Renacci
Ribble
Rice (SC)
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Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
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Schweikert
Scott, Austin
Sensenbrenner
Sessions
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Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
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Terry
Thompson (PA)
Thornberry
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Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—188

Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
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Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
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Nadler
Napolitano
Neal
Negrete McLeod
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Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Aderholt
Carney
DesJarlais
Hanabusa
Jackson Lee
McCarthy (NY)
Nunnelee
Pompeo
Rangel
Richmond

□ 1553

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 641 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. 4923.

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

□ 1555

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. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, with Mrs. BLACK (Chair) in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Louisiana (Mr. CASSIDY) had been disposed of and the bill had been read through page 59, line 20.

AMENDMENT OFFERED BY MR. BARTON

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 508.

(a) PILOT PROGRAM.—Notwithstanding any provision of the Nuclear Waste Policy Act of 1982 (42 U.S.C.10101 et seq.), the Secretary of Energy is authorized, in the current fiscal year and subsequent fiscal years, to conduct a pilot program, through 1 or more private sector partners, to license, construct, and operate 1 or more government or privately owned consolidated storage facilities to provide interim storage as needed for spent nuclear fuel and high level radioactive waste, with priority for storage given to spent nuclear fuel located on sites without an operating nuclear reactor.

(b) REQUESTS FOR PROPOSALS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for cooperative agreements—

(1) to obtain any license necessary from the Nuclear Regulatory Commission for the construction of 1 or more consolidated storage facilities;

(2) to demonstrate the safe transportation of spent nuclear fuel and high-level radioactive waste, as applicable; and

(3) to demonstrate the safe storage of spent nuclear fuel and high-level radioactive waste, as applicable, at the 1 or more consolidated storage facilities pending the construction and operation of deep geologic disposal capacity for the permanent disposal of the spent nuclear fuel.

(c) CONSENT-BASED APPROVAL.—Prior to siting a consolidated storage facility pursuant to this section, the Secretary shall enter into an agreement to host the facility with—

(1) the State;

(2) each unit of local government within the jurisdiction of which the facility is proposed to be located; and

(3) each affected Indian tribe.

(d) APPLICABILITY.—In executing this section, the Secretary shall comply with—

(1) all licensing requirements and regulations of the Nuclear Regulatory Commission; and

(2) all other applicable laws (including regulations).

(e) PUBLIC PARTICIPATION.—Prior to choosing a site for the construction of a consolidated storage facility under this section, the Secretary shall conduct 1 or more public hearings in the vicinity of each potential site and in at least 1 other location within the State in which the site is located to solicit public comments and recommendations.

(f) USE OF NUCLEAR WASTE FUND.—The Secretary may make expenditures from the Nuclear Waste Fund to carry out this section, subject to appropriations.

Mr. BARTON (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SIMPSON. Madam Chair, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON. Madam Chair, at the end of the dialogue on this amendment, it is my intention to withdraw it, and I want the House to know that.

As we all know, we have the Nuclear Waste Policy Act of 1982 that stipulates that it is the responsibility of the Federal Government, through the Department of Energy, to accept all high-level nuclear waste that has been generated by our civilian reactors.

This has not been done, even though we have a law that says it should be done. There is a permanent repository that is located in the State of Nevada.

The citizens of that State have serious reservations about accepting high-level waste in their State, and as a consequence, they have managed, through various bills over the years, to prevent that facility from going forward.

The amendment that I have before the body today would authorize a pilot program through the Department of Energy, on a competitive basis and its being consent-based by State, to allow interim storage at one or more facilities.

The money would come from the nuclear waste fund from which we have collected over $15 billion. This amendment would not preclude Yucca Mountain, in any way, from being the permanent repository.

It would allow any State in the Nation that wished to submit a proposal to the Secretary of Energy within 120 days, if my amendment were to become

law; then, on a competitive basis, the Secretary of Energy, after holding public hearings, would make a determination that one or more sites in the country could accept this waste on an interim basis.

I think this is a good amendment. It would cut the Gordian knot that has constrained us for over 30 years, and if we were to be allowed to vote on it, I am absolutely certain the House would pass it.

Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN), my cosponsor on the minority side.

□ 1600

Mr. GENE GREEN of Texas. I thank my colleague on the Energy and Commerce Committee and my good Texas friend.

Madam Chair, I rise in support of the amendment and will place my full statement into the RECORD.

The amendment I am offering with my friend Congressman JOE BARTON would authorize the Energy Department to start a pilot nuclear waste program.

Congress, back in 1982, passed the Nuclear Waste Policy Act, directing DOE and NRC to open a permanent repository for our Nation's spent nuclear fuel. Over three decades later, America is still without a repository, leaving tens of thousands of nuclear waste vulnerable to attacks of terror and other catastrophes.

The reasons behind this failure are well-known, and it is imperative that this Congress and the administration act to open a safe and permanent storage facility. Until that day, we must find interim storage to ensure that the 70,000 tons of spent fuel sitting in our Nation's nuclear plants are safe from harm's way.

The pilot program authorized in this amendment would be paid for by funds already available in the nuclear waste fund and would direct DOE to open a pilot facility only after it was found to be safe by NRC, has gained the consent of the State's Governor, each unit of local government within the jurisdiction and affected Indian tribes, and heard from the general public.

Given the nearly $30 billion available in the nuclear waste fund, the growing inventory of spent nuclear fuel, and the inherent hazards connected with nuclear waste, I urge my colleagues to join with Congressman BARTON and me to authorize this program.

Madam Chairman, I am also in agreement. I agree with withdrawing the amendment, but somewhere, this Congress needs to address our nuclear waste disposal and storage issue.

I thank my colleague for the time.

Mr. BARTON. Madam Chair, could I inquire how much time I have remaining?

The CHAIR. The gentleman from Texas has 1½ minutes remaining.

Mr. BARTON. Madam Chair, I reserve the balance of my time at this point in time.

The CHAIR. Does the gentleman from Idaho continue to reserve his point of order?

Mr. SIMPSON. Madam Chair, I continue to reserve my point of order.

Mr. UPTON. Madam Chairman, I rise in opposition to the amendment.

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

Mr. UPTON. Madam Chairman, I just want to say, it is my understanding the gentleman is going to withdraw the amendment, so we are not going to have to insist on the point of order.

I just want to assure both my friends from Texas that this is an issue that this body needs to deal with. We just had two votes in the last hour that were a pretty good indication that this body supports long-term storage of high-level nuclear waste.

It is an issue that we have seen linger in this Congress now, well, for the last number of decades. It needs to be resolved. I am one that believes, as you do, I think—I know—that the authorizing committee needs to deal with this forthwith; and I want to give the assurance to you and all of our colleagues that, as the chairman of the Energy and Commerce Committee, I want to continue to work on this issue on a bipartisan basis.

For me, I have got two nuclear plants in my district. Both facilities, in fact, have run out of room in their pools. They are going to be storing it on-site.

We have got a number of sites around the country that are closed at this point, and they are needing to send their high-level nuclear waste to one safe place. That is what the Yucca Mountain bill did that we passed, that President Reagan signed into law back in the eighties.

There is a lot of discussion, particularly on the Senate side, on an interim storage site. I know that some States like Texas would very much like to participate in such a program. My concern with that approach is this, that I don't want to see that move without a permanent, full-time site like Yucca be left in the ditch, that, in fact, we might see, ultimately, the two combined.

That is not an approach that we are going to deal with on this appropriation bill but, rather, an authorization bill that certainly I would like to see happen. I know that the chairman of that subcommittee, Mr. SHIMKUS, is on board with, very much, the same thoughts. I would like to think that in the next Congress, when we have got some new faces perhaps on both sides of the House and the Senate, that we will be able to move a bipartisan bill to, in fact, deal with both long-term and short-term in terms of interim, and I look forward to being a party to try and get those two groups together.

So I would ask the two gentlemen from Texas, particularly you, Mr. BARTON, if you would withdraw the amendment knowing that we will, in fact, deal with this on another day, not today.

Madam Chair, I reserve the balance of my time.

The CHAIR. Does the gentleman from Idaho continue to reserve a point of order?

Mr. SIMPSON. Madam Chairman, I continue to reserve my point of order.

Mr. BARTON. Madam Chair, let me reiterate, before I ask unanimous consent to withdraw this amendment, that, one, it is obviously bipartisan. Two, I think it would pass the House overwhelmingly, because, as the chairman of the full committee just said, we have had two votes in the last hour that were 5–1 in favor of disposing of high-level waste. I would say you could say those were votes in favor of disposing of it at Yucca Mountain, but certainly we have the votes for a permanent repository.

The amendment before the body at this moment is a pilot program. It is for interim storage. It in no way would preclude any effort to fund and develop the permanent repository at Yucca. And if the State of Nevada wanted to, they could compete for the interim storage and I think, in all probability, might decide to do so.

So I would hope that sometime in this Congress through the appropriation process with the other body or, as the full committee chairman has just promised, in the next Congress through the normal regular order authorization process that we deal both with interim storage and permanent storage.

And I think I have the chairman's commitment to do that. Is that correct?

Mr. UPTON. Will the gentleman yield?

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

Mr. UPTON. I look forward to working with you on both of those accounts and move it to regular order through the authorization process. Certainly that is an issue that I want to see our committee deal with in the next Congress for sure.

Mr. BARTON. Reclaiming my time, I want to thank the subcommittee chairman, Mr. SIMPSON, for his courtesy and his staff's courtesy, the ranking member, Ms. KAPTUR, the full committee, Mr. ROGERS and his staff.

I will submit a letter for the RECORD from the Governor of Texas dated July 3 in support of my amendment.

THE STATE OF TEXAS,
OFFICE OF THE GOVERNOR,
July 3, 2014.

DEAR TEXAS CONGRESSIONAL DELEGATION: After President Obama abandoned any further development of Yucca Mountain and Congress ceased all funding in 2011, the country must look for new solutions to the long-term issue of safe and secure handling of high level radioactive waste (HLW) Early in 2013 the U.S. Department of Energy announced that it was looking into alternative, permanent disposal solutions to replace the proposed storage facility at Yucca Mountain. By its own estimations, a permanent HLW disposal solution will not be available until 2048.

An amendment proposed by Congressman Joe Barton authorizes the Secretary of Energy to conduct a pilot program that would

provide interim storage of spent nuclear fuel and HLW, with the priority for storage given to spent nuclear fuel located on sites without an operating nuclear reactor. This option could demonstrate how this waste can be transported and stored in a secure and viable manner, providing a step toward a long-term solution to this ongoing issue.

With or without a long-term solution for disposing of HLW, implementation of interim facilities is needed. I believe it is time for the Congress to act and ensure that the United States has a safe and secure solution for HLW, and I support this effort by Congressman Barton.

Sincerely,

RICK PERRY,
Governor.

Mr. BARTON. Madam Chair, I would, at this point in time, ask unanimous consent to withdraw the Barton-Green amendment.

The CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. ENGEL

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The CHAIR. Pursuant to House Resolution 641, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a Memorandum on Federal Fleet Performance that requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the Presidential Memorandum by prohibiting funds in the Energy and Water Appropriations Act from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

This amendment has been supported by the majority and minority on appropriations bills eight times over the past few years, and I hope it will receive similar support today.

Our transportation sector is by far the largest reason we send $600 billion per year to hostile nations to pay for oil at ever-increasing costs. But America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet. So, by supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources, including biomass, natural gas, agricultural waste, hydrogen, renewable electricity, methanol, and ethanol.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. When people drove to a gas station, they saw what a gallon of gasoline would cost and what an equivalent amount of ethanol would cost and could decide which was better for them.

I want the same choices for Americans. That is why the gentlewoman from Florida, ILEANA ROS-LEHTINEN, and I have submitted a bill which would provide for every fuel car built in America to be a flex-fuel car, which would cost less than $100 per car. If they can do this in Brazil, we can do it here. We can educate people on using alternative fuels and let consumers decide which is best for them.

So, in conclusion, expanding the role these resources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies, and it will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets.

I ask that my colleagues support the Engel amendment.

Mr. SIMPSON. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Idaho.

Mr. SIMPSON. I am willing to accept this amendment, and I thank the gentleman for offering it.

Mr. ENGEL. I thank the gentleman for doing that.

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

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. ____. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The CHAIR. Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, today's amendment is to maintain current law.

Since the passage in 2007 of the Energy Security Act, I have heard from tens of thousands of constituents about how the language of the 2007 Energy Independence and Security Act takes away consumer choice when deciding which types of lightbulbs to purchase and place in their homes.

While the government has passed energy efficiency standards in other realms over the years, never have they moved the bar so high and lowered the standard so drastically. It is to a point where technology is still years away from making lightbulbs that are compliant with the law at a price point the average American can afford.

Opponents to my amendment will claim that the 2007 language does not ban the incandescent bulb. I would stipulate that that is true. But it does ban the sale of the 100-watt, the 60-watt, and the 45-watt bulb.

The replacement bulbs are far from economically efficient, even if they are energy efficient. A family living paycheck to paycheck can't afford to replace every single bulb in their house at $25 to $35 a bulb, even if those bulbs do last 20 years. And 20 years from now, who knows if the technology is going to change again, and maybe the Congress will have them change their lightbulbs again.

The economics of the lightbulb mandate are only part of the story. With the expansion of Federal powers undertaken by President Obama and the Democrats in Congress during the first 2 years of the Obama administration, Americans realized just how far the Constitution's Commerce Clause has been manipulated from its original intent. The lightbulb mandate is a perfect example of this.

The Commerce Clause was intended by our Founding Fathers to be a limitation on Federal authority, not a catchall nod to allow for any topic to be regulated by Washington that Washington felt was in the people's best interest. Indeed, it is clear that the Founding Fathers never intended this clause to be used to allow the Federal Government to regulate and pass mandates on consumer products that do not pose a risk to health or safety.

The Congress should be on the side of the average American. The Congress should be on the side of the consumer. The Congress should be on the side of consumer choice. If new, energy-efficient lightbulbs save money and are better for the environment, we should trust the American people to make the choice on their own to move toward these bulbs. We should not force these bulbs on the American people.

□ 1615

The bottom line is, the Federal Government has no business taking away the freedom of Americans to choose whatever they wish to put in their homes.

I will add that recently lightbulb manufacturers in this country have

claimed that because of the stopgap provision in the 2007 law, if we continue to prevent the Department of Energy from promulgating rules pursuant to these provisions, the manufacturers will be forced to stop manufacturing compliant incandescent bulbs. But this is an argument to repeal the 2007 language in its entirety, not to force its implementation. We should not allow a stopgap trigger in the law to extort us from allowing bad policy to move forward.

This exact amendment has been accepted for the past 3 years by voice vote and has been included in the annual appropriations legislation, signed into law by President Obama each year since its first inclusion. It allows consumers to continue to have a choice. It allows consumers to continue to have a say about what they put in their homes. It is common sense. It is time we trust average Americans.

I reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Madam Chair, I oppose this rider, which would block the Department of Energy from implementing or enforcing commonsense energy efficiency standards for lightbulbs. This rider was a bad idea 3 years ago when it was first offered, and it is even more unsupportable today.

Every claim made by proponents of this rider has been proven wrong. Mr. BURGESS told us that the energy efficiency standards would ban incandescent lightbulbs. That has been simply false. You can go to the store today and see shelves of modern energy-efficient incandescent lightbulbs that meet the standard. They are the same as the old bulbs, except that they last longer, use less electricity, and save consumers money.

We have heard for years that the energy efficiency standards restrict consumer choice. We even heard it again a minute ago. Well, if you have shopped for lightbulbs lately, you know this isn't true. Modern incandescent bulbs, compact fluorescent lightbulbs, and LEDs of every shape, size, and color are now available. Consumers have never had more choice. The efficiency standards spurred innovation that dramatically expanded options for consumers.

Critics of the efficiency standard claimed that they would cost consumers money. In fact, the opposite is true. When the standards are in full effect, the average American family will save about $100 every year. That is $13 billion in savings nationwide every year. But this rider threatens those savings. That is why the Consumer Federation of America and the Consumers Union oppose this anti-consumer amendment.

Here is the reality: the 2007 consensus energy efficiency standards for lightbulbs were enacted with bipartisan support, and they continue to enjoy overwhelming industry support.

U.S. manufacturers are already meeting the efficiency standards. The effect of this rider is to allow foreign manufacturers to sell old, inefficient lightbulbs in the United States that violate these efficiency standards. That is unfair to domestic manufacturers who have invested millions of dollars in U.S. plants to make efficient bulbs that meet the standards. That is following our law.

Why on Earth would we want to pass a rider that favors foreign manufacturers who ignore our laws and penalizes U.S. manufacturers who are following our laws?

But it gets even worse. The rider now poses an additional threat to U.S. manufacturing. The bipartisan 2007 energy bill required the Department of Energy to establish updated lightbulb efficiency standards by January 1, 2017. It also provided that if final updated standards are not issued by then, a more stringent standard of 45 lumens per watt automatically takes effect. Incandescent lightbulbs currently cannot meet this backstop standard. This rider blocks DOE from issuing the required efficiency standards and ensures that the backstop will kick in. Ironically, it is this rider that could effectively ban the incandescent lightbulb.

The Burgess rider directly threatens existing lightbulb manufacturing jobs in Pennsylvania, Ohio, and Illinois. It would stifle innovation and punish companies that have invested in domestic manufacturing. This rider aims to reverse years of technological progress only to kill jobs, increase electricity bills for our constituents, and worsen pollution.

There is nothing in the Constitution that says that this rider makes sense, despite the arguments we have heard from the proponent of this rider.

It is time to choose common sense over rigid ideology. It is time to listen to the manufacturing companies, consumer groups, and efficiency advocates who all argue that this rider is harmful.

I urge all Members to vote ''no'' on the Burgess lightbulb rider, and I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I think columnist George Will said it best back in December of 2007 when the Energy Independence and Security Act passed. He said: Look, the United States Congress has two jobs—defend the borders and deliver the mail, and instead, they have spent their time outlawing Thomas Edison's greatest invention.

I urge Members to support the amendment and yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. ELLISON

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ''Fair Labor Standards Act.''.

The CHAIR. Pursuant to House Resolution 641, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, today I am offering an amendment that is very simple. Basically, it is one of those issues that I think both conservatives and liberals and Republicans and Democrats ought to be able to get together and agree on. And that is, if a hardworking American earns a penny, they ought to get that penny.

So what the amendment does, it says that if there is a Federal contractor who has a demonstrated, recorded, proven history of wage theft, is in violation of the Fair Labor Standards Act, then they will not be able to participate in this appropriation.

This amendment addresses a very serious problem. I would like to bring to the House's attention that the Economic Policy Institute found that in total, the average low-wage worker loses a stunning $2,634 per year in unpaid wages, representing about 15 percent of their earned income. Another report by the Health, Education, Labor and Pensions Committee of the United States Senate revealed that 32 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors. Similarly, a National Employment Law Project study found that about 21 percent of Federal contract workers were not paid overtime, and 11 percent were forced to work off the clock.

Now, we might debate taxes. We might debate how high the minimum wage should be. But I know this House, this body, as a whole, believes that hardworking people should get the money that they have worked for.

Also, the Federal Government, the government is the largest spender in the world, I think, when you add it all up. And anyone who would want a contract with the Federal Government should be a contractor who is willing to uphold the best, most ethical business standards.

We, as a body, should appropriate our money to those businesses that believe in paying the workers on time, no matter what that agreed amount of money is.

Madam Chair, let me just conclude by saying that I think this is an important amendment. I urge adoption. And as we, as a body, work hard to provide opportunity for all Americans, particularly those who work for Federal contractors. I think one thing we can do is to support this amendment today and send an important signal that a penny worked for is a penny that must be paid.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be obligated to provide funds to any entity (as defined in section 101 of title 11 of the United States Code) that commenced a case under title 11 of the United States Code in fiscal year 2013, in fiscal year 2014, or before the date such funds would otherwise be so obligated in fiscal year 2015.

Mr. BURGESS (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SIMPSON. Madam Chairwoman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chairman, I rise today to offer an amendment to protect taxpayers from losing any more money, since the Department of Energy's track record of granting money to entities teetering on the brink of bankruptcy is far from stellar.

Since President Obama ramped up spending at the Department of Energy in order to push a political agenda, the Department of Energy, first under Secretary Chu and now under Secretary Moniz, has lost hundreds of millions of dollars, hundreds of millions of dollars that the taxpayer will never see again.

Moreover, over the past decade, the Department of Energy has given the United States Enrichment Corporation billions of taxpayer funds, with absolutely nothing to show for it. Last year, we discussed the funding that was earmarked for the United States Enrichment Corporation in this very appropriations bill, the Energy and Water Appropriations bill. And this body was given assurances, assurances that, first off, this would be the last installment of Federal funding for USEC and, second, that USEC was now doing a stellar job and was nearing completion of the tests being done at its American Centrifuge Project facility and that the concerns over the loss of taxpayer funds were overblown and unwarranted.

Madam Chairman, unfortunately, both of those assertions have proven to be untrue. Not only does the underlying bill contain an additional $96 million for the United States Enrichment Corporation, but that corporation can no longer be considered to be on solid financial footing, having declared bankruptcy earlier this year.

So it begs the question, why are Republicans in this body providing earmarked funds for bankrupt companies? When the Department of Energy took over operations at the American Centrifuge Project, through its Oak Ridge National Laboratory, many of us had high hopes of how the facility would be run in the future. But those hopes were dashed when the Department of Energy announced that the United States Enrichment Corporation would continue to operate the facility as a subcontractor, essentially maintaining the status quo, a status quo that historically had proven to be inoperable.

Along with now-Senator MARKEY, I requested the Government Accountability Office to look into the Department of Energy's actions with regard to the United States Enrichment Corporation, providing uranium tails to the company while simultaneously harming the uranium mining industry in many of our Western States.

The Government Accountability Office, in the first of two reports this month, found the Department of Energy had been taking steps with regard to the United States Enrichment Corporation that far exceeded its legal authority.

□ 1630

Those of us who have been involved with this issue were hardly surprised by this conclusion, but the report served to undermine all of the claims that supporters of the United States Enrichment Corporation have made about the national importance of the American Centrifuge Project facility.

Now, the Government Accountability Office is scheduled to release its second report later this summer, which concerns the claims that the United States Enrichment Corporation's existence is necessary for national security.

It is clear, however, from the first GAO report, that the Department of Energy's actions have been taken in direct contradiction to Federal law. This must stop. Any further taxpayer money placed in this direction is sure to be wasted.

Madam Chairman, the Department of Energy's track record of giving money to bankrupt companies is abysmal. The House today has a chance to stand up for the American taxpayer and prevent further funding from being provided to companies that simply cannot deliver.

Madam Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Madam Chairman, I must insist on my point of order.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. BURGESS. Madam Chair, I do.

The CHAIR. The gentleman from Texas is recognized.

Mr. BURGESS. I would merely point out that we have had this discussion on the Energy and Water Appropriations bill year in and year out on this issue.

The fact of the matter is the Department of Energy wasted money when it came to Solyndra. We should not support the additional wasting of money simply because it is nuclear energy that is involved at this point.

Realistically, this should have been stopped last year or the year before. The fact that it has not been stopped is not something that we, as Republicans, can continue to justify. This activity needs to cease. To defeat this measure on a technicality is the wrong approach.

I would encourage the Chair to allow this amendment to come forward to a floor vote. I believe it would be supported by the Members.

The CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a determination of whether certain entities have commenced bankruptcy cases.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT NO. 11 OFFERED BY MR. GRAYSON

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal

or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

The CHAIR. Pursuant to House Resolution 641, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Madam Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill that has been considered under an open rule during this Congress.

It is also identical to the amendment that I offered to last year's Energy and Water Appropriations bill, which passed by a voice vote.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of those contractors. It is my hope that this amendment remains uncontroversial—as it has been—and, again, will be passed unanimously by the House.

Mr. SIMPSON. Will the gentleman yield?

Mr. GRAYSON. I yield to the gentleman from Idaho.

Mr. SIMPSON. We are happy to accept this amendment.

Mr. GRAYSON. Thank you very much. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMALFA

Mr. LAMALFA. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used to regulate activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A), (C)) or to limit the exemption in section 404(f)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A)) to established or ongoing operations.

The CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Madam Chairman, we have heard quite a bit about the EPA and the Army Corps of Engineers' overreach regarding waters of the United States. In a preview of just how little regard these entities have for Congress and the law, they have already drastically overstepped the limits Congress has placed on their power.

Section 404(f) of the Clean Water Act explicitly exempts certain activities from regulation, including normal agricultural activities like plowing fields, planting and harvesting crops, and maintaining irrigation and drainage ditches. Congress made these exemptions clear when the act was passed.

Unfortunately, the EPA and Army Corps are, as usual, using creative interpretations of the law in an effort to regulate activities that are clearly exempt from their control. We have seen Federal agencies go after farmers simply for changing crops or improving their irrigation systems, with absolutely no authority to do so.

The exemption on ag activities, in section 404(f)(1) of the Clean Water Act, reads as follows:

Normal farming, silviculture, and ranching activities, such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products or upland soil and water conservation practices is not prohibited or otherwise subject to regulation.

Madam Chair, this is as clear as it can be. These activities are exempt from regulation. However, according to the corps permitting guidance to farmers and ranchers, to qualify, these exempt activities: must be a part of an established ongoing farming, silviculture, or ranching operation. An operation is no longer established when the area on which it was conducted has been converted to another use or has lain idle.

Again, the Army Corps' own words:

If the current use of a property is for growing corn, the exemption does not apply if future activities would involve conversion to an orchard or vineyards.

Nowhere in the law does a requirement that farm work be ''ongoing'' or ''established'' exist. Nowhere in the law is a prohibition on changing crops mentioned.

Madam Chair, my amendment simply directs the corps to follow the law as Congress has written it, to stop attempting to expand its reach based on fictional authority. This House unanimously passed similar language to rein in the corps last year.

Let us remind these agencies that we write the law, not unknown Federal bureaucrats, and that the law applies not just to average Americans, but to the Federal Government as well.

Madam Chairman, I reserve the balance of my time.

Mr. MORAN. Madam Chairwoman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Madam Chairwoman, I rise in opposition to this amendment because it is not necessary. It does not achieve the stated intent. Contrary to a lot of misinformation—and much of it deliberate, I am afraid—that has been circulated, farmers do not need a Corps of Engineers or even an EPA permit to dig a ditch, to till a field, to create a reservoir, or to irrigate their fields.

Congress clarified this issue more than 35 years ago when it passed the 1977 amendments to the Clean Water Act. Those amendments established a well-reasoned and practical approach that ensured far-reaching protections over the Nation's waters, but also ensured that practical day-to-day operations of farmers, of ranchers, of foresters, and a host of other industrial sectors could continue without the need for Clean Water Act regulation.

Section 404(f) of the 1977 law created a list of ''activity-based'' exemptions for normal farming, ranching, and forestry activities, but it also included safeguards to ensure that these exempted activities were not exploited by large-scale commercial interests.

I would also like to register my strong opposition to other attacks against the Clean Water Act that are already a part of this bill, and I refer specifically to sections 105 and 106.

Section 105 blocks the Corps of Engineers from updating regulations pertaining to the definitions of ''fill material'' for the purposes of the Clean Water Act, and section 106 prevents the corps from finalizing its proposed regulation clarifying Federal jurisdiction.

Section 105 protects the work of some attorneys in the George W. Bush administration, who found a clever way to allow mining waste to be dumped into rivers and streams without a rigorous environmental review process.

They simply changed the definition of fill material to include ''rock, sand, soil, clay, plastics, construction debris, wood chips, and overburden from mining or other excavation activities.''

What had once been a permit process intended to allow quick approval of construction projects like bridges and roads—where raising the bottom elevation of a water body or converting an area into dry land was unavoidable—it became a green light for mountaintop mining removal, where an entire mountaintop could be dumped into a stream valley; and since this clever change in definition occurred, more than 2,000 miles of streams have been buried under mining waste.

The environmental and health consequences have been shocking. People living near mountaintop-removed mines are 50 percent more likely to die of cancer and 42 percent more likely to be born with birth defects compared with other people in Appalachia.

Section 106 is another outrage that has been facilitated by interest groups with deliberately misleading statements.

The corps does need to clarify its authority because there is a lot of confusion as a result of two Supreme Court rulings, and the proposed rule clarifies that.

Most seasonal and rain-dependent streams are protected. Wetlands near rivers and streams are protected. Other types of waters will be evaluated through a case-specific analysis. That makes sense.

The corps has encouraged recommendations from the public for how best to determine whether a water

body has significant connection to downstream waters, but we have to bear in mind that 59 percent of all stream miles in the lower 48 States fall into the category of intermittent or ephemeral.

They only exist for part of the year, yet they receive 40 percent of all individual wastewater discharges. More than 117 million Americans get some of their drinking water from those streams that don't flow year round.

So including this rider to block the corps' rule will only ensure that the confusion continues and that these sources of drinking water remain at increased risk of pollution.

With rising temperatures, more severe droughts, and climate change, protection of our waters and wetlands are more important than ever. We need clarity, not more confusion, and this amendment generates more confusion, and so it should be opposed.

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

Mr. LAMALFA. Madam Chairman, how much time is remaining?

The CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. LAMALFA. I appreciate the comments and thoughts from my colleague from Virginia there.

That said, on this amendment, not the catchall on the whole bill here, we are sticking to the exemptions that have been provided for in the law by Congress for farming activities, and we do have the need for this amendment because the enforcement by the Army Corps is happening out in the field in my own district, even on these issues.

We have a screen shot right here from the Army Corps' Web site that lists some of the things I mentioned earlier, as I said, that these activities must be part of an ongoing operation or that there cannot be a crop change without requirements put forth by the Army Corps, giving you permission or denying that permission.

So it is, indeed, necessary because there is overzealous regulation and enforcement of something that doesn't exist in the law as passed duly by the Congress representing the people of the United States.

□ 1645

As I mentioned a bit earlier, once again, this House did unanimously pass similar language on this issue last year, so I would ask to have that support of the U.S. House once again to simply allow farmers to do what they would be doing ongoing and planning to do and have done for many generations all over this country except for a reinterpretation by, in a lot of cases, out-of-control bureaucrats that have a different agenda.

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

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

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

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

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

AMENDMENT OFFERED BY MR. GARAMENDI

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Of the funds made available by title III under the heading ''Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation'', not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) a report that includes an analysis of alternatives with respect to using the existing infrastructure at the Savannah River Site of the Department of Energy, including existing mixed oxide facilities, to conduct an alternative method for meeting the nuclear disposition requirements of the United States. Such report shall include—

(1) a full description of alternatives considered, including not less than two proposals described in subsection (b);

(2) a comparison of the costs and benefits of each such alternative, including an analysis of trade-offs among cost, schedule, and performance objectives;

(3) the identification of the cost and risk of critical technology elements associated with each such alternative, including technology maturity, integration risk, manufacturing feasibility, and demonstration needs;

(4) identification of the cost and risk of additional capital asset and infrastructure capabilities required to support production and certification of each alternative; and

(5) a life-cycle cost estimate for the alternative selected that details the overall cost, scope, and schedule planning assumptions.

(b) In order to obtain alternatives to analyze in the report under subsection (a), the Secretary of Energy shall issue a formal request for proposals for contractors to submit a formal proposal for effective plutonium disposition methods that are alternative to the mixed oxide process, giving consideration to existing capabilities and infrastructure at the Savannah River Site.

Mr. GARAMENDI (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SIMPSON. Madam Chair, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Madam Chair, during the fifties and sixties, we were engaged in what was known as the cold war. We could not build nuclear weapons fast enough, and we surely built a lot of them. Beginning in the eighties and on into the nineties, we got a little more sane. We and Russia and others became somewhat more sane about what to do with our nuclear weapons, and we began to dismantle many of the nuclear weapons we had, as did Russia.

In the nineties, an agreement was reached between the United States and Russia on the disposition—that is, the ultimate disposition and disposal—of the unused, unnecessary plutonium that both the United States and Russia held in their various stockpiles. That was a good thing. You don't want this stuff lying around. You don't want people to get their hands on it, particularly terrorist organizations. So there was a common understanding between Russia and the United States on the disposal of this unused, unnecessary, and extraordinarily dangerous material. The United States undertook to do this in a facility in South Carolina known as the MOX facility, and we have been at it since the late nineties, putting together a facility.

It hasn't gone well. In fact, it has gone very, very badly; and in the recent last 2 or 3 years, the administration has decided that this is not going to work and that the facility as designed should be put in cold storage and there should be a new way of dealing with this issue.

This amendment would instruct the Department of Energy to undertake a very quick and, in my view, a very appropriate process of going out to those entities and businesses and others around this Nation that can find a way of disposing of this very dangerous plutonium, and do it quickly. It calls for a 6-month process in which the Department of Energy would ask for requests for proposals from qualified companies to dispose of this, including the company that presently does it, AREVA, a French company that is currently operating the facility, have them come forward with a redo of their proposal, can they do it, and other companies. I know of perhaps two that can come forward. Get this thing underway so we can once again carry out our commitment in a treaty with Russia to dispose of our plutonium material.

This does not negate the South Carolina facility. In fact, it would hold the South Carolina facility in place and probably lead to the continuation of that facility, perhaps in a new modality, to dispose of the plutonium. That is what it does. It short-circuits—that is, shortens—the time in which the Department of Energy is already moving to do this.

Under their present proposal, I would suggest it would probably be a decade before they decide what to do. But they need a kick in the pants, which this amendment does; get out there, go to the companies that know how to do this, and get it done. It is in the interest of the United States and in the interest of Russia to dispose of this unnecessary, unused plutonium. If we don't move forward this way, we are looking at a decade, in my estimation,

a decade before the Department of Energy is willing to make a decision.

So that is what the amendment does. I suspect I am going to get a point of order here, but I would like all of us to consider the alternative of not doing this. If we don't take a program such as I am proposing here, we are going to wind up with this thing just lingering out there, a huge fight with South Carolina saying we want to go forward with AREVA; AREVA is not working; on and on and on.

So I ask for an ''aye'' vote on the amendment and a foregoing of this point of order so we might, as the House of Representatives, take up this amendment.

I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Madam Chair, I insist on my point of order.

Madam Chairwoman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rules states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment imposes additional duties.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. Yes, I do.

The CHAIR. The gentleman from California is recognized on the point of order.

Mr. GARAMENDI. Madam Chair, I guess I don't understand the suggested ruling. We are spending a pile of money here. We are going to spend, I don't know, some $12 billion on the path we are on. The bill itself proposes to spend money to keep this project going. The administration says we can't go, it is not working, don't do it.

All my amendment does is to tell the Department of Energy, get on with what you need to do anyway; that is, figure out how to do this. It doesn't spend any more money. In fact, it would spend a whole lot less money than in the present drafting of this legislation, and it doesn't change law at all.

All it does is it directs the Department of Energy to do something, and it specifies how it should be done. That doesn't change law. Well, this whole thing is a law, so the bill itself changes law. So this simply directs how they should carry out their action for which they already have money.

Fine, avoid the issue. Let this thing linger, let it fester and rot, and do nothing. And wait 10 years with this plutonium there while the Department of Energy does what it does best which is to contemplate the future rather than getting things done.

Now we will take up the point of order, and this amendment would fail on a point of order. I would suggest to anybody who cares to listen, this issue has to be dealt with. This amendment does not select a winner or loser and it doesn't change the fundamental underlying law that we have put in place.

The CHAIR. Does any other Member wish to be heard on the point of order?

The Chair finds that this amendment imposes new duties on the Secretary of Energy.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. LAMALFA

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following.

SEC. _____. SACRAMENTO RIVER SETTLEMENT CONTRACTS.

None of the funds made available in this Act may be used by the Bureau of Reclamation to terminate, or implement, administer, or enforce the termination of, the existing Sacramento River Settlement Contracts before the resolution of *Natural Resources Defense Council, et al. v. Jewell, et al*, (9th Cir. Case No. 0917661 and USDC E.D. Cal. Case No. 05–cv–01207–LJO–GSA) through decision, dismissal, withdrawal or settlement.

Ms. KAPTUR. Madam Chair, I reserve a point of order against this amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Madam Chair, this language in this amendment will hold the Sacramento River settlement contracts in place until issues associated with the litigation or renewal of the contracts are settled. Maintaining these contracts is critically important to the effective operation of the Central Valley Project and efficient delivery of water north and south of the delta.

The settlement contracts are foundational to the CVP and provide vital stability that benefits the Bureau of Reclamation, agricultural and municipal and industrial water users, the environment, the California State water project and its beneficiaries.

The language does not prejudice the disposition of the ongoing litigation; it simply ensures stability until such issues are resolved.

The settlement contracts, originally entered into by the Bureau in 1964 and renewed in 2005, allowed the United States to properly distribute the Sacramento River water rights and provide operational stability for the CVP. Without these contracts in place and full compliance with their terms, the underlying right to divert water from the Sacramento River will be called into question, potentially creating instability statewide. The settlement contractors would continue to divert water under their historic rights, but will begin to do so earlier in the year and during critical months. In addition, they would not be required to compensate the United States for any of the water they divert. This would cost the Treasury approximately $12 million in lost revenue.

Moreover, the settlement contractors would no longer be obligated to schedule their water diversions with the U.S. This would result, at a minimum, in an inability to operate the CVP in an efficient manner, causing uncertainty and instability throughout the Central Valley Project and the State water project, which serve a combined 23 million people.

Finally, the contract supplies available for diversion under the existing SRS contracts were assumed in all base and future studies used in the U.S. Fish & Wildlife Service 2008 biological opinion pertaining to the delta smelt.

The Ninth Circuit recently confirmed the validity of that biological opinion, as urged by the U.S. and NRDC. Accordingly, continuing these contracts under their existing terms pending the final outcome of the NRDC v. Jewell litigation would have no adverse effect on delta smelt.

I reserve the balance of my time.

The CHAIR. Does the gentlewoman from Ohio continue to reserve her point of order?

Ms. KAPTUR. I continue to reserve my point of order.

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

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Madam Chair, I have great respect for my friend from the Sacramento Valley and the water users he represents, but I must rise in opposition to this amendment. However well-intentioned, it has two fatal flaws. The first is that it is completely unnecessary. Second, it directly interferes with the Federal court's ability to administer the law.

So let's start with the first one, the unnecessary part. It is true that the Court of Appeals ruled in favor of the plaintiffs in this pending litigation because these long-term Sacramento River contracts were signed on the basis of an invalidated biological opinion. But what my colleagues should know is that no party in this ongoing litigation is seeking to terminate water deliveries, nor is anybody asking for the immediate alteration or interruption of deliveries. The litigation has been going on for years, and my understanding is that there is no court action scheduled that could have any effect on water deliveries in the coming years.

If the contracts are ultimately changed to protect California salmon fisheries, that would be many years down the line, and the Sacramento River contractors will have the opportunity to negotiate changes directly with the Interior Department in a public process. That is how it works.

So this amendment puts us in a strange position of trying to bar the Bureau of Reclamation from terminating water deliveries that nobody has asked them to terminate in anticipation of a court order that nobody is seeking. It is completely unnecessary.

□ 1700

Second, this amendment interferes in a court case in a way that should worry all of us in this body. The amendment claims to be about preserving the status quo on the Sacramento River. That is all fine, but if that is the concern that contracts might be terminated—even though nobody is asking them to be terminated and they don't expire for another 30 years—why come to Congress?

The Sacramento River contractors are represented by astute and capable lawyers who could easily go to the court and seek interim relief to do this, and yet they have not sought that relief. Instead, they have come here to the House floor asking to be treated differently than every other Central Valley Project contractor. Seeking a rider to circumvent a court case that is still in its very preliminary stages is no way to make public policy. In fact, I am not aware of Congress ever taking an extraordinary step like this.

There have been many Endangered Species Act challenges to water contracts over the years in California. Never has a court simply vacated any contracts. In fact, even after finding the contracts invalid under the Endangered Species Act, courts have always given the agencies and the contractors time to do their work and renegotiate the terms without terminating anything in the interim. That is exactly what will happen in this case if we simply let the litigation play out, as we should.

Madam Chair, I yield the balance of my time to the gentleman from Contra Costa County (Mr. GEORGE MILLER), who has been such a leader on California water for his 40 years in the House of Representatives.

Mr. GEORGE MILLER of California. Madam Chair, I thank the gentleman for yielding and thank him for reserving this time in opposition.

I think the gentleman from California has made the point very clearly, this amendment is seeking to play by a set of rules that is different than any other contractor in the State, and also makes a point very clearly that there is no intent here by any of the parties to curtail these contracts in any immediate time or suggest that they be abandoned or they be found invalid, not at all. It is just a question of whether or not the basis on which they were determined to go forward, that biological opinion, has turned out not to be valid. So they are simply asking for a re-review of these contracts.

What this amendment would say is that this group of contractors gets to play by a different set of rules than everybody else in the State. As we all know, those of us who are from California and many of our colleagues in Congress have learned over the years this is a very, very integrated system. It is a very complex system, and it has multiple claims on the water in the State, from farming, from technology, from communities, from manufacturing, from the chemistry, and from the environment, from recreational fishers, from commercial fishers, from an industry that is hundreds and hundreds of millions of dollars and thousands of employees.

The question is are these contracts valid in light of the biological opinions. To say that they have been assumed in the biological opinions doesn't say that they have been reviewed. So this is just a question on this amendment to this legislation as to whether these people can take themselves outside of the judicial review, take themselves outside of the environmental considerations, take themselves outside of the economic considerations that no other water district, no other contractor gets to do.

Certainly at a time when people are under such stress about the availability of water, it starts to look like a very special privilege to be able to be plucked out when everybody else is undergoing this kind of scrutiny, trying to figure out how we can make the most flexible system, a system that can respond to this very diverse California economy and to the needs of domestic households in a very serious drought and a drought that may continue in the years to come. Again, nobody has suggested that we abrogate these contracts simply to proceed under regular order.

The CHAIR. The time of the gentleman has expired.

Ms. KAPTUR. I continue to reserve a point of order.

Mr. LAMALFA. Madam Chairman, I yield, upon the heels of the statements by my bay area colleagues, 2 minutes of time to my colleague from the valley, Mr. GARAMENDI, who represents much of this area.

Mr. GARAMENDI. Madam Chair, I want to thank my colleagues on both sides of this question.

I think it would be wise to really take a look at the language of the amendment. It basically says that none of the funds made available by this act may be used by the Bureau to terminate, to implement, administer, or enforce the termination. This is about the Bureau terminating. It simply says the Bureau cannot terminate the contract until this court case is settled.

Is it necessary? It really depends what the Bureau intends to do. I would suspect that the Bureau probably would not move to terminate, but they could, in which case chaos ensues.

There will be a settlement in this court case at some time in the future. We don't know when. It is a very complex case. It deals with biological opinions. It deals with the ESA. It deals with very complex biological circumstances of the fish in the delta. This amendment simply says the Bureau cannot terminate until the court case has been settled. That is it.

Is it necessary? Well, it could be necessary. Therefore, this simply puts in place a requirement that would avoid chaos in the Central Valley Project. That is it.

My colleagues with whom I normally stand side by side in protecting the rivers, I find myself on the opposite side because this amendment needs to be understood in its simplicity and in its potential importance. Therefore, I support the amendment.

Mr. LAMALFA. Madam Chair, what time do I have remaining?

The CHAIR. The gentleman from California has 45 seconds remaining.

Mr. LAMALFA. Thank you, Madam Chair.

I appreciate my colleague additionally adding to that.

I think in response to the amendment not being needed or setting a bad precedent, the stability that is so desperately needed for water delivery to the whole project is why we are doing this. It will have effect for 1 year or until the case is settled. These are ongoing contracts. We are not changing anything. It is not moving in any new direction here. But the instability that can be caused by an impending ruling or maybe a change of mind by the Bureau of Reclamation would cause much chaos, as my friend had suggested. This isn't an unreasonable amendment to add to maintain the stability we need for an additional year.

I yield back the balance of my time.

POINT OF ORDER

Ms. KAPTUR. Madam Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states, in pertinent part, ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment imposes additional duties by requiring the Bureau to determine whether a decision constitutes a resolution.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. LAMALFA. Madam Chair, I do.

The CHAIR. The gentleman from California is recognized.

Mr. LAMALFA. Madam Chair, I would like a ruling in opposition to that, because I think what we are talking about here does not change law. It changes nothing other than maintaining the direction we have. It is not requiring any action by the Bureau or Department of the Interior or any other government agency, nor prejudicing anything by the court, simply keeping what we have in place with the contracts and the stability that is needed.

So I think the point of order is invalid with what the intention of this amendment is.

The CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this amendment includes language requiring a new determination as to what constitutes the resolution of a particular court case through a decision.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. HUFFMAN

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. For an additional amount for programs, projects, and activities of the Bureau of Reclamation authorized under the Reclamation Wastewater and Groundwater Study and Facilities Act (title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.), there is hereby appropriated, and the amount otherwise provided by this Act for ''Department of Energy—Energy Programs—Nuclear Energy'' is hereby reduced by, $52,000,000.

The CHAIR. Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Madam Chair, California and the rest of the West are facing a historic drought right now. Nearly 80 percent of California was under extreme drought conditions in June, and 36 percent of our State is in ''exceptional'' drought in that category, the highest category, in fact, on the U.S. Drought Monitor.

Emergency water conservation plans are being adopted across the State, including many mandatory measures. Cities and counties are dealing with uncertain water supplies, farmers and ranchers are facing incredibly difficult decisions, and tribes and those who depend on healthy fisheries for their livelihood are facing shortages like they have never seen.

Congress can't make it rain. What we can do is invest in drought-resistant water supplies through smart, sustainable investments in conservation and water reuse, and that is what this amendment is all about.

My amendment directs $52 million to the Bureau of Reclamation for title XVI water conservation and reuse projects. Through this program, Reclamation works across the West to support municipalities, farmers, fish and wildlife, and recreation through water-saving conservation, reuse, and recycling infrastructure projects.

Although the Energy and Water bill before us today does fund the program, this drought is showing us that we have to do a lot more.

California's State water board is stepping up. They made an $800 million investment in water reuse projects earlier this year, but we on the Federal side should be able to add more to that. We should add $52 million to combat this urgent problem in California and other Western States.

This amendment is offset through a reduction in the Department of Energy's nuclear energy account. We have tough choices to make. I think we all understand that. Responding, however, to this drought should be a national priority.

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

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

The CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chairwoman, I strongly oppose this ill-conceived amendment.

This amendment would cut $52 million out of the Nuclear Energy Program. This is on top of an amendment that was adopted yesterday that already cuts $73 million out of the nuclear energy program.

What I have heard for 2 days now is that climate change is a big issue. In fact, the drought in California and the West has been blamed on climate change. It may be true. I don't know. But if you believe that, then why are you attacking the one thing that can produce energy for this country in a carbon-free way? That makes no sense.

So I strongly oppose this amendment. As I said, I understand my colleague's support for the title XVI program. Due to the request from the gentleman and many others within this Congress, funding for the title XVI program basically is at current rate while many other programs have been cut.

We did this by balancing many priorities that the amendment would completely ignore. The amendment would cut, as I said, $52 million from nuclear energy. This is a 6 percent cut on top of the amendment yesterday. Accepting this amendment would be a 14 percent cut in nuclear energy.

Again, if you really believe in climate change and that we have to address it, one of the major things that is going to address it is going to be nuclear energy. Well, I like wind and solar and all of those kind of things. They don't produce the energy for the base load that is necessary in this country, particularly in California.

As I said, this is an ill-conceived amendment. Funding for nuclear research and development is a critical part of this recommendation support for a balanced energy portfolio, American manufacturing, and reduced reliance on foreign energy sources. Nuclear power currently generates 20 percent of the Nation's electricity, and it will continue to play a role in the future, I hope. Nuclear energy will be part of the energy mix in the future. America invented nuclear power, but now other nations are mimicking our companies' designs and building them entirely within their own borders.

This amendment is bad policy, and I strongly oppose its adoption.

I yield back the balance of my time.

□ 1715

Mr. HUFFMAN. Madam Chair, we either believe that this critical drought in California and other Western States, the most extreme drought that many of us have seen in our lifetime, we either believe it is a national crisis and a national priority, or we don't.

A few months ago, House Republicans put forward a bill that represented itself as a response to this drought, and yet it offered no immediate relief to the folks who are suffering in California.

Instead, what it did is hack away at environmental laws and try to do some violence to 100 years of deference to State policy on water rights and otherwise pick winners and losers in ways that was not responsive to this drought.

What this amendment offers, though, is something that can make an immediate difference. The water that we save through conservation, the water that we can save in the years ahead through water recycling, is some of the firmest, most reliable, most cost-effective water that you can provide. It is one of the smartest investments you can make in a State like California.

We need it to respond to this drought, and we need it to make our water supplies more reliable and resilient for future droughts, which we know are coming with more severity and more frequency.

I will close by urging my colleagues to vote ''yes'' for this important amendment which does respond to the critical drought that is facing California and other Western States.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. LUETKEMEYER

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111–8).

The CHAIR. Pursuant to House Resolution 641, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Madam Chair, just turn on the news and you will see reports that highlight the need for a strong and resilient flood protection system as people along the Missouri and Mississippi Rivers are bracing for potential floodings.

These basins have faced major challenges over the past few years due to both extreme flooding and droughts. This devastation, combined with a sluggish economy and our aging inland waterways infrastructure, means that now, more than ever, we must be focused and responsible with taxpayer-funded river projects.

My amendment would prohibit funding for the Missouri River Authorized Purposes Study, also known as MRAPS. This $25 million-earmarked study comes on the heels of a comprehensive $35 million, 17-year study that showed that the current authorized purposes are important and should be maintained.

This Congress and this administration need to focus on protecting human life and property by maintaining the safety and soundness of our levees. We also must support the important commercial advantages provided to us by our inland waterways system.

The Missouri River moves goods to market and is an important tool in both domestic and international trade. That is why the American Waterways Operators, the Coalition to Protect the Missouri River, the Missouri Farm Bureau, and the Missouri Corn Growers support this amendment.

This study puts in jeopardy not only the lower Missouri River, but also the flow of the Mississippi River, which could create devastating consequences for navigation and transportation, resulting in barriers for waterways operators, agriculture, and every product that depends on the Missouri and Mississippi Rivers to get to market.

The current authorized uses of the Missouri River provide necessary resources and translate to continued economic stability not only for Missourians, but also for many Americans living throughout the Missouri and lower Mississippi River basins.

This study is duplicative and wasteful of taxpayer dollars. On this exact issue we have already spent 17 years and $35 million on hundreds of public meetings and extensive litigation. I offered identical language during our first debate on the fiscal year 2011 continuing resolution. That amendment passed by a vote of 245–176. The exact amendment was also offered and passed by a voice vote in 2012 by a vote of 242–168 in 2013, and again by voice vote in last year's debate.

I appreciate my colleagues who offered their support and hope to have that support again.

Madam Chair, there is no doubt in my mind that water resources receive too little funding. It is time for the Federal Government to refocus and reprioritize to create safer, more efficient infrastructure for our inland waterways and stop spending hard-earned taxpayer dollars unnecessarily.

I ask my colleagues for support of this amendment and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, after line 20, insert the following:

SEC. 508. None of the funds made available by this Act may be used to approve a liquefied natural gas export application from a facility that would be supplied with or export liquefied natural gas on foreign-flag vessels when an application that would be supplied with or export liquefied natural gas on American-flag vessels is pending.

Mr. SIMPSON. Madam Chairwoman, I reserve a point of order against the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Madam Chair, I would hope my colleague from Idaho, after finishing the excellent explanation I have of this, would withdraw his point of order.

This is about an extraordinary opportunity that the United States has. We have been blessed with a very significant supply of natural gas. We have the technology to obtain that gas, and we also are now looking at the possibility or the reality of exporting that natural gas in the liquefied natural gas form. A facility is already licensed and is in the process of nearing construction on the Texas coast.

This amendment would actually replicate what was passed by the House of Representatives in 2006 and became law with President George W. Bush's signature, which basically said that if we are going to import natural gas, it must be imported on an American-flagged ship.

We will soon be exporting liquefied natural gas, and this is the only step available to me in this forum to replicate what we did in 2006. Now we would at least take a step towards making sure that natural gas is exported on American-flagged ships.

This is a big deal for the maritime industry of America. This is a big, big deal. Because if we fail to take steps along the way to secure the maritime industry, we will see it disappear.

We have the Jones Act, and that is good, but the Jones Act has only held the very minimum. It is 82 ships now. Forty years ago, we had 1,000 ships operating under the American flag, with American sailors and mariners.

If we allow this amendment to go into place, it would simply require that the Department of Energy put in front of other applications those applications that have utilized American-flagged ships in the export of their liquefied natural gas.

It sounds to me to be the right thing to do if you care about America. If you don't give a hoot about American sailors and American ships and the American maritime industry, then brush this aside with the point of order.

Idaho isn't on the coast, but Idaho cares deeply, deeply about the export of American grain on American ships for programs such as Food for Peace and the Jones Act.

This amendment would begin to secure the American maritime industry by simply saying to the Department of Energy: If you are going to approve an LNG export facility, then put first in line that export facility that is going to utilize American sailors, American crews, and American ships. If you care about this Nation's maritime industry, then you ought to be supporting this amendment and my next one, which goes in the same direction.

So I would ask my colleague from Idaho, who controls this debate at this moment, to put aside his point of order and allow the House of Representatives to have a vote on whether they care—all 435 of us—about the American maritime industry and this one little step in providing an opportunity for American-made ships, American sailors, American crews, and the American maritime industry to survive in a very hostile environment, where other countries, like China, and others, subsidize their maritime industry and have literally decimated the American maritime industry.

Let's support Americans. Let's support our industry. Let's have this amendment come to a vote on the floor and let us all see whether we stand with the American Shipbuilding Council and the Navy League and others who do support this.

I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I reserve my point of order and claim the time in opposition to the amendment.

The CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, I don't usually do that, but since he challenged me directly, let me see if I have got this straight. We have a law that says if you are going to import natural gas, it has to be on an American-flagged ship. And now we want to put in a law that says if you export natural gas, it has to be on an American ship.

So, as I understand it, if every other country adopted a law similar to this, according to their country, we could neither import nor export natural gas around this world. So while this might be a good law, seemingly, I don't see how it would actually be beneficial.

The gentleman always has thoughtful amendments which always seem to be out of order.

POINT OF ORDER

Mr. SIMPSON. Madam Chairwoman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XX1.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. Of course I do.

The CHAIR. The gentleman from California is recognized.

Mr. GARAMENDI. My colleague from Idaho correctly asked me a question: How does this work? Would this in fact stop the export of LNG?

No, it absolutely would not. Other countries who want the LNG may or may not operate ships. The fact of the matter is it is going to take hundreds of ships to export this natural gas.

The reality is that this amendment——

The CHAIR. The gentleman will confine his remarks to the point of order.

Mr. GARAMENDI. I will take your admonition and continue on.

How much time do I have to talk on the point of order?

The CHAIR. This debate is not timed.

The gentleman must confine his remarks to the merit of the point of order.

Mr. GARAMENDI. Did the Chairwoman say that the time is unlimited as long as I speak to the subject?

The CHAIR. It is within the discretion of the Chair to entertain argument on a point of order.

The gentleman may be heard on the point of order only.

Mr. GARAMENDI. We will come back at this in the proper way.

The CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination of the flag status of vessels on pending export applications.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1730

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Madam Chair, I have an amendment at the desk. It is amendment No. 62.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 (Public Law 110–114).

The CHAIR. Pursuant to House Resolution 641, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Madam Chair, just last week, folks along the Missouri River were bracing for the river to possibly reach flood stage.

Should the basin have received a few more inches of runoff, homes, farms, and businesses would have been inundated with devastating flood waters. While it appears the danger has subsided for now, these citizens are not in the clear and will have to remain prepared for the rest of the flood season. These recent events serve to highlight the importance of maintaining effective flood control infrastructure.

Though it is one of our region's greatest resources, the Missouri River would produce extreme, erosive regular flooding and be mostly unfit for navigation, if not for the aggressive long-term management by the Army Corps of Engineers.

Congress first authorized the Missouri River bank stabilization and navigation project, BSNP, in 1912, with the intention of mitigating flood risk and maintaining a navigable channel from Sioux City, Iowa, to the mouth in St. Louis.

Though the BSNP's construction was completed in the 1980s, the corps' ability to make adjustments as needed remains crucial to this day.

President Obama, in his fiscal year 2015 budget, requested $56 million for the Missouri River Recovery Program, which primarily goes towards the funding of environmental restoration studies and projects.

This funding dwarfs the insufficient $8.5 million that was requested for the entire operations and maintenance of the aforementioned BSNP. It is preposterous to think that environmental projects are more important than the protection of human life.

I do not take for granted the importance of river ecosystems. I grew up near the Missouri River, as did many of the people I represent, yet we have reached a point in our Nation at which we value the welfare of fish and birds more than the welfare of our fellow human beings. Our priorities are backwards, Madam Chair.

My amendment will eliminate the Missouri River Ecosystem Restoration Plan, or MRERP, a study that has become little more than a tool of the environmentalists for the promotion of returning the river to its most natural state, with little regard for flood control, navigation, trade, power generation, or the people who depend on the Missouri River for their livelihoods.

The end of the study will in no way jeopardize the corps' ability to meet the requirements of the Endangered Species Act. MRERP is one of no fewer than 70 environmental and ecological studies focused on the Missouri River.

The people who have had to foot the bill for these studies, many of which take years to complete and are ultimately inconclusive, are the very people who have lost their farms, their businesses, and their homes.

Our vote today will also show our constituents that this Congress is aware of the gross disparity between the funding for environmental projects and efforts and the funding for the protection of our citizens.

This exact amendment has been passed by voice vote during debate in the last 3 fiscal year Appropriations bills, which were ultimately signed into law by President Obama. It is supported by the American Waterways Operators, the Coalition to Protect the Missouri River, the Missouri Farm Bureau, and the Missouri Corn Growers Association.

It is time for Congress to take a serious look at the water development funding priorities, and it is time to send a message to the Federal entities that manage our waterways. I urge my colleagues to support this amendment and support our Nation's river communities and encourage more balance in Federal funding for water infrastructure and management.

Madam Chair, I ask my colleagues for their support of this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Madam Chair, I have amendment No. 102 at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, after line 20, insert the following:

SEC. 508. None of the funds made available by this Act may be used to approve an application for the supply or export of liquefied natural gas unless the Department of Energy has consulted with the United States Maritime Administration on the availability of United States-flag vessels to transport the liquefied natural gas.

Mr. SIMPSON. Madam Chair, it is deja vu. I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Madam Chair, before we go to the point of order dance, which we seem to be pretty good at, I want to explain why this is an important step. It is not as strong as the previous issue I raised, but it is, nonetheless, a very, very important step in the process of how we are going to export our liquefied natural gas.

As I said earlier, the United States is blessed with a very significant amount of natural gas. Many people raise the question about whether we should export it at all. That question is interesting, but moot because we are going to export it.

We have already had one facility that has been approved and will be soon exporting gas. The question that this amendment addresses is: Will that gas be exported on American ships, with American flags, with American sailors?

As I said with regard to the previous amendment that I brought up, this issue has already been resolved with regard to the importation of natural gas.

We are now talking about the exportation of natural gas, and therefore, we would simply do the same thing we do with import—do it on American ships, with American sailors, with the American flag.

There is a reason for that. I explained that earlier. It has to do with our maritime industry. It has to do with the safety of those ships. Let me just tell you that these ships carry an extraordinary amount of natural gas, and should there be an incident, then it could be extraordinarily dangerous in our ports. That is why the original law in 2006 was put in place.

All this amendment does is to set small criteria for what already happens. The Department of Energy does consult with MARAD. They already do the consultation.

This simply says: in that consultation, consider the American flagging of these ships. It doesn't set a requirement. It doesn't set new law. It simply says: when you consult, Mr. Secretary of Energy, with MARAD, then consider the American flagging of these ships. That is it—nothing more.

I have got to tell you that this is important stuff, and that is why the Navy League and that is why the Shipbuilders Council and, as I said, others—I don't have their letters with me today—have said in their letter—and I will read this paragraph—that one proposed amendment would require the Department of Energy, DOE, to consult with MARAD on the availability of U.S.-flagged vessels in processing applications for the export of liquefied natural gas, LNG.

That is it. They support this. Why? Because they see the opportunity for the maritime industry to do in the export what is required in the import. That is it. How this could be ruled out of order, I don't understand, but when that opportunity comes, I intend to take that up also.

Why don't we vote? As Members of this House, why don't we vote on whether we support our maritime industry or not?

I yield the remaining time to my colleague from the great State of Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Chair, I would just like to thank the gentleman for offering his amendment.

Even though it is subject to a point of order, I think you are drawing attention to the importance of the U.S. maritime industry, and this burgeoning opportunity is extraordinarily important.

I just wanted to commend the gentleman for that, and I know how hard you fight for our ports and for our maritime community. Let's find a way to do this somehow.

Mr. GARAMENDI. Madam Chair, how much time do I have remaining?

The CHAIR. The gentleman from California has 45 seconds remaining.

Mr. GARAMENDI. I don't know what more to say here. The points of order are useful, I suppose, but not to me.

Madam Chair, to this issue, I would love to see a vote on the House floor on whether we really support our maritime industry, on whether we really support our sailors or not.

This is about as minimal an amendment as I could imagine, and I am almost embarrassed in bringing something so weak before this floor on something so important as the future of our maritime industry.

I don't know that I have any choice, but to at least try with this small step to bring before the House an amendment that would really help our industries.

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

Mr. SIMPSON. Madam Chair, I continue to reserve my point of order, and I claim the time in opposition.

The CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, the gentleman brings up an interesting subject, as the gentlewoman from Ohio said, and it is something that I would hope he would continue to work on through the appropriate channels. There are problems that may exist with his proposal here, and this is not the right place to do it, on the appropriations bill.

The amendment would prevent the Department of Energy from approving an application for liquefied natural gas export, unless the Department has consulted with the U.S. Maritime Administration on the availability of U.S.-flagged vessels to transport the liquefied natural gas. The Department does not have nor are applicants for LNG export currently required to provide information on which vessels will be used for transportation.

In fact, shipping companies are separate and distinct from companies applying for export licenses, and assessing the shipping requirements for LNG is not within the DOE's current realm of technical expertise. The reality is that there are a few, if any, U.S.-flagged vessels capable of carrying LNG at this point.

I know the gentleman would like to change that, and I agree with him on that, but we need to do it through the proper channels. We need to do it through legislation that, I understand, the gentleman is probably working on now through the authorizing committees.

POINT OF ORDER

Mr. SIMPSON. Madam Chairwoman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment imposes additional requirements.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. I do, Madam Chair.

The CHAIR. The gentleman from California is recognized.

Mr. GARAMENDI. Madam Chair, keeping in mind your admonition that I speak to the point of order and not to the underlying amendment, I don't believe this changes any existing law; although, the entire bill changes existing law.

This amendment speaks to one part of what already takes place, and that is that the Department of Energy does consult with MARAD on this subject matter. This amendment simply says that the Department, in that consultation, shall consider the issue of availability of American-flagged crude-LNG tankers. It doesn't say you can't go forward. You can go forward. It doesn't say anything about that. It simply says that, in that consultation, take into account this simple issue.

With regard to the point of order, the amendment that preceded my attempt with this amendment did, in fact, change law, but it was not ruled out of order.

Now, I accept the fact that I can't have it my way. In fact, I am one of seven children, and I have never really had it my way. But this is not a substantive or even a minor change in law compared to what preceded this amendment.

Okay. I know I am going to lose this one, but I am not going to give up on this issue. I appreciate the support of the chair on building American LNG tankers, and we will bring that to the appropriate committee at the appropriate time.

In the meantime, Madam Chair, I think you are about to make a ruling.

□ 1745

The CHAIR. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment imposes new duties on the Department of Energy to consult with the U.S. Maritime Administration.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. STOCKMAN

Mr. STOCKMAN. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC._____. ENERGY LOAN PROGRAM.

No funds made available by this Act may be used for the Department of Energy's Loan Program Office.

The CHAIR. Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. STOCKMAN. Madam Chair, we have seen, as you get on the plane you fly into San Jose, Madam Chairman, as you fly and drive south, you will see a

huge building which was built with taxpayer money. This building is known as Solyndra, and the assets that were contained within were sold to the Chinese for 10 cents on a dollar. So our money, our taxpayer dollars, went to a program which failed.

Again and again, you see the Energy Department investing and calling winners and losers; and I, for one, want to see a stop to the money that flows from the taxpayers into failed, nonproductive industries.

This amendment simply eliminates the funding for a program which has already been demonstrated as an embarrassment, not just to our government, but actually to the administration. I think that, quite frankly, it is a simple amendment, and it would do great justice to the American taxpayers and would do great justice to America if we stop funding the Chinese technology through ''gimme'' loan programs and selling our assets at 10 cents on a dollar.

Madam Chair, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Madam Chairman, I rise strongly to oppose the amendment of my friend. The funds my colleague seeks to remove are administrative costs that the Department of Energy needs to conduct oversight of its existing loan portfolio.

The recent loan guarantee to create the first new nuclear facilities in over 30 years at the Vogtle plant in Georgia will create thousands of jobs and will need oversight to ensure funds are spent properly.

In April, the Department made available $8 billion of loan guarantees to accelerate advanced fossil energy technologies on the cusp of development. These loan guarantees, among others, need administrative support for decades to come.

Without those administrative costs, the Department would not be able to monitor risk, manage projects, or provide the proper financial analysis that a loan guarantee needs. These activities are essential to ensure that taxpayer funds are protected in the existing loan portfolio.

For these reasons, Madam Chairman, I cannot support our colleague's amendment, and I urge Members to vote ''no.''

Madam Chairman, I reserve the balance of my time.

Mr. STOCKMAN. Madam Chair, I respect my colleague, and I think he has some valid points; however, we repeat this mistake over and over again when we invest in failed projects that continually end up costing the taxpayers money and then we end up selling it to a Third World or some other country, and our taxpayers are losing money.

I, for, one, would like to send a message to the Department telling them we as taxpayers don't want to see them wasting money, and, hopefully, this will be a shot across the bow where they are more studious with our money and more aware of the taxpayers' concern that they should not invest in every kind of program.

In fact, the administration just again loaned more money to solar panels, which, again, is going to go bankrupt. In fact, almost all the solar panels which they have loaned money to have all gone bankrupt, and that ends up coming out of the pockets of the taxpayers.

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

Mr. ROGERS of Kentucky. Madam Chairman, I yield 1 minute to our distinguished colleague from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Chair, I thank the chairman of the full committee for yielding and rise to oppose the gentleman's amendment.

I find it extremely shortsighted because in this particular program we have so many successes. We have built 15 advanced vehicle manufacturing facilities, one of the largest wind farms in the world; constructed the first nuclear power plant in the country in more than 3 decades, the largest photovoltaic generation facility of its kind, the largest concentrated solar power plant in the world.

I can tell you this isn't just—this is new technology. This is like NASA at the beginning, where we have got private sector money involved but also public sector money.

There will be some errors made, that is true. And let me tell you, the Chinese undercut the market. I have seen it happen. I am from the solar valley of Ohio, and I saw what the Chinese did.

We still have First Solar, the best company in the country in terms of volume and so forth, and that was largely privately funded; but at the beginning it had some photovoltaic research dollars that came from the Department.

So we are talking about inventing the future. This isn't quite the same as going out for a car loan, because when you have predators like China come and literally buy your technology from under you in your startup company, it is a very slippery playing field.

I would say they have done a commendable job in embracing the future. I think the gentleman's amendment really is not constructive.

I thank the gentleman for yielding me the time. I oppose the amendment and ask my colleagues to do the same.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. STOCKMAN).

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

Mr. STOCKMAN. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. STOCKMAN

Mr. STOCKMAN. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC._____. OFFSHORE DRILLING PERMITS.

No funds made available by this Act may be used by the Department of Energy to block approval of offshore drilling permits.

The CHAIR. Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. STOCKMAN. Madam Chair, there is oversight. I would argue that there is oversight on the permits such as off the coast of Texas in which we have been developing it, and there has been, I feel, unfair interference. I think to send a signal to the Department that we are serious about allowing us to become number one in the world of energy, my district alone employs thousands and thousands of people in the energy industry, and having these kind of restrictions laid upon the industry is not longsighted but, rather, shortsighted.

So I would ask that the amendment be accepted as proposed. I think that, overall, it will be a benefit to the United States if we develop.

Off the coast of California, they have as much as $1 trillion in reserves, and much of it is actually seeping up naturally onto the shores of California. Actually, by allowing industry to develop those fields, you would actually have less seepage of oil up on the coast of California.

I, for one, want us to continue to create jobs, and the number one job creator in the United States now and today is energy. I think that if we look at the future, the future of the United States is going to be in the energy industry as we surpass Saudi Arabia.

Madam Chairman, with that, I reserve the balance of my time.

Ms. KAPTUR. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chairman, I rise to oppose the gentleman's amendment.

Number one, it is nongermane to our bill. In fact, the amendment is actually unnecessary because there are no funds related to this purpose in our bill at all. Perhaps the gentleman could present the amendment to another bill, but literally, it is extraneous. It has no relationship to the bill before us here in the House, and I would ask my colleagues to oppose it.

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

Mr. STOCKMAN. My colleague from Ohio, whom I have for many years admired, if that is accurate, then it

shouldn't be a problem supporting it if it doesn't have any impact on the bill. I believe it does. From what I understand, it would be germane, but that is a difference of opinion.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. STOCKMAN).

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

Mr. STOCKMAN. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 508. None of the funds made available by this Act may be used to finalize, implement, or enforce any rule that would increase electricity prices or reduce electricity reliability.

Mr. SIMPSON. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 641, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Madam Chairman, I want to begin by congratulating my colleagues, Chairman SIMPSON and Ranking Member KAPTUR, for crafting a strong bipartisan bill that enhances our Nation's energy infrastructure, strengthens our nuclear weapon security programs, and ensures investments are made to grow jobs here in America.

Furthermore, I would like to thank the chairman and ranking member and the hardworking committee staff for accepting language into the base bill regarding navigable waters. This past April, 28 of my colleagues joined me in a letter to the Appropriations Committee suggesting language be included. I am pleased that it ended up in the final product, and I thank you, Chairman SIMPSON, as do our Nation's farmers and ranchers.

The amendment I bring to the floor today would limit the administration's ability to create and enforce rules through the Department of Energy, rules that would increase our cost of electricity and decrease the reliability of our electric grid.

This administration has made unprecedented rules and regulations when it comes to the sources of our electric generation. This President's ideological stance against fossil fuels, which supplies 80 percent of our domestic electricity, is crippling industry and increasing costs for all Americans.

These policies injure low-income Americans the most. Those with the least amount of disposable income in my north central Florida region and district will have to choose between feeding their families or possibly turning on their air conditioner.

This is America, and we have the means to produce inexpensive, reliable energy sources, and we need to do just that. We do it responsibly, and we have become great stewards of the environment.

□ 1815

We, as the people of government, in government, should do what is best for the American people, for the American economy, increasing our security, energy security, and our competitiveness.

With that, Mr. Chairman, I yield to the gentleman from Idaho (Mr. SIMPSON) for any remarks that he may have.

Mr. SIMPSON. Madam Chair, I want to say, even though I am going to raise a point of order against this amendment, I support the idea of what he is trying to do.

I am concerned about some of the unintended consequences this amendment might have. But I agree with its intent, to prevent administration rules that increase electricity prices or reduce electricity reliability.

I look forward to working with my colleague to identify and mitigate, if necessary, its unintended consequences and the ways that we might be able to do this that don't subject themselves to a point of order.

Mr. YOHO. Madam Chair, I understand that, and I appreciate that the chairman's concern is the broad nature of the amendment.

Still, my hope is to work with Chairman SIMPSON and Chairman UPTON to find a solution to this problem. I cannot and shall not sit idly while this administration singlehandedly destroys the most reliable and affordable energy source in the world.

And with that, Madam Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Madam Chairwoman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the effect of a rule on electricity prices or reliability.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. SEAN PATRICK MALONEY of New York. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the order entitled ''Order Accepting Proposed Tariff Revisions and Establishing a Technical Conference'' issued by the Federal Energy Regulatory Commission on August 13, 2013 (Docket No. ER13–1380–000).

The CHAIR. Pursuant to House Resolution 641, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Madam Chair, many of my colleagues may be familiar with the Federal Energy Regulatory Commission, also known as FERC. But I imagine few of my colleagues have experienced an agency with the accountability that we have experienced in the Hudson Valley recently, or have seen how a few unelected bureaucrats can wreak havoc, literally, on our utility bills and those of our struggling neighbors without regard for basic facts, like how those people use energy or how those bills will be paid or whether people can even afford to pay these bills after the worst winter and the highest energy costs we have seen in a generation. This egregious bureaucratic overreach has to stop.

In January, FERC approved a plan to create what is called a new capacity zone in the Hudson Valley. Now, this new zone would arbitrarily impose an unprecedented $230 million increase in energy costs in my region for just the first year alone, and nearly $500 million in increased costs over the first 3 years. This is absolutely outrageous and unnecessary.

No one elected anyone in the FERC, and they are accountable to no one. But their decisions affect all of us and, in this case, affect the struggling ratepayers of the Hudson Valley.

Initial estimates suggest that customers throughout the Hudson Valley could see their utility bills go up by as much as 10 percent. This, again, after the worst winter and highest energy costs in a generation.

Every single day, I am hearing from my neighbors about how awful this decision is and their fears of how they will pay for their energy. I heard from Russ in Putnam Valley, who told me that, as a senior on a fixed income, this is an increase that he simply can't afford. He is expected to pay $120 more over the next year, and he doesn't have it.

And it is not just families that will be hit. Schools, like those in Carmel,

are scrambling to find ways to cut budgets that are already stretched thin. And our large employers, like IBM, estimate that this FERC decision could cost just IBM up to $10 million over the next year.

Now, you might think that any agency with that kind of destructive power might be accountable to someone, but apparently you would be wrong.

Last week, I received a letter from Dutchess County Executive Marcus Molinaro stating that, in the 20 years that he has been in elected office, ''I have never interacted with a less accessible, less accountable government entity, seemingly impervious to legislative and public scrutiny.'' I couldn't agree more, and we have that agreement across party lines and across levels of government.

The new capacity zone is an unnecessary and destructive step designed to fix a problem that we can fix in so many other ways, and we have to rein in these unaccountable Washington bureaucrats.

So my amendment is simple. It would specifically prohibit funds from going towards allowing the Federal Energy Regulatory Commission to enforce the decision that created the new capacity zone. Because a runaway agency like this needs a serious wake-up call, and this amendment will let FERC know that they are accountable to folks like Russ and the people in Carmel and the seniors in my district and to this Congress.

I reserve the balance of my time.

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

The CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, I rise in opposition to the amendment. And I certainly understand the gentleman's concerns.

We engaged in a colloquy an hour or so ago. And I supported the Member's concerns, and I still do. However, this amendment goes beyond what I can support.

I am concerned that such a blunt action, as this amendment, may have unintended consequences. We simply have not had time to understand all of the implications to electricity prices and electricity reliability or other interactions with the FERC order referenced in the amendment. Therefore, I must oppose the amendment.

I yield back the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chair, I thank the chairman for his assistance with the colloquy earlier. I respect his remarks.

Let me just point out that this amendment relates to a specific FERC docket. So by definition, it can affect nothing other than this specific decision that I have referred to.

I yield for such time as he may wish to consume to the gentleman from New York, CHRIS GIBSON, my colleague from across the aisle who also represents the Hudson Valley.

Mr. GIBSON. Mr. Chair, I want to thank my friend SEAN PATRICK MALONEY. We are working together on this amendment, and we are fighting for our constituents.

We just came through last winter, one of the harshest winters for those in upstate New York, where we saw our gas and home heating prices rise. We saw our electricity prices double. And yet as my friend Mr. MALONEY just pointed out, we see that FERC wants to continue on and has moved forward with this new capacity zone, which they claim is going to lead to more generation.

But, look, these rising rates, they are not necessary. We already have interest in our region for more generation, and this is just more burden on our constituents.

And if you take a look at how this is impacting across the area, this is hurting hardworking families. It is impacting small businesses. So we are talking about a loss of jobs, we are talking about heartache on families, all for something that is unnecessary. And, as Mr. MALONEY pointed out, this is coming from FERC, which has really been unaccountable when it comes to our concerns.

Mr. MALONEY and I, our Governor, one of our Senators—we have had leaders at every echelon reach out to FERC and explain to them, especially given the harsh winter that we went through and the fact that it is unnecessary. This is tone-deaf and outrageous that they are going forward. We want to fight this.

We thank the chairman and ranking member for their acknowledgement in the report language. Going forward, we think that will be helpful. But we need relief right now.

We are asking for support for this amendment. We think this is the right thing to do. And I would ask all my colleagues to stand up. Let's fight for families. Let's fight for small business.

Mr. SEAN PATRICK MALONEY of New York. I yield back the balance of my time.

The Acting CHAIR (Mr. COLLINS of Georgia). The question is on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used within the borders of the State of Louisiana by the Mississippi Valley Division or the Southwestern Division of the Army Corps of Engineers or any district of the Corps within such divisions to implement or enforce the mitigation methodology, referred to as the ''Modified Charleston Method''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Mr. Chairman, I rise to present an amendment that is a bipartisan amendment that has passed for the last 2 years that this bill has come before the House.

What this deals with is a change in process for mitigation methods that the Corps of Engineers implemented back in 2011 called the Modified Charleston Method. And when they implemented this new method of mitigation, it basically started making a lot of projects—surely in southeast Louisiana—unworkable, including, Mr. Chairman, flood protection projects.

One of the things we have seen is that it actually has increased the cost of flood protection projects along the coast by over 300 percent, which in many cases has made those flood protection projects unaffordable for local governments to be able to afford for themselves, where they are putting up their own money. It is not even Federal money.

And here comes the Federal Government, putting in an unworkable plan that makes it cost-prohibitive to actually implement flood protection. And, of course, we have seen at the Federal level what happens if you don't have that kind of protection. We sure don't want to be in a position where we are stopping local communities from being able to protect themselves against flood with their own money.

What is even more ironic about this, Mr. Chairman, is that the Corps of Engineers, while they have imposed this on local governments and private business, they have exempted themselves from it. The Corps of Engineers doesn't even use this method that they have imposed on everybody else—I am sure because they recognize it would be unworkable for them. But they impose it on everybody else. That is not the way we should do business, Mr. Chairman.

What this amendment says is that no funds can be expended to implement that unworkable method. Let's get back to the normal way of doing mitigation, which was practical, which was the way most other places in the country do it.

I would like to submit for the RECORD a letter from my colleague from Louisiana, CEDRIC RICHMOND, who is also in strong support and is the lead cosponsor of this amendment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 2014.

Hon. MIKE SIMPSON, Chairman,
Subcommittee on Energy and Water Development, and Related Agencies House Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN SIMPSON: I would like to express my support for this amendment being offered by my colleague from Louisiana, Mr. Scalise to H.R. 4923, the Energy and Water Development and Related Agencies Appropriations Act. This amendment deals with the use of the Modified Charleston Method by the U.S. Army Corps of Engineers New Orleans district. This method is different from the method used for other areas across the country and has caused unique and significant problems for our area.

By increasing the cost of mitigation for a wide variety of important projects, the MCM has made some projects in our region dramatically, and in some cases even prohibitively, more expensive. These increasing costs for critical infrastructure and flood protection projects are deeply concerning, especially given the important flood protection projects currently being planned for in my district. Projects like the levee project for the West Shore of Lake Pontchartrain which would protect the homes of thousands of residents as well as businesses and energy infrastructure that is critical to the entire nation. We must ensure that the people of the River Parishes get the protection they need as quickly as possible. The escalating costs brought about by the MCM are concerning because of the effect it could have on projects like this.

This amendment says that we need to move forward with a better way to handle mitigation. We understand the need and the importance of proper mitigation for all projects. We just need to make sure that the method we use does not keep us from protecting our citizens or hamper our future economic development.

Sincerely,

CEDRIC L. RICHMOND.

Mr. SCALISE. I urge adoption, Mr. Chairman, and yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOHO

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

The Acting CHAIR (Mr. WEBER of Texas). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for ''DE—FOA0000697: Sustainable Cities: Urban Energy Planning for Smart Growth in China and India''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, at a time of deep deficits and a mounting national debt, we cannot allow our taxpayers' dollars to be squandered away in order to upgrade cities in China and India.

In 2012, a program was issued by the Department of Energy with the purpose of ''conducting international collaborative efforts that accelerate the development and deployment of clean energy technologies'' at the expense of the American taxpayer.

While this appropriation bill does not explicitly include funding for these projects, I believe this amendment is essential to ensure the administration cannot misuse hard-earned taxpayer money.

All in this Chamber have seen what the President is capable of, given the opportunity to invoke his ideological agenda. It is not America's job to help foreign nations upgrade their cities. Countries like China and India have their own taxpayers and are among the largest economic engines in the world.

Our country was founded on the principle of self-determination. Enticing economic change in foreign countries with money borrowed from future generations is a gross departure of that principle, especially in these hard economic times.

And with that, I would like to yield 2 minutes to the gentleman from the State of Georgia (Mr. COLLINS), my colleague and good friend.

Mr. COLLINS of Georgia. Mr. Chair, I appreciate the gentleman from Florida yielding.

And really, I think this just goes back to a simple reflection of priorities. We are here tonight, and both sides are coming to the floor. They are offering amendments. They are talking about energy and water. And Chairman SIMPSON has done a fine job of bringing this to the floor, and I think we have some good stuff going here.

But this is about priorities. Why should we be looking at funding priorities for other countries who have their own sufficient taxpayer money, their own sufficient growth?

□ 1815

They may have trouble in growth, but why are we looking at it from a perspective that we should possibly say we are going to use our funds to do this on? This is not something we need to be a part of. It is not saying: just let China and India take care of themselves, we don't have a part.

We have plenty of private industry that will go in at a fee and also do this. Why would we be putting government funds possibly towards this.

I think this is another area where we deal with sustainable cities. This is a concern of many of my constituents. Some have actually called this looking at how we go across the world an agenda 21 wannabe. This is just simply something we shouldn't be doing.

This is just something that we want to limit and simply say: we are going to be a leader, let's let the rest of the world lead, but let's let them pay with their own dollars.

I appreciate the gentleman from Florida bringing this.

Mr. YOHO. Mr. Chairman, I thank the gentleman from Georgia.

Mr. Chairman, we, again, as people in government that represent our constituents, we should do everything in our power to make America stronger, more economically sound, and more competitive across the world, not less.

Again, this amendment will prevent future actions from the administration causing hardworking American taxpayers' money to be spent to subsidize clean energy in countries like China and India.

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman and Members, this amendment would prohibit funding for what is called the sustainable cities program, which is aimed at deploying U.S. technical expertise to urban energy planning for cities in places like India and China. So the gentleman and I look at this in a little bit of a different way.

Mr. Chairman, this effort is aimed at developing markets for U.S. products in places that are growing, and I think census figures show that India and China are absolutely growing, and their economies are growing.

In fact, in places like China, it is growing so fast that they are actually often stealing our technology and buying our companies out from underneath us, and we lose market edge.

Mr. Chairman, this particular program encompasses a variety of technical assistance activities to actually prime those markets for our clean technologies in places where there is population increase and a need for product and would help potentially to support the export of American clean energy technologies. That means jobs here at home; it means exports out of the United States, rather than imports in here in two major economies.

Working closely with U.S. companies, the Department of Commerce and other governments will focus on product testing and developing minimum standards, certifying that we can actually achieve the installation of these clean energy products. Here at home, obviously, we help our clean energy sector to develop.

Specific examples already underway include facilitating a memorandum of understanding that could lead to the first commercial-scale deployment of concentrated solar power deployment in China—a deal that could be valued at $350 million—with manufacturing of the key intellectual property here in the United States.

Another involves gaining access to the wind energy market in China—which is a growing market—coordination and exchanges between our department and private sector, our U.S. and Chinese cities, has led to increasing sales of U.S. clean energy goods in China already.

It is no secret that China has some challenges—and India has challenges—dealing with the enormity of their populations and the stress on their energy infrastructure.

We need to boost innovation here at home. This is one very modest program, but one, I think, that deserves attention. The last time I looked, we, as a country, had a gigantic trade deficit with China. That means more goods coming in here than our goods going out.

Mr. Chairman, this is one small step forward to try to penetrate those markets using some of the higher tech technologies that we have in the energy field, so I oppose the gentleman's amendment. I think he might look at the program in a different way than I do.

Mr. Chairman, I urge my colleagues to oppose it, as well, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. FLEMING

The Acting CHAIR (Mr. COLLINS of Georgia). It is now in order to consider amendment No. 9 printed in House Report 113–486.

Mr. FLEMING. 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 (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salary of any officer or employee to carry out section 301 of the Hoover Power Plant Act of 1984 (42 U.S.C. 16421a; added by section 402 of the American Recovery and Reinvestment Act of 2009 (P.L. 111–5)).

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, I rise today to, again, offer an amendment that would stop a loan program created by the 2009 stimulus bill.

Last year's amendment passed the House by a significant margin, and the administration appeared to get the message, not authorizing any new projects during the fiscal year.

However, in their most recent budget request, they plan to receive and review 100 project proposals, review six business plan proposals, provide technical assistance for the development of four projects, and assist with two projects in the financing phase.

One of the future projects is estimated to cost $1.5 billion for the Federal share alone, which is almost half of the Western Area Power Administration's borrowing authority.

How bad is this program? It is not merely a loan guarantee program, like the one that backed Solyndra. It is an actual loan from the Federal Government, with a built-in bailout mechanism. That's right, built in to the law is this actual bailout.

I am going to quote from what the law says:

If, at the end of the useful life of a project, there is a remaining balance owed to the Treasury under this section, the balance shall be forgiven.

That means we have got agenda-driven, uneconomical renewable energy projects being funded directly by the Federal Government, and if they fail, taxpayers are on the hook once again.

What has been the performance of these projects so far? In November 2011, the Department of Energy inspector general issued a lengthy management alert on the stimulus borrowing authority. To quote from that report:

Because of a variety of problems, the project is estimated to be 2 years behind schedule and $70 million over budget; essentially out of funds; and currently at a standstill, with no progress being made. Western had not completed a formal root-cause analysis and corrective action plan designed to ensure more effective program safeguards are in place going forward. Because Western has committed $25 million in developmental funding to a potential $3 billion project that could ultimately require an investment of $1.5 billion in Recovery Act borrowing authority, we are issuing this report as a management alert.

That is why last year's Republican budget noted:

The $3.25 billion borrowing authority in the Western Area Power Administration's Transmission Infrastructure Program provides loans to develop new transmission systems aimed solely at integrating renewable energy. This authority was inserted into the stimulus bill without the opportunity for debate. Of most concern, the authority includes a bailout provision that would require American taxpayers to pay outstanding balances on projects that private developers failed to repay.

As I and many others have pointed out when the bill was passed, the stimulus—which was billed as funding shovel-ready programs—actually became a vehicle to bake in higher levels of spending and new government programs.

As with other government loan programs, we have all too often seen abuses and mismanagement, and this program is no exception.

Mr. Chairman, I also want to thank my colleagues, Mr. MCCLINTOCK and Chairman HASTINGS, for their past work in offering and marking up a bill to repeal this program. I urge my colleagues, again, to support and pass this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

I think the gentleman's amendment, including some vagueness of his language, will likely have many unintended consequences. For example, one of the projects, the Enbridge corporation, which constructed the Montana-Alberta power line, has already repaid our government $161 million of its borrowed authority—its loan—decades ahead of schedule, showing that transmission projects, when vetted properly, are sound investments.

Essentially, his proposal would repeal the Western Area Power Administration's borrowing authority for the construction of transmission lines that would bring renewable energy to market.

The American Recovery and Reinvestment Act provided $3.25 billion in borrowing authority for WAPA. This authority allowed for the construction of new transmission lines to deliver power from renewable energy sources.

By repealing their authority, it is just another example of, unfortunately, the Republican Party's anti-renewable energy strategy.

The borrowing authority has already led to the financing of two much-needed transmission lines out West—not even in my own part of the country—the one that I mentioned, the Montana-Alberta transmission line, which brings wind power to markets in our country, and the Palo Verde Electrical District 5 in Arizona. The Tohono O'odham Nation is already looking to utilize the PV–ED5 line to bring solar power generated on to their reservation.

Mr. Chairman, if adopted, the amendment would have the following impacts: for the Palo Verde project, which is customer driven, it is 92 percent complete, and it could be brought to a halt.

It supports mostly rural customers and Native American tribes and is a model of public-private partnership for which this program was created.

It will also allow those customers—and potentially others—to add renewable energy to the grid, while strengthening the transmission system in an area which is seeking growth and actually has more demand.

If that project is totally completed, something that is jeopardized by this amendment, the benefits of the project include providing customer access to the Palo Verde trading hub and also providing 300 megawatts of unconstrained transfer capability from ED5 to Palo Verde, to support and enhance the viability of renewable resources in development in southern Arizona.

Jobs and transmission investment capability would be negatively impacted, and it could impact how—on behalf of the ED5 project—how it reimburses staff for work in support of the project.

Now, I mentioned that there are projects already underway that this amendment would bring to a halt. What sense does that make? I mean, we have already got issues in our country.

We need jobs in this country. We need affordable energy in this country. We need diversified energy in this country. I really don't understand why the gentleman is offering this amendment, but I can tell you the attorneys who looked at this language continue to find there will be additional impacts due to the vagueness of the language you have proposed.

I would guess your amendment will likely have many other unintended consequences, such as impacts on the preference power customers.

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

Mr. FLEMING. Mr. Chairman, how much time remains?

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

Mr. FLEMING. Well, my response, Mr. Chairman, is, first of all, there is nothing vague about the billions and billions of dollars that have already

been wasted through corporate welfare, giving loans that are guaranteed by the Federal Government, loans to companies such as Solyndra and a whole list of others that now have failed and taken the taxpayer money with them.

Now, with regard to the gentlewoman's claim that programs and projects already in progress would be stopped, well, that is absolute nonsense because those deals have been signed. That money has already been committed.

What we are talking about is stopping any new projects. Again, I would emphasize here that, if these projects made sense—whether it is renewable or nonrenewable, whether it is carbon-based or noncarbon-based, there is plenty of capital out there to lend. There are a lot of people who want to make money on energy. There are a lot of people who have made money on energy.

The reason why there isn't a private market out there primarily is because the government has displaced that private market; and number two, in many cases, when the question is asked—in fact, the President of the United States—why is the government lending this money?

His answer was: well, because you can't get it from the private market and private investors. Why? Because it is a dumb idea. They will never get their money back.

So why in the world do we want to let the taxpayer money go down the tubes when other people, who are a heck of a lot smarter than we are, see that it is unfit for lending and for capital production?

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

□ 1830

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALBERG

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out section 801 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17281).

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, I thank the chair for the good work done on this piece of legislation, but I offer an amendment that would prohibit the use of funds to carry out a national media campaign to promote alternative green technologies.

In 2007, Congress authorized the Department of Energy to create a national media campaign to convince Americans to buy green technologies at the tune of $5 million a year. Now, my amendment would simply prohibit funds from going to this misguided, unnecessary, government-run campaign.

As constituents in my Michigan district are struggling to deal with $4 a gallon gas prices and energy costs brought about by this administration's harmful energy limitation policies, the last thing we need, Mr. Chairman, is Washington bureaucrats telling them how to live their lives.

They are smart enough to know, as are the overwhelming majority of American citizens in all of our districts, Mr. Chairman, to know what energy sources work for them, work best for their families, for their businesses, and especially when our country has emerged and is emerging still further—if we would allow it and encourage it as an energy superpower—and now leads the world in natural gas and oil production.

Instead of funding unnecessary ad campaigns, let's get to work on energy policy which takes advantage of our energy abundance and leads to lower prices, more jobs and greater global security.

Green technologies should be a part of a real all-of-the-above energy policy, but picking winners and losers is not the role of the Federal Government, nor is it in the core mission of the Department of Energy.

I was pleased that this amendment was adopted when I offered it last year, and I encourage my colleagues to once again support it.

Mr. Chairman, having said what I think is necessary, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCKINLEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 508. None of the funds made available by this Act may be used to design, implement, administer, or carry out the United States Global Climate Research Program National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866, or the July 2014 Sustainable Development Solutions Network and Institute for Sustainable Development and International Relations' pathways to deep decarbonization report .

Mr. MCKINLEY (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from West Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this amendment is similar to ones that have been offered in previous appropriations bills, and all have passed with strong bipartisan support.

This amendment would prohibit agencies like the Department of Energy and the Corps of Engineers from being required to spend money on climate change policies forced upon them by the Obama administration and which have been based on biased studies.

In a time of fiscal austerity and prioritization of spending, how can we justify taking money away from our country's leading scientists, physicists, and engineers at the National Energy Technology Lab, but at the same time ask them to research and develop clean coal technologies, carbon capture and sequestration, increased efficiencies for our turbines and power plants, and improving our natural gas extraction techniques from shale?

We should not be reducing funds for rejuvenating our locks and dams along America's rivers, especially when the American Society for Civil Engineers have rated our Nation's waterway infrastructure and land infrastructure a D-plus. Mr. Chairman, a D may be a passing grade for our President, but it is a failing mark in my book.

Spending precious resources to pursue a dubious climate change agenda compromises our clean energy research and America's infrastructure. When similar amendments were adopted previously, some claimed we were denying agencies the use of science.

That is simply not true, Mr. Chairman. We want them to use science, but, Mr. Chairman, I want them to use science that doesn't come with a biased agenda.

For example, the United Nations report says that the Antarctic ice is shrinking; however, NSA's satellites have confirmed that Antarctic ice levels have increased—increased by the size of Greenland, an alltime record.

Congress should not be spending money pursuing ideologically-driven experiments when we face real, serious challenges to our country's infrastructure and its pursuit for energy efficiency. I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the gentleman's amendment. It flies in the face of 97 percent of the world's scientists who agree that climate-warming trends over the past century are very likely due to human activities and could impose significant

human and economic costs on societies, including ours.

This amendment requires the Department of Energy to assume that carbon pollution isn't harmful and that climate change won't cost a thing. That is nothing but fantasy.

The Republicans, in general, don't seem to trust the scientists, and I would hope that they would listen to the economists and business leaders ringing alarm bells about the potential costs of unmitigated climate change.

Standard & Poor's rating services recently released a report warning that climate change will put downward pressure on the sovereign credit ratings of countries around the world. They wrote:

> Climate change is likely to be one of the global megatrends impacting sovereign creditworthiness, in most cases, negatively.

For example, Standard & Poor's concludes that:

> Extreme weather events, especially floods, can be expected to increasingly take a toll on a country's infrastructure and, thus, productivity.

Standard & Poor's also warned that fiscal performance will decline as government budgets come under increased stress from climate-induced emergency support and infrastructure reconstruction costs. We have had a little bit of that in our country already.

Last month, three former Secretaries of Treasury released a report on the economic costs of inaction on climate change. Henry M. Paulson, Treasury Secretary under President George Bush said:

> Our economy is vulnerable to an overwhelming number of risks from climate change.

The report identifies numerous economic risks, including large-scale losses of coastal property and infrastructure, extreme heat across the Nation that threatens labor productivity, human health and energy systems, and shifting agricultural patterns and crop yields.

Secretary Paulson wrote that:

> These risks include the potential for significant Federal budget liabilities, since many businesses and property owners turn to the Federal Government as the insurer of last resort.

The economic impacts of climate change will be felt globally, particularly by the poorest countries. Last year, the World Economic Forum released its annual global risks report, which was based on a survey of 1,000 experts from industry, government, academia, and nonprofits around the world on the global risks most likely to manifest over the next 10 years and those that could have the greatest impacts.

The report found that rising greenhouse gas emissions posed one of the biggest global risks in the coming decade and that failure to adapt to climate change could have a tremendous socioeconomic impact across the globe.

This is not just a looming threat. We are suffering, in our country, the cost of climate change today—the skyrocketing costs of fighting wildfires, for example; the mounting costs to farmers of losing their crops and their livestock to more frequent and severe droughts; the enormous costs of rebuilding infrastructure swept away by more intense storms or threatened by steadily rising seas. Ask the people in Louisiana or New Jersey or New York.

This amendment ignores everything that is already happening and all of the warnings that it is going to get a lot worse. This amendment denies economic reality and decrees that climate change imposes no costs at all. Of course, ignoring the costs won't make them go away.

In fact, all evidence shows that the longer we wait, the more we will allow the risks to compound and accumulate, the more costly it will be to solve the problem in the end. I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

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

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

Ms. KAPTUR. 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 West Virginia will be postponed.

AMENDMENT OFFERED BY MR. MCKINLEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill (before the short title), insert the following:
>
> SEC. 508. None of the funds made available by this Act may be used to transform the National Energy Technology Laboratory into a government-owned, contractor-operated laboratory, or to consolidate or close the National Energy Technology Laboratory.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from West Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, because there has been efforts, I suppose, to privatize and consolidate the National Energy Technology Laboratory, also known as NETL, this amendment is offered to eliminate that uncertainty and to continue the present public-private partnership.

NETL is our Nation's premier energy laboratory for fossil energy, using 600 government scientists, technicians, and employees, but they couple that with nearly 1,200 private sector contractors.

Through this partnership, NETL has developed breakthrough research, carbon capture, enhanced natural gas exploration and production, emission control for our power plants, and steam and gas turbine efficiency.

Mr. Chairman, the bottom line is that no other national laboratory has the expertise and the capabilities in fossil fuel energy to develop what NETL already has.

This public-private model has also been used by the National Institutes of Health and the Centers for Disease Control.

Mr. Chairman, if our government research laboratories were privatized, what assurance would Members of Congress have that that research would be done in America?

Just pick up a newspaper on any day and you will read about another corporation moving its research and development work offshore. People looking to privatize and consolidate these laboratories seem to be searching for a solution to a problem that doesn't exist. I urge all my colleagues to support this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEBER OF TEXAS

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill (before the short title), insert the following:
>
> SEC. 508. None of the funds made available by this Act may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, I rise to offer a very simple and fiscally responsible amendment that should be supported by all Members of this body to prevent the DOE from moving forward on a loan guarantee to an offshore wind project. Let me hasten to add that Texas is the leading State for producing wind energy in this great country.

You know, Mr. Chairman, earlier this month, the Department of Energy approved a $150 million conditional loan guarantee for the Cape Wind offshore wind energy project.

This project consists of 130 wind turbines, each 440 feet in height, spanning an area the size of Manhattan, and it is located in the Nantucket Sound off the coast of Massachusetts.

□ 1845

This project would be funded and built primarily by foreign businesses and would fail to create significant local employment opportunities. Rather than using local businesses in the State of Massachusetts, or even in the United States, Cape Wind has outsourced the building of turbines to Denmark and the production of turbine foundations to Germany.

It doesn't take more than a simple Google search, Mr. Chairman, to find out that this offshore wind project has been mired in controversy and litigation for the past 13 years.

Federal agencies were recently required by the courts to conduct more scientific reviews to better assess Cape Wind's impacts to the environment. Cape Wind's litigation troubles are far from over as project opponents—which include the Alliance to Protect Nantucket Sound, Public Employees for Environmental Responsibility, the Town of Barnstable, and the Wampanoag Tribe of Gay Head—can appeal the project after the court rules on the agencies' response.

In addition, there remains an outstanding appeal of the Cape Wind project brought by the Alliance to Protect Nantucket Sound and the Town of Barnstable against Massachusetts' regulators, the utility NSTAR, and Cape Wind. According to the Alliance to Protect Nantucket Sound's president and CEO:

> Our case that alleges NSTAR was coerced into signing a no-bid contract that violates Federal law, discriminates against affordable green power producers from out of State, and burdens small businesses and municipalities with unnecessarily high electricity costs.

Mr. Chairman, this loan guarantee is a wasteful gesture by DOE to support a project that falls into the same category as Solyndra, the ''solar energy giant'' that received over $500 million in taxpayer money before its spectacular crash and burn 3 years ago. We cannot afford to have another failure like this occur paid for by our constituents.

Mr. Chairman, by supporting this amendment, the House can send an important message to this administration that every penny of taxpayer money is precious. If Cape Wind has merit, then it should be built on those merits from solely private dollars and not on the backs of American taxpayers.

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

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

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. 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 (before the short title), insert the following:
>
> SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I appreciate the recognition of my amendment, and it is only a two-line amendment.

Before I get into the specifics on that amendment, I do want to thank Mr. DENT, the subcommittee chair, and Chairman ROGERS for the work they did on another issue on this bill which deals with the Department of Energy rules finalizing for ''Standards for Ceiling Fans and Ceiling Fan Light Kits'' and prohibiting money from being used on that regulation because of the impact that it would have on our constituents and on the price of ceiling fans. I appreciate the good work that they have done on that issue. I also appreciate the great work that they have done on this bill.

Mr. Chairman, we have got a $34 billion bill in front of us. I so appreciate the work of the appropriators as they have approached this and the responsible manner that they have gone about in bringing this bill forward. It is a bill that is going to spend $50.5 million less than in 2014. That is a good thing. The appropriators are to be commented for that. In addition, it is $326.9 million less than what the President wanted. All of those are the facts and figures.

Tonight, this two-line amendment that I have says this is great work, but we have got problems. When you look at the economic situation in this country, when you look at what is happening with our debt, as we are pushing toward that $18 trillion in debt, you have to say: How is it fair for us to keep borrowing money, borrowing money and spending it on Federal programs that are going to be left for our children and grandchildren to pay for? These are programs that many of them will never use. They are programs that will have outlived their usefulness by the time my two grandsons earn their first paycheck. By borrowing and not continuing to cut a little bit more and a little bit more, what we are doing is passing the bill to them. It is passing the buck onto future generations to pay for it.

My amendment is another 1 percent across-the-board cut. It would be another $341 million in savings. What it says, very simply, to all of our agencies that are involved in this bill, everybody, a penny on the dollar; just reduce your spending by one penny on a dollar. Get in here, challenge yourselves, challenge your employees to save a cent, one penny, out of what they have been appropriated. Do it responsibly. And do it not only for the sovereignty of this Nation; do it for our children and our grandchildren. Don't burden them with debt.

What is happening with all this Nation's debt is the ultimate cap-and-trade. What we are doing is capping our children's future and trading it, trading it.

While there has been tremendous work done and our Republican-led Appropriations Committee is doing work which never has been done and reducing this spending and pulling it back, we need to challenge these agencies to join us in this effort. Just as our businesses in each of our districts are cutting back and saving money, the Federal Government needs to be doing the very same thing.

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

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

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

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment.

While I commend my colleague for her consistent work to protect taxpayer dollars, this is not an approach I can support. What she suggests of just saving one penny from the Federal agencies is what we have been doing for the last 4 years on the Appropriations Committee, as she recognized. We have been reducing spending. In fact, we have reduced spending much more than 1 percent.

This bill is fully consistent with the Ryan-Murray budget compromise, and it spends, as was mentioned, $50 million below last year's level. The Ryan-Murray budget deal was passed by this House.

While difficult tradeoffs had to be made, this bill in its current form balances our needs. We prioritize funding for critical infrastructure and our national defense. These tradeoffs were carefully weighed for their respective impacts and are responsible, yet the gentlewoman's amendment proposes an across-the-board cut on every one of these programs. It makes no distinction between where we need spending to invest in our infrastructure, promote jobs, meet our national security needs, and where we need to limit spending to meet our deficit reduction goals.

The basic problem I have and have always had with across-the-board cuts is that it doesn't recognize the programs that are priorities and things that we ought to be spending money on, the Federal Government ought to be spending money on, and those things that maybe we ought to cut more.

In the Appropriations Committee, every time we do an appropriation bill, those are the decisions we make. We prioritize them. When the Democrats are in the majority, the priorities go toward their priorities; the spending goes toward their priorities more. When we are in the majority, the spending goes more toward our priorities.

If you look at our bill, there are areas in there that, if I were king for a day and could write any bill I wanted, there are areas I would probably cut more; there are areas that I would probably spend more. But this is a bill that is a compromise, hopefully a compromise for 435 Members of Congress that have different priorities and different needs. It does meet the budget goals that we have established in the Republican budget that was passed this year.

With that, I oppose this amendment, and I yield to my good friend from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chair, I thank the gentleman for yielding and would merely echo his comments and say that Mrs. BLACKBURN's amendment is well-intentioned.

I think we have already met the goal in our subcommittee. We are $50 million—million—below last year. It is important to keep your eye on the context. The context is, in the last 10 years—well, a little more than that. Since 2003, our country has spent $2.3 trillion on paying for imported petroleum—$2.3 trillion.

When you look at the budget deficit, ask yourself why this country has lost economic muscle inside our borders. Our meager $34 billion tries to compensate for that $2.3 trillion of loss. With oil at $100 a barrel now, we could lose, probably in the next 20 years, close to $10 trillion of economic activity related to the import of very expensive petroleum.

So what we try to do is to fund critical projects in this bill to help us crawl our way back to energy independence in this country, all the while cutting all our accounts. I think you can't cut the future off. You have to recognize the context in which you are operating.

So I think you are well-intentioned, but I think you are misfocused and I think you are missing the bigger—excuse the analogy—elephant in the room here, which is that we are losing wealth and losing strength economically because of these incredible imports that have just catapulted over the years.

In 1998, we began importing over half of what we consumed in petroleum. It is simply unsustainable. We have to reinvent our way forward in order to grow this economy at home and create the kind of robust middle class jobs and middle class incomes that the American people are asking us for.

I thank the chairman for yielding to me.

I oppose the amendment, and I ask my colleagues to do the same.

Mr. SIMPSON. Mr. Chairman, I thank the gentlewoman, and I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I do appreciate their arguments. I am not going to argue with much of what they had to say. Indeed, the committee has met its goal. But to say this is not the context, I would beg to differ with the gentlewoman from Ohio.

If we wanted to spur energy production in this country, the President could go out here and do a one-stop shop. He could lift the ban on leases. He could open up U.S. production and exploration. Yes, there is a way to do that, and we would love to see him do that rather than restricting energy production.

When it comes to across-the-board cuts, whether it is a Democratic Governor like in Missouri with Nixon or when you have Cuomo in New York, they have done across-the-board cuts. Why do they do them? Because it works. It spurs economic growth.

Go back to 1964 with Johnson and the Revenue Act. Why did they lower unemployment and generate revenue growth? Because they cut Federal spending.

There is a benefit to getting your fiscal house in order. While we may have set a goal and met that goal, which I applaud, I continue to say it is not going to be enough while we continue the deficit spending. It is time to get our fiscal house in order.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

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

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

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

AMENDMENT OFFERED BY MR. BYRNE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce Executive Order No. 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes), including the National Ocean Policy developed under such Executive Order.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I am pleased to introduce this amendment on behalf of my distinguished colleague and fellow member of the Natural Resources Committee, Representative BILL FLORES of Texas.

The National Ocean Policy, created under Executive Order 13547, was signed by President Obama in 2010 and requires that various bureaucracies work together to essentially ''zone the ocean'' and the sources thereof, largely affecting the ways in which we utilize our ocean resources and impacting both our marine and inland economy.

□ 1900

You have heard of a land grab. This is an ocean grab.

This is a simple amendment. It says that none of the funds made available by this act can be used to implement, administer, or enforce this executive order.

This policy has large implications for our marine resources, but reaches much further than the ocean itself. Essentially, a drop of rain that falls on your land could cause the Federal Government to have jurisdiction over your property under the notion that this drop will eventually wind up in the ocean.

That the EPA, along with the Army Corps of Engineers, recently released a ''Waters of the U.S.'' rule which vastly expands the agency's jurisdiction under the Clean Water Act by redefining ''navigable waterways'' serves as an example. I commend the committee for including a provision in this bill barring the implementation of such a rule.

The National Ocean Policy not only restricts ocean and inland activities, but it deters the intended focus and finances of over 20 Federal agencies that meet as a part of the National Ocean Policy, a council that has no statutory authority to exist and no congressional appropriation.

Both the Natural Resources Committee and the Appropriations Committee have asked for detailed spending reports on this overreaching policy, and neither committee has yet to receive any information.

Numerous and varied industries will suffer as a result of this well-meaning but ill-conceived policy, including but not limited to agriculture, energy, fisheries, mining, and marine retail enterprises, to just name a few. This has the potential to be devastating for coastal communities such as in my district—a coastal district located on the Gulf of Mexico, where the previously mentioned industries play a critical role in our economy.

Those who are affected most by the policy won't have a say or any representation in the rulemaking process because there is no current system of oversight in place for the regional planning agencies created as an arm of the National Ocean Council. Much uncertainty remains regarding program implementation, its impact, the limits of its authority, and lack of true stakeholder involvement.

The President has indicated that he will use his pen and his phone to create policy against the will of Congress, and the National Ocean Policy is a perfect opportunity for him to do so.

I urge my colleagues to support this amendment to stop excessive regulation and protect our ocean and affiliated inland economies, and I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. POE of Texas). The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chairman, I oppose this amendment that is offered here today, which would block funding for the implementation of National Ocean Policy.

The National Ocean Policy seeks to improve the coordinated management of our oceans and coasts and to address the most pressing issues facing our

oceans, resources, and coastal communities.

In fact, just 2 weeks ago, there were over 100 different ocean users meeting in Massachusetts to help develop New England's ocean plan. This included lobstermen from Maine, my home State; science educators from New Hampshire, fishermen from Massachusetts, clean energy representatives from Rhode Island, and recreational fishermen from Connecticut, all meeting with Federal and State agencies to talk about how to improve their options for their local businesses, build resiliency for coastal communities in the face of extreme weather events, and maintain the health of the ocean that provides us with goods and services we need and enjoy.

The National Ocean Policy does not call for ''zoning'' the ocean. Rather, it is a strategy to increase efficiency by bringing stakeholders together and giving citizens and businesses a voice in the decisionmaking process. This policy provides a way for the Federal Government to hear from and to coordinate activities with States, communities, and business owners.

Many State and local interests are eager to coordinate with the Federal Government, and this policy is already helping to make that happen.

Let's be clear. The policy is really about helping agencies like NOAA fisheries work more closely with fishermen and the Navy to coordinate with port communities. Why should we consider prohibiting these critically important relationships between businesses, States, and Federal interests?

The National Ocean Policy helps to ensure that our resources, our culture, our history, and the economic vitality of our communities are fully considered in the decisions concerning our oceans.

I urge my colleagues to join me, and I yield such time as he may consume to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in opposition to the Byrne amendment, which would prohibit implementation of the National Ocean Policy, which permits better coordination among Federal agencies responsible for coastal planning.

This amendment, by preventing agencies like the Army Corps of Engineers from coordinating with Federal and State partners, would impede States like Rhode Island, my home State, from managing their own resources in the ways that best fit their needs and priorities, and advancing policies that protect our oceans in a responsible way.

The administration has made it clear that the National Ocean Policy does not create new regulations, supersede current regulations, or modify any agency's established mission, jurisdiction, or authority. Rather, it helps coordinate the implementation of existing regulations by Federal agencies to establish a more efficient and effective decisionmaking process.

In the Northeast, our Regional Ocean Council has allowed States to pool resources and businesses to have a voice in decisionmaking, and has coordinated with Federal partners to ensure all stakeholders have a voice in the process.

Allowing Federal agencies to coordinate implementation of over 100 ocean laws and giving States and local governments a voice in the ocean planning process is smart public policy, and I urge my colleagues to rejects this very misguided amendment.

Ms. PINGREE of Maine. I want to thank my colleague from Rhode Island for his articulate thoughts and for reinforcing what those of us in coastal communities truly believe.

Mr. Chairman, I just want to say one more time that this is critically important policy for our country. I am fortunate to represent a State that has some of the highest level of shoreline of any State in the Nation. We have fishermen. We have economic interests on the shore. Everyday, I hear from my constituents who are deeply concerned about the changes that we are facing, whether it is the sea level rising, changing in the fisheries, loss of species, economic issues involving our coastlines, working waterfront—these are serious issues. This represents people's livelihoods. Coastal communities, businesses, our economic interests are here at stake. I can't imagine the idea that we would move backward in National Ocean Policy and that we would lose the opportunity to coordinate on these critical interests, that we would do anything that would endanger the economic development and the economic and cultural future of our communities, our fisheries, and so many businesses that States like mine are completely dependent on.

I urge my colleagues to oppose this amendment, and recognize that we have severe issues ahead of us and we have a lot of work to do.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I would urge my colleagues on the other side of the aisle to read the amendment. It doesn't stop any group of people in any State or any coastal area in this country from working together to do the things they have to do to protect their waters and to use their waters. In fact, it frees them up, because, under this executive order that in this amendment we say we are not going to use the money from this bill to fund, they could be restricted.

In my coastal communities, we do meet together. The Federal Government is not a good partner. In fact, they have been a hindrance to our ability to our use waters. Because there are people in the Federal Government who, unfortunately, believe that the oceans belong to the government, not to the people.

We need to adopt this amendment for coastal communities throughout the United States of America so that we can protect the people's right to control their own oceans and their own waters so that fishermen and commercial uses and recreational uses of our waters are kept and preserved for communities throughout the country.

I urge my colleagues to vote for this amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Department of Energy's Climate Model Development and Validation program.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment to save taxpayers money, help the Department of Energy avoid duplicative programs, and to ensure its limited resources focus on programs directly related to its mission to ensure energy security for the United States.

This simple amendment would prohibit the use of funds to be used towards the proposed Climate Model Development and Validation program within the Department of Energy.

The duplicative and wasteful nature of this new program has been recognized by several outside spending watchdog groups. My amendment is supported by the Council for Citizens Against Government Waste, the American Conservative Union, Eagle Forum, and the Taxpayers Protection Alliance.

The committee has recommended no funding for the new climate model development and validation activity in the report. I commend the committee for this recommendation and their work on this issue.

I feel strongly that the full House of Representatives needs to support the committee recommendation and send a strong message to the Senate that we should not be wasting taxpayer resources on new programs that compete with the private sector and should be funded through private investment.

If funded, this program would be yet another new addition to the ever-growing list of global warming programs that have been instituted and funded all over the Federal Government in recent years. The nonpartisan Congressional Research Service estimates this administration has already squandered $77 billion from fiscal year 2008 to 2013 studying and trying to develop global climate change regulations.

Consequently, I am very concerned by ongoing efforts by this administration to waste even more taxpayer dollars on new programs for Climate Model Development and Validation.

The President's budget request for this program states:

New investment in Climate Model Development and Validation will enable restructuring the model architecture, new software engineering and computational upgrades, and incorporating scale-aware physics in all model components.

Climate modeling and all of these things are being done by dozens of government, academic, business, and nonprofit organizations across the globe. While research and modeling of the Earth's climate and how and why the Earth's climate is changing can be of value, it is not central to the Department's mission.

Considering the extensive work that is being done to research, model, and forecast climate change trends by other areas in government, in the private sector, and internationally, funding for this specific piece of President Obama's climate agenda is not only redundant, it is also inefficient.

I thank the chairman and committee for their work on this bill, and this issue specifically. This amendment is about effective use of taxpayers' money, and I ask my colleagues to support this amendment.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. Madam Chair, I rise in opposition to this amendment.

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

Ms. PINGREE of Maine. Mr. Chairman, this amendment blocks funding for the Department of Energy's Climate Model Development and Validation program. This is climate science denial at its worst.

The world's top scientific institutions are all telling us that we have a rapidly closing window to reduce our carbon pollution before the catastrophic impacts of climate change cannot be avoided.

So far, the world has already warmed by 0.8 degrees Celsius, and we are already seeing the effects of climate change. Most scientists agree that 2 degrees Celsius is the maximum amount we can warm without really dangerous effects, although many scientists now believe that even 2 degrees is far too much, given the effects we are already seeing. But absent dramatic action, we are on track to warm 4 to 6 degrees Celsius by mid-century. That is more than 10 degrees Fahrenheit.

The International Energy Agency has concluded that if the world does not take action to reduce carbon pollution by 2017—just 3 years from now—then it will be virtually impossible to limit warming to 2 degrees Celsius.

How do we know all this? There are multiple lines of evidence, including direct measurements. But scientists also use sophisticated computer models of how the atmosphere and oceans work and how they respond to different atmospheric concentrations of heat-trapping gases.

For projection of future emissions and their impacts, scientists have made numerous advances by collaborating across academic fields, including climatology, chemistry, biology, economics, energy dynamics, agriculture, scenario building, and risk management.

□ 1915

These projections are critical as they provide guideposts to understanding how quickly and how steeply the world needs to cut carbon pollution in order to avoid the worst effects of climate change.

The goal of the DOE's climate model development and validation program is to further improve the reliability of climate models and equip policymakers and citizens with tools to predict the current and future effects of climate change, such as sea level rise, extreme weather events, and drought.

Mr. GOSAR's amendment scraps this program. It says no to enhancing the reliability of our climate models. It says no to improving our understanding of how the climate is changing. It says no to informing policymakers about the consequences of unmitigated climate change. I think that is absolutely irresponsible.

The amazing thing is that the base bill already zeros out the funding for this program; but, apparently, that isn't enough to satisfy the Republicans' climate denial.

So Mr. GOSAR has offered this amendment to just reiterate the point that the House Republicans reject the overwhelming scientific evidence about climate change. I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, this amendment is not about making a statement on climate change or the validity of climate science. This is an amendment about fiscal responsibility and efficiency.

More than 50 universities and academic institutions around the globe are engaged in climate modeling. This particular issue has been addressed very well by the academic and the nonprofit sectors with much greater efficiency and speed than any government bureaucracy can ever look at.

The President has already spent $77 billion since 2008. This is on top of the billions of dollars being spent by institutions and organizations around the world. Let's start talking about that.

The Nation is currently $17.5 trillion in debt. The Federal Government spends a trillion more dollars than it takes in.

Fact: more than 50 of the world's leading scientific institutions are already deeply engaged in climate modeling and spending billions of their own dollars on this research.

Fact: Congress must make tough choices to cut duplicative programs in government and get Federal spending under control.

Let's look at these prestigious universities that obviously don't know what they are doing: the University of Colorado at Boulder, Harvard University, MIT, Princeton University, the University of Arizona, Arizona State University, the University of Chicago, the University of California at Berkeley.

Mr. Chairman, the last I looked, these are some of the leading institutions in the country, and I think they know a little bit better than the Federal Government.

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

Ms. PINGREE of Maine. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have amendment No. 173 at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to award grants or provide funding for high-efficiency toilets or indoor water-efficient toilets.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment to save taxpayer money and get the government out of the business of subsidizing expensive toilet exchanges and upgrades that yield highly questionable returns.

This amendment has support from several spending watchdog groups, including the Council for Citizens Against Government Waste, Eagle Forum, the Taxpayers Protection Alliance, and Generation Opportunity.

If toilet exchange programs were as efficient as the EPA and Bureau of Reclamation claim, then such products would save consumers so much money and water over time that they would sell themselves in the private marketplace and would not need taxpayer subsidies.

According to the House Committee on Natural Resources, the Bureau of Reclamation's own data show that the agency has awarded a number of questionable grants on these projects since 2005, totaling almost $2 million.

The Federal expenditures spent on toilet exchange programs include a

$200,000 grant to San Francisco in 2007 and a $300,000 grant to Texas and California during 2011.

Further, in 2013, Reclamation awarded nearly $210,000 for high-efficiency flush valves to be installed on urinals in one city in California as part of its WaterSMART program, despite the fact that the investment on this project is estimated to save only 123 acre-feet of water per year.

For 2014, the agency wishes to grant funds toward a nearly million-dollar project for indoor water-efficient fixtures and toilet upgrades in California. At the same time, Federal policies have allowed for more than 300 billion gallons of water to be diverted into the San Francisco Bay and Pacific Ocean to protect a 3-inch fish, known as the Delta smelt.

If we are truly concerned about saving water, then we should, instead, invest in new infrastructure and water storage projects, including reservoirs, which would yield significantly higher returns on our investment.

Our country's Federal multipurpose dams and reservoirs provide abundant amounts of water and allow for clean hydropower generation. This infrastructure investment helps provide the foundation for economic growth and long-term job security.

Unfortunately, the Obama administration continues to focus solely on conservation and has actually taken action to reduce water storage capacity—actions which include calling for the removal of four privately held dams.

This defies common sense. We should, instead, have a balanced approach that includes both conservation and storage. Expensive toilet exchange programs are not the answer, and here are the facts and figures about those programs.

Customers are eligible for a $100 rebate for installing 1.28-gallon toilets in exchange for their 1.6-gallon toilets. These new toilets cost between $200 and $500 each.

An average toilet is flushed six times per day, while each federally-subsidized upgrade yields about $7 per year in water and utility savings. Thirty-year mortgages provide quicker returns on investments.

The kicker is these taxpayer-funded toilets are significantly smaller and, in many cases, have to be flushed twice. Furthermore, these government-subsidized toilets are a bad investment, as they eventually leak.

If people are going to spend $200 to $500 on new high-efficiency toilets, a $100 rebate from the Federal Government is not what makes their decisions to purchase the toilets in the first place. At the rate we are subsidizing this program, we may as well be flushing taxpayer dollars down these upgraded toilets.

With this ludicrous return on investment, it should go without saying that these projects are a waste of hard-earned taxpayer money.

I ask you to ponder on the countless ways this money could be spent more wisely, including on investments to increase water storage capacity. This amendment is about the effective use of taxpayer money, and I ask my colleagues to support it.

With that, 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 OFFERED BY MR. KELLY OF PENNSYLVANIA

Mr. KELLY of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 210(d)(1)(B)(ii) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)(B)(ii)).

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Chairman, this amendment simply requires that the harbor maintenance funding provided in this Appropriations bill comply with the recently enacted WRRDA law and that the 10 percent funding requirement for the Great Lakes to be met.

The Water Resources Reform and Development Act of 2014, which this body passed by a 412–4 vote, includes an allocation for the Great Lakes navigation system of 10 percent of harbor maintenance funding provided above the fiscal 2012 baseline, but this amendment is more than about that. This is a bill that really dwells on the Great Lakes.

What a great gift from God this Nation was given with the Great Lakes. One-fifth of the world's freshwater—not one-fifth of Pennsylvania's freshwater and certainly not one-fifth of America's freshwater—but one-fifth of the world's freshwater is in our Great Lakes. There is also a commerce element there.

Now, where does that fit in, and why do we talk about that? Here is why: we are talking about jobs. We are talking about jobs at our Great Lakes. We are talking about 128,000 American jobs, over $33.6 billion in annual revenue, and it is 3 percent of our Nation's gross domestic product.

This commonsense amendment just directs the Army Corps of Engineers to use the allocated funds as directed.

We talk about the Great Lakes, and we talk about it an awful lot. I think that, sometimes, we forget how great this gift is and what our responsibility is.

Sure, it is a gift from God, but it is up to men to maintain it. This great body is looking at this opportunity that we have right now to actually direct the funding that makes sure that we can still navigate through our Great Lakes—that we can dredge our harbors, that we can do breakwater maintenance, and that we can do jetties, which are all of those things that are necessary to keep that line open.

The Great Lakes are truly our door to the world. It is our responsibility, and it falls on our shoulders right now to support that.

I appreciate the chairman and the ranking member's willingness to consider this amendment, and I appreciate their support for our Great Lakes. I would also like to thank Representative CANDICE MILLER for her great work on the WRRDA bill on behalf of our Great Lakes.

I urge my colleagues to support this amendment and keep open our Great Lakes to the world.

I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

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

There was no objection.

Mr. SIMPSON. Mr. Chairman, I support this amendment.

On this particular issue, applying the referenced WRRDA provision to this fiscal year 2015 bill means that, roughly, $30 million must be provided for the harbor maintenance of the Great Lakes navigation system.

The underlying bill funds the budget request, which includes approximately $100 million for the Great Lakes. Therefore, while I believe it is unnecessary, I do not object to this amendment and will support it.

I yield to the gentlewoman from Ohio (Ms. KAPTUR), my good friend.

Ms. KAPTUR. I thank the chairman for yielding, and I commend Representative KELLY for offering this important effort in highlighting the importance of the Great Lakes.

I feel that you may be the last speaker this evening—I don't know—but we would say ''last, but not least,'' especially for those of us from the Great Lakes, and we love the attention because we most often don't get it.

We had conversations today about oceans and about other parts of the country, and it is just so great to have someone with your commitment to the Great Lakes.

Mr. Chairman, we know it is the largest body of freshwater on the face of the Earth and that commerce moving through the seaways is the shortest distance between the United States, Europe, and ports even on the western side of Africa, if you look at the way the globe actually works.

So to have this kind of work by yourself, by the chairman of our subcommittee—Mr. SIMPSON—by CANDICE MILLER, by Congressman VISCLOSKY, and by so many others who work on Great Lakes issues is wonderful and to

have this team put together and to see that we have done a better job for our Great Lakes in this bill than in past bills.

By the way, I might say that the lake on which the communities I represent are situated, Lake Erie, is the most drawn upon of the lakes and the most fragile, and we share her with Canada, so it even gets a little more complex, as we move forward.

I just wanted to commend the gentleman, and I thank the chairman for giving me the time. I know the people who are listening from the Great Lakes region greatly appreciate the attention and what we do in this bill to make sure that those lakes are maintained.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk, Hudson No. 36.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the amounts made available by this Act may be used for any program not authorized by law as of the date of the enactment of this Act.

(b) The limitation in subsection (a) shall not apply to amounts under the headings ''National Nuclear Security Administration'', ''Environmental and Other Defense Activities'', or ''Defense Nuclear Facilities Safety Board''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise this evening to offer an amendment to the Energy and Water Appropriations bill that would prohibit the funding for any program included that is not authorized by law.

For far too long, Congress has continued to appropriate spending on government programs with little to no oversight. Our country has essentially been on autopilot towards a cliff of fiscal and economic disaster.

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This has resulted in a massive and out-of-control bureaucracy that is wasteful and inefficient. In this bill alone there are 23 unauthorized programs. Some of these programs were last authorized in 1981, and there are others that have never been authorized. In total, these unauthorized and unchecked programs in this legislation receive around $25 billion.

With over $17 trillion in debt, we owe it to our constituents to review each agency and program to determine if they are the best use of taxpayer dollars to serve the public need.

Additionally, the rules of the House require that appropriations may only be made for purposes authorized by law. The prohibition on unauthorized appropriations cannot be enforced because the rules that bring appropriation bills to the floor routinely prevent a point of order from being raised.

My amendment prohibits spending on unauthorized programs, but it exempts defense-related programs because these were authorized by the House when we passed the defense authorization bill in May.

This amendment parallels with my bill, H.R. 3847, the Federal Sunset Act of 2014, which would force Congress to evaluate each agency and program and consider recommendations to reform or abolish specific entities to ensure the best use of our resources.

Mr. Chairman, this type of sweeping reform would dramatically overhaul the way that Washington budgets and spends hard-earned tax dollars and allow Congress to finally take back control, scale back our bloated bureaucracy, and provide accountability to the Federal Government.

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

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

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

Mr. SIMPSON. Mr. Chairman, I have to tell you that I am sympathetic to what the gentleman is trying to do. It is a concern that I have had for a number of years. And, in fact, a few years ago, when I was chairman of the Interior Subcommittee, we brought down a bill and we completely defunded any listing of new species or designation of critical habitat because the Endangered Species Act hadn't been reauthorized for, like, 26 years or something like that. Our intent was not to get rid of the Endangered Species Act or to get rid of the designation of critical habitat. Our intent was to send the message that the authorizing committees need to do their job.

I was supported in that, actually, by the chairman of the Resources Committee that is in charge of reauthorizing that bill. So far that has not been done. They haven't been able to get it done.

As you know, it is sometimes very difficult to pass reauthorization bills for a lot of these different programs, but many of these different programs are very, very important. I continue to try to seek a way to put pressure on the authorizing committees to actually do their job, to get these done.

So far, just defunding them has not been successful in achieving that, and I don't know why that is. It is frustrating both to me and to the sponsor of this amendment. Yet this amendment would do great damage to the Department of Energy. And I guess you could use this government-wide.

There are a lot of programs. You would be surprised which programs haven't been reauthorized. I think the Department of State hasn't been reauthorized. Most seniors programs have not been reauthorized. If we can find a way to put pressure on the authorizing committees to do this, I would be more than happy to work with the gentleman to try to accomplish that goal, but ending the programs this way, I think, would be too dramatic of an effect.

So, while I sympathize with what the gentleman is trying to do, I have to oppose this amendment.

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

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. HUDSON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. (a) Each amount made available by this Act is hereby reduced by 7.4831 percent.

(b) The reduction in subsection (a) shall not apply to amounts under the headings ''National Nuclear Security Administration'', ''Environmental and Other Defense Activities'', or ''Defense Nuclear Facilities Safety Board''.

The Acting CHAIR. Pursuant to House Resolution 641, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise this evening to offer an amendment to the Energy and Water Appropriations bill that would cut spending back to the fiscal year 2008 level.

While I appreciate the work of the Appropriations Committee in crafting this important bill that does decrease spending, we must all recognize that a cut of $50 million is a rounding error here in Washington.

My amendment makes an across-the-board cut of 7.48 percent to the bill in order to decrease the amount back to the fiscal year 2008 level. The Congressional Budget Office confirms my amendment would reduce budget authority by $1.34 billion. Defense accounts are exempt from these savings because this House just addressed defense programs in the National Defense Authorization Act a few months ago.

Mr. Chairman, we are on a path to a horrific debt crisis in this country. When I ran for Congress, I repeatedly said the first step we must take to reduce spending and get our fiscal house in order is to go back to 2008 levels, and then let's go program by program and find savings, find duplicative programs that we need to cut, find the waste.

Again, Mr. Chairman, we have got to get our fiscal house in order, get ourselves back on track. My amendment

does just that, allows us to return to a point where we can finally get serious about making real substantive cuts to begin to pay down our debt and save future generations from this horrific debt crisis that we are on a collision course with as things now stand.

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

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

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

Mr. SIMPSON. Mr. Chairman, I guess the first question I would ask is: Why 2008 spending levels? Why not 2006 or 2004 or 2000 or 1998 spending levels, or 1972 or 1900?

What we need to do is look at what we are spending now and create savings by deciding what is important and what we ought to be doing and what are those things that we might like to do but we just don't have the money to do, and eliminate those programs or reduce the spending in many of those programs, which is what the Appropriations Committee does every day.

When these bills come down here, we have had hearings on the different functions of the Federal Government. And believe me, if you or I were to sit down and discuss what the Federal Government ought to be doing, we would agree on a lot. There would be things we would disagree on that I think are essential and things that I would disagree that you would think were essential. We have 435 Members, represent all corners of this country, and a budget is, by its very nature, a compromise in those different opinions on what ought to be funded and what the proper role of government is.

One thing we do know, that we are $17 trillion in debt, and that a portion of that, a portion of the solution, is reducing our discretionary spending. We have been doing that for the last 4 years, and it has been hard work by the Appropriations Committee.

We also know that you cannot get this budget to balance, no matter how hard you try, by reducing discretionary spending. It is not large enough, in the overall context of things, to cut it enough to get the budget to balance. You have got to do other things. You have got to have tax reform. You have got to have entitlement reform. We have to look at every area that the government is spending. Right now, I think it is about 28 percent of the total expenditures of the Federal Government are discretionary spending. About 72 percent of them are mandatory. They are on autopilot. They just go on unless we change the underlying law.

So we have got to have the courage to address a lot of the things that are driving our debt. I will tell you, you will never balance this budget until you get the economy growing again. That is the reality.

When you looked at the late 1990s, when President Clinton and a Republican Congress balanced the budget—or at least that is who was in charge at the time. We can argue about who balanced it. But at that period of time, it wasn't because Republicans were so conservative that they came in and reduced spending and the budget all of a sudden got balanced, or it wasn't that President Clinton came in and just raised taxes and everything and all of sudden we had a ton more revenue. What it was is that the economy grew, and I mean it boomed.

We had the dot-com bubble, if you remember, where we had more money coming in to the Federal Government than we knew what to do with. In fact, when we talked about paying off the national debt at the time, I actually heard debates from leading economists that said we could pay off the national debt too fast—we had that much money coming in—because the debts wouldn't come due when all the money was coming in.

But then, of course, that turned around when the dot-com bubble burst, and since that, then 9/11 happened and a whole bunch of other things and two wars and et cetera, et cetera, et cetera.

The reality is that you can't balance this budget simply by reducing discretionary spending, but I will tell you that the Appropriations Committee has been doing their job. They have been looking at the proper role of Federal Government, what our responsibilities are, what we must fund, and what we should fund, and also at what we would like to do and sometimes just don't have the money to do. So those are the difficult decisions we have been making, and we continue to do that.

This type of approach, I think, that would take these accounts, only some accounts, back to the 1998 levels, I think, would hurt our economy. And, in fact, one of the big parts of our account is the Army Corps of Engineers, which does water infrastructure, locks, dams, harbor maintenance, all of that kind of stuff which is vital to our economy. I don't know that you want to go in and cut that by 7.8 percent. The President proposed a $1 billion cut in it, a huge cut in it. We restored it because we, both Republicans and Democrats, realize how important the water infrastructure of this country is.

Those are the decisions that we make on the Appropriations Committee, a committee that I am proud to serve on, that has made, over the last several years, some very, very difficult decisions, and will continue to do so because, just like every Member of this Congress, we realize we can't continue racking up the debt as we have over the last several decades.

So I appreciate that, and I would oppose this amendment and urge my colleagues to oppose this amendment.

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

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I would like to rise in opposition to the gentleman's well-intentioned amendment, and it is obvious he pays attention to the math.

What is important about the math of our deficit is that we haven't been growing fast enough to meet the needs of this country. We have a demand problem among vast numbers of the American people who aren't consuming as fast as they used to because they have lost their jobs, they have lost their equity because of the housing crisis, and because, if they have gone back to work, they aren't earning as much as they used to earn. The middle class is shrinking, as you well know, and the ranks of the poor are growing. So we have a demand problem in this society.

The energy question, and the reason I am opposing your amendment is because our budget, our allocation is about $34 billion. If you look just at this year, we will have over $200 billion in imported energy that sucks the wealth out of this country and sends it somewhere else. The portion of our bill that deals with energy is not $34 billion, but maybe a third of that. So you have got maybe 10, 12 billion, $15 billion at the most in our bill that deals directly with energy versus over $200 billion in terms of energy imports. So we are way out of balance as a society.

The portion of the investment that we make here to invent a new energy future is moving us in the right direction but too slowly.

So do I feel we are going to meet the needs that we need to for the future? I fear our generation is failing the next, as hard as we try here. If I look at the progress we have made, in 1998, that was the first year where America imported over half its energy. The decade before that it had been about 40 percent. Before that, the last 30 years we have hemorrhaged in bringing all this stuff in. This year, about 40 percent of what we consume will be imported. So we have moved from 1998, importing 50 percent of what we used, to 40 percent.

I think President Obama has made a difference. Some of my colleagues may not agree with that. But with drilling, opening up drilling on lands across this country, we have begun to close the gap.

Drilling our way out of this is not a total solution. We need new energy technologies. This bill moves us in that direction.

Don't allow your amendment to stop us from increasing our ability to become energy independent again and create the kind of demand inside this economy that will create the jobs that we need for the future to heal our middle class and move people out the ranks of poverty. So you are well-intentioned, but I think you are out of focus in terms of where the real challenge lies.

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

Mr. HUDSON. Mr. Chairman, I appreciate the comments from my colleagues. I appreciate, particularly, the work Chairman SIMPSON and his staff

have done preparing this bill. I understand the challenges they face, and I appreciate the cuts they have made.

But, Mr. Chairman, we are on a path to absolute ruin in this country. If we don't spend one new dollar, we are headed toward a fiscal crisis in a very short time, and we have got to get off that path. One way to do it is to go back to 2008 spending levels, and then let's do the work that the Appropriations Committee has done on this bill. Let's start at 2008 and look at which programs we want to keep, which programs are duplicative, where is the waste.

□ 1945

But we have got to start somewhere. And, frankly, $50 million is a start, but it is not a big enough start. So I would encourage 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 gentleman from North Carolina (Mr. HUDSON).

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

Mr. HUDSON. 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.

Mr. SIMPSON. 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. WOMACK) having assumed the chair, Mr. SIMPSON, 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. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 7 o'clock and 46 minutes p.m.), the House stood in recess.

□ 1959

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. UPTON) at 7 o'clock and 59 minutes p.m.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 641 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. 4923.

Will the gentlewoman from North Carolina (Ms. FOXX) kindly take the chair.

□ 2000

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. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes, with Ms. FOXX (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, a request for a recorded vote on an amendment offered by the gentleman from North Carolina (Mr. HUDSON), had been postponed and the bill had been read through page 59, line 20.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. BURGESS of Texas.

An amendment by Mr. LAMALFA of California.

An amendment by Mr. STOCKMAN of Texas.

An amendment by Mr. STOCKMAN of Texas.

An amendment by Mr. MCKINLEY of West Virginia.

Amendment No. 22 by Mrs. BLACKBURN of Tennessee.

An amendment by Mr. GOSAR of Arizona.

An amendment by Mr. HUDSON of North Carolina.

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

AMENDMENT OFFERED BY MR. BURGESS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 193, not voting 13, as follows:

[Roll No. 393]

AYES—226

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Posey
Price (GA)
Rahall
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—193

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn