NOES—236

Abraham
Aderholt
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Allen
Barton
Bilirakis
Buck
Herrera Beutler
Hinojosa
Lewis
Payne
Pelosi
Smith (MO)
Smith (WA)
Wagner
Wasserman Schultz
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1908

Ms. MAXINE WATERS of California changed her vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 255, noes 163, not voting 13, as follows:

[Roll No. 193]

YEAS—255

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—163

Adams
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—13

Buck
DeFazio
Herrera Beutler
Hinojosa
Lewis
Neal
Payne
Slaughter
Smith (WA)
Thompson (MS)
Wagner
Wasserman Schultz
Yarmuth

□ 1914

So the bill was passed.

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, 2016

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Pursuant to House Resolution 223 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. 2028.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1917

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. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. HULTGREN (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, the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) had been disposed of, and the bill had been read through page 29, line 4.

AMENDMENT OFFERED BY MR. QUIGLEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 2, after the dollar amount, insert ''(reduced by $167,050,000)''.

Page 57, line 11, after the dollar amount, insert ''(increased by $167,050,000)''.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, over the next decade, the U.S. is set to spend hundreds of billions of dollars operating and upgrading our nuclear arsenal. But in this budget environment, every dollar we spend to keep our outdated and oversized nuclear arsenal functioning is a dollar we aren't spending on other priorities that keep us safe and secure or on reducing our unsustainable debt and deficits. That is why the amendment I am offering with Mr. POLIS will put $167 million towards deficit reduction by placing funding for the new nuclear-armed cruise missile warhead back on its original 2015 acquisition schedule.

In the FY 2015 budget, production of the warhead was scheduled to begin in 2027, but this year's budget request sped up the development for the warhead by 2 years. This is despite the fact that the existing air-launched cruise missile and warhead isn't being phased out until the 2030s. And there is plenty of uncertainty about whether this program is affordable or even necessary.

Chairman SIMPSON is so concerned about the cost of the warhead that language was included in the E and W report to require a red team assessment on the affordability of the program—and for good reason, given our history of spending large amounts of money on warhead programs that end up getting tabled.

Given the cost concerns over the program, does it really make sense to rush the acquisition process?

Furthermore, as some experts note, there is no longer a need to shoot nuclear cruise missiles from far away when we have the most advanced bomber ever created in our arsenal, the B–2 stealth bomber, which is capable of penetrating enemy airspace and dropping a nuclear bomb directly above a target. And if we decide we want to shoot nuclear missiles from thousands of miles away, we still have very expensive submarines and very expensive ICBMs capable of doing just that.

So ask yourselves: Should we really be accelerating the development of a warhead that goes on a missile we don't need and could cost hundreds of millions, if not billions, more than anticipated?

I ask my colleagues to support my commonsense amendment to maintain funding at the program's FY 2015 acquisition schedule, and save the taxpayers $167 million in the process.

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

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

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

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Ensuring funding for the modernization of our nuclear weapons stockpile is a critical national security priority in this bill. The bill fully funds the $195 million needed to initiate a life extension program for the W80 warhead, the only nuclear-tipped cruise missile in the U.S. nuclear arsenal. The life extension program will replace nonnuclear and other components to extend the life of the W80, and to ensure it can be deployed on the Air Force's long-range stand off cruise missile, or LRSO, should that program move forward.

The budget request was considered a 2-year acceleration of the LRSO program, compared to last year's stockpile plan, to meet a defense requirement for deployment in 2030. However, it is clear that there is considerable planning that needs to be accomplished by the administration before Congress can have confidence in these long-term stockpile plans.

While 2030 may seem like many years away, these warheads are very complex, and there is considerable amount of work to accomplish between now and then. Performing additional work earlier in the schedule will allow the NNSA to reduce technical risk and limit any cost growth. The gentleman's amendment would slash funding for this effort, and that will add additional risk and uncertainty to the schedule.

We must do the work that is needed to extend the life of this warhead as long as there is a clear defense requirement for maintaining a nuclear cruise missile capability. I urge my colleagues to vote ''no'' on this amendment.

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

Mr. QUIGLEY. Mr. Chairman, I respect Chairman SIMPSON's request that language be included in the E and W report to require a red team assessment of the affordability of this program. All I am adding to that is, if we have questions about the affordability of this program, a program that is not going to take place for some time, do we really want to accelerate the spending program?

In this budget environment, it does not make sense to accelerate the development of a warhead while, at the same time, requiring an assessment on its affordability. Why would we put more money into a program that may end up getting tabled? Shouldn't we at least wait until the release of the red team report before adjusting the acquisition schedule?

I urge my colleagues to support this commonsense amendment.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to please not traffic the well while another Member is under recognition.

Mr. SIMPSON. Again, I would urge my colleagues to vote against this amendment.

As I said, performing additional work earlier in the schedule will allow the NNSA to reduce technical risk and limit any cost growth while we are finding out about what the red team assessment comes up with. So I think this is important that we defeat this amendment so that we can move forward with modernization of this warhead.

I urge my colleagues to vote ''no,'' and I yield back the balance of my time.

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

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

Mr. QUIGLEY. 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 Illinois will be postponed.

AMENDMENT OFFERED BY MR. GARAMENDI

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 2, after the dollar amount, insert ''(reduced by $25,000,000)''.

Page 57, line 11, after the dollar amount, insert ''(increased by $25,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, we just heard Mr. QUIGLEY and Mr. SIMPSON in a debate about this very same issue, and I don't want to cover the exact same ground, but I want to put this in the context of, I think, a very

serious concern that all of us ought to have.

The rebuilding, or what is known as the life extension program for our nuclear bombs, is but one small part, actually, one very large part, but small in comparison to the total reconditioning, rebuilding of our entire nuclear enterprise.

And when you consider the totality of what we are doing in this appropriations bill and last night, when we took up the defense authorization bill, you can only, and you must, come to the conclusion that the United States is now involved in a very significant, total restructuring and rebuilding of our entire nuclear deterrent system. It is not just the six to seven different nuclear warheads that are going to be rebuilt at a cost of several tens of billions of dollars; it is also all of the delivery systems. We are, in fact, engaged in a new nuclear arms race.

Now, many of us grew up in the sixties and seventies—fifties, sixties, and seventies—and I think all of us have a memory of the arms race and all of the drills, hiding underneath the table, all of that trouble. I think we have a memory of what went on with the Cuban Missile Crisis.

When you step back and look at what we are doing in the appropriations bill before us as well as in the National Defense Authorization Act, you must come to the conclusion that we are on the path to spend $1 trillion over the next 25 to 30 years rebuilding the entire nuclear enterprise. We have, in this bill, all of the nuclear weapons.

In this one, we went from some $9 million last year for this W80 to over $190 million in this bill. Yes, there are safeguards and, yes, we ought to pull all of this money back until we decide how this fits into the new cruise missile, the new long-range cruise missile replacing the old variety.

That goes on the new stealth bomber, the LSRO, a new stealth bomber, at $550 million a copy, more than half a billion dollars a plane. A cruise missile, a new plane doing the exact same thing, and that is to be added to a new Minuteman missile for the silos in the Midwest, the upper Midwest, new Minuteman III missiles.

That will be added to the new submarines that are going out there with new missiles and new warheads and, on top of that, some new stealth technology that is going on that we really can't even talk about.

But it is happening, $1 trillion in a nuclear arms race that is being replicated by China and Russia, the United Kingdom and France.

What in the world is this world coming to?

This isn't Iran. Iran is a separate issue, significantly important, but this is different. This is the major nuclear-armed countries in the world, all of them, upgrading their nuclear systems.

We have the new bombs, new precision bombs. We have the new delivery system, stealth. It is extraordinarily dangerous because the hair trigger of the past and all of the rules of the past are now going to be put aside, and now we have a really, really, fine hair trigger.

□ 1930

You won't know but a few minutes ahead of time when it is incoming because it is a stealth bomber or a cruise missile or even a hypersonic missile. And suddenly, there you are; you have got seconds to make a decision about whether you are going to annihilate the world or not. How do you respond to this?

And you have got Russia over there talking about using a nuclear weapon as a deterrent to reduce some sort of standard military conflict. This is an extraordinarily dangerous situation.

I want to draw the attention of the entire House and use this particular effort to reduce this account by $25 million. The gentleman from Illinois (Mr. QUIGLEY), I think, had a better proposal, and that is to reduce the whole thing.

But here we are. Pay attention, men and women of this House and of the Senate. Pay attention to what the overarching issue is here. It is the opening quarter of a new nuclear arms race among the great powers of the world.

I yield back the balance of my time.

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

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

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The bill fully funds the request of $195 million to initiate a life extension program for the W80 warhead. The life extension program will replace nonnuclear and other components to extend the life of the W80 and to ensure it can be deployed on the Air Force's Long-Range Standoff cruise missile, or the LRSO, should that program move forward.

Certainly, the committee will look to realign the work that needs to be done on the W80 if there are changes to the schedule for the LRSO. But as long as that program stays on track, we need to make sure that the work that needs to be done by the NNSA is properly aligned with those efforts.

The gentleman's amendment would make it more difficult for the NNSA to meet its schedule requirements, and I urge Members 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 California (Mr. GARAMENDI).

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

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

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,918,000,000, to remain available until expended: *Provided*, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and program support activities for such Project. *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $10,394,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. FORTENBERRY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 15, after the dollar amount, insert ''(reduced by $13,802,000) (increased by $10,000,000) (increased by $3,802,000)''.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Nebraska and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, first of all, it is my understanding that our chairman, Chairman SIMPSON, as well as Ranking Member KAPTUR actually support this amendment. I want to express my gratitude to the chairman for working with me and thinking critically as to how we make our nuclear nonproliferation architecture more robust.

What this amendment does is it moves $13.8 million from the mixed oxide portion of our nonproliferation account over to the nuclear smuggling and detection account and the research and development account as well.

Nuclear smuggling and detection is an important part of our nonproliferation regimen, and research and development into better techniques to detect the illicit movement of fissile material or technology has to be one of the more robust policy considerations moving forward, not only in this appropriations bill but as a body here, ensuring that we, again, are focused singularly on the nonproliferation threats that are occurring throughout the world as this technology spreads and as fissile material potentially becomes

more available to those who would use it for potentially great harm.

I also want, in the amendment, to point out why this money is taken from the mixed oxide program.

Currently in the bill, we are spending about $345 million on this program. But MOX is expensive, and its future is unclear. We have to come to some policy decision here. We keep digging this hole and digging this hole. This policy is adrift, and it is costing taxpayers a great deal of money. It is not fair in terms of public policy. It is not fair to taxpayers. It is not fair to the people of South Carolina and Georgia because of this uncertainty.

So we need a decision here. If it is, No, we are not going to proceed with MOX, then we have to develop an understanding of what we are going to do with this material, whether it is blend it down or store it or whether we need to rethink the entire public policy that led us to this point, which is about 20 years old, and whether perhaps this ought to become some sort of international consortium, for instance, to deal with this particular issue and share in the cost.

If the answer is, Yes, we are going to proceed with MOX, then spending $345 million a year to sort of keep it open, with a little bit extra, and that cost to keep it open—to keep it in cold storage, as we say—is approximately $200 million, so we throw in a little more on top. It doesn't get us to final completion. It doesn't even really get us on that road.

So the policy here is adrift, and we have got to come to some deeper consideration as to what we are going to do.

The problem with MOX fundamentally is the initial cost was $1 billion. Now we are looking at $7 billion. The lifecycle costs are skyrocketing. So some clear, deliberate decision. And if it is ''yes,'' we need to expedite this, and we need to do so in a cost-conscious manner. If it is ''no,'' let's turn to other alternatives quickly so that we can move more of these funds into the robust portions of our nonproliferation regimen, our architecture to ensure that we bring down the probability of a nuclear weapons explosion as close to zero as possible, ensuring as well that we are keeping this material out of others hands.

With that, I yield such time as he may consume to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, I commend the gentleman for taking up this issue. The MOX facility lifecycle cost is now over $47 billion and at the end of the day will not solve the problem.

The disposition of the unnecessary plutonium stock can be done in other ways. We ought to set aside that money. You are quite correct to put it into nonproliferation issues, trying to figure out where the loose nukes might be around the world.

Mr. Chairman, I will draw your attention and the attention of the gentlemen and gentlewomen here today that in yesterday's National Defense Authorization Act, those facilities that sense the movement of nuclear materials across borders, the in-place were withdrawn, taken out. We ought to pay attention to that, put those back in in one more piece.

I commend the gentleman for being right on. And we do need to sort out the MOX facility and come to some conclusion; otherwise, we are in a $47 billion rathole that won't solve the problem.

Mr. FORTENBERRY. I thank the gentleman for his comments.

Mr. Chairman, I commend the chairman for trying to work with me. This is a difficult position. The chairman has a very difficult task here of balancing competing ends. I really appreciate the way in which he has artfully drawn together an important bill here.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, though 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. I thank the gentleman from Nebraska for his efforts in nonproliferation and his strong advocacy for this program and trying to become the expert. And really, he is what I consider maybe one of the foremost experts in the House on nonproliferation issues. I thank both the gentleman from Nebraska and the gentleman from California for their efforts in this area.

It is a challenging issue for us. You know, I was interested to hear the $47 billion because I have heard $31 billion. I have heard $30 billion. There are all sorts of different estimates, and we haven't got the numbers of how they came to these conclusions. And when they look to the alternatives in this report that just came out from the Department, they said, if I remember correctly, the downblend activities had a cost that was much less. But if you look at the downblend alternatives, what they didn't add into it is that you would put that material in WIPP theoretically.

First of all, you would have to get WIPP extended. It is supposed to be closed. So you have got a 15-year extension of what you would have to do. There was no cost in there for the operation of WIPP for those 15 years and what it was going to cost. So we are still having a hard time coming to grips with what the actual cost of the different alternatives are.

This is one of those things that it is frustrating for our committee, I think, over the years for a lot of different things. Where we head down one path, spend billions of dollars, and then all of a sudden, change directions. And it seems like we are throwing money away.

But I am open to looking at what the alternatives are, and I want to look at the numbers behind the report that came out. But this amendment simply adds and reduces the defense nuclear nonproliferation account by the same amount. Therefore, the language of the amendment doesn't change the amounts directed specifically for the MOX project in the House report, which will continue to be funded at $345 million.

But I understand both of your concerns. They are concerns I share. And they are concerns we need to address because you are absolutely right. If we are not going to go down this road, we shouldn't be spending $345 million a year.

Now we are going to spend a bunch of money at the start. Even if you close it down, it is going to cost some money, or if you stop it. So all of that needs to be taken into consideration. But we need to make a determination of what is going to happen with MOX and what we are going to do with this additional plutonium.

Some people have suggested maybe the best thing to do is store it. Of course that violates an agreement that we have with the Russians. So you would have to get their agreement on that. So it is a challenging issue, I will be the first to admit. And we have had a challenge in the committee trying to deal with it.

Mr. GARAMENDI. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, the gentleman from Idaho's concerns and the way he is approaching it is really quite commendable and the right way to go about it. Two studies have been done, the most recent dealing with the $47 million. That speaks to the current MOX procedure and process. The blending down, you have correctly analyzed the problem there because it doesn't take into account the full cost, and then you have still got to dispose of this stuff someplace.

There is also the vitrification of it, which is blending down, putting it into a glass container, and then storing that. Those have problems.

There is another option that will be analyzed and is coming out later in this year, in September, and that is the use of a fast reactor to actually burn the plutonium and, thereby, make it unusable for weapons. It also would generate a significant amount of energy, which could produce steam and electrical energy along the way. That study is coming out later this year.

In the meantime, we ought to do what you are doing here, and that is, just slow down, take a look at this.

And for those who are concerned about the jobs in the Savannah River area, a lot of this work can be done there in any one of these options. Just don't do something that doesn't work, which is the current process underway. So you could do a fast reactor there. Use that as a method of consuming the plutonium and rendering it unuseful.

There are many different ways to do it. But we are headed down a rathole. Slow down. Stop.

I commend both the gentleman from Nebraska and the gentleman from Idaho for where they are going on this. Carry on.

Mr. SIMPSON. I thank the gentleman from California. And I thank the gentleman from Nebraska, again, for his efforts in this area. I know it is a matter of both urgency to the United States and to the world, actually. But I thank the gentleman for his efforts in this arena, and continue on.

I yield back the balance of my time.

Mr. FORTENBERRY. Again, let me just reiterate my deep thanks to the chairman for his leadership on this. This is a tough one, and he is working aggressively to try to get to the heart of a prudential and good decision.

Let me thank, again, the gentleman from California for his insights and participation as well.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 15, after the dollar amount, insert ''(reduced by $125,000,000)''.

Page 31, line 7, after the dollar amount, insert ''(increased by $105,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I want to raise an issue along the lines of my earlier discussion and part of what we just heard in the previous discussion. That is, where are we going with the nuclear enterprise? What is it all about? Where will it take us?

My personal view is that we are in the first quarter of a new nuclear arms race. This amendment deals with a critical part of that effort to rebuild the nuclear weapons systems of the United States.

We currently have maybe 10,000 unused nuclear plutonium pits. This is the heart of a nuclear bomb. It is pure plutonium, and it is the heart of the bomb.

The 10,000 that are not used came out of nuclear weapons that have been dismantled as a result of the various arms control treaties that have been in place over the last 30 years, all to the good. The MOX facility deals with that unused excess plutonium and others. But this amendment deals with the notion of rebuilding and increasing the capacity of the United States to produce new plutonium pits.

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We presently have the capacity to produce somewhere between 5 and 10 plutonium pits, again, the heart of a nuclear weapon, in the existing facilities. We are going to spend a few billion dollars—unknown—but somewhere probably between $1 billion and $2 billion or $3 billion building the facilities to increase the capacity to manufacture these plutonium pits to 50 to 80 a year.

Now, testimony that we have received in the Strategic Forces Subcommittee of the House Armed Services Committee indicates that nobody knows what you are going to do with them or whether you even need the pits, but they want to build the facility just in case.

You go: Wait a minute, you have 10,000 out there; what are you going to do? Why are you doing this?

It has never been answered other than: Well, we might need it some day.

Well, God willing, we will never need it some day. Five to 10 a year, more than we need, 50 to 80, the military doesn't know what to do with it; the NNSA doesn't know what to do with it, but they want to build the manufacturing facility even so.

This amendment simply says let's take $125 million of that and apply it to something useful like cleaning up what is going on out there. Just keep in mind that we are talking about an enormous amount of money here for the production or the manufacturing facilities of these pits.

It is not just the facility for the plutonium, but it is also for the rest of the bombs, so it is probably going to be well over $10 billion by the time we finish, and then you have the operating costs, if we ever operate at all. Be careful here. We are into a massive expenditure of over $1 trillion over the next 20 to 25 years.

I have asked the military: Tell us how we are going to spend that.

They say: Well, we really don't know.

They gave me a document that is a bunch of equations with no explanation of what the factors are. I am asking for information. I was shut down in committee yesterday, but we all ought to demand information.

What is going on here? What are we talking about? A new long-range stealth bomber to replace the B–2, new cruise missiles, new submarines, new missiles for land and sea, and new warheads to go on top of it; and, all the while, other countries are trying to match us. It is a nuclear arms race well underway.

Are we causing it? We are clearly part of it. Russia and China are also involved in this and matching technology, spending a vast amount of money. Just think what we could do if we took one-quarter of that and spent it on education. What could we do for the American people? I think I hear the knock-knock of time having run out, and that frightens me because time is running out on this issue, and we need to pay attention here.

Mr. Chairman, I thank Mr. SIMPSON and his committee for paying attention to all of this.

Ms. KAPTUR. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Could I just ask for clarification? Which of your amendments are you addressing in your arguments now? It was our understanding the gentleman was addressing the MOX facility. Are you addressing that or your prior amendment?

Mr. GARAMENDI. I am addressing the facilities, the nuclear pit facilities, the plutonium pit facilities. It is $125 million. The MOX was my colleague from Nebraska's amendment. That was his amendment.

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

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, the amendment you are speaking to on the pit production is an end of the bill amendment, and we are not yet at the end of the bill.

Mr. GARAMENDI. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from California.

Mr. GARAMENDI. So I can come back and do it again?

Mr. SIMPSON. There you go. The amendment that was reported by the Clerk was the MOX facility that took $125 million out of the MOX facility.

Mr. GARAMENDI. That is correct.

Mr. SIMPSON. That was the amendment that was reported by the Clerk.

Mr. GARAMENDI. That is what I was speaking to.

Mr. SIMPSON. You have another amendment that deals with pit production?

Mr. GARAMENDI. If I can go back and talk about the MOX facility now. I stand corrected.

The 125 was the MOX facility amendment.

Mr. SIMPSON. Our arguments and the debate that we just had with the gentleman from Nebraska about the MOX facility and the challenges that we face in the MOX facility is the same as the debate we just had, and while we asked for the Department to look at the two alternatives, the downblend and the continuing MOX, the Armed Services Committee asked for a report on all five of the alternatives that they were looking at and the cost and stuff.

I would oppose this amendment of taking $125 million out of the MOX facility.

Mr. CLYBURN. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from South Carolina.

Mr. CLYBURN. Mr. Chairman, if we are, in fact, about to entertain the MOX amendment, I would love to speak in opposition to that amendment.

Mr. SIMPSON. This is the amendment that has been reported.

Mr. GARAMENDI. If the gentleman would yield for 15 seconds, I will explain the error, and then I will be out of the way.

Mr. SIMPSON. I yield to the gentleman from California.

Mr. GARAMENDI. Quite correct, there was an error on my part.

This is the question of the MOX facility, $125 million to be applied to other cleanup programs across the Nation. That is it. I spoke on a different issue, and the MOX facility came up earlier.

Mr. SIMPSON. I yield to the gentleman from South Carolina.

Mr. CLYBURN. Mr. Chairman, as I said, I oppose this amendment. I do so because I really believe that this amendment would endanger our national security by making harmful cuts to the Mixed Oxide Fuel Fabrication Facility that is located in South Carolina.

This facility will be used to dispose of 34 metric tons of weapons grade plutonium according to binding international agreements originally signed back in 2000 and reaffirmed in 2010. Most of the plutonium has already been transferred to the Savannah River site, and it is there awaiting disposition through the MOX facility.

The President has requested the level of funding included in this bill to continue construction. The facility is over 65 percent complete and supports over 1,500 highly skilled jobs. Any further delay will jeopardize our international agreements and will abandon commitments that the country has made to the State of South Carolina when we signed and agreed to house these dangerous materials for our Nation.

I want to close by saying South Carolina has developed what I call a level of tolerance for nuclear. It didn't get there, as we say down in Gullah Geechee country, just by itself. We got there because of the commitment we made to this Nation years ago with the Manhattan Project.

I believe the State of South Carolina and the Savannah River site have made significant commitments to helping secure this Nation. I believe we would be breaking faith with the State to cripple this effort at this time because it is an agreement, the agreements are international, and I think we have a commitment to the State of South Carolina to continue the movement on this project.

Mr. Chairman, I ask that this amendment be opposed.

Mr. SIMPSON. I yield back the balance of my time.

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

The amendment was rejected.

Mr. SIMPSON. Mr. Chairman, I move to strike the last word.

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

Mr. SIMPSON. Mr. Chairman, I yield to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding. I appreciate it.

Mr. Chairman, I rise to speak on the Nuclear Regulatory Commission. As a member of the House Energy and Commerce Committee which has jurisdiction over the NRC, our committee has taken a close look at the regulatory priorities and resource needs of the commission.

The Energy and Power Subcommittee oversees nuclear energy, and the Environment and Economy Subcommittee has oversight on nuclear waste. I serve on both subcommittees.

In both committee and subcommittees, we have held hearings in recent years with the commissioners on the NRC, as well as other experts and stakeholders. In these hearings, we have learned important facts such as, while the Nation's fleet of nuclear reactors continues to operate safely, the evidence clearly demonstrates that the NRC's budget exceeds what is reasonably necessary in light of current regulatory and licensing needs. We have further learned that—and the NRC Chairman recently acknowledged—the NRC budget needs to be right-sized to some degree.

We have also focused on the fact that, unlike most other Federal agencies, 90 percent of the NRC's budget is recovered through fees on nuclear licensees, which are eventually paid through electric rates.

This means that an outsized NRC budget is actually paid for by the American people, both through their taxes and their electric rates. We have also seen recent closures of nuclear power plants in the United States and fewer new plants coming online than anticipated a decade ago. In fact, even though the number of nuclear plants is currently decreasing, the NRC budget has increased substantially compared to 10 years ago.

Mr. Chairman, I would like to thank the Appropriations Committee and the chairman for acting to provide a level of appropriations for the NRC that is appropriate under the circumstances. This budget gives the NRC all it needs to ensure the safe operation of the Nation's nuclear fleet without asking taxpayers and electricity ratepayers to pay more than is necessary.

I thank the gentleman.

Mr. SIMPSON. I thank the gentleman for his interest in this subject. I can assure you that the subcommittee is very concerned also, and we look forward to working with you and your committees as we try to right-size the NRC and all of the budgets that we will be doing in the future.

As you said, the NRC is well aware of the fact that they need to right-size themselves as they try to attempt to implement their Project Aim 2020, so I appreciate it.

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,320,394,000, to remain available until expended: *Provided*, That $43,500,000 shall be available until September 30, 2017, for program direction.

AMENDMENT OFFERED BY MR. LANGEVIN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 10, after the dollar amount, insert ''(increased by $2,426,400).''

Page 30, line 16, after the dollar amount, insert ''(reduced by $2,500,000).''

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, this amendment would support beginning an assessment of the feasibility of using low-enriched uranium in naval reactor fuel that would meet military requirements.

Using low-enriched uranium in naval reactor fuel could yield significant potential national security benefits related to nuclear nonproliferation, could lower security costs, and supports naval reactor research and development at the cutting edge of nuclear science.

As we continue to face the threat of nuclear terrorism and as countries continue to develop naval fuel for military purposes, the imperative to reduce the use of highly enriched uranium will become increasingly important over the next several decades. This is the time to begin investments in new technologies to address proliferation threats and to reduce reliance on highly enriched uranium.

R&D on LEU for naval reactors would also support continued R&D within Naval Reactors at the cutting edge of nuclear science and engineering, which remains a critical capability. The Naval Reactors director Admiral Richardson testified on March 24, 2015, before the House Armed Services Committee that, with current technology, using low-enriched uranium fuel would only be feasible for aircraft carriers and would require an additional refueling at a cost of $1 billion.

He added, however:

The potential exists that we could develop an advanced fuel system that might increase uranium loading and make low-enriched uranium possible while still meeting very rigorous performance requirements for naval reactors on nuclear-powered warships.

Mr. Chairman, this $2.5 million in funding would support early testing and manufacturing development required to advance LEU technology for use in naval fuel. Such a program, if

successful, could yield significant benefits for nuclear nonproliferation and yield security cost savings.

Mr. Chairman, it sounds like we have broad-based support for this amendment. I urge acceptance of this amendment in order to start this very important effort, and I reserve the balance of my time.

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The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $388,000,000, to remain available until September 30, 2017, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck and one armored vehicle for replacement only, $5,055,550,000, to remain available until expended: *Provided*, That of such amount $281,951,000 shall be available until September 30, 2017, for program direction.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, $471,797,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund''.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $767,570,000, to remain available until expended: *Provided*, That of such amount, $253,729,000 shall be available until September 30, 2017, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Shoshone Paiute Trout Hatchery, the Spokane Tribal Hatchery, the Snake River Sockeye Weirs and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2016, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,900,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,900,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $0: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $66,500,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $47,361,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $35,961,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $11,400,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $63,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $307,714,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $302,000,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $214,342,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $93,372,000, of which $87,658,000 is derived from the Reclamation Fund: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $352,813,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,490,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,262,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2016, the Administrator of the Western Area Power Administration may accept up to $460,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for

the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $319,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $319,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2016 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading ''Department of Energy—Energy Programs—Science'' may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

SEC. 307. (a) None of the funds made available in this or any prior Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 308. (a) NOTIFICATION OF STRATEGIC PETROLEUM RESERVE DRAWDOWN.—None of the funds made available by this Act or any prior Act, or funds made available in the SPR Petroleum Account, may be used to conduct a drawdown (including a test drawdown) and sale or exchange of petroleum products from the Strategic Petroleum Reserve unless the Secretary of Energy provides notice, in accordance with subsection (b), of such exchange, or drawdown (including a test drawdown) to the Committees on Appropriations of both Houses of Congress.

(b)(1) CONTENT OF NOTIFICATION.—The notification required under subsection (a) shall include at a minimum—

(A) the justification for the drawdown or exchange, including—

(i) a specific description of any obligation under international energy agreements; and

(ii) in the case of a test drawdown, the specific aspects of the Strategic Petroleum Reserve to be tested;

(B) the provisions of law (including regulations) authorizing the drawdown or exchange;

(C) the number of barrels of petroleum products proposed to be withdrawn or exchanged;

(D) the location of the Strategic Petroleum Reserve site or sites from which the petroleum products are proposed to be withdrawn;

(E) a good faith estimate of the expected proceeds from the sale of the petroleum products;

(F) an estimate of the total inventories of petroleum products in the Strategic Petroleum Reserve after the anticipated drawdown;

(G) a detailed plan for disposition of the proceeds after deposit into the SPR Petroleum Account; and

(H) a plan for refilling the Strategic Petroleum Reserve, including whether the acquisition will be of the same or a different petroleum product.

(2) TIMING OF NOTIFICATION.—The Secretary shall provide the notification required under subsection (a)—

(A) in the case of an exchange or a drawdown, as soon as practicable after the exchange or drawdown has occurred; and

(B) in the case of a test drawdown, not later than 30 days prior to the test drawdown.

(c) POST-SALE NOTIFICATION.—In addition to reporting requirements under other provisions of law, the Secretary shall, upon the execution of all contract awards associated with a competitive sale of petroleum products, notify the Committees on Appropriations of both Houses of Congress of the actual value of the proceeds from the sale.

(d)(1) NEW REGIONAL RESERVES.—The Secretary may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(2) The budget request or notification shall include—

(A) the justification for the new reserve;

(B) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(C) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(D) the location of the reserve; and

(E) the estimate of the total inventory of the reserve.

SEC. 309. Of the amounts made available by this Act for ''National Nuclear Security Administration—Weapons Activities'', up to $50,000,000 may be reprogrammed within such account for Domestic Uranium Enrichment, subject to the notice requirement in section 301(e).

SEC. 310. (a) Unobligated balances available from appropriations for fiscal years 2005 through 2010 are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Energy Programs—Energy Efficiency and Renewable Energy'', $16,677,000.

(2) ''Energy Programs—Electricity Delivery and Energy Reliability'', $900,000.

(3) ''Energy Programs—Nuclear Energy'', $1,665,000.

(4) ''Energy Programs—Fossil Energy Research and Development'', $12,064,000.

(5) ''Energy Programs—Science'', $4,717,000.

(6) ''Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $4,832,000.

(b) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $95,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,900,000, to remain available until September 30, 2017.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $12,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $3,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $1,003,233,000, including official representation expenses not to exceed $25,000, to remain available until expended, of which $25,000,000 shall be derived from the Nuclear Waste Fund: *Provided*, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2017, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $862,274,000 in fiscal year 2016 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $140,959,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,136,000, to remain available until September 30, 2017: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,060,000 in fiscal year 2016 shall be retained and be available until September 30, 2017, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $2,076,000: *Provided further*, That of the amounts appropriated under this heading, $958,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2017.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For expenses necessary for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act, $1,000,000, to remain available until September 30, 2017: *Provided*, That any fees, charges, or commissions received pursuant to section 106(h) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720d(h)) in fiscal year 2016 in excess of $2,402,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

SEC. 505. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547 of July 19, 2010.

SPENDING REDUCTION ACCOUNT

SEC. 506. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

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. ____. 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 223, 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, there have been efforts to privatize and consolidate the National Energy Technology Laboratory, also known to us as NETL. This amendment is offered to eliminate that uncertainty of privatization 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.

Having NETL government owned and operated also maintains that the research that they produce will not be proprietary and is available to all utility companies. Small utility companies in rural America where I come from would potentially suffer the most from a move towards privatization, and they would no longer be able to perform this research and be forced to buy the new technologies at very high costs.

Mr. Chairman, who would end up paying these high costs? The limited customers of these small companies through higher electric bills.

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, and I reserve 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 rise to support the gentleman's amendment.

This amendment would prevent the Department from transforming the National Energy Technology Laboratory into a government-owned, contractor-operated laboratory, or to consolidate or close NETL.

NETL does important research in support of a balanced energy portfolio that will increase the efficiency and safe usage of abundant natural resources in this Nation.

I appreciate my colleague's passion for this issue, and I have no objection to this amendment being included in the bill.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, 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 NO. 3 OFFERED BY MR. BABIN

Mr. BABIN. 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 in this Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to the Islamic Republic of Iran except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of nuclear weapons technology.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, let me begin by saying that I strongly support programs and operations that are funded by the Defense Nuclear Nonproliferation section of the underlying bill.

Keeping loose nuclear materials—especially from places like the former Soviet Union states—out of the hands of America's enemies is one of the most important duties of the Department of Energy and the Federal Government as a whole. That being said, Congress has the obligation to set requirements and criteria for every dollar of taxpayer money that we spend, especially funds that are sent or used overseas. In fact, my colleagues on the Appropriations Committee already exercised this judgment with an additional provision in their bill that is very similar to the amendments that I will be offering today.

Section 307 of the underlying bill specifically prohibits any DOE nonproliferation funds from being used to enter into new contracts or agreements with Russia, sending a strong signal to Mr. Putin and others that there are real consequences for their irresponsible and destabilizing actions of the last few years.

My amendment adds this section to the end of the bill:

''None of the funds made available in this Act under the heading 'Defense Nuclear Nonproliferation' may be made available to enter into new contracts with, or new agreements for Federal assistance to the Islamic Republic of Iran except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of nuclear weapons technology.''

If the last line of my amendment sounds familiar, it should. It is the very same language that Congress defined as total disarmament of Iran's weapons of mass destruction program when it passed the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010. That bill passed the Senate by a vote of 99–0 and in the House 408–8, and only two of the Members who voted ''no'' on that bill still serve here in Congress today.

There is a lot to be worried about in President Obama's deal with Iran, but two serious concerns trump all of the others:

First, how will Iran properly deal with and dispose of 14,000 centrifuges

and 9,700 kilograms of highly enriched uranium that they are supposed to give up?

And if they are serious about not pursuing a bomb, what are they planning to do with the 6,000 centrifuges and 300 kilograms of uranium that they get to keep under this deal?

On the first question, the Web site Vox, hardly a rightwing outlet, says that the disposal of these materials is an open question and that the negotiators punted on how to safely and effectively remove this material from Iran. Given that fact, there is every reason to believe that the DOE nonproliferation account could be used for this purpose.

The second question is even more troubling than the first. Michael Morrell, former Director of the CIA, said back in February that ''the potential Iran nuclear agreement would limit Iran to the number of centrifuges needed for a weapon but too few for a nuclear power program,'' a statement verified as ''true'' by PolitiFact.

□ 2015

Iran's leaders have repeatedly said they have no interest in developing a nuclear weapon, and over the years, they have made that promise to the international community to gain relief from crippling economic sanctions. I don't trust Iran, but even if I did, I would still say that we follow President Reagan's charge that led us to victory when facing another nuclear foe: trust but verify.

Let me be clear. If Iran proves that they are serious about giving up all of their nuclear ambitions, I fully support using DOE nonproliferation assets to get their nuclear materials safely out of that country. Why, I would write a check myself to make sure that my grandkids don't grow up in a world where loose Iranian nuclear material makes its way to the black market or into the hands of terrorists.

But Iran can't have one without the other. That is why my amendment will make sure that, if DOE signs a contract with Iran to help remove nuclear material from Iran, it will also stipulate that they are giving up all efforts to build a bomb.

This is a commonsense amendment that reiterates the position of Congress and the promises made by President Obama's negotiating team. I urge a ''yes'' vote, and I reserve 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, the gentleman and I share a great desire to prevent the spread of Iran's nuclear capabilities, but the only thing that, unfortunately, your amendment does is endanger security, including America's security.

We can differ on how we work with Iran on the broader issue of conditions for an agreement on sanctions and their nuclear program, but that is not the issue we are debating here today. What we are debating here today is the nonproliferation program at the Department of Energy. Stopping the spread of dangerous materials from the Republic of Iran is in our Nation's interest regardless of the outcome of the broader discussion.

While there are currently no plans to work in Iran and no funding that directly supports work in Iran, let me give you a few examples of what your amendment would stop, would preclude:

One, the Department of Energy's nonproliferation program might be asked to engage with Iran to facilitate the removal of excess low-enriched uranium or heavy water from Iran. Such an engagement could necessitate contracts to arrange for the packaging, shipment, and disposition of such materials and would be prevented by the proposed amendment.

Second, the Department of Energy's nonproliferation program might also be asked to engage with Iran to strengthen Iran's nuclear safety, nuclear security, or nuclear safeguard practices. Such engagement could require contracts to provide technical expertise or support logistical arrangements and would be prevented by your amendment.

There may be some who want to use any bill, including our bill, to make political points, but shouldn't we be more concerned about endangering American lives and the lives of other innocents around the world? Wouldn't you prefer that this material be under lock and key in the United States, for example, or with one of our allies than have it stored in Iran? I can only speculate that our security practices are much better.

This amendment has no place in this bill, and I urge its defeat.

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

Mr. BABIN. Mr. Chairman, yes, I would still earnestly urge an ''aye'' vote for this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BABIN

Mr. BABIN. Mr. Chairman, I ask that the Committee call up amendment No. 4.

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 under the heading ''Defense Nuclear Nonproliferation'' may be used to enter into new contracts with, or new agreements for Federal assistance to the Islamic Republic of Iran except for contracts or agreements that include authority for the International Atomic Energy Agency to conduct anytime, anywhere inspections of civil and military sites within the Islamic Republic of Iran.

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

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 223, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

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

Mr. BABIN. My amendment is similar in nature to the one just offered, and I want to ensure that my strong support for the Defense Nuclear Nonproliferation Program and the good work of the committee to properly fund it is, once again, reflected in the RECORD.

Mr. Chairman, I offer this second amendment to the Energy and Water Appropriations bill to make clear to Iran and to the world that the complete, intrusive inspections of all Iran civil and military sites are nonnegotiable and must be part of any deal with Iran.

My amendment adds this section to the end of the bill: ''None of the funds made available in this Act under the heading 'Defense Nuclear Nonproliferation' may be made available to enter into new contracts with or new agreements for Federal assistance to the Islamic Republic of Iran except for contracts or agreements that include authority for the International Atomic Energy Agency to conduct anytime, anywhere inspections of civil and military sites within the Islamic Republic of Iran.''

I was encouraged to see Energy Secretary Moniz, President Obama's chief technical expert in the Iran negotiations, quoted as saying: ''We expect to have anywhere, anytime access'' to conduct nuclear inspections of Iran.

I share his view that without these full, intrusive inspections there is simply no way to fully and truly verify that Iran is complying with the terms of any deal they supposedly agree to.

Unfortunately, the Iranians do not share the views of our Secretary. Shortly after the Secretary made these comments to Bloomberg News, Iranian Brigadier General Hossein Salami responded by saying:

''Not only will we not grant foreigners the permission to inspect our military sites, we will not even give them permission to think about such a subject. They will not even be permitted to inspect the most normal military site in their dreams.''

Apologists for Iran say that they just need to say these types of things, as well as maintain a limited nuclear stockpile, in order to save face and preserve their national pride.

Mr. Chairman, I didn't come here to help the Iranians with their PR efforts. Neither did you, and neither did anyone in this body. Our job is to keep the

American people and the free world safe, and any deal with Iran that lifts sanctions but is not coupled with strict inspection requirements isn't just not worth the paper it is written on; it will make us less safe.

History can be our guide on this very subject. In one of his biggest but least discussed foreign policy failures, President Clinton in 1994 made a similar ''deal'' with North Korea that was supposed to end their nuclear ambitions and bring them into the international community.

Sanctions were lifted, but we were given nothing but mischief and deception by the North Koreans in return. International inspectors were obstructed and blocked on a regular basis. North Korea continued to develop their nuclear program, only now in the shadows and in hardened, underground facilities. In 2006, they successfully detonated a nuclear bomb, and they continue to develop and test long-range missiles and to threaten their neighbors and the West. Instead of weakening the authoritarian regime that controls North Korea, the lifting of the sanctions and the development of nuclear weapons allowed the Kims to tighten their grip on the country and pass it along to the next generation.

Congress cannot allow President Obama's flawed deal on Iran to take us down this same path.

Once again, if we are going to use DOE resources and taxpayer money to help Iran clean up the mess created by their nuclear ambitions, it should come with conditions. The most important condition should be that they permit the International Atomic Energy Agency to conduct the anytime, anywhere inspections that are so essential to any nuclear reduction agreement.

History and our own Energy Secretary tell us that this deal won't work without robust and full inspections. I urge a ''yes'' vote on this amendment to make sure that those inspections do happen.

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

POINT OF ORDER

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

The rule states in pertinent part:

''An amendment to a general appropriations 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 Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair finds that this amendment includes language requiring a new determination as to the meaning of inspections that qualify as ''anytime, anywhere.''

The proponent has failed to fulfill his burden as to the meaning of that term.

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. HUDSON

Mr. HUDSON. Mr. Chairman, I call up the Hudson amendment.

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 11.1208 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 223, 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, this evening, I 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, I recognize that we should go further to cut reckless spending. Washington has a spending problem, and we can't afford to kick the can down the road any longer.

My amendment makes an across-the-board cut of more than 11 percent to the bill in order to decrease the amount back to the fiscal year 2008 level, saving nearly $2 billion for the taxpayers.

We are over $18 trillion in our national debt. This is merely a drop in the bucket, and we owe it to our constituents to cut even more to restore fiscal sanity in Washington. Defense accounts are exempt from this cut because Congress is expected to take up the National Defense Authorization Act in the near future to address those programs.

Mr. Chairman, when I first ran for Congress, I was repeatedly asked: ''If you are elected, what programs would you cut?''

The answer I gave was: ''First, I would go back to 2008 spending levels, and then we will start cutting.''

My amendment does just this. It allows us to return to the point when we can finally get serious about paying down our national debt and saving future generations from economic disaster. I urge my colleagues to support this amendment.

Mr. Chairman, 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 am opposed to this amendment because it is sort of an untargeted proposal, and our budget in many places on this bill is very tight. We know the net effect will be to reduce jobs and hurt the middle class in a sector where America needs help, and that is energy independence and the modernization of our infrastructure.

The result of the amendment will be less investment in water resource infrastructure all over this country at a time when global trade is increasing. Energy research and development programs, which lead us to future energy, not past energy resources, which create good jobs and have substantial returns on investment, will be harmed.

At a time when unemployed Americans lose jobless benefits and when many young families struggle just to survive, we should be creating jobs and securing the American Dream through investing in our energy future, including innovation and investments in the ground in every ''all of the above'' energy sector we have, not tearing it down. Just since 2003, the United States has spent $2.3 trillion in importing foreign petroleum. Think about that one.

This is a vast shift of wealth, and thousands upon thousands of jobs are connected to energy production from our country. This amendment only exacerbates this shift of wealth from the American middle class to offshore. It is not something I support, and I doubt the gentleman really wants to support that.

This bill funds critical water resource projects; it supports science activities necessary to breakthroughs to lead us to a new energy future; and it contributes, importantly, to our national defense through vital weapons, naval reactor research, and the nonproliferation funding we had been discussing earlier this evening.

□ 2030

We must make certain decisions to lead our country forward. There are a lot more people who live in this country than lived here in 2008 or 2003. Also, one of the reasons that we have a little bit of uptick in some of the accounts is, there are actually more American people now, so we have got to do some things in terms of the ports. Our ports silt up. We have got to get that out of there in order that we can get larger ships into our ports carrying more goods.

We can't live in the past. I urge my colleagues to join me in opposing this amendment. Let's take America to the future and not backwards.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Speaker, I, too, rise in opposition to this amendment. This bill that we are currently considering meets the budget resolution that was just adopted. We have been cutting discretionary spending for the last 4 years, $173 billion, as I understand it, over the last 4 years, not in decreases

in the increases, but actual decreases in spending. This goes way too far and makes sweeping changes with broad cuts to the reductions. This is an approach I can't support.

I am particularly concerned about the impact this amendment would have on our critical infrastructure, as mentioned by the gentlewoman from Ohio, and the basic research needs that are prioritized in this bill. While the gentleman has attempted to exclude national security activities, I have got to tell you, in all honesty, national security is not the only thing the Federal Government does. We do do other things. We maintain our waterways and our ports and other activities. This amendment would still have the detrimental impact on the security of nuclear materials at the Idaho National Laboratory. These accounts are very complex, and reductions to each account must be carefully weighed, and that is what this subcommittee has been doing and holding hearings on for the last 4 months.

I urge my colleagues to vote ''no.'' I thank the gentlewoman for yielding.

Ms. KAPTUR. Mr. Speaker, reclaiming my time, I just wanted to say to the author of the amendment that I said something to the chairman of the Committee on Ways and Means today. I think he took it rather lightly, but I said, Here we are discussing our appropriation bills on the floor, and I said, We are trying to balance the budget. I said, But you know what? Your committee is sitting back; there are no revenues on the table, and mandatory spending isn't on the table, and you are trying to take it out of the hides of discretionary spending, which is such a small part of the entire Federal budget. You know what he did? He twirled around and kind of laughed me off and walked toward the back of the Chamber. I didn't think that was a very responsible answer.

So I respect the gentleman being down here tonight, offering his amendment. I would encourage you to talk to the head of the Committee on Ways and Means because to try to get us to shrink even more than we have done in many of our accounts—and, by the way, eleven other appropriation bills coming after us that have been asked to do the same—really isn't fair to the American people.

We need all hands on deck, all hands on deck. So I thank the gentleman for attempting to be responsible, but I really think you ought to look to some of the other committees that are sitting back while the burden is on our committee to make these decisions alone. That isn't right.

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

Mr. HUDSON. How much time do I have remaining, Mr. Chair?

The Acting CHAIR. The gentleman from North Carolina has 3½ minutes remaining.

Mr. HUDSON. Mr. Chair, I acknowledge the fine point the gentlewoman made that we can't cut discretionary spending to get ourselves out of debt. She makes two valid points: we need more revenue and we need to address the mandatory spending side. I agree wholeheartedly. We need tax reform to get us more revenue, to get the economy generated, to get people back to work, and we also need to look at saving Social Security and Medicare, shoring them up for future generations and controlling the cost curve. She makes a valid point.

I also want to acknowledge that Chairman SIMPSON and the Committee on Appropriations have actually made real cuts over the last few years. He also makes a valid point that we have actually cut discretionary spending in real dollars. I would say to you, Mr. Chairman, we can do more. I just believe that if you look at the path we are on, we are heading, if we don't spend another dime, toward a horrific debt crisis in this country. We just can't afford to sit back and not deal with that.

I believe we do need to work on the mandatory side for sure because that is the real driver of our debt. But in the meantime, let's go back to pre-stimulus time, let's go back to 2008 spending levels because I don't remember the Federal Government starving for money. I don't remember the Federal Government just barely being able to function because it didn't have enough revenue back in 2008. I think it is prudent for us to do that. It is about jobs, it is about the economy, it is about our future generation, our children and grandchildren who are going to have to actually pay the bills that we are running up right now. Mr. Chairman, I would ask my colleagues to please support the amendment.

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. Chair, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MR. ENGEL

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used by the Department of Energy, the Department of the Interior, or any other Federal agency 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 Acting CHAIR. Pursuant to House Resolution 223, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31 of this year.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical amendments to 15 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel, but despite increased production here in the United States, the global price of oil is still largely determined by OPEC. Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today. The Federal Government operates the largest fleet of light-duty vehicles in America, over 635,000 vehicles. More than 50,000 of those vehicles are within the jurisdiction of this bill and being used by the Department of Energy, the Department of the Interior, and the Army Corps of Engineers.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding the use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol. They make their choice based on cost or whatever criteria they deem important. I want the same choice for American consumers. That is why I am also proposing a bill this Congress, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of or in addition to gasoline. They do it in Brazil. We can do it here, and it would cost less than $100 per car to do so.

In conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers. I am delighted that both my Republican and Democratic colleagues have unanimously supported this bill for the past several years. I ask that my colleagues support the Engel amendment.

I yield back the balance of my time.

The Acting 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. SANFORD

Mr. SANFORD. 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. ____. (a) The amount otherwise made available by this Act for ''Department of Energy—Advanced Technology Vehicles Manufacturing Loan Program'' is hereby reduced to $0.

(b) None of the funds made available by this Act may be used to provide a loan under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, I rise because too often here at the Federal level we find ourselves rewarding or occasionally funding corporations that would do what they do irregardless of what we did at the Federal level. It has been a point of contention with Democratic colleagues. Too often we continue to pay for programs that have outlived their original purpose. I think that too often we find ourselves looking the other way at programs that don't work and/or have wasted tens upon tens of millions of dollars.

It is for those different reasons that I rise to offer this amendment, which would indeed defund the Department of Energy's failed Advanced Technology Vehicles Manufacturing program. Quite simply, it would just do two things: one, it would eliminate the $6 million in funding that would go to this program, and, two, it would prevent any further lending from this program's unused lending capacity.

The reason I think doing those two things are awfully important is, one, this is, indeed, a case of paying corporations to do what they would already do. Again, this has been a point in the budget debate that we had earlier today from both Republican and Democratic colleagues alike, saying we shouldn't be paying corporations to do things they would already do. Two, this is, indeed, a stimulus era program. However well intended in 2009, it has outlived its purpose, and we are not in the economic situation that we found ourselves in 2009. In fact, this program's authority expired back in 2012, and I think it is a recognition by this Congress of the fact that maybe some of the program hasn't been working so well as to why that has indeed occurred.

Finally, this program has seen real losses; 40 percent of its loans have gone bad. According to a GAO report, they actually wrote up some of those losses. What I might do is just share for one moment with my colleagues, as part of a government reform look at this program, there was a letter to then Secretary Chu February 28, 2012, from one of the applicants. In it he quotes the chairman of a Fortune 10 company—not 100, but Fortune 10 company, and this is in the reference to the letter—told your former deputy, Jonathan Silver, that this program lacked integrity. That is, it did not have a consistent process and rules against which private enterprises could rationally evaluate their chances and intelligently allocate time and resources against that process.

There can be no greater failing of government than to not have integrity when dealing with its taxpaying citizens. For a variety of reasons, I offer this amendment.

I reserve the balance of my time.

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

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

Ms. KAPTUR. I rise in opposition to the gentleman's amendment. I want to share a story. I was out at one of our energy labs in California and walked into a research lab, a Cummins engine was up on the boards. I said, What is going on in here? The answer was, We are trying to understand the science of combustion. I said, You mean it is 2014, and we don't understand that yet? They said, No, Congresswoman, we really don't know what happens inside an internal combustion chamber. They were studying what happens when fuel ignites inside that chamber so they could make it more energy efficient. I was surprised to learn that every single automotive company in this country depends on the results of that research, and Cummins is in the lead.

I want to say to the gentleman, I come from automotive America. When the industry fell to its knees in 2008 because we have never had a trade policy that opens closed markets like Japan and Korea and China, I thought to myself, I never thought I would live to see this day. After the wise decision of a majority of this Congress and the Obama administration, we lifted the automotive industry of this country out of the dregs.

I have watched it recover with vehicles like the Cruze and with the Wrangler, which is leading the list. When I look at what Ford is doing in terms of its EcoBoost engine, I see an industry being reborn in our Nation. The economic growth that comes with it, the incredible muscle that it provides inside the spine of this economy—not tangential growth, but real wealth, real wealth being created, again, across this country in this very important industry—I wouldn't do anything at this point in American history with the closed markets we are facing abroad not to support advanced technology in this country.

What we are competing against in other places are countries disguising themselves as companies, and they are able to subsidize their industry, close their markets, and prevent even our parts going into their original equipment. We can succeed most importantly by advancing automotive technology, advanced vehicle technology.

□ 2045

This particular program allows the component suppliers, as well as the original equipment, to benefit. I can tell you, though, the companies do research themselves; they don't do the kind of basic research that is necessary to provide the incredible breakthroughs that can come through the Department of Energy.

If I said to you 25 years ago, ''Would you believe that 10 percent of gasoline blends are ethanol and renewable fuels,'' you would probably say, ''Congresswoman, you have been staying up too late too many nights of the week.''

In fact, it has happened. Now, we are going to move to a 15 percent renewable blend. Who would have thought that would be possible? Who would have thought we could get 40-mile-a-gallon vehicles on the road? We are moving toward that now, flexible fuel. That is not by accident. This program supports just what it says, advanced technology vehicles manufacturing.

Given concerns that have been expressed by my colleagues regarding appropriate oversight of these programs, I think the net effect of your amendment is going to be to eliminate oversight of this program, which I don't think we want to do. I think we want to make it work for America's sake.

I oppose your amendment, and I urge its defeat.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentlewoman for yielding.

Mr. Chair, I also have to oppose this amendment. While I appreciate the gentleman's position on the ATVM program, the elimination would hurt Federal oversight of the program of more than $8 billion in loans already given. The committee recommendations include the $6 million as a reasonable amount to provide oversight and direction to the existing loan portfolio and no more.

I don't think the gentleman wants to actually eliminate the oversight of the loans that are out there that are going to be running for the next 30 years.

I must oppose the gentleman's amendment in order to ensure that there is proper oversight of taxpayer funding.

Ms. KAPTUR. I thank the chairman very much, and I yield back the balance of my time.

Mr. SANFORD. I thank both of my colleagues for their counterpoints, and I understand absolutely this notion of competitiveness. I agree with Thomas Friedman, the world is flat; and we are in a global competition for jobs, capital, and way of life.

Look at, again, the fundamentals of this program. I have here a GAO—Government Accountability Office—report

that says the cost of participating in this program outweighs the benefits to companies. That is a GAO report, not a private sector report, not a rightwing report.

I think it is also interesting, in pulling this letter that was, again, written by a supplicant to the agency itself, said that the due diligence process in their attempt—and they ultimately quit—but their attempt to get a loan was more than 1,175 days. His point in this letter was that that was more than tenuous and, frankly, had much to do with their ultimately ceasing and desisting.

I would also make this point: they have only made five loans. If we were depending on these five loans for innovation in new technology in the way that internal combustion engines work or the way that we burn fossil fuel, we are in real trouble, but five loans is what we are talking about.

I would also make this point: I think, at some point, given the scarcity of resources that we do deal with in Washington, D.C., we have to at some level make a divide between big companies. Ford's market cap is $63 billion. Alcoa's is $16 billion.

Would not these funds be better used going to small innovators, as opposed to these large, multinational corporations that I think, in many cases, are the beneficiary of corporate largesse, but corporate largesse that I don't think serves the taxpayer well or, according to these industry analysts, the industry as well?

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

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

Mr. SANFORD. 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 South Carolina will be postponed.

AMENDMENT OFFERED BY MR. CLEAVER

Mr. CLEAVER. 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. ____. During fiscal year 2016, the limitation relating to total project costs in section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall not apply with respect to any project that receives funds made available by title I of this Act.

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

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 223, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CLEAVER. Mr. Chairman, this amendment would waive the limit on total costs for Army Corps projects which are set forth in section 902 of the Water Resources Development Act of 1986.

The law states that a project cannot be funded by more than 20 percent of the project's total authorized cost. This amendment would waive that limitation for any project that receives funds made available by title I of this act.

Thirty or so years have passed since Congress originally authorized many of the current Federal flood control projects. Unfortunately, the large backlog of projects, incremental funding by Congress, and unforeseen circumstances has resulted in costly delays for projects across this country, pushing many over the now outdated authorized limits. Many of these projects are so close to the finish line, and this language could help them cross it.

Mr. Chairman, this language is vital to the continuation of valued flood control projects in my congressional district. The Dodson Industrial District project in Kansas City, Missouri, has completed its first three phases. However, without an increase in its authorized total cost, the project cannot move forward on the final phase.

Currently, the area has a floodwall unconnected to the rest of the project and investments of $250 million at risk. If the project could be fully funded at the increased total amount, it could be completed in fiscal year 2017.

Projects that have reached their 902 limit can apply for a project cost modification. However, the application and review process routinely takes several years to get approval from the Army Corps headquarters. These valued projects, in which the Federal Government has already invested millions of dollars, are languishing for 2, 3, or more years during that review process.

Another control project in Kansas City, called Turkey Creek Basin, has over $200 million in investment protected by this project, including a major interstate highway. It was authorized in 1999 and is ready for the final phase, but did not receive Federal funding last year or in this year's budget request because of a pending cost modification application, which began in 2013.

Mr. Chairman, just in my district, there are three flood control projects that have pending cost modification applications that were started in 2013. I can only surmise that this trend has continued in just about every other congressional district in the country.

Mr. Chairman, these are not exotic projects. These are projects which will help generate the businesses in those areas to a point where they can begin to grow.

I would like to thank the chairman and the ranking member for their attention to this matter. With some assurances that the committee will try to address this issue as the bill moves into conference process, I would consider withdrawing the amendment at any time.

I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, 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 gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting 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 explicitly supersedes existing law by waiving section 902 of the Water Resources Development Act of 1986 with respect to certain projects covered by the bill.

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. BURGESS

Mr. BURGESS. 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 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 Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I rise today to offer an amendment that actually maintains current law.

Since its passage in 2007, I have heard from tens of thousands of constituents about how the language in the 2007 Energy Independence and Security Act will take away consumer choice when deciding what lightbulb to use in your home. In fact, they are right.

While the government has passed energy efficiency standards in other realms over the years, they have never jumped so far and lowered standards 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 that the average American can afford.

Opponents to my amendment will claim that the 2007 language does not ban the incandescent bulb. That is true. It bans the sales of the 100-watt, the 60-watt, and the 45-watt bulbs. 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 bulb in their house at even $5 a bulb.

The economics of the lightbulb mandate are only part of the story. With the extreme expansion of Federal powers undertaken by President Obama and the Democrats in Congress during the first 2 years of the Obama administration, Americans have woken up to 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; 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 human health or safety.

This Congress must be on the side of consumers and consumer choice. If new, energy-efficient lightbulbs save money and are better for the environment, we should trust the American people to make that choice on their own and move to these bulbs. We should not be forcing these lightbulbs on the American public.

The bottom line is the Federal Government has no business taking away the freedom of Americans to choose what bulb to put in their homes. I will add that, recently, the 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.

This is actually an argument to repeal the 2007 language in its entirety, not to allow it to be implemented. We should not allow a stopgap trigger in the law to extort us into passing bad policy and moving forward.

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

Mr. Chairman, I should add that I have had conversations with my good friend, Mr. JORDAN from Ohio, on this amendment. I understand that there have been discussions about changes to the language in order to balance both the philosophical belief that this is the wrong policy for our country and the pragmatic belief that we should do no harm to the livelihoods of our constituents.

I continue to offer, as I did last July, to sit down with Mr. JORDAN or anyone else to see if compromise language can be achieved prior to the end of the fiscal year, but in the meantime, I offer this amendment to the body.

Mr. BARTON. Will the gentleman yield?

Mr. BURGESS. I yield to the gentleman from Texas.

Mr. BARTON. I rise in strong support of the gentleman's amendment. I think it is absolutely the right thing to do. It is pure common sense.

As you know, these newer bulbs, while they may be more energy efficient, they are much more expensive. I have yet to see one that costs less than $3 or $4. The incandescent bulbs—when you can find them—you can get four for $2.50 or something like that.

This is a commonsense approach to let the consumer choose. Certainly, for lower-income Americans that don't have the ability to buy the more expensive bulbs, it makes a lot of economic sense.

I support the gentleman's amendment.

Mr. BURGESS. I thank the gentleman, and I reserve the balance of my time.

□ 2100

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

The Acting CHAIR (Ms. FOXX). The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I strongly oppose this damaging rider by my good friend, Congressman BURGESS of Texas, because it would block the Department of Energy from implementing or enforcing commonsense energy efficiency standards for lightbulbs. This rider was a bad idea when it was first offered 4 years ago, and it is even more unsupportable now.

Every claim made by proponents of this rider has been proven wrong. Dr. BURGESS told us that the energy efficiency standards would ban incandescent lightbulbs, but that simply is 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. But if you have shopped for lightbulbs lately, which I have, you know that isn't true either. Modern incandescent bulbs, compact fluorescent lightbulbs, and LEDs of every shape, size, and color are now available. Consumers never had more choice.

The efficiency standards spurred innovation that dramatically expanded options for consumers. Critics of the efficiency standards 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, and that is why consumer groups have consistently opposed this rider.

Here is the reality. The 2007 consensus energy efficiency standards for lightbulbs were enacted with bipartisan support and continue to enjoy overwhelming industry support. U.S. manufacturers are already meeting the efficiency standards.

The effect of the rider is to allow foreign manufacturers to sell old, inefficient lightbulbs in the United States that violate the efficiency standards. This is unfair to domestic producers who have invested millions of dollars in U.S. plants to make efficient bulbs that meet the standards.

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

But it even gets 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 the Department of Energy 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, to name but three. 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.

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 agree this rider is harmful. I urge all Members to vote ''no'' on the Burgess lightbulb rider.

I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I would just observe, at the end of calendar year 2007, the commentator George Will observed the United States Congress had two jobs: deliver the mail and defend the border. It had done neither. But what it had done was ban the incandescent bulb, perhaps the greatest invention ever invented by an American inventor.

This is a commonsense amendment. It deserves passage.

I yield back the balance of my time.

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

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

Ms. KAPTUR. Madam Chair, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. DENT

Mr. DENT. Madam 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 by the Department of Energy to finalize, implement, or enforce the proposed rule entitled ''Standards Ceiling Fans and Ceiling Fan Light Kits'' and identified by regulation identification number 1904-AC87.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Madam Chair, I rise today to offer an amendment to stop overbearing Department of Energy regulations from driving up the cost of ceiling fans and increasing energy consumption as a result. I offer this amendment, along with my colleagues Mrs. BLACKBURN of Tennessee and Mr. ROKITA of Indiana, both of whom have been very engaged on this issue.

The Department of Energy is currently considering a proposed rule, entitled, ''Standard Ceiling Fans and Ceiling Fan Light Kits,'' which would impose increased efficiency requirements for ceiling fans sold in the United States. This regulation, if implemented, would have the effect of increasing the cost of ceiling fans, in some cases by nearly double, thereby reducing the purchase and use of ceiling fans by American consumers. The end result, ironically, would be heavier reliance on central air-conditioning and, thus, increased energy consumption.

Ceiling fans, by their nature, are already an extremely energy-efficient method of cooling a home or a business, using between 20 and 100 watts during operation, compared with a central A/C unit which typically uses between 3,500 and 5,000 watts. That is an order of magnitude less energy, which can save a household up to 14 percent on cooling costs.

The Department of Energy's proposed standard is regulatory solution in search of a problem.

Now, the ceiling fan industry has already demonstrated a strong commitment to energy efficiency, as evidenced by the dramatic increase in ENERGY STAR certified ceiling fans on the market over the past decade. The industry continues to develop energy-saving innovations, such as a redesigned motor, which uses up to 70 percent less electricity than the traditional ceiling fan motor. This has all taken place absent the heavy hand of government regulation.

At a time when homeowners across the United States are trying to reduce energy usage and cost, we should not increase the price of ceiling fans by setting unrealistic and unnecessary efficiency requirements on an already efficient product. Ceiling fans can help reduce dependence on foreign energy sources and ease the strain on our national power grid during the time of year when it is most heavily taxed.

Madam Chairman, I would simply state that ceiling fans are an inexpensive, easy way to reduce cooling costs, and the Federal Government should avoid taking actions that will stifle innovation and, ultimately, drive consumers to less efficient methods of cooling their home and business.

I would urge all my colleagues to support this commonsense amendment to stop this burdensome government regulation, and encourage reduced energy consumption through increased efficiency.

Madam Chair, I yield to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Chairman, I want to thank Mr. DENT and Mr. ROKITA for their work on this issue.

The Department of Energy is so determined to redesign the ceiling fan that they have released a 101-page rulemaking framework document which evaluates the potential energy savings of their new regulations.

Well, what we have found is that, just like stretching their tentacles into lightbulbs and so many other areas of our home, what they are doing is pricing people out of the ceiling fan market. These new regulations would significantly impair the ability of ceiling fan manufacturers like Hunter Fans in Memphis, Tennessee, to produce reasonably priced, highly decorative fans.

The regulations will not only place a higher price tag on the less-pleasing designs, but could increase homeowners' reliance on cooling systems that are less energy efficient.

What we are seeing is, with ceiling fans, that many of our constituents save as much as 14 percent on their energy use to cool their home, and they can save homeowners as much as 40 percent of their air-conditioning bills by creating a breeze that makes the room feel a little bit cooler. New regulations will curb increased consumer trends in the marketplace, which currently include placing ceiling fans in laundry rooms, closets, and master bathrooms.

I would encourage my colleagues to support this amendment.

Mr. DENT. Madam Chair, I yield to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Madam Chair, I rise today in strong support of the amendment offered by my friend, the gentleman from Pennsylvania.

I would also like to thank the gentlewoman from Tennessee for her continued work on this matter.

Frankly, as I look around the room tonight, I think it is kind of ridiculous that we are sitting here talking, standing here talking about ceiling fans. This is what it has come to.

The bureaucracy in this town is now telling the American people that they know what belongs on their ceiling more than those people do. It is government run amuck. It is an example of the complete disregard bureaucrats have for the practical implications of the regulations they issue.

The Department of Energy, as is stated, contends that a certain amount of energy would be saved by requiring greater efficiency from ceiling fans, completely disregarding the fact that if you price people out of this market, as the gentlewoman from Tennessee said, they are going to have to buy cooling systems that are even more expensive, buy fans that are even more expensive.

Let's get out of this business. We have more important things to do than worrying about bureaucrats and what they decide people need on their ceilings. Let's remember, this amendment was adopted in 2014 on the floor, and it was in the base text of the 2015 bill.

I urge a ''yes'' vote on this amendment.

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

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

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

Ms. KAPTUR. Madam Chair, I oppose the gentleman's amendment, given it is a solution in search of a problem.

Since their implementation, standards for ceiling fans and ceiling fan light kits have saved American consumers—are you ready?—$4.5 billion—billion—in energy costs, and cut greenhouse gas emissions by 22 metric tons.

Nearly a decade ago—why do we have this system? Because three States—California, Maryland, and New York—created their own unique standards for ceiling fan test procedures and performance, and these varying requirements created difficulties for manufacturers marketing products across all 50 States.

In response, the fan manufacturing industry asked the Federal Government for a national standard that would reduce unnecessary complexity. Since that time, the DOE, Department of Energy, has not even proposed a new rule on ceiling fans, so it is premature to react to what might be in a new rule. Even if a new rule is proposed, implementation is years away.

The Department's analysis so far has shown that options exist for increasing

ceiling fan efficiency that are cost-effective for manufacturers and the consumers. Any upgrades will enable consumers to save money by saving energy, also moving our country closer to its low-carbon future.

Given the proposed rule has yet to be released, industry cannot anticipate how much their manufacturing costs might increase, whether their business model would be turned upside down, or whether the rule would result in energy growth. Industry has not substantiated any of their claims.

The Department of Energy has conducted extensive consultation with industry stakeholders, including the companies themselves, and any potential indirect effects on air-conditioning units.

The amendment ensures that consumers will be stuck with less efficient fans and higher energy costs. I can't see why we would want to do that.

Let's help this industry. As I have stated, I object to the amendment as proposed and urge a ''no'' vote by my colleagues.

I yield back the balance of my time.

□ 2115

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

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. NAPOLITANO

Mrs. NAPOLITANO. Madam 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 in contravention of section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) or section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

The Acting CHAIR. Pursuant to House Resolution 223, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Madam Chairman, I rise in support of the DeFazio-Poe-Napolitano amendment.

I sincerely thank Ranking Member DEFAZIO and, of course, the ranking member of the committee for offering this critical amendment which implements the harbor maintenance allocation formulas that were carefully negotiated and included in the WRRDA 2014 and passed the House by a vote of 412–4. I repeat, 412–4.

WRRDA '14 said that any funds appropriated for the harbor maintenance account above $898 million—of course this was the baseline amount appropriated in fiscal year '12—should be—it doesn't say ''would be,'' ''could be''—it should be allocated based on the following parameters:

Ten percent at least goes to the Great Lakes. At least 10 percent goes to expanded uses at donor ports, which would be New York/New Jersey, Miami, Seattle, Tacoma, Los Angeles, and Long Beach. Expanded uses are berth dredging, removal of contaminated sediment, environmental remediation, and/or subsidies to shippers to continue to use their ports. At least 5 percent goes to underserved harbors. Ten percent goes for emerging harbors.

The 2016 Corps budget does not—I repeat, does not—include the WRRDA 2014 harbor maintenance trust allocations. It does not include them.

This amendment is needed to require the Corps to implement these funds allocations, as directed by Congress.

Madam Chairman, this amendment is especially important to provide fairness to my State of California and to other ports.

All ports in California only receive 15 percent—this is all ports—back of what their shippers paid into that harbor maintenance trust fund.

Last year, the users of the ports of Los Angeles and Long Beach alone paid $263 million in harbor maintenance taxes and received zero—I repeat, zero—back in harbor maintenance funds. This is terribly unfair, and it is, as far as we are concerned, illegal.

This amendment will ensure that it brings back a little bit of that fairness to the donor harbors by providing them with a small portion of what they paid into the system.

I do want to add that this amendment is supported by the American Association of Port Authorities and the ports of Los Angeles and Long Beach.

I ask for support of the DeFazio amendment. I request a ''yes'' vote.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STIVERS

Mr. STIVERS. Madam 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 for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Madam Chair, the amendment I am offering tonight is simple. It prohibits funding for the Cape Wind project off Nantucket Sound. This amendment was offered last year and was accepted unanimously, and I hope it will be again.

The problem with this project isn't that it is renewable energy. We all support renewable energy. This is a renewable energy that is not supporting American jobs. In fact, they have outsourced their turbines to Denmark and their turbine platforms to Germany.

The other issue is, this project has been quite controversial, and I think that we don't want another Solyndra.

This amendment was adopted last year by a voice vote. I would urge a ''yes'' vote.

I yield back the balance of my time.

The Acting CHAIR (Mr. NEWHOUSE). The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The amendment was agreed to.

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 (Ms. FOXX) having assumed the chair, Mr. NEWHOUSE, 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. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

DISAPPROVAL OF DISTRICT OF COLUMBIA REPRODUCTIVE HEALTH NON-DISCRIMINATION AMENDMENT ACT OF 2014

Mr. CHAFFETZ. Madam Speaker, pursuant to House Resolution 231, I call up the joint resolution (H.J. Res. 43) disapproving the action of the District of Columbia Council in approving the Reproductive Health Non-Discrimination Amendment Act of 2014, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 231, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 43

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress disapproves of the action of the District of Columbia Council described as follows: The Reproductive Health Non-Discrimination Amendment Act of 2014 (D.C. Act 20–593), signed by the Mayor of the District of Columbia on January 25, 2015, and transmitted to Congress pursuant to section 602(c)(1) of the District of Columbia Home Rule Act on March 6, 2015.

The SPEAKER pro tempore. The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials.