

With a national debt exceeding \$22 trillion and growing every day, we cannot afford to give additional resources to a program that clearly duplicates, at least in part, 13 other programs and has a marginal impact, at best.

The authorization for this program expired in 2016, and it should not be resurrected.

Mr. Speaker, I urge my colleagues to oppose this bill.

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

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

Mr. Speaker, I just want to make the point that this is an authorization that the level of spending will actually be determined by the Appropriations Committee, not ours.

Mr. Speaker, I include in the RECORD a news release from the EPA making the point from Administrator Wheeler:

"As this report details, the DERA program is an effective and innovative way to improve air quality across the country while providing children with safer, more reliable transportation to and from school," said EPA Administrator Andrew Wheeler.

Nearly 10 million older diesel engines are operating throughout our transportation system.

DERA has led to cleaner air across the U.S. by reducing emissions:

472,700 tons of smog-forming nitrogen oxides.

15,490 tons of particulate matter.

17,700 tons of hydrocarbon.

5,089,170 tons of carbon dioxide.

[From EPA, 7/25/2019]

NEWS RELEASES FROM HEADQUARTERS, AIR AND RADIATION (OAR) EPA REPORT: CLEAN DIESEL GRANTS RACK UP MAJOR AIR, HEALTH BENEFITS

(By EPA Press Office)

WASHINGTON (July 25, 2019)—Grants to clean up or replace older diesel engines under the Diesel Emissions Reduction Act (DERA) have delivered significant health and environmental benefits to communities across America, according to a U.S. Environmental Protection Agency (EPA) report released today. DERA, a bipartisan effort authorized by Congress, provides cost-effective reductions of harmful diesel pollution across the U.S. and particularly in areas where air quality is a concern.

"As this report details, the DERA program is an effective and innovative way to improve air quality across the country while providing children with safer, more reliable transportation to and from school," said EPA Administrator Andrew Wheeler. "Children's health is a top priority for EPA, and DERA helps fulfill our children's health agenda and commitment to ensure all children can live, learn, and play in healthy and clean environments."

Nearly 10 million older diesel engines are operating throughout our transportation infrastructure with no modern emissions controls. While some of these will be retired over time, many will remain in use, polluting America's air for the next 20 years. The DERA program provides rebates and grant funding to replace these vehicles and engines with equipment that meets or exceeds current emissions standards.

DERA has led to cleaner air across the U.S. by reducing emissions:

472,700 tons of smog-forming nitrogen oxides.

15,490 tons of particulate matter (PM).

17,700 tons of hydrocarbon.

5,089,170 tons of carbon dioxide.

Since 2008, DERA has awarded \$629 million in funding to replace or retrofit 67,300 legacy diesel engines. EPA estimates that reducing these harmful pollutants will lead to \$19 billion in health benefits and 2,300 fewer premature deaths. EPA estimates that for every federal dollar spent, DERA projects generate between \$11 and \$30 in public health benefits and over \$2 in fuel savings.

The DERA program works to reduce exposure and provide improved air quality in communities where air pollution is of concern, including those near ports, rail yards, and PM and ozone non-attainment areas. Sixty-four percent of projects awarded in fiscal year 2008–2016 were in areas with these air quality concerns.

The Fourth Report to Congress summarizes the program's accomplishments from fiscal year 2008–2013 and discusses final and estimated results from funding in fiscal year 2014–2016.

For more information on DERA, visit: <http://www.epa.gov/cleandiesel>.

To access the report, visit <https://www.epa.gov/cleandiesel/clean-diesel-reports-congress>.

Mr. UPTON. Mr. Speaker, this is a program that works. It takes those older vehicles off the road. As far as I know, industry supports this. It is better for our communities, which is why our committee, under both Republican and Democratic chairmen and administrations, has supported this, letting the appropriators decide the level of funding that it actually prescribes.

Mr. Speaker, I urge my colleagues, again on a bipartisan basis, to support this, and I yield back the balance of my time.

Mr. RUSH. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Michigan, and I yield back the balance of my time.

Mr. NADLER. Madam Speaker, I rise in strong support of the Diesel Emissions Reduction Act, a bill that will reduce diesel emissions and protect public health by reauthorizing the EPA's DERA program.

Emissions from diesel engines are a significant source of our nation's greenhouse gas emissions. The EPA has long linked direct emissions from these engines to premature deaths, lung cancer, and increased risk of asthma.

Since 2008, DERA has awarded over \$600 million in funding to replace or retrofit over 65,000 older diesel engines with American-made clean diesel technology. The EPA estimates that the cleaner-burning engines will reduce 5 million tons of carbon dioxide emissions and lead to \$19 billion in health benefits over the lifetime of the affected engines. Additionally, the EPA estimates that for every federal dollar spent, DERA projects generate up to \$30 in public health benefits and over \$2 in fuel savings.

It is no wonder that DERA has enjoyed overwhelming bipartisan support. The most recent DERA reauthorization passed unanimously in the Senate and by voice vote in the House in 2010. While DERA's authorization expired in FY 2016, I have been proud to work with Representative's MATSUI and BARRAGÁN to secure robust funding for the program.

With an estimated 40 percent of our nation's heavy-duty diesel vehicles operating without clean technology, the DERA program is still desperately needed.

I urge my colleagues to vote yes to reauthorize this popular and cost-effective program.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1768.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## ENHANCING STATE ENERGY SECURITY PLANNING AND EMERGENCY PREPAREDNESS ACT OF 2019

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2114) to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2114

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Enhancing State Energy Security Planning and Emergency Preparedness Act of 2019".

### SEC. 2. STATE ENERGY SECURITY PLANS.

(a) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

#### "SEC. 367. STATE ENERGY SECURITY PLANS.

"(a) IN GENERAL.—Federal financial assistance made available to a State under this part may be used for the implementation, review, and revision of a State energy security plan that assesses the State's existing circumstances and proposes methods to strengthen the ability of the State, in consultation with owners and operators of energy infrastructure in such State, to—

"(1) secure the energy infrastructure of the State against all physical and cybersecurity threats;

"(2) mitigate the risk of energy supply disruptions to the State and enhance the response to, and recovery from, energy disruptions; and

"(3) ensure the State has a reliable, secure, and resilient energy infrastructure.

"(b) CONTENTS OF PLAN.—A State energy security plan described in subsection (a) shall—

"(1) address all fuels, including petroleum products, other liquid fuels, coal, electricity, and natural gas, as well as regulated and unregulated energy providers;

"(2) provide a State energy profile, including an assessment of energy production, distribution, and end-use;

"(3) address potential hazards to each energy sector or system, including physical threats and cybersecurity threats and vulnerabilities;

"(4) provide a risk assessment of energy infrastructure and cross-sector interdependencies;

“(5) provide a risk mitigation approach to enhance reliability and end-use resilience; and

“(6) address multi-State, Indian Tribe, and regional coordination planning and response, and to the extent practicable, encourage mutual assistance in cyber and physical response plans.

“(c) COORDINATION.—In developing a State energy security plan under this section, the energy office of the State shall, to the extent practicable, coordinate with—

“(1) the public utility or service commission of the State;

“(2) energy providers from the private sector; and

“(3) other entities responsible for maintaining fuel or electric reliability.

“(d) FINANCIAL ASSISTANCE.—A State is not eligible to receive Federal financial assistance under this part, for any purpose, for a fiscal year unless the Governor of such State submits to the Secretary, with respect to such fiscal year—

“(1) a State energy security plan described in subsection (a) that meets the requirements of subsection (b); or

“(2) after an annual review of the State energy security plan by the Governor—

“(A) any necessary revisions to such plan; or

“(B) a certification that no revisions to such plan are necessary.

“(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary may provide information and technical assistance, and other assistance, in the development, implementation, or revision of a State energy security plan.

“(f) SUNSET.—This section shall expire on October 31, 2024.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended—

(1) by striking “\$125,000,000” and inserting “\$90,000,000”; and

(2) by striking “2007 through 2012” and inserting “2021 through 2025”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 363 of the Energy Policy and Conservation Act (42 U.S.C. 6323) is amended—

(A) by redesignating subsection (f) as subsection (e); and

(B) by striking subsection (e).

(2) TECHNICAL AMENDMENT.—Section 366(3)(B)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6326(3)(B)(i)) is amended by striking “approved under section 367”.

(3) REFERENCE.—The item relating to “Department of Energy—Energy Conservation” in title II of the Department of the Interior and Related Agencies Appropriations Act, 1985 (42 U.S.C. 6323a) is amended by striking “sections 361 through 366” and inserting “sections 361 through 367”.

(4) TABLE OF SECTIONS.—The table of sections for part D of title III of the Energy Policy and Conservation Act is amended by adding at the end the following:

“Sec. 367. State energy security plans.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Michigan (Mr. UPTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. RUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2114.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2114, the Enhancing State Energy Security Planning and Emergency Preparedness Act of 2019, and I urge all of my colleagues to support this bill.

Mr. Speaker, H.R. 2114 was introduced by myself and my good friend and colleague from Michigan, the ranking member of the Energy Subcommittee, Mr. UPTON, and I want to thank my colleague for working with me to bring this bill to the floor today.

Mr. Speaker, this legislation would simply amend the Energy Policy and Conservation Act by adding a new section authorizing States to utilize Federal funding received through the State Energy Program to implement, revise, and review a State energy security plan.

H.R. 2114 lays out eligibility requirements for the contents of a State energy security plan to receive assistance and requires the Governor of a State to submit a new plan, revisions to a plan, or to certify that no revisions to the plan are necessary to the Secretary of Energy every year.

These emergency plans have been vital to the States as they continue to improve their ability to identify potential energy disruptions, quantify the effects of disruptions, establish response plans, and limit the risk of further disturbances, whether they be natural or man-made.

Mr. Speaker, now more than ever, it is critical that we provide the resources for States to take even more of a prominent role in advancing smart and sustainable energy policy.

Since their inception in the 1970s, State energy programs, bolstered by Federal aid, have assisted States in developing much-needed energy efficiency and energy conservation measures. Some of these federally assisted initiatives that have been implemented by the States include, but are not limited to, establishing new partnerships to finance retrofit programs, managing loan programs, offering energy savings performance contracts, expanding the use of alternative fuels, and promoting distributed renewable energy.

Mr. Speaker, Federal funding and leadership have always been critical in helping States and local stakeholders identify the roles and responsibilities of the various agencies in times of emergencies, while also supporting training and response exercises.

Mr. Speaker, this bill is a product of a thoughtful and bipartisan negotiation process between Ranking Member UPTON and myself to provide Federal guidance and resources to the States that are most vulnerable to critical energy infrastructure threats. Members on both sides of the aisle support the State Energy Program, and this legislation will help allocate additional re-

sources to further develop and enhance State energy security plans.

Mr. Speaker, I urge all of my colleagues to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I want to confirm what the chairman said about this bill. It is bipartisan. We worked on this together. It is a good bill and it is an important one, which we passed on a voice vote on suspension in the last Congress. It reauthorizes the State Energy Program, and it strengthens our energy emergency planning and preparedness efforts.

As States and communities respond to the damage throughout the Southeast and the Mid-Atlantic from Hurricane Dorian, we are reminded how States have to respond to so many different hazards, including hurricanes, earthquakes, floods, fuel supply disruptions, and physical and cyber threats.

This legislation, in fact, provides States with the flexibility that they need to address local energy challenges. It ensures that State energy security planning efforts address fuel supply issues, assess State energy profiles, address potential hazards to each energy sector, mitigate risk to enhance reliability, and incorporate regional planning efforts.

□ 1700

This legislation, H.R. 2114, helps States protect fuel and electric infrastructure from both physical and cyber threats and other vulnerabilities. It makes sure that we are thinking ahead, not just about an actual threat, but how our energy and electric systems might be vulnerable in a broader sense.

The bill also encourages mutual assistance, an essential part of responding and restoring, in the event of an energy emergency. So prioritizing and elevating security planning and emergency preparedness is, in fact, an important step in the face of increased threats, vulnerabilities, and interdependencies of energy infrastructure and end-use systems.

It is a bipartisan bill. It is a good bill. I urge all of my colleagues to vote for it, and I yield back the balance of my time.

Mr. RUSH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 2114.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### ADVANCED NUCLEAR FUEL AVAILABILITY ACT

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill