulatory and deregulatory agendas.

What happens if these successor executive orders are not consistent with the current ones? Then we have a situation where EPA is forced to comply with competing executive orders, leading to unnecessary confusion.

Let's avoid this possibility by defeating this amendment.

I reserve the balance of my time.

Mr. DUFFY. Madam Chair, some of my friends across the aisle's arguments are: Don't let the people know. Let's not be transparent. Let's have the EPA implement rules with no comment, no transparency, and no input from the American people.

That is not what our Founders envisioned. They envisioned a form of government where it was transparent and we all had a say in the process. These aren't radical ideas. This is common sense.

Listen, a quote: ''Regulations shall be adopted through a process that involves public participation.'' That wasn't from Ronald Reagan or George Bush. That was Barack Obama.

''Each agency, where feasible and appropriate, shall seek the views of those who are likely to be affected.'' Not Ronald Reagan, not George Bush, but Barack Obama.

This stuff makes sense. Open the process up, let the American people see the impact and the rules that are being proposed, just like in every other government agency. The EPA shouldn't get special treatment.

Transparency, good government, American involvement from the people in the process is what this amendment is about. I encourage all of my colleagues to support good government and a great amendment.

I reserve the balance of my time.

Mr. PALLONE. Madam Chair, let me just say that this process with the EPA is very transparent, they do consider costs, and I disagree with the gentleman.

I urge opposition to this amendment.

I yield back the balance of my time.

Mr. DUFFY. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 28 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in House Report 114–359.

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—OTHER MATTERS

SEC. 7001. DEFINITIONS.

In this title:

(1) COVERED CIVIL ACTION.—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 land.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term ''covered energy project'' means—

(i) the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, coal, geothermal, hydroelectric, biomass, solar, or any other source of energy; and

(ii) any action under the lease.

(B) EXCLUSION.—The term ''covered energy project'' does not include any dispute between the parties to a lease regarding the obligations under the lease, including any alleged breach of the lease.

SEC. 7002. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the United States district court in which the covered energy project or lease exists or is proposed.

SEC. 7003. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action shall be filed not later

than the end of the 90-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

SEC. 7004. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

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

SEC. 7005. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

(a) IN GENERAL.—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct the violation.

(b) DURATION.—

(1) IN GENERAL.—A court shall limit the duration of preliminary injunctions to halt covered energy projects to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) ADMINISTRATION.—In the case of an extension, the extension shall—

(A) only be in 30-day increments; and

(B) require action by the court to renew the injunction.

(a) IN GENERAL.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the ''Equal Access to Justice Act''), shall not apply to a covered civil action.

(b) COURT COSTS.—A party to a covered civil action shall not receive payment from the Federal Government for the attorneys' fees, expenses, or other court costs incurred by the party.

SEC. 7006. LEGAL STANDING.

A challenger that files an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a challenger before a United States district court.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a commonsense amendment to H.R. 8. The Gosar-Bridenstine-Yoho amendment ensures timely review for legal challenges of energy projects and limits attorneys' fees for such challenges in order to discourage frivolous lawsuits and foster American energy production.

This amendment will streamline the process and encourage production of natural gas, hydropower, clean coal, geothermal, solar, oil, biomass, and all other sources of energy that are produced on Federal lands.

Specifically, this amendment requires that U.S. district courts hear and determine covered civil action challenges as expeditiously as practical and that all covered actions be filed within 90 days of the final Federal agency action.

This amendment is a responsible, commonsense step that a government accountable to the people should take to show proper stewardship of the public's dollar, time, and resources. If you support transparency and cutting red tape that is holding up energy development, then you should support this amendment.

Just this week, the House passed legislation unanimously in the form of H.R. 3279, the Open Book on Equal Access to Justice Act. This bipartisan bill tracks how much money is paid out under the Equal Access to Justice Act, EAJA, and from which agencies. This legislation was necessary because, while Congress used to track such information, these practices were stopped in 1995.

The Gosar-Bridenstine-Yoho amendment improves on this excellent bipartisan work by limiting attorney fees and frivolous lawsuits against covered energy products, including renewables.

While no one knows the exact cost of EAJA payouts, as they have occurred untracked and in the dark for 20 years, the Government Accountability Office last reported in 2009 that special interest Washington, D.C., lawyers were billing the Federal Government at exorbitant rates, as high as $750 an hour.

It seems only appropriate that H.R. 3279 should be signed into law, those reporting requirements should kick in, and our amendment should be adopted before the Federal Government squanders more taxpayer money paying out D.C. trial attorneys who specialize in holding up American energy production.

House Natural Resources Chairman ROB BISHOP supports our commonsense amendment.

Our amendment is endorsed by the Americans for Limited Government; the American Petroleum Institute; Anglers United, Inc.; Arizona Builders Alliance; the Arizona Farm Bureau; Arizona Liberty; Arizona Pork Council; AZ BASS Nation; the Bass Federation; Concerned Citizens for America; Gavel Resources; Grand Canyon State Electric Cooperative Association; the Rural Public Lands County Council; Shake, Rattle and Troll Radio; Sulfur Springs Valley Electric Cooperative; the Yuma County Chamber of Commerce; and countless citizens around the country who are tired of red tape and bureaucracy holding up American energy production.

I thank the chair and ranking member for their tireless efforts on the North American Energy Security and Infrastructure Act, and I strongly support H.R. 8.

I urge my colleagues to support the Gosar-Bridenstine-Yoho amendment.

Mr. UPTON. Will the gentleman yield?

Mr. GOSAR. I yield to the gentleman from Michigan.

Mr. UPTON. Madam Chair, I thank the gentleman for the amendment.

We have talked to the Natural Resources Committee staff. Obviously, that is something that Chairman BISHOP supports.

This amendment does ensure the timely review for legal challenges of energy projects. It is a worthy amendment, and I urge my colleagues to support it.

Mr. GOSAR. Madam Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to the amendment.

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

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to the amendment to H.R. 8.

This amendment is another example of pro-corporate, anti-environmental legislation designed by large corporations to restrict access to the courts for the average citizen.

The Gosar amendment ignores separation of powers by telling the Federal courts how to do their job, restricting the type of relief a court can grant, and penalizing successful challenges brought under the Equal Access to Justice Act. This, in turn, limits access to legal relief for those challenging government decisions.

Let's say you are a farmer or a rancher or a landowner and you live adjacent to Federal land that is being leased out to an energy company for fracking and you are worried about what is going to happen to your drinking water, you are worried about the price of your house, and you are worried about the health of your children. Well, this amendment will greatly interfere with your ability to challenge the decision of the Federal agency granting the permit. It will tie the hands of the courts in terms of deciding the case in a fair and just way.

For nearly 70 years, the Administrative Procedure Act, or APA, has served as the foundation for administrative agency action and ensures that agency action taking place in the rulemaking process is fair, efficient, and flexible enough to accommodate the myriad of agency actions it governs along with the challenges of daily life.

Judicial review of agency action is a hallmark of the APA, and it is critical to ensuring that government action does not harm or adversely affect the public. The Gosar amendment would discard decades of wisdom and jurisprudence preserving the right of judicial review.

First, it would reduce the statute of limitations for judicial review of agency action under the APA to 90 days. This is down from 6 years for most claims brought against the United States in cases involving onshore and offshore energy leasing, development, and transmission on Federal lands.

This razor-thin window for review would effectively immunize government action involving energy projects from public accountability, allowing those agencies to opt out of our civil justice system.

Second, the amendment limits a judicial stay of final agency action by requiring courts to only consider whether relief would be the least intrusive or narrowly drawn relief possible to correct a violation.

Courts, however, typically consider other things, such as where the public

interest lies. This sweeping limitation would dramatically interfere with the courts' ability to provide relief, tilting the outcome against the public interest.

Lastly, this amendment slams the door to the courthouse by prohibiting access to funds under the Equal Access to Justice Act. By enacting the Equal Access to Justice Act, Congress recognized that individuals and organizations should not be deterred from challenging unjustified governmental action simply because it costs too much.

For three decades, veterans, seniors, persons with disabilities, small businesses, and nonprofit organizations from across the ideological spectrum have relied upon the Equal Access to Justice Act to challenge illegal government action. This amendment would cripple the rights of those concerned or opposed to an energy project by preventing those who cannot afford to litigate a case against a big corporation from recovering fees, expenses, and court costs when they win.

It is time for this Congress to stand up for everyday Americans. I urge my colleagues to stand for the rights of the individual and local communities and oppose this misguided amendment.

I reserve the balance of my time.

□ 1945

Mr. GOSAR. Madam Chair, this amendment is simple. Either you are with American energy producers, or you are with overpaid, high-priced Washington, D.C., attorneys and extremist special interest groups that are holding up American energy production.

This amendment still allows the public to seek assistance in Federal court and actually encourages that an up-or-down review of their legal challenges occur in a more timely manner.

This amendment does not affect NEPA or environmental requirements whatsoever. All American energy producers will still have to go through the full environmental review and permitting process. As I mentioned earlier with regard to previous amendments, that process takes an average of 1,709 days to complete, and it allows public input from all Americans.

Madam Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, you are with American people—farmers, ranchers, landowners, just regular, ordinary people—or you are with the Big Business corporations that are seeking to rape and pillage, on occasion, the land without any drawback of having to be taken into the courthouse to deal with what they have done or with what they are about to do.

I yield back the balance of my time.

Mr. GOSAR. Madam Chair, as I stated earlier, the amendment encourages an all-of-the-above energy strategy and has specific language that ensures the amendment applies to solar, natural gas, hydropower, clean coal, geothermal, oil, biomass, and any other source of energy that is produced on Federal lands. It actually embraces and supports those folks out there in America; so I ask all of our folks to vote for the Gosar-Bridenstine-Yoho amendment.

Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MR. UPTON

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in House Report 114–359.

Mr. UPTON. Madam Chair, as the designee of Evan Jenkins, I offer amendment No. 29.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY TO IDENTIFY LEGAL AND REGULATORY BARRIERS THAT DELAY, PROHIBIT, OR IMPEDE THE EXPORT OF NATURAL ENERGY RESOURCES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, the results of a study to—

(1) identify legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources, including government and technical (physical or market) barriers that hinder coal, natural gas, oil, and other energy exports; and

(2) estimate the economic impacts of such barriers.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Michigan (Mr. UPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Madam Chair, this amendment requires the Department of Energy and the Department of Commerce to conduct a study regarding the legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources.

This amendment instructs the Department of Energy and the Department of Commerce to conduct this study to figure out which regulatory barriers may be prohibiting, delaying, or hindering the export of America's natural resources, like coal and natural gas, which come in the form of permitting requirements, the threat of litigation, regulatory red tape, market forces, and more.

I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

Mr. PALLONE. Madam Chair, I claim the time in opposition.

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

Mr. PALLONE. Madam Chair, I rise in opposition to this amendment, which would require the Department of Energy and the Department of Commerce to conduct a study on the legal and regulatory provisions that delay or prohibit the export of natural energy resources.

This is another example, Madam Chair, of an amendment in search of a problem. The majority is, once again, making hyperbolic claims about the Federal Government blocking energy exports, but this is simply not true.

To cite the example of LNG exports, the Department of Energy currently conducts a public interest review of all applications to export LNG to a country without a free trade agreement with the United States. The DOE has established a record of acting expeditiously, and it has acted on all applications that have completed the NEPA process. To date, the DOE has approved nine final authorizations on seven projects. So, to imply there is a barrier in this case is simply not true.

Further, any so-called barrier usually has a specific purpose: for example, taking the time to ensure that public health is protected, that safety and environmental concerns are adequately evaluated, that the export of our natural resources is actually in the national interest, and that consumers are not adversely impacted.

Finally, the amendment doesn't define ''barrier.'' So would other agencies' regulations, promulgated under other statutory authority, constitute a barrier? I am also not sure that the DOE and the Department of Commerce even have the appropriate expertise to assess these barriers.

For these reasons, Madam Chair, I oppose this amendment as its being an unnecessary and vaguely defined study, and I urge my colleagues to do the same.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 30 OFFERED BY MR. ROUZER

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 114–359.

Mr. ROUZER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.

The final rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from North Carolina (Mr. ROUZER) and

a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ROUZER. Madam Chair, I rise today to offer an amendment to the North American Energy Security and Infrastructure Act.

In early March of this year, the EPA published a final rule establishing new regulations for wood heaters. Manufacturers and consumers across the country are concerned about the negative impact of these new regulations. In essence, these new requirements will increase the cost to the point that wood heaters may very well be priced out of the marketplace. The best case scenario is that consumers will be paying more. Now, Madam Chair, neither is a good outcome.

According to reports, 10 percent of U.S. households still choose wood heaters to keep their energy costs as low as possible. The number of households that rely on wood as their primary heating source—get this—rose by nearly one-third from 2005 to 2012.

It is important to note that several States have worked to protect their residents from the consequences of these new regulations. Wisconsin, Missouri, Michigan, Virginia, and my home State of North Carolina have all introduced or have passed legislation that prohibits their respective environmental agencies from enforcing these burdensome, unnecessary regulations. The reason is that they know the costs of additional regulations are always passed down to the consumers.

Simply put, the Federal Government has no business telling private citizens how they should heat their homes.

Think about all of the folks in the Midwest and the Northeast who are going to need and want a wood heater. After all, this is America. If you want to have the opportunity to buy a wood heater, you ought to have that opportunity. It shouldn't be priced out of the market.

Madam Chair, I yield 2 minutes to the gentleman from Missouri (Mr. SMITH).

Mr. SMITH of Missouri. I thank the gentleman from North Carolina.

Madam Chair, the EPA has decided that 12 million wood-burning stoves in 2.4 million households across America need to be regulated.

Back in the Eighth District of Missouri, about 30,000 households use wood heat to warm their homes. Census data shows that households heating with wood grew 34 percent between 2000 and 2010 and that low- and middle-income households are much more likely to use wood as a primary heating fuel. A given home in my district is five times more likely to be heated with wood than is the national average.

Constituents I talk with daily are sick of this administration's war on rural America. Rules like these disproportionately hurt rural areas, which use much more wood heat than do urban or suburban environments: 57 percent of households that primarily use wood for heat are in rural areas; 40 percent are in the suburbs; and only 3 percent are in urban areas. Times are already tough enough back home. Folks should not be punished for their self-reliance and their forethought to take advantage of an abundant, eco-friendly fuel like wood.

I urge my colleagues to join me in eliminating this rule and keeping affordable energy available to folks who need it the most.

Mr. PALLONE. Madam Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. PALLONE. Madam Chair, this amendment will delay the implementation of the EPA's important standards for residential wood heaters—finalized in February 2015—that will help improve air quality, especially in communities where people burn wood for heat.

The EPA updated these standards because the Clean Air Act requires the EPA to set new source performance standards for categories of stationary sources of pollution that cause or significantly contribute to air pollution that may endanger public health or welfare, and the law requires the EPA to review these standards every 8 years.

The EPA issued the first NSPS for residential wood heaters in 1988. The Agency amended the standards once in 1998 to prohibit the sale of wood heaters to consumers if the manufacturer had used an invalid test to obtain EPA certification that the heater met NSPS requirements. The 1998 amendments did not change the emission limits in the original rule. This means the standards for wood heaters have not been updated in nearly 30 years.

The EPA's standards reflect significant outreach to the public and interested stakeholders, including consultation with State, local, and tribal governments and a Small Business Advocacy Review Panel.

The new standards will provide tremendous health benefits by cutting harmful air pollution, including particle pollution, carbon monoxide, and air toxics. Particle pollution causes a range of adverse health effects, including asthma, heart attacks, and stroke.

The EPA estimates that the benefits of these standards will be up to $7.6 billion annually. Put another way, for every dollar spent to manufacture cleaner wood heaters, we will see up to $165 in health benefits. So blocking this rule is fiscally irresponsible.

Some may claim that this rule will require people who use wood heaters to replace the models they currently use, but this standard applies only to the new manufacturing of wood heaters. It does not require people to replace the heaters they have already purchased. Let me repeat that. The EPA is not going into anyone's home and forcing one to replace a heater one currently has. The final rule also has a gradual 5-year phase-in to allow manufacturers time to adapt.

If this amendment were to become law and if the EPA is unable to implement these standards, manufacturers will be able to continue producing outdated wood heaters that pose risks to our air quality and to our health.

The EPA's rule is a reasonable one that is long overdue. It has important benefits, and it should be allowed to be implemented; so I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. ROUZER. Mr. Chairman, this is a commonsense amendment that has been put forward in order to address an onerous, unnecessary rule. My question is: What are we going to try to regulate next—fireplaces? It is next on the list, it seems to me.

I ask for the support of this amendment, and I thank my colleague from Missouri for being here to offer his words of support for the amendment.

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

Mr. PALLONE. Mr. Chairman, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment offered by the gentleman from North Carolina (Mr. ROUZER).

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

Mr. PALLONE. 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 North Carolina will be postponed.

AMENDMENT NO. 31 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in House Report 114–359.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—OTHER MATTERS

SEC. 7001. SHORT TITLE.

This title may be cited as the ''Promoting Renewable Energy with Shared Solar Act of 2015''.

SEC. 7002. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) COMMUNITY SOLAR FACILITIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COMMUNITY SOLAR FACILITY.—The term 'community solar facility' means a solar photovoltaic system that—

''(I) allocates electricity to multiple individual electric consumers of an electric utility;

''(II) has a nameplate rating of 2 megawatts or less; and

''(III) is—

''(aa) owned by the electric utility, jointly owned, or third-party-owned;

''(bb) connected to a local distribution facility of the electric utility; and

''(cc) located on or off the property of a consumer of the electricity.

''(ii) INTERCONNECTION SERVICE.—The term 'interconnection service' means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

''(iii) NET BILLING SERVICE.—The term 'net billing service' means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

''(B) REQUIREMENT.—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.''.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).''.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking ''such paragraph (14)'' and all that follows through ''paragraphs (16)'' and inserting ''such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)''; and

(ii) by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

(B) TECHNICAL CORRECTION.—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

''(1) the State has implemented for the electric utility the standard (or a comparable standard);

''(2) the State regulatory authority for the State or the relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

''(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.''.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

□ 2000

Ms. CASTOR of Florida. Mr. Chairman, my amendment is a great opportunity to put solar power within reach of more families and small businesses across America. It amends the Public Utility Regulatory Policies Act of 1978 under which Congress directs States to consider adopting certain regulatory policies.

My amendment directs States to consider solar projects up to 2 megawatts in size to be connected to their power distribution system and that utilities allow the electricity produced by the community solar facility to be credited directly to each of the consumers that owns a share of the system, thus offsetting the cost of the electricity that would normally be billed by the utility to the customer.

Currently, 14 States and the District of Columbia have shared renewable policies in place. My amendment would encourage other States to consider implementing new policies to promote community solar projects.

Mr. Chair, 49 percent of households are currently unable to host a photovoltaic system because they do not own their building. They are renters or they do not have access to sufficient roof space, like high-rise buildings or multifamily buildings, or they live in buildings with too much shade or insufficient roof space to host such a photovoltaic system.

It is also estimated that 48 percent of businesses are unable to host a solar array. So by opening the market to these customers, shared solar could represent as much as half of the distributed photovoltaic market in 2020, adding an additional 5.5 to 11 gigawatts of solar capacity across our country.

One good example is what is happening in central Florida. The Orlando Utilities Commission has developed central Florida's first community solar farm. The community solar farm gives Orlando residential and small business customers access to sustainable, maintenance-free solar energy without the hassles and costs associated with installing panels on their home or businesses.

The 400-kilowatt array produces an average of 540,000 kilowatts annually, which is enough energy to meet the power needs of about 40 homes. This has great promise. It has great potential for families and small businesses that we all represent across the country.

I would urge an ''aye'' vote.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

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

Mr. UPTON. Mr. Chairman, this amendment requires States to consider electric utilities to allow community solar projects of up to 2 megawatts to connect to the electric grid. We do know that community solar is an exciting new technology that many communities and customers are seriously considering.

I could say that I support the gentlewoman's community solar goals, but there are some concerns with the amendment. Namely, as drafted, it could violate some State electric service laws, while also potentially being redundant of Federal standards currently imposed on States.

But because it is not a mandate and uses PURPA for States to consider, which they are free to consider or reject, we can accept the gentlewoman's amendment.

I yield back the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I thank the chairman of the Energy and Commerce Committee for recognizing the great promise and great potential for solar power for families and small businesses across the country. I thank him for urging an ''aye'' vote.

I also urge an ''aye'' vote on the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 32 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in House Report 114–359.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY OF VOLATILITY OF CRUDE OIL.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress the results of a study to determine the maximum level of volatility that is consistent with the safest practicable shipment of crude oil by rail.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this amendment requires the Department of Energy to study and report to Congress within 1 year the maximum level of volatility that is safe for transporting crude oil by rail.

This commonsense improvement to the bill is a first step in addressing concerns of residents in districts like mine that, while it is heavily industrialized, is also urbanized. The area that I represent has five oil refineries and two destination facilities for oil by rail.

In 2008, oil traffic had increased over 5,000 percent along rail routes leading from production zones in America to refineries and hubs along both coasts. As traffic increases, so does the risk of derailments to communities. Bakken crude oil is considered more volatile than other types of crude and has important safety implications for all of us.

The Pipeline and Hazardous Materials Safety Administration has issued safety alerts warning that crude oil being transported from this region may be more flammable than traditional heavy crude oil. In fact, heavy volatile crude oil from this region has been compared to jet fuel with flammable vapors that can ignite after a derailment.

Several communities along rail lines have been forced to evacuate or sustain significant property and environmental damage after derailment. Unfortunately, there have been instances of severe injuries and some deaths resulting from these accidents.

While the Obama administration has taken important steps to improve tank car standards, more must be done to ensure that Americans living near railways are safe. This amendment requires DOE to determine the acceptable volatility for the safe transportation of oil by rail.

I would urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition, but I support the amendment.

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

There was no objection.

Mr. UPTON. Mr. Chair, this amendment requires the Department of Energy to study the maximum level of volatility that is consistent with the safest practical shipment of crude oil by rail. Every one of us here wants the safe transportation of all of our natural resources. Rail transport is getting larger and larger. We need to make sure that it is safe.

I think it is a worthy amendment. I would urge all my colleagues to support the amendment.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in support of the DeSaulnier-Lowey-Garamendi amendment. At the outset, I want to thank my friend, the distinguished chairman, for your wisdom in supporting this very important amendment.

This year derailments in North Dakota, Pennsylvania, and West Virginia endangered lives, destroyed homes, and jeopardized waterways.

We must protect those who live near America's extensive rails, including my constituents in Rockland County, New York, where every week as many as 30 trains carry highly volatile Bakken crude oil past homes, schools, and businesses.

In 2013, a freight train pulling 99 oil tanker cars collided with a truck in West Nyack, averting disaster because the cars were empty. This was not an isolated incident. Vehicles are frequently struck on train tracks that carry crude oil. Just last month a freight train collided with a car in Congers. We cannot afford to risk a ''next time.''

We need scientific information to determine what volatility levels of crude oil can be safely shipped, which would be provided if this amendment passed, to protect those living near railways from the dangers associated with a crude oil derailment.

I urge support of this amendment. I thank my colleague, Mr. DESAULNIER, and our chair again. It looks like we are going to see some important action on this very critical issue.

Mr. DESAULNIER. Mr. Chair, I thank the chairman, the staff, and Mrs. LOWEY.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 33 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in House Report 114–359.

Mr. DEUTCH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—MARINE HYDROKINETIC

SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking ''electrical''.

SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

''SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

''The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including—

''(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

''(2) to establish critical testing infrastructure necessary—

''(A) to cost effectively and efficiently test and prove the efficacy of marine and hydrokinetic renewable energy devices; and

''(B) to accelerate the technological readiness and commercialization of those devices;

''(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

''(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

''(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

''(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

''(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment;

''(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories, and to coordinate public-private collaboration in all programs under this section;

''(9) to identify opportunities for joint research and development programs and development of economies of scale between—

''(A) marine and hydrokinetic renewable energy technologies; and

''(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

''(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

''(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

''(B) to encourage international research centers and international companies to participate in the development of water technology in the United States and to encourage United States research centers and United States companies to participate in water technology projects abroad.''.

SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213(b)) is amended to read as follows:

''(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

''(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

''(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

''(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location; and

''(C) arrays of technology devices; and

''(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.''.

SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking ''2008 through 2012'' and inserting ''2016 through 2019''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chair, H.R. 8, the North American Energy Security Infrastructure Act, was crafted to support the modernization of our Nation's energy infrastructure and the promotion of energy efficiency.

The Deutch-Takai amendment builds on this legislation by supporting further development of one of our Nation's clean, renewable energy sources, marine and hydrokinetic energy.

This amendment reauthorizes the Department of Energy's marine and hydrokinetic research, development, and demonstration programs. This amendment would support the innovative work done by institutions across the country, including Florida Atlantic University in my district. I am so proud that FAU has been a leader in hydrokinetic energy, harnessing the clean power of our oceans to bring America one step closer to energy independence.

FAU's research being done along our pristine coasts in Broward County has already shown the tremendous potential of hydrokinetic energy to produce reliable energy without endangering our beaches or oceans.

These national marine renewable energy research, development, and demonstration centers will serve as information clearinghouses for the marine and hydrokinetic energy industry by providing best practices information on developing and managing these projects so that others can learn from the work being done nationwide and grow this important energy source.

Marine and hydrokinetic energy projects generate energy from waves, currents, such as the gulf stream, and tides in the ocean and estuary or tidal areas. They also can generate energy from free-flowing water in rivers, lakes, or streams.

Marine and hydrokinetic energy projects generate power without the use of a dam or the impoundment of water. Accordingly, the projects have minimal, if any, impact on the surrounding environment.

The ocean waves, currents, and tides are a massive resource that have the potential to produce continuous clean energy. In fact, harnessing only 15 percent of the energy from U.S. coastal waves would produce as much electricity as we currently produce from conventional hydroelectric dams.

Moreover, it has been estimated that the amount of energy that could be produced from waves, currents, and tides along the U.S. coast could provide power to approximately 67 million homes. With more than 50 percent of our Nation's population currently living within 50 miles of coastline, harnessing the energy of ocean waves, currents, and tides and transmitting the energy to our cities and neighborhoods is cost effective and practical.

The Department of Energy has estimated that hydrokinetic energy could provide up to 25 percent of our Nation's power. The agency estimates that California, Washington, and Oregon could have up to 20 percent of their electricity requirements generated from waves, while Hawaii and Alaska could have nearly all of their energy needs provided by marine hydrokinetic energy.

Currently, this still young and developing form of energy technology is in the process of being commercialized.

In Maine, hydrokinetic devices that harness energy from the tides near Cobscook Bay have been connected to the electric grid and provide enough power for 25 to 30 homes. In Hawaii, a hydrokinetic device has become the first to be connected to the electric grid that harnesses energy from waves.

These are the beginning steps toward commercializing this energy form, and it will enable them to become more widespread and provide power to the grids in our cities and communities.

Importantly, this amendment will improve the efficiency of regulations impacting the licensing of marine and hydrokinetic projects. The amendment would provide clarity on the regulations that need to be satisfied for projects seeking a license and the agencies involved in reviewing the licensing process so that innovative projects don't get caught up in needless bureaucracy.

Marine and hydrokinetic will provide a continuous and a clean source of energy. This amendment would support and promote continued investment in research and development of hydrokinetic projects that work to harness power from ocean waves, currents, and tides, as well as our Nation's rivers, lakes, and streams. It would also improve the regulatory barriers that slow the licensing process for these projects.

Marine and hydrokinetic energy is a source of energy we need to continue to develop, improve, and connect to the grid to provide our cities and communities with the electricity that they need.

I thank my colleague from Hawaii, Congressman TAKAI, for all of his work in support of marine and hydrokinetic power and for his support of this amendment.

I strongly urge support for the Deutch-Takai amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

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

Mr. UPTON. Mr. Chair, I would say that I am convinced that this is a good amendment, and I will be in support of the amendment.

We have many Members, particularly CATHY MCMORRIS RODGERS on our committee, who are strong supporters of hydropower.

□ 2015

This amendment promotes the research, development, and demonstration of marine hydrokinetic energy technologies and improves the regulatory process for such programs. As such, we support the amendment.

I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in House Report 114–359.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ____—OTHER MATTERS

SEC. ____. SMART METER PRIVACY RIGHTS.

(a) ELECTRICAL CORPORATION OR GAS CORPORATIONS.—

(1) For purposes of this section, ''electrical or gas consumption data'' means data about a customer's electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) An electrical corporation or gas corporation shall not share, disclose, or otherwise make accessible to any third party a

customer's electrical or gas consumption data, except as provided in subsection (a) (5) or upon the consent of the customer.

(B) An electrical corporation or gas corporation shall not sell a customer's electrical or gas consumption data or any other personally identifiable information for any purpose.

(C) The electrical corporation or gas corporation or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical or gas consumption data without the prior consent of the customer.

(D) An electrical or gas corporation that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical and gas consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical or gas consumption data, with a third party.

(3) If an electrical corporation or gas corporation contracts with a third party for a service that allows a customer to monitor his or her electricity or gas usage, and that third party uses the data for a secondary commercial purpose, the contract between the electrical corporation or gas corporation and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) An electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer's unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

(5)(A) Nothing in this section shall preclude an electrical corporation or gas corporation from using customer aggregate electrical or gas consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing a customer's electrical or gas consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that, for contracts entered into after January 1, 2016, the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(C) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing electrical or gas consumption data as required or permitted under State or Federal law or by an order of a State public utility commission.

(6) If a customer chooses to disclose his or her electrical or gas consumption data to a third party that is unaffiliated with, and has no other business relationship with, the electrical or gas corporation, the electrical or gas corporation shall not be responsible for the security of that data, or its use or misuse.

(b) LOCAL PUBLICLY OWNED ELECTRIC UTILITIES.—

(1) For purposes of this section, ''electrical consumption data'' means data about a customer's electrical usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) A local publicly owned electric utility shall not share, disclose, or otherwise make accessible to any third party a customer's electrical consumption data, except as provided in subsection (b) (5) or upon the consent of the customer.

(B) A local publicly owned electric utility shall not sell a customer's electrical consumption data or any other personally identifiable information for any purpose.

(C) The local publicly owned electric utility or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical consumption data without the prior consent of the customer.

(D) A local publicly owned electric utility that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical consumption data, with a third party.

(3) If a local publicly owned electric utility contracts with a third party for a service that allows a customer to monitor his or her electricity usage, and that third party uses the data for a secondary commercial purpose, the contract between the local publicly owned electric utility and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) A local publicly owned electric utility shall use reasonable security procedures and practices to protect a customer's unencrypted electrical consumption data from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(5)(A) Nothing in this section shall preclude a local publicly owned electric utility from using customer aggregate electrical consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude a local publicly owned electric utility from disclosing a customer's electrical consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided, for contracts entered into after January 1, 2016, that the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

(C) Nothing in this section shall preclude a local publicly owned electric utility from disclosing electrical consumption data as required under State or Federal law.

(6) If a customer chooses to disclose his or her electrical consumption data to a third party that is unaffiliated with, and has no other business relationship with, the local publicly owned electric utility, the utility shall not be responsible for the security of that data, or its use or misuse.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would establish minimum privacy standards for smart meters on people's homes which are part of the smart electric grid.

According to the U.S. Energy Information Administration, as of 2013, nearly 52 million smart meters have already been installed in the United States. This amendment would prohibit locally publicly owned electric utilities, electrical corporations, or gas companies from sharing, disclosing, or otherwise making accessible to any third party a customer's electrical or gas consumption data.

It would also require these utilities to use reasonable security procedures and practices to protect the customer's unencrypted electrical and gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

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

Mr. UPTON. Mr. Chairman, I claim the 5 minutes in opposition to the amendment.

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

Mr. UPTON. And I will use my time to support the amendment.

This amendment does establish minimum privacy standards for smart meters. I think it is a smart amendment, brilliant, and it needs to be adopted.

I encourage my colleagues to support it.

I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in House Report 114–359.

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:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. YOUTH ENERGY ENTERPRISE COMPETITION.

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

The Acting CHAIR. Pursuant to House Resolution 542, 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. I just want to take a moment, Mr. Chairman, as we have been debating important energy issues on the floor of the House, to

offer my deepest sympathy to the families who have lost loved ones in San Bernardino and hope that we will come together as a country and find solutions to this terrible tragedy.

Mr. Chairman, I thank you for giving me the opportunity to introduce this amendment because it talks about the goodness of this Nation and the wonderment of our youth. My amendment particularly is called the Youth Energy Enterprise Competition. It asks the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interests and careers in science, technology, engineering, and math, especially those fields that relate to energy.

As a member of the United States Congress, I have had the privilege of being on the Congressional Award Board that provides medals to young people across the country for their public service, for their volunteerism. I can see when they come to Washington the excitement and the future of this Nation.

I truly believe that the future of this Nation is in energy independence. Economic growth, national security, expanding opportunities, and diversifying the energy sector workforce are critical issues we must invest our time and talent in.

Across America, colleges, community colleges, high schools, and middle schools are talking about science, technology, engineering, and math. We are trying to introduce our children to the wonders of science, technology, engineering, and math.

I do it by introducing my young people to NASA, NASA Johnson, inviting them down to the space center and watching their eyes open in amazement, or my annual Toys for the Kids effort, a big Christmas party, and the most popular entity is the astronaut and the space exhibit. So I know it is in our children.

My amendment is consistent with the administration's commitment to promoting our national economic and homeland security interests and empowering our youth. It asks the Secretaries of the Energy and Commerce Departments to develop a challenge so that our young people can compete with their ideas about the energy challenges of America.

It is a good approach to getting ideas to those of us who are policymakers or maybe even to the world of the energy industry, from those in Silicon Valley—and when I say that, dealing with high tech—to the hard-nosed energy in our Midwest, and certainly down to Houston, Texas, where we are dealing with LNG, natural gas, and oil and looking for new ways to produce that product in a safe and environmentally secure way.

I think this competition will bring forth new ideas, excited young people, maybe starting from elementary or middle school, certainly working with young people in high school and rewarding them for their talent.

Mr. Chairman, this is a number of pictures from my district. One exhibits a community garden but really is teaching young people about soil and the idea of how you raise trees and dealing with the science of farming. Then you have them also dealing with a drone, knowing the technology of that and using it in a good way.

I have faith in America's youth, and I believe that this amendment will help us bring to the forefront their talent and bright new ideas to make this Nation the kind of strong and powerful nation that we know it is but, more importantly, using the genius of our youth to face the 21st century energy challenges.

I ask my colleagues to support my amendment.

Mr. Chair, I have an amendment at the desk.

It is listed in the Committee Report as Jackson Lee #35.

Let me express my appreciation to Chairman UPTON and Ranking Member PALLONE for their leadership and commitment to American energy infrastructure development, security, independence and economic growth.

I also wish to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and the members of the Rules Committee for making in order Jackson Lee Amendment #35.

Mr. Chair, thank you for the opportunity to explain my amendment, which provides:

YOUTH ENERGY ENTERPRISE COMPETITION

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially, as those fields relate to energy.

Mr. Chair, American energy independence, economic growth, national security, and expanding opportunities and diversifying the energy sector workforce are critical issues we must invest our time and talent in.

But we can diversify the energy sector only if we encourage our youth to be interested in energy related fields, which will position our nation as the leader in the 21st century.

H.R. 8 seeks to continue to modernize energy infrastructure, help our nation build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, promote energy efficiency and government accountability.

As the Member of Congress from Houston, the energy capital of the nation, I am always looking to support energy policies that not only make our nation more energy independent and create jobs but one that also invests in the future of America: our youth.

According to the Department of Education, 16 percent of American high school seniors are proficient in math and interested in a STEM career.

We need to improve on getting more youth interested in and excited about careers in STEM.

My Amendment seeks to inspire youth and create opportunities for youth to become excited about careers in the energy industry and to pursue energy related educational degrees in the STEM industry.

The Administration and our nation as a whole must remain committed to inspiring, educating and equipping the next generation of Googles, Amazons, Twitters and Facebooks of the energy sector.

In today's world, one only need look at all the technology we need to get by in our day to day dealings to understand the impact of STEM on our lives.

Toddlers now have hand-held tablets to watch their cartoons such as Pepper the Pig and Thomas the Train, owing to innovation in technology and exposure to technology.

Similarly, in the science, technology, engineering and math fields as it relates to energy, young people can be the solution to some of the challenges faced by our nation, but only through preparedness.

Indeed, educating our youth in Science, Technology, Engineering, and Mathematics (STEM) fields is central to U.S. economic competitiveness and growth.

According to a PEW Research Report, countries like Hong Kong, Singapore and Taiwan are leading the way in the globe in educating and preparing their youth in STEM.

My Amendment seeks to propel U.S. youth so that they surpass their peers in the global community.

Specifically, this Amendment directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

We need to prepare tomorrow's leaders for the competitive world of energy independence, security and infrastructure building.

Part of our long-term strategy ought to be to stimulate and promote innovation among young people to meet tomorrow's sure demand for adequate supply of a qualified workforce in the STEM fields, specifically as it relates to energy.

Mr. Chair, my Amendment will create the space and nurture the platform to develop our young people's ability to think deeply about the energy challenges of our nation and the role they can play in coming up with solutions.

A youth energy enterprise competition can be the breeding ground for future innovators, educators, researchers, and leaders in the energy sector who can solve the most pressing challenges facing our nation and our world, both today and tomorrow.

For all these reasons, I urge my colleagues to join me and support Jackson Lee Amendment #35.

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

Mr. UPTON. Mr. Chairman, I claim the 5 minutes in opposition to the amendment.

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

Mr. UPTON. But there is no way I could oppose this amendment, let me just say from the beginning.

This amendment directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to promote youth interest in careers in science, technology, engineering, and math, especially as those fields related to energy.

I heard from one of my heroes today, Dean Kamen, probably the best inventor of our time. He has, on his own, started just a wonderful program employing hundreds of thousands of youth all around the country, all around the world, a competition called FIRST Robotics, to really get high school and middle school students invested in looking at the science of so many different things in competitions that I participated in.

My Governor, Rick Snyder, who was in town tonight, was honored as I think the number one guy in the Nation earlier this year in Michigan. We are going to have the national competition in Detroit, I want to say, in 2 years. But I have been at the regional competition for this, and where kids and mentors and companies are invested, this is the future of science in so many different things.

This is a great amendment. I would urge all my colleagues to vote for it. I know that, as I look at my friendship with Dean Kamen, he will probably never talk to me again if I oppose the amendment. It is a great amendment. It should have been done as part of our committee mark.

I look forward to working with the Education committees and appropriators to make sure that it is funded. It is a good thing. I would urge all my colleagues to support it.

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

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from Michigan. I yield such time as he may consume to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I just want to thank my colleague from Texas for coming up with such a great program for young people. Listening to her and her sense of optimism about the future, I think that is what we need to encourage with our young people. I was so pleased to see that the chairman of our committee also supports it.

I would like to lend my support and urge the amendment's adoption.

Ms. JACKSON LEE. If I may, Mr. Chairman, I want to thank Mr. UPTON for his enthusiasm.

Dean Kamen is a hero of all of us. As I said, the greatest joy that I have seen in my young people when I invite them out is going to NASA Johnson out in Houston and, as well, when I bring the astronauts either to their schools or, more importantly, when NASA goes out to the schools. But when I have this big Christmas party, Santa Claus comes, but I will tell you that the astronauts are enormously popular.

I want to thank Mr. PALLONE, as well, for being committed to the energy and the dreaming and the inspiration and talent of our young people. That is what this amendment is about. I hope we can work together to find the funding but, more importantly, to get our young people engaged. I think they will have a lot of answers.

I ask my colleagues to support this amendment.

Mr. Chairman, 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 amendment was agreed to.

AMENDMENT NO. 36 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in House Report 114–359.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking ''a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent'' and inserting ''Asian American, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native''.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking ''Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts'' and inserting ''Asian American, African American, Hispanic, Native American, or Alaska Natives''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this bipartisan amendment is simple. It seeks to strike the term ''Oriental'' from Federal law in the last two remaining instances it is used to refer to a person within the Federal law.

I thank my colleague and my friend, Chairman ROYCE, for cosponsoring this amendment with me.

Mr. Chair, in the same way, I would not want either of my children to be referred to as ''Oriental'' by their teacher at school, I hope we can all agree that the term ''Oriental'' no longer deserves a place in Federal law.

Toward that end, this amendment strikes the offensive term from 42 U.S.C. 7141 and 42 U.S.C. 6705, two sections of Federal law written in the 1970s that fall under the jurisdiction of the Committee on Energy and Commerce.

Congress once found it appropriate to pass laws such as the Chinese Exclusion Act and the Geary Act, but we also found it appropriate to repeal them. Times change. What is acceptable changes, and this Congress more often than not yields to that change.

Mr. Chair, I call on my colleagues to join me in striking the legal use of outdated terms that many in the community would find offensive. I thank the Committee on Rules for making this amendment in order. I thank the chairman for allowing me time to speak on what is an important issue to my district, and I thank, again, Mr. ROYCE for his support and his cosponsorship of this amendment.

I urge support for the amendment.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition, but again, I strongly support this amendment.

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

There was no objection.

Mr. UPTON. Mr. Chair, I am delighted that Ms. MENG brought this to our attention. Mr. ROYCE is a very dear friend. I know we all share the same thoughts. I also want to just thank PETE SESSIONS, chairman of the Committee on Rules, for making this amendment in order. I would urge all my colleagues to support the amendment and appreciate it being offered tonight.

I yield back the balance of my time.

Ms. MENG. Mr. Chair, I thank the gentleman for his kind words.

I yield back the balance of my time.

Mr. ROYCE. Mr. Chair, I rise today to speak in support of the amendment to H.R. 8 introduced by my colleague, the Gentlewoman from New York, Representative MENG.

Racism and discrimination has no place in America today. We are a nation of immigrants that is proud of its diversity.

And when we get the chance, we should correct the mistakes of the past. That is what this amendment is about. The Federal Code still contains language on ethnicity that is antiquated and inappropriate. Our society has progressed a great deal in the last 100 years. It is time for us to do the same to our Federal Code.

This amendment eliminates outdated, disrespectful terms from federal law and replaces them with terms, such as ''Asian American,'' ''Alaska Natives,'' and ''Hispanic,'' that are more appropriate for our times and in keeping with our values.

Deleting inappropriate terms from usage in the U.S. Code is a simple means of demonstrating respect for our nation's diversity, and it will have no effect on the underlying federal laws.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 37 OFFERED BY MR. PALLONE

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in House Report 114–359.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—EFFECTIVE DATE

SEC. 7001. EFFECTIVE DATE.

This Act shall not take effect until the Energy Information Administration has analyzed and published a report on the carbon impacts of the provisions of this Act.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, despite original efforts to pass a bipartisan bill to address some of our energy infrastructure needs, H.R. 8 has become an attempt by the Republican Party to create backward-facing legislation that replaces many good provisions with legislation that would continue to reward polluters and contribute to our climate change issue.

□ 2030

In yesterday's debate on the CRAs, we heard time and again that climate change is not a priority for Republicans because they are more concerned with the economy and jobs.

Unlike the rhetoric that they would have us believe, a good economy and sound environmental policies are not mutually exclusive. We have actually experienced a boost in the economy under the Clean Air Act.

However, climate change is having a real effect on our communities, from more frequent extreme weather events, like Hurricane Sandy, to the extreme drought in California, to the floods experienced in Florida. The emotional and economic tolls of these events have been great and will continue to increase the longer this Congress ignores these pressing issues.

Mr. Chairman, we cannot continue to ignore climate change and disseminate misinformation. We are putting ourselves on a track towards irreparable damage.

Climate change and energy are inexorably linked. Each are a facet of the other. Energy is the source of 84 percent of U.S. greenhouse gas emissions, and any energy bill has a large impact on the direction of energy investment.

To that end, it is critical that legislation that is focused on developing U.S. energy policy move the country on the right path by helping to reduce carbon pollution, not to increase it. It is imperative that U.S. energy policy promote clean forms of energy and help make all energy use more efficient.

A necessary step to understanding its potential impact on emissions is to have the energy bill scored before it is enacted, and my amendment would do just that. The energy bill would be submitted to the Energy Information Administration, who would determine the overall short- and long-term impacts of the bill on U.S. greenhouse gas emissions: the Climate Pollution Score. The bill should not be enacted until such an analysis is complete.

Mr. Chairman, we know that the higher levels of greenhouse gases will continue to perturb our climate and impact public health. The responsible choice is to ensure that we are not contributing to the problem.

As Members of this Congress, it is our responsibility to protect the interests of Americans, which includes protecting Americans from the devastating effects of climate change while we still can. This amendment will allow us to do just that by giving us necessary information to analyze the effects of this legislation.

So I strongly urge my colleagues to vote to protect Americans by voting for this amendment.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

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

Mr. UPTON. This amendment, as properly stated, would provide that the bill should not take effect until the Energy Information Administration has done a study and prepared a report on the carbon impacts of the provision.

So, in essence, it would delay implementation of the bill indefinitely. And we believe that that would be a diversion, as the focus of this bill is to modernize our energy infrastructure and ensure access to affordable, reliable energy in a strong economy as fast as we can.

An economy based on reliable, affordable energy provides the means for the prosperity for future generations and the economic strength to respond and adapt to future challenges. It is particularly true when it comes to risks of climate change, whether natural or man-influenced.

The bill promotes technological innovation; the development of resilient, efficient energy infrastructure; and a strong economy to withstand climate events, regardless of the causes. Delaying the measures in this bill denies the public a direct path to a stronger, more resilient energy infrastructure and greater economic growth.

Because of those reasons, I would urge my colleagues to vote against my friend's amendment.

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

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

The score that I am asking for that would be done by the Energy Information Administration would not indefinitely delay the bill. They have the ability to do the scoring.

This is an independent agency within the Energy Department that was created on a bipartisan basis. It is nonpartisan. It collects energy data for the United States. And once the score was attributed, the bill could move forward.

But the point is we need to know what the impact is going to be on the environment, on air pollution, and on climate change.

I think that my concern, of course, is that this legislation was scored negatively, and that is the reason why I think we need to have a score. It is certainly not going to delay the bill indefinitely, as was suggested by the chairman.

I urge a vote in favor of this 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 New Jersey (Mr. PALLONE).

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

Mr. PALLONE. 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 New Jersey will be postponed.

AMENDMENT NO. 38 OFFERED BY MR. NORCROSS

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 114–359.

Mr. NORCROSS. 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 title III, add the following new section:

SEC. 3007. REPORT ON SMART METER SECURITY CONCERNS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report on the weaknesses in currently available smart meters' security architecture and features, including an absence of event logging, as described in the Government Accountability Office testimony entitled ''Critical Infrastructure Protection: Cybersecurity of the Nation's Electricity Grid Requires Continued Attention'' on October 21, 2015.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New Jersey (Mr. NORCROSS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

First of all, I appreciate the chairman and ranking member bringing this bill to us.

As we know and the title indicates, this is about energy security. Well, my amendment is very simple and direct. We are urging and specifically directing that the Secretary of Energy study the potential cybersecurity weakness in smart meters and to report back on this in 1 year.

So the first question is: What is a smart meter? For the consumer, it is that little box outside your air conditioner or by the panel. It provides savings to the consumer, and to the utility provider, it is about providing that secure, reliable electricity at a competitive price.

But these meters were designed back before the world as we know it today. Now we have to think of things very differently and think of them before they happen.

So what are the risks? A GAO official revealed the vulnerability in these

smart meters. There are approximately 40 million to 50 million of these meters that are already installed in hospitals, churches, homes, and in industry that could potentially be a target for hackers. That is why we should be concerned.

The CIA report spoke about that malicious activity against IT systems and power systems overseas. Our society has become so reliant on the very electricity that we are standing under today that those who would do damage to our country might have a vulnerability here. And we need to act before they do. This is why I bring this amendment forward.

I started out as an electrician many years ago, so I understand the power side of it. I sit on the Emerging Threats Subcommittee. I hear those threats each and every day. We have to make sure that we keep our homes, our businesses, and, most importantly, our military safe.

We are talking about damaged equipment and potentially massive blackouts, not just like the ones we had in New York almost a decade ago but potentially taking down our entire grid.

Smart meters are now part of the fabric of what we do day in and day out. This amendment very carefully identifies those vulnerabilities. I would urge members to support this.

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

Mr. UPTON. Mr. Chairman, I rise in opposition, but I support the amendment.

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

There was no objection.

Mr. UPTON. This is the second smart amendment that is part of this. Both are good. We adopted the Grayson amendment a little while ago. It was a good amendment.

This amendment directs the Secretary of Energy to study weaknesses in the security architecture of certain smart meters currently available and promulgate regulations to mitigate those weaknesses.

We want every home to be safe, absolutely. We need to take all those steps, whether it be people's individual billing, whatever it might be. It is a good amendment. As I told Mr. GRAYSON, it is brilliant, smart.

I appreciate the gentleman's amendment, and I urge my colleagues to support it.

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

Mr. NORCROSS. I certainly appreciate the support. This is just one of many items that we have to look forward to before those who want to do us harm. So I appreciate it, and I urge the passing of this 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 New Jersey (Mr. NORCROSS).

The amendment was agreed to.

Mr. UPTON. 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. ALLEN) having assumed the chair, Mr. WOODALL, 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. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, had come to no resolution thereon.

SYRIAN REFUGEES

The SPEAKER pro tempore (Mr. WOODALL). Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, although there are apparently those in the media that think it is fun to belittle people who express their great sympathy, thoughts, and prayers for the victims and their families out in San Bernardino, California, right now, those of us who care do extend our thoughts and prayers for those people.

We don't know quite yet who the perpetrators were. I think this is important, as we have been talking about Syrian refugees quite a bit the last few weeks, and the President's intention to bring Syrian refugees into this country.

Our friend, Senator JEFF SESSIONS, provided a list of 12 vetted refugees from areas where we actually had material, where we had information. Unlike the Syrian refugees, the FBI and Homeland Security felt they had plenty of information to vet these individuals, did vet them, thoroughly checked them out, and then brought them into the country.

This article from Neil Munro is dated November 24, 2015. He mentions:

''Senator Jeff Sessions is out with a list of 12 vetted refugees who quickly joined jihad plots to attack the United States.

''He's spotlighting the refugees-turned-jihadis because he's trying to prod GOP leaders into halting Congress' normal practice of giving the President huge leeway to import foreign migrants and refugees into the United States.''

It goes on: ''Obama says the new refugees will be vetted. But top security officials say the Syrians can't be vetted because the U.S. doesn't know what they were doing in Syria before they applied for refugee status.''

□ 2045

The article goes on:

''Besides, many of the jihad attempts in the United States are launched by the children of Muslim refugees and migrants. That list include the two Chechen brothers who bombed the Boston Marathon, and Anwar al-Awlaki who was killed by a U.S. missile strike when he fled to Yemen after the 9/11 atrocity. That means the Americans' federal government is actively importing national-security problems that will eventually cost billions of dollars to manage, but cannot be eliminated.''

And this list only covers 2015. There may be many more from 2015. There are certainly many more from prior years.

But here are just some of the individuals that this administration completely vetted, made sure they were not a threat to the United States and our people, and, yet, brought them in only to find they were and are terrorists.

On January 29, 2015, in the United States District Court for the Eastern District of Virginia, a Federal warrant was unsealed for the arrest of Liban Haji Mohamed—a native of Somalia who sources indicate came to the United States as a refugee, adjusted to lawful permanent resident status, and subsequently and applied for and received citizenship.

''Mohamed is believed to have left the U.S. on July 5, 2012, with the intent to join Al-Shabaab in East Africa. Mohamed previously lived in the metro D.C. area and worked as a cab driver, and is believed to have snuck across the border to Mexico after being placed on the no-fly list. Carl Ghattas, Special Agent in Charge of the FBI's Washington, D.C. Field Office, emphasized the importance of locating Mohamed: 'Because he has knowledge of the Washington, D.C., area's infrastructure such as shopping areas, Metro, airports, and government buildings, this makes him an asset to his terrorist associates who might plot attacks on U.S. soil.' '' One refugee.

Second refugee: On February 5, 2015, a native of Somalia came to the United States as a refugee. And this was done under the Bush administration. Abdinassir Mohamud Ibrahim came at the age of 22, in 2007, and then was later adjusted to lawful permanent resident status.

But, on February 5, he was sentenced to 15 years in federal prison for conspiring to provide material support to Al-Shabaab, a designated foreign terrorist organization. He lied on his application for citizenship, lied on his request for refugee status, and falsely claimed—these are what he was convicted of and charged with—falsely claiming that he was a member of the minority Awer clan in Somalia and subject to persecution by the majority Hawiye clan. However, Ibrahim was actually a member of the clan that was the persecutor and not the persecuted. That was Mr. Abdinassir Mohamud Ibrahim.

Also, in Missouri, Abdullah Ramo Pazara, a native of Bosnia, came to the United States as a refugee, completely