The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule IXX, further consideration of H.R. 4 is postponed.

PERMISSION TO POSTPONE ADOPTION OF MOTION TO RECOMMIT ON H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 2 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the bill is considered read.

The text of the bill is as follows:

H.R. 2

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''American Energy Solutions for Lower Costs and More American Jobs Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—ENERGY AND COMMERCE

TITLE I—MODERNIZING INFRASTRUCTURE

Subtitle A—Northern Route Approval

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Keystone XL permit approval.
Sec. 104. Judicial review.
Sec. 105. American burying beetle.
Sec. 106. Right-of-way and temporary use permit.
Sec. 107. Permits for activities in navigable waters.
Sec. 108. Migratory Bird Treaty Act permit.
Sec. 109. Oil spill response plan disclosure.

Subtitle B—Natural Gas Pipeline Permitting Reform

Sec. 121. Short title.
Sec. 122. Regulatory approval of natural gas pipeline projects.

Subtitle C—North American Energy Infrastructure

Sec. 131. Short title.
Sec. 132. Finding.
Sec. 133. Authorization of certain energy infrastructure projects at the national boundary of the United States.
Sec. 134. Importation or exportation of natural gas to Canada and Mexico.
Sec. 135. Transmission of electric energy to Canada and Mexico.
Sec. 136. No Presidential permit required.
Sec. 137. Modifications to existing projects.
Sec. 138. Effective date; rulemaking deadlines.
Sec. 139. Definitions.

TITLE II—MAINTAINING DIVERSE ELECTRICITY GENERATION AND AFFORDABILITY

Subtitle A—Energy Consumers Relief

Sec. 201. Short title.
Sec. 202. Prohibition against finalizing certain energy-related rules that will cause significant adverse effects to the economy.
Sec. 203. Reports and determinations prior to promulgating as final certain energy-related rules.
Sec. 204. Definitions.
Sec. 205. Prohibition on use of social cost of carbon in analysis.

Subtitle B—Electricity Security and Affordability

Sec. 211. Short title.
Sec. 212. Standards of performance for new fossil fuel-fired electric utility generating units.
Sec. 213. Congress To set effective date for standards of performance for existing, modified, and reconstructed fossil fuel-fired electric utility generating units.
Sec. 214. Repeal of earlier rules and guidelines.
Sec. 215. Definitions.

Subtitle C—Report on Energy and Water Savings Potential From Thermal Insulation

Sec. 221. Report on energy and water savings potential from thermal insulation.

TITLE III—UNLEASHING ENERGY DIPLOMACY

Sec. 301. Short title.
Sec. 302. Action on applications.
Sec. 303. Public disclosure of export destinations.

DIVISION B—NATURAL RESOURCES COMMITTEE

Sec. 201. References.

SUBDIVISION A—LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014

Sec. 1. Short title.

TITLE I—OFFSHORE ENERGY AND JOBS

Subtitle A—Outer Continental Shelf Leasing Program Reforms

Sec. 10101. Outer Continental Shelf leasing program reforms.
Sec. 10102. Domestic oil and natural gas production goal.
Sec. 10103. Development and submittal of new 5-year oil and gas leasing program.
Sec. 10104. Rule of construction.
Sec. 10105. Addition of lease sales after finalization of 5-year plan.

Subtitle B—Directing the President To Conduct New OCS Sales

Sec. 10201. Requirement to conduct proposed oil and gas Lease Sale 220 on the Outer Continental Shelf offshore Virginia.
Sec. 10202. South Carolina lease sale.
Sec. 10203. Southern California existing infrastructure lease sale.
Sec. 10204. Environmental impact statement requirement.
Sec. 10205. National defense.
Sec. 10206. Eastern Gulf of Mexico not included.

Subtitle C—Equitable Sharing of Outer Continental Shelf Revenues

Sec. 10301. Disposition of Outer Continental Shelf revenues to coastal States.

Subtitle D—Reorganization of Minerals Management Agencies of the Department of the Interior

Sec. 10401. Establishment of Under Secretary for Energy, Lands, and Minerals and Assistant Secretary of Ocean Energy and Safety.
Sec. 10402. Bureau of Ocean Energy.
Sec. 10403. Ocean Energy Safety Service.
Sec. 10404. Office of Natural Resources revenue.
Sec. 10405. Ethics and drug testing.
Sec. 10406. Abolishment of Minerals Management Service.
Sec. 10407. Conforming amendments to Executive Schedule pay rates.
Sec. 10408. Outer Continental Shelf Energy Safety Advisory Board.
Sec. 10409. Outer Continental Shelf inspection fees.
Sec. 10410. Prohibition on action based on National Ocean Policy developed under Executive Order No. 13547.

Subtitle E—United States Territories

Sec. 10501. Application of Outer Continental Shelf Lands Act with respect to territories of the United States.

Subtitle F—Miscellaneous Provisions

Sec. 10601. Rules regarding distribution of revenues under Gulf of Mexico Energy Security Act of 2006.
Sec. 10602. Amount of distributed qualified outer Continental Shelf revenues.
Sec. 10603. South Atlantic Outer Continental Shelf Planning Area defined.
Sec. 10604. Enhancing geological and geophysical information for America's energy future.

Subtitle G—Judicial Review

Sec. 10701. Time for filing complaint.
Sec. 10702. District court deadline.
Sec. 10703. Ability to seek appellate review.
Sec. 10704. Limitation on scope of review and relief.
Sec. 10705. Legal fees.
Sec. 10706. Exclusion.
Sec. 10707. Definitions.

TITLE II—ONSHORE FEDERAL LANDS AND ENERGY SECURITY

Subtitle A—Federal Lands Jobs and Energy Security

Sec. 21001. Short title.
Sec. 21002. Policies regarding buying, building, and working for America.

CHAPTER 1—ONSHORE OIL AND GAS PERMIT STREAMLINING

Sec. 21101. Short title.

SUBCHAPTER A—APPLICATION FOR PERMITS TO DRILL PROCESS REFORM

Sec. 21111. Permit to drill application timeline.

SUBCHAPTER B—ADMINISTRATIVE PROTEST DOCUMENTATION REFORM

Sec. 21121. Administrative protest documentation reform.

SUBCHAPTER C—PERMIT STREAMLINING

Sec. 21131. Making pilot offices permanent to improve energy permitting on Federal lands.
Sec. 21132. Administration of current law.

SUBCHAPTER D—JUDICIAL REVIEW
Sec. 21141. Definitions.
Sec. 21142. Exclusive venue for certain civil actions relating to covered energy projects.
Sec. 21143. Timely filing.
Sec. 21144. Expedition in hearing and determining the action.
Sec. 21145. Standard of review.
Sec. 21146. Limitation on injunction and prospective relief.
Sec. 21147. Limitation on attorneys' fees.
Sec. 21148. Legal standing.
SUBCHAPTER E—KNOWING AMERICA'S OIL AND GAS RESOURCES
Sec. 21151. Funding oil and gas resource assessments.
CHAPTER 2—OIL AND GAS LEASING CERTAINTY
Sec. 21201. Short title.
Sec. 21202. Minimum acreage requirement for onshore lease sales.
Sec. 21203. Leasing certainty.
Sec. 21204. Leasing consistency.
Sec. 21205. Reduce redundant policies.
Sec. 21206. Streamlined congressional notification.
CHAPTER 3—OIL SHALE
Sec. 21301. Short title.
Sec. 21302. Effectiveness of oil shale regulations, amendments to resource management plans, and record of decision.
Sec. 21303. Oil shale leasing.
CHAPTER 4—MISCELLANEOUS PROVISIONS
Sec. 21401. Rule of construction.
Subtitle B—Planning for American Energy
Sec. 22001. Short title.
Sec. 22002. Onshore domestic energy production strategic plan.
Subtitle C—National Petroleum Reserve in Alaska Access
Sec. 23001. Short title.
Sec. 23002. Sense of Congress and reaffirming national policy for the National Petroleum Reserve in Alaska.
Sec. 23003. National Petroleum Reserve in Alaska: lease sales.
Sec. 23004. National Petroleum Reserve in Alaska: planning and permitting pipeline and road construction.
Sec. 23005. Issuance of a new integrated activity plan and environmental impact statement.
Sec. 23006. Departmental accountability for development.
Sec. 23007. Deadlines under new proposed integrated activity plan.
Sec. 23008. Updated resource assessment.
Subtitle D—BLM Live Internet Auctions
Sec. 24001. Short title.
Sec. 24002. Internet-based onshore oil and gas lease sales.
Subtitle E—Native American Energy
Sec. 25001. Short title.
Sec. 25002. Appraisals.
Sec. 25003. Standardization.
Sec. 25004. Environmental reviews of major Federal actions on Indian lands.
Sec. 25005. Judicial review.
Sec. 25006. Tribal biomass demonstration project.
Sec. 25007. Tribal resource management plans.
Sec. 25008. Leases of restricted lands for the Navajo Nation.
Sec. 25009. Nonapplicability of certain rules.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 30101. Establishment of Office of Energy Employment and Training.
SUBDIVISION B—BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT
Sec. 1. Short title.
Sec. 2. Amendment.
SUBDIVISION C—CENTRAL OREGON JOBS AND WATER SECURITY ACT
Sec. 1. Short title.
Sec. 2. Wild and Scenic River; Crooked, Oregon.
Sec. 3. City of Prineville Water Supply.
Sec. 4. First fill protection.
Sec. 5. Ochoco Irrigation District.
SUBDIVISION D—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION; EPA HYDRAULIC FRACTURING RESEARCH
TITLE I—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION
Sec. 101. Short title.
Sec. 102. State authority for hydraulic fracturing regulation.
Sec. 103. Government Accountability Office study.
Sec. 104. Tribal authority on trust land.
TITLE II—EPA HYDRAULIC FRACTURING RESEARCH
Sec. 201. Short title.
Sec. 202. Epa hydraulic fracturing research.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Review of State activities.
SUBDIVISION E—PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA
Sec. 1. Short title.
Sec. 2. Incorporation of surface mining stream buffer zone rule into State programs.
DIVISION C—JUDICIARY
Sec. 1. Short title.
Sec. 2. Coordination of agency administrative operations for efficient decisionmaking.

DIVISION A—ENERGY AND COMMERCE

TITLE I—MODERNIZING INFRASTRUCTURE

Subtitle A—Northern Route Approval

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Northern Route Approval Act''.

SEC. 102. FINDINGS.

The Congress finds the following:

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 103. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on January 31, 2014, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 104. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this subtitle, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this subtitle may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 105. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 106. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-

way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 107. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 103, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 108. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

SEC. 109. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

Subtitle B—Natural Gas Pipeline Permitting Reform

SEC. 121. SHORT TITLE.

This subtitle may be cited as the ''Natural Gas Pipeline Permitting Reform Act''.

SEC. 122. REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by adding at the end the following new subsection:

''(i)(1) The Commission shall approve or deny an application for a certificate of public convenience and necessity for a prefiled project not later than 12 months after receiving a complete application that is ready to be processed, as defined by the Commission by regulation.

''(2) The agency responsible for issuing any license, permit, or approval required under Federal law in connection with a prefiled project for which a certificate of public convenience and necessity is sought under this Act shall approve or deny the issuance of the license, permit, or approval not later than 90 days after the Commission issues its final environmental document relating to the project.

''(3) The Commission may extend the time period under paragraph (2) by 30 days if an agency demonstrates that it cannot otherwise complete the process required to approve or deny the license, permit, or approval, and therefor will be compelled to deny the license, permit, or approval. In granting an extension under this paragraph, the Commission may offer technical assistance to the agency as necessary to address conditions preventing the completion of the review of the application for the license, permit, or approval.

''(4) If an agency described in paragraph (2) does not approve or deny the issuance of the license, permit, or approval within the time period specified under paragraph (2) or (3), as applicable, such license, permit, or approval shall take effect upon the expiration of 30 days after the end of such period. The Commission shall incorporate into the terms of such license, permit, or approval any conditions proffered by the agency described in paragraph (2) that the Commission does not find are inconsistent with the final environmental document.

''(5) For purposes of this subsection, the term 'prefiled project' means a project for the siting, construction, expansion, or operation of a natural gas pipeline with respect to which a prefiling docket number has been assigned by the Commission pursuant to a prefiling process established by the Commission for the purpose of facilitating the formal application process for obtaining a certificate of public convenience and necessity.''.

Subtitle C—North American Energy Infrastructure

SEC. 131. SHORT TITLE.

This subtitle may be cited as the ''North American Energy Infrastructure Act''.

SEC. 132. FINDING.

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

SEC. 133. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 137, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) CERTIFICATE OF CROSSING.—

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(2) RELEVANT OFFICIAL.—The relevant official referred to in paragraph (1) is—

(A) the Secretary of State with respect to oil pipelines; and

(B) the Secretary of Energy with respect to electric transmission facilities.

(3) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 136 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 136 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—

(1) APPLICATION TO PROJECTS.—Nothing in this section or section 137 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) NATURAL GAS ACT.—Nothing in this section or section 137 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(3) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this section or section 137 shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act.

SEC. 134. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.''.

SEC. 135. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.''.

SEC. 136. NO PRESIDENTIAL PERMIT REQUIRED.

No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

SEC. 137. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 133, or permit described in section 136, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in section 136 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 133.

SEC. 138. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 133 through 137, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 133(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 133; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 133.

SEC. 139. DEFINITIONS.

In this subtitle—

(1) the term ''cross-border segment'' means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term ''modification'' includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term ''oil'' means petroleum or a petroleum product;

(5) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

TITLE II—MAINTAINING DIVERSE ELECTRICITY GENERATION AND AFFORDABILITY

Subtitle A—Energy Consumers Relief

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Energy Consumers Relief Act of 2014''.

SEC. 202. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion if the Secretary of Energy determines under section 203(3) that the rule will cause significant adverse effects to the economy.

SEC. 203. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

Before promulgating as final any energy-related rule that is estimated to cost more than $1 billion:

(1) REPORT TO CONGRESS.—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Agency in developing such estimates—

(I) have been preserved; and

(II) are available for review by the public on the Agency's Web site, except to the extent to which publication of such data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation's electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

SEC. 204. DEFINITIONS.

In this subtitle:

(1) The terms ''direct costs'' and ''indirect costs'' have the meanings given such terms in chapter 8 of the Environmental Protection Agency's ''Guidelines for Preparing Economic Analyses'' dated December 17, 2010.

(2) The term ''energy-related rule that is estimated to cost more than $1 billion'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) The term ''rule'' has the meaning given to such term in section 551 of title 5, United States Code.

SEC. 205. PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any executive order, the Administrator of the Environmental Protection Agency may not use the social cost of carbon in order to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than $1 billion unless and until a Federal law is enacted authorizing such use.

(b) DEFINITION.—In this section, the term ''social cost of carbon'' means the social cost of carbon as described in the technical support document entitled ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, or any successor or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

Subtitle B—Electricity Security and Affordability

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''Electricity Security and Affordability Act''.

SEC. 212. STANDARDS OF PERFORMANCE FOR NEW FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator of the Environmental Protection Agency may not issue, implement, or enforce any proposed or final rule under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source that is a fossil fuel-fired electric utility generating unit unless such rule meets the requirements under subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources that are fossil fuel-fired electric utility generating units, the Administrator of the Environmental Protection Agency (for purposes of establishing such standards)—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not set a standard based on the best system of emission reduction for new sources within a fossil-fuel category unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 6 units within such category—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(c) COAL HAVING A HEAT CONTENT OF 8300 OR LESS BRITISH THERMAL UNITS PER POUND.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator of the Environmental Protection Agency shall establish a separate subcategory for new sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources in such subcategory, the Administrator of the Environmental Protection Agency shall not set a standard based on the best system of emission reduction unless—

(A) such standard has been achieved on average for at least one continuous 12-month period (excluding planned outages) by each of at least 3 units within such subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting such standard.

(d) TECHNOLOGIES.—Nothing in this section shall be construed to preclude the issuance, implementation, or enforcement of a standard of performance that—

(1) is based on the use of one or more technologies that are developed in a foreign country, but has been demonstrated to be achievable at fossil fuel-fired electric utility generating units in the United States; and

(2) meets the requirements of subsection (b) and (c), as applicable.

SEC. 213. CONGRESS TO SET EFFECTIVE DATE FOR STANDARDS OF PERFORMANCE FOR EXISTING, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) APPLICABILITY.—This section applies with respect to any rule or guidelines issued by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(1) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(2) apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

(b) CONGRESS TO SET EFFECTIVE DATE.—A rule or guidelines described in subsection (a) shall not take effect unless a Federal law is enacted specifying such rule's or guidelines' effective date.

(c) REPORTING.—A rule or guidelines described in subsection (a) shall not take effect unless the Administrator of the Environmental Protection Agency has submitted to Congress a report containing each of the following:

(1) The text of such rule or guidelines.

(2) The economic impacts of such rule or guidelines, including the potential effects on—

(A) economic growth, competitiveness, and jobs in the United States;

(B) electricity ratepayers, including low-income ratepayers in affected States;

(C) required capital investments and projected costs for operation and maintenance of new equipment required to be installed; and

(D) the global economic competitiveness of the United States.

(3) The amount of greenhouse gas emissions that such rule or guidelines are projected to reduce as compared to overall global greenhouse gas emissions.

(d) CONSULTATION.—In carrying out subsection (c), the Administrator of the Environmental Protection Agency shall consult with the Administrator of the Energy Information Administration, the Comptroller General of the United States, the Director of the National Energy Technology Laboratory, and the Under Secretary of Commerce for Standards and Technology.

SEC. 214. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules and guidelines shall be of no force or effect, and shall be treated as though such rules and guidelines had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'', published at 77 Fed. Reg. 22392 (April 13, 2012); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions From New Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 1352 (January 8, 2014).

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions From New Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 1430 (January 8, 2014).

(3) With respect to the proposed rules described in paragraphs (1) and (2), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act;

(B) is applicable to any new source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 212.

(4) The proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 34830 (June 18, 2014).

(5) The proposed rule entitled ''Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 34960 (June 18, 2014).

(6) With respect to the proposed rules described in paragraphs (4) and (5), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of the enactment of this Act; and

(B) is applicable to any existing, modified, or reconstructed source that is a fossil fuel-fired electric utility generating unit.

SEC. 215. DEFINITIONS.

In this subtitle:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of carbon capture and storage technologies that has received Federal Government funding or financial assistance.

(2) EXISTING SOURCE.—The term ''existing source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except such term shall not include any modified source.

(3) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(4) MODIFICATION.—The term ''modification'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(5) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of the enactment of this Act.

(6) NEW SOURCE.—The term ''new source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except that such term shall not include any modified source.

Subtitle C—Report on Energy and Water Savings Potential From Thermal Insulation

SEC. 221. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short term and long term (20 years) projections of such savings.

TITLE III—UNLEASHING ENERGY DIPLOMACY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Domestic Prosperity and Global Freedom Act''.

SEC. 302. ACTION ON APPLICATIONS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S. C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

(c) JUDICIAL ACTION.—(1) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Department of Energy with respect to such application; or

(B) the Department of Energy's failure to issue a final decision on such application.

(2) If the Court in a civil action described in paragraph (1) finds that the Department of Energy has failed to issue a final decision on the application as required under subsection (a), the Court shall order the Department of Energy to issue such final decision not later than 30 days after the Court's order.

(3) The Court shall set any civil action brought under this subsection for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

SEC. 303. PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

DIVISION B—NATURAL RESOURCES COMMITTEE

SEC. 201. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' in any subdivision of this division shall be treated as referring only to the provisions of that subdivision.

SUBDIVISION A—LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Lowering Gasoline Prices to Fuel an America That Works Act of 2014''.

TITLE I—OFFSHORE ENERGY AND JOBS

Subtitle A—Outer Continental Shelf Leasing Program Reforms

SEC. 10101. OUTER CONTINENTAL SHELF LEASING PROGRAM REFORMS.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area.

''(B) The Secretary shall include in each proposed oil and gas leasing program under this section any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing. The Secretary may not remove such a subdivision from the program until publication of the final program, and shall include and consider all such subdivisions in any environmental review conducted and statement prepared for such program under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

''(C) In this paragraph the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

''(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) are estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. 10102. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

''(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

''(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

''(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

''(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

''(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

''(2) PROGRAM GOAL.—For purposes of the 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2032 of—

''(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

''(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

''(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.''.

SEC. 10103. DEVELOPMENT AND SUBMITTAL OF NEW 5-YEAR OIL AND GAS LEASING PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior shall—

(1) by not later than July 15, 2015, publish and submit to Congress a new proposed oil and gas leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) for the 5-year period beginning on such date and ending July 15, 2021; and

(2) by not later than July 15, 2016, approve a final oil and gas leasing program under such section for such period.

(b) CONSIDERATION OF ALL AREAS.—In preparing such program the Secretary shall include consideration of areas of the Continental Shelf off the coasts of all States (as such term is defined in section 2 of that Act, as amended by this title), that are subject to leasing under this title.

(c) TECHNICAL CORRECTION.—Section 18(d)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(d)(3)) is amended by striking ''or after eighteen months following the date of enactment of this section, whichever first occurs,''.

SEC. 10104. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to authorize the issuance of a lease under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) to any person designated for the imposition of sanctions pursuant to—

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

(2) Executive Order No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

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

SEC. 10105. ADDITION OF LEASE SALES AFTER FINALIZATION OF 5-YEAR PLAN.

Section 18(d) of the Outer Continental Shelf Lands Act (43 U.S.C.1344(d)) is amended—

(1) in paragraph (3), by striking ''After'' and inserting ''Except as provided in paragraph (4), after''; and

(2) by adding at the end the following:

''(4) The Secretary may add to the areas included in an approved leasing program additional areas to be made available for leasing under the program, if all review and documents required under section 102 of the National Environmental Policy Act of 1969 (42

U.S.C. 4332) have been completed with respect to leasing of each such additional area within the 5-year period preceding such addition.''.

Subtitle B—Directing the President To Conduct New OCS Sales

SEC. 10201. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—Notwithstanding the exclusion of Lease Sale 220 in the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) REQUIREMENT TO MAKE REPLACEMENT LEASE BLOCKS AVAILABLE.—For each lease block in a proposed lease sale under this section for which the Secretary of Defense, in consultation with the Secretary of the Interior, under the Memorandum of Agreement referred to in section 10205(b), issues a statement proposing deferral from a lease offering due to defense-related activities that are irreconcilable with mineral exploration and development, the Secretary of the Interior, in consultation with the Secretary of Defense, shall make available in the same lease sale one other lease block in the Virginia lease sale planning area that is acceptable for oil and gas exploration and production in order to mitigate conflict.

(c) BALANCING MILITARY AND ENERGY PRODUCTION GOALS.—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(1) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(2) Allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(d) DEFINITIONS.—In this section:

(1) LEASE SALE 220.—The term ''Lease Sale 220'' means such lease sale referred to in the Request for Comments on the Draft Proposed 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2010–2015 and Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Proposed 5-Year Program published January 21, 2009 (74 Fed. Reg. 3631).

(2) VIRGINIA LEASE SALE PLANNING AREA.—The term ''Virginia lease sale planning area'' means the area of the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.)) that is bounded by—

(A) a northern boundary consisting of a straight line extending from the northernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 37 degrees 17 minutes 1 second North latitude, 71 degrees 5 minutes 16 seconds West longitude; and

(B) a southern boundary consisting of a straight line extending from the southernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 36 degrees 31 minutes 58 seconds North latitude, 71 degrees 30 minutes 1 second West longitude.

SEC. 10202. SOUTH CAROLINA LEASE SALE.

Notwithstanding exclusion of the South Atlantic Outer Continental Shelf Planning Area from the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct a lease sale not later than 2 years after the date of the enactment of this Act for areas off the coast of South Carolina determined by the Secretary to have the most geologically promising hydrocarbon resources and constituting not less than 25 percent of the leasable area within the South Carolina offshore administrative boundaries depicted in the notice entitled ''Federal Outer Continental Shelf (OCS) Administrative Boundaries Extending from the Submerged Lands Act Boundary seaward to the Limit of the United States Outer Continental Shelf'', published January 3, 2006 (71 Fed. Reg. 127).

SEC. 10203. SOUTHERN CALIFORNIA EXISTING INFRASTRUCTURE LEASE SALE.

(a) IN GENERAL.—The Secretary of the Interior shall offer for sale leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area as soon as practicable, but not later than December 31, 2015.

(b) USE OF EXISTING STRUCTURES OR ONSHORE-BASED DRILLING.—The Secretary of the Interior shall include in leases offered for sale under this lease sale such terms and conditions as are necessary to require that development and production may occur only from offshore infrastructure in existence on the date of the enactment of this Act or from onshore-based, extended-reach drilling.

SEC. 10204. ENVIRONMENTAL IMPACT STATEMENT REQUIREMENT.

(a) IN GENERAL.—For the purposes of this title, the Secretary of the Interior shall prepare a multisale environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for all lease sales required under this subtitle.

(b) ACTIONS TO BE CONSIDERED.—Notwithstanding section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in such statement—

(1) the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such alternative courses of action; and

(2) the Secretary shall only—

(A) identify a preferred action for leasing and not more than one alternative leasing proposal; and

(B) analyze the environmental effects and potential mitigation measures for such preferred action and such alternative leasing proposal.

SEC. 10205. NATIONAL DEFENSE.

(a) NATIONAL DEFENSE AREAS.—This title does not affect the existing authority of the Secretary of Defense, with the approval of the President, to designate national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas on the Outer Continental Shelf under a lease issued under this title that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

SEC. 10206. EASTERN GULF OF MEXICO NOT INCLUDED.

Nothing in this title affects restrictions on oil and gas leasing under the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note).

Subtitle C—Equitable Sharing of Outer Continental Shelf Revenues

SEC. 10301. DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO COASTAL STATES.

(a) IN GENERAL.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) in the existing text—

(A) in the first sentence, by striking ''All rentals,'' and inserting the following:

''(c) DISPOSITION OF REVENUE UNDER OLD LEASES.—All rentals,''; and

(B) in subsection (c) (as designated by the amendment made by subparagraph (A) of this paragraph), by striking ''for the period from June 5, 1950, to date, and thereafter'' and inserting ''in the period beginning June 5, 1950, and ending on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014'';

(2) by adding after subsection (c) (as so designated) the following:

''(d) DEFINITIONS.—In this section:

''(1) COASTAL STATE.—The term 'coastal State' includes a territory of the United States.

''(2) NEW LEASING REVENUES.—The term 'new leasing revenues'—

''(A) means amounts received by the United States as bonuses, rents, and royalties under leases for oil and gas, wind, tidal, or other energy exploration, development, and production on new areas of the outer Continental Shelf that are authorized to be made available for leasing as a result of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014 and leasing under that Act; and

''(B) does not include amounts received by the United States under any lease of an area located in the boundaries of the Central Gulf of Mexico and Western Gulf of Mexico Outer Continental Shelf Planning Areas on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, including a lease issued before, on, or after such date of enactment.''; and

(3) by inserting before subsection (c) (as so designated) the following:

''(a) PAYMENT OF NEW LEASING REVENUES TO COASTAL STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), of the amount of new leasing revenues received by the United States each fiscal year, 37.5 percent shall be allocated and paid in accordance with subsection (b) to coastal States that are affected States with respect to the leases under which those revenues are received by the United States.

''(2) PHASE-IN.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall be applied—

''(i) with respect to new leasing revenues under leases awarded under the first leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '12.5 percent' for '37.5 percent'; and

''(ii) with respect to new leasing revenues under leases awarded under the second leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '25 percent' for '37.5 percent'.

''(B) EXEMPTED LEASE SALES.—This paragraph shall not apply with respect to any lease issued under subtitle B of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014.

''(b) ALLOCATION OF PAYMENTS.—

''(1) IN GENERAL.—The amount of new leasing revenues received by the United States with respect to a leased tract that are required to be paid to coastal States in accordance with this subsection each fiscal year shall be allocated among and paid to coastal States that are within 200 miles of the leased tract, in amounts that are inversely proportional to the respective distances between the point on the coastline of each such State that is closest to the geographic center of the lease tract, as determined by the Secretary.

''(2) MINIMUM AND MAXIMUM ALLOCATION.—The amount allocated to a coastal State under paragraph (1) each fiscal year with respect to a leased tract shall be—

''(A) in the case of a coastal State that is the nearest State to the geographic center of the leased tract, not less than 25 percent of the total amounts allocated with respect to the leased tract;

''(B) in the case of any other coastal State, not less than 10 percent, and not more than 15 percent, of the total amounts allocated with respect to the leased tract; and

''(C) in the case of a coastal State that is the only coastal State within 200 miles of a leased tract, 100 percent of the total amounts allocated with respect to the leased tract.

''(3) ADMINISTRATION.—Amounts allocated to a coastal State under this subsection—

''(A) shall be available to the coastal State without further appropriation;

''(B) shall remain available until expended;

''(C) shall be in addition to any other amounts available to the coastal State under this Act; and

''(D) shall be distributed in the fiscal year following receipt.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a coastal State may use funds allocated and paid to it under this subsection for any purpose as determined by the laws of that State.

''(B) RESTRICTION ON USE FOR MATCHING.—Funds allocated and paid to a coastal State under this subsection may not be used as matching funds for any other Federal program.''.

(b) LIMITATION ON APPLICATION.—This section and the amendment made by this section shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

Subtitle D—Reorganization of Minerals Management Agencies of the Department of the Interior

SEC. 10401. ESTABLISHMENT OF UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS AND ASSISTANT SECRETARY OF OCEAN ENERGY AND SAFETY.

There shall be in the Department of the Interior—

(1) an Under Secretary for Energy, Lands, and Minerals, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Secretary of the Interior or, if directed by the Secretary, to the Deputy Secretary of the Interior;

(C) be paid at the rate payable for level III of the Executive Schedule; and

(D) be responsible for—

(i) the safe and responsible development of our energy and mineral resources on Federal lands in appropriate accordance with United States energy demands; and

(ii) ensuring multiple-use missions of the Department of the Interior that promote the safe and sustained development of energy and minerals resources on public lands (as that term is defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.));

(2) an Assistant Secretary of Ocean Energy and Safety, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on the Outer Continental Shelf of the United States; and

(3) an Assistant Secretary of Land and Minerals Management, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on public lands and other Federal onshore lands under the jurisdiction of the Department of the Interior, including implementation of the Mineral Leasing Act (30 U.S.C. 181 et seq.) and the Surface Mining Control and Reclamation Act (30 U.S.C. 1201 et seq.) and administration of the Office of Surface Mining.

SEC. 10402. BUREAU OF OCEAN ENERGY.

(a) ESTABLISHMENT.—There is established in the Department of the Interior a Bureau of Ocean Energy (referred to in this section as the ''Bureau''), which shall—

(1) be headed by a Director of Ocean Energy (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Bureau all functions, powers, and duties vested in the Secretary relating to the administration of a comprehensive program of offshore mineral and renewable energy resources management.

(2) SPECIFIC AUTHORITIES.—The Director shall promulgate and implement regulations—

(A) for the proper issuance of leases for the exploration, development, and production of nonrenewable and renewable energy and mineral resources on the Outer Continental Shelf;

(B) relating to resource identification, access, evaluation, and utilization;

(C) for development of leasing plans, lease sales, and issuance of leases for such resources; and

(D) regarding issuance of environmental impact statements related to leasing and post leasing activities including exploration, development, and production, and the use of third party contracting for necessary environmental analysis for the development of such resources.

(3) LIMITATION.—The Secretary shall not carry out through the Bureau any function, power, or duty that is—

(A) required by section 10403 to be carried out through the Ocean Energy Safety Service; or

(B) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

(d) RESPONSIBILITIES OF LAND MANAGEMENT AGENCIES.—Nothing in this section shall affect the authorities of the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or of the Forest Service under the National Forest Management Act of 1976 (Public Law 94–588).

SEC. 10403. OCEAN ENERGY SAFETY SERVICE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Ocean Energy Safety Service (referred to in this section as the ''Service''), which shall—

(1) be headed by a Director of Energy Safety (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Service all functions, powers, and duties vested in the Secretary relating to the administration of safety and environmental enforcement activities related to offshore mineral and renewable energy resources on the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) including the authority to develop, promulgate, and enforce regulations to ensure the safe and sound exploration, development, and production of mineral and renewable energy resources on the Outer Continental Shelf in a timely fashion.

(2) SPECIFIC AUTHORITIES.—The Director shall be responsible for all safety activities related to exploration and development of renewable and mineral resources on the Outer Continental Shelf, including—

(A) exploration, development, production, and ongoing inspections of infrastructure;

(B) the suspending or prohibiting, on a temporary basis, any operation or activity, including production under leases held on the Outer Continental Shelf, in accordance with section 5(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(1));

(C) cancelling any lease, permit, or right-of-way on the Outer Continental Shelf, in accordance with section 5(a)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(2));

(D) compelling compliance with applicable Federal laws and regulations relating to worker safety and other matters;

(E) requiring comprehensive safety and environmental management programs for persons engaged in activities connected with the exploration, development, and production of mineral or renewable energy resources;

(F) developing and implementing regulations for Federal employees to carry out any inspection or investigation to ascertain compliance with applicable regulations, including health, safety, or environmental regulations;

(G) implementing the Offshore Technology Research and Risk Assessment Program under section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347);

(H) summoning witnesses and directing the production of evidence;

(I) levying fines and penalties and disqualifying operators;

(J) carrying out any safety, response, and removal preparedness functions; and

(K) the processing of permits, exploration plans, development plans.

(d) EMPLOYEES.—

(1) IN GENERAL.—The Secretary shall ensure that the inspection force of the Bureau consists of qualified, trained employees who meet qualification requirements and adhere to the highest professional and ethical standards.

(2) QUALIFICATIONS.—The qualification requirements referred to in paragraph (1)—

(A) shall be determined by the Secretary, subject to subparagraph (B); and

(B) shall include—

(i) 3 years of practical experience in oil and gas exploration, development, or production; or

(ii) a degree in an appropriate field of engineering from an accredited institution of higher learning.

(3) ASSIGNMENT.—In assigning oil and gas inspectors to the inspection and investigation of individual operations, the Secretary shall give due consideration to the extent possible to their previous experience in the particular type of oil and gas operation in which such inspections are to be made.

(4) BACKGROUND CHECKS.—The Director shall require that an individual to be hired as an inspection officer undergo an employment investigation (including a criminal history record check).

(5) LANGUAGE REQUIREMENTS.—Individuals hired as inspectors must be able to read, speak, and write English well enough to—

(A) carry out written and oral instructions regarding the proper performance of inspection duties; and

(B) write inspection reports and statements and log entries in the English language.

(6) VETERANS PREFERENCE.—The Director shall provide a preference for the hiring of an individual as a inspection officer if the individual is a member or former member of the Armed Forces and is entitled, under statute, to retired, retirement, or retainer pay on account of service as a member of the Armed Forces.

(7) ANNUAL PROFICIENCY REVIEW.—

(A) ANNUAL PROFICIENCY REVIEW.—The Director shall provide that an annual evaluation of each individual assigned inspection duties is conducted and documented.

(B) CONTINUATION OF EMPLOYMENT.—An individual employed as an inspector may not continue to be employed in that capacity unless the evaluation demonstrates that the individual—

(i) continues to meet all qualifications and standards;

(ii) has a satisfactory record of performance and attention to duty based on the standards and requirements in the inspection program; and

(iii) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform inspection functions.

(8) LIMITATION ON RIGHT TO STRIKE.—Any individual that conducts permitting or inspections under this section may not participate in a strike, or assert the right to strike.

(9) PERSONNEL AUTHORITY.—Notwithstanding any other provision of law, the Director may employ, appoint, discipline and terminate for cause, and fix the compensation, terms, and conditions of employment of Federal service for individuals as the employees of the Service in order to restore and maintain the trust of the people of the United States in the accountability of the management of our Nation's energy safety program.

(10) TRAINING ACADEMY.—

(A) IN GENERAL.—The Secretary shall establish and maintain a National Offshore Energy Safety Academy (referred to in this paragraph as the ''Academy'') as an agency of the Ocean Energy Safety Service.

(B) FUNCTIONS OF ACADEMY.—The Secretary, through the Academy, shall be responsible for—

(i) the initial and continued training of both newly hired and experienced offshore oil and gas inspectors in all aspects of health, safety, environmental, and operational inspections;

(ii) the training of technical support personnel of the Bureau;

(iii) any other training programs for offshore oil and gas inspectors, Bureau personnel, Department personnel, or other persons as the Secretary shall designate; and

(iv) certification of the successful completion of training programs for newly hired and experienced offshore oil and gas inspectors.

(C) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—In performing functions under this paragraph, and subject to clause (ii), the Secretary may enter into cooperative educational and training agreements with educational institutions, related Federal academies, other Federal agencies, State governments, safety training firms, and oil and gas operators and related industries.

(ii) TRAINING REQUIREMENT.—Such training shall be conducted by the Academy in accordance with curriculum needs and assignment of instructional personnel established by the Secretary.

(11) USE OF DEPARTMENT PERSONNEL.—In performing functions under this subsection, the Secretary shall use, to the extent practicable, the facilities and personnel of the Department of the Interior. The Secretary may appoint or assign to the Academy such officers and employees as the Secretary considers necessary for the performance of the duties and functions of the Academy.

(12) ADDITIONAL TRAINING PROGRAMS.—

(A) IN GENERAL.—The Secretary shall work with appropriate educational institutions, operators, and representatives of oil and gas workers to develop and maintain adequate programs with educational institutions and oil and gas operators that are designed—

(i) to enable persons to qualify for positions in the administration of this title; and

(ii) to provide for the continuing education of inspectors or other appropriate Department of the Interior personnel.

(B) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary may provide financial and technical assistance to educational institutions in carrying out this paragraph.

(e) LIMITATION.—The Secretary shall not carry out through the Service any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

SEC. 10404. OFFICE OF NATURAL RESOURCES REVENUE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Office of Natural Resources Revenue (referred to in this section as the ''Office'') to be headed by a Director of Natural Resources Revenue (referred to in this section as the ''Director'').

(b) APPOINTMENT AND COMPENSATION.—

(1) IN GENERAL.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for Level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out, through the Office, all functions, powers, and duties vested in the Secretary and relating to the administration of offshore royalty and revenue management functions.

(2) SPECIFIC AUTHORITIES.—The Secretary shall carry out, through the Office, all functions, powers, and duties previously assigned to the Minerals Management Service (including the authority to develop, promulgate, and enforce regulations) regarding offshore royalty and revenue collection; royalty and revenue distribution; auditing and compliance; investigation and enforcement of royalty and revenue regulations; and asset management for onshore and offshore activities.

(d) LIMITATION.—The Secretary shall not carry out through the Office any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10403 to be carried out through the Ocean Energy Safety Service.

SEC. 10405. ETHICS AND DRUG TESTING.

(a) CERTIFICATION.—The Secretary of the Interior shall certify annually that all Department of the Interior officers and employees having regular, direct contact with lessees, contractors, concessionaires, and other businesses interested before the Government as a function of their official duties, or conducting investigations, issuing permits, or responsible for oversight of energy programs, are in full compliance with all Federal employee ethics laws and regulations under the Ethics in Government Act of 1978 (5 U.S.C. App.) and part 2635 of title 5, Code of Federal Regulations, and all guidance issued under subsection (c).

(b) DRUG TESTING.—The Secretary shall conduct a random drug testing program of all Department of the Interior personnel referred to in subsection (a).

(c) GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue supplementary ethics and drug testing guidance for the employees for which certification is required under subsection (a). The Secretary shall update the supplementary ethics guidance not less than once every 3 years thereafter.

SEC. 10406. ABOLISHMENT OF MINERALS MANAGEMENT SERVICE.

(a) ABOLISHMENT.—The Minerals Management Service is abolished.

(b) COMPLETED ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—Completed administrative actions of the Minerals Management Service shall not be affected by the enactment of this Act, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(2) COMPLETED ADMINISTRATIVE ACTION DEFINED.—For purposes of paragraph (1), the term ''completed administrative action'' includes orders, determinations, memoranda of understanding, memoranda of agreements, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, registrations, and privileges.

(c) PENDING PROCEEDINGS.—Subject to the authority of the Secretary of the Interior and the officers of the Department of the Interior under this title—

(1) pending proceedings in the Minerals Management Service, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue, notwithstanding the enactment of this Act or the vesting of functions of the Service in another agency, unless discontinued or modified

under the same terms and conditions and to the same extent that such discontinuance or modification could have occurred if this title had not been enacted; and

(2) orders issued in such proceedings, and appeals therefrom, and payments made pursuant to such orders, shall issue in the same manner and on the same terms as if this title had not been enacted, and any such orders shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(d) PENDING CIVIL ACTIONS.—Subject to the authority of the Secretary of the Interior or any officer of the Department of the Interior under this title, pending civil actions shall continue notwithstanding the enactment of this Act, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment had not occurred.

(e) REFERENCES.—References relating to the Minerals Management Service in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede the effective date of this Act are deemed to refer, as appropriate, to the Department, to its officers, employees, or agents, or to its corresponding organizational units or functions. Statutory reporting requirements that applied in relation to the Minerals Management Service immediately before the effective date of this title shall continue to apply.

SEC. 10407. CONFORMING AMENDMENTS TO EXECUTIVE SCHEDULE PAY RATES.

(a) UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to ''Under Secretaries of the Treasury (3).'' the following:

''Under Secretary for Energy, Lands, and Minerals, Department of the Interior.''.

(b) ASSISTANT SECRETARIES.—Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of the Interior (6).'' and inserting the following:

''Assistant Secretaries, Department of the Interior (7).''.

(c) DIRECTORS.—Section 5316 of title 5, United States Code, is amended by striking ''Director, Bureau of Mines, Department of the Interior.'' and inserting the following new items:

''Director, Bureau of Ocean Energy, Department of the Interior.

''Director, Ocean Energy Safety Service, Department of the Interior.

''Director, Office of Natural Resources Revenue, Department of the Interior.''.

SEC. 10408. OUTER CONTINENTAL SHELF ENERGY SAFETY ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish, under the Federal Advisory Committee Act, an Outer Continental Shelf Energy Safety Advisory Board (referred to in this section as the ''Board'')—

(1) to provide the Secretary and the Directors established by this title with independent scientific and technical advice on safe, responsible, and timely mineral and renewable energy exploration, development, and production activities; and

(2) to review operations of the National Offshore Energy Health and Safety Academy established under section 10403(d), including submitting to the Secretary recommendations of curriculum to ensure training scientific and technical advancements.

(b) MEMBERSHIP.—

(1) SIZE.—The Board shall consist of not more than 11 members, who—

(A) shall be appointed by the Secretary based on their expertise in oil and gas drilling, well design, operations, well containment and oil spill response; and

(B) must have significant scientific, engineering, management, and other credentials and a history of working in the field related to safe energy exploration, development, and production activities.

(2) CONSULTATION AND NOMINATIONS.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for the Board and shall take nominations from the public.

(3) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

(4) BALANCE.—In appointing members to the Board, the Secretary shall ensure a balanced representation of industry and research interests.

(c) CHAIR.—The Secretary shall appoint the Chair for the Board from among its members.

(d) MEETINGS.—The Board shall meet not less than 3 times per year and shall host, at least once per year, a public forum to review and assess the overall energy safety performance of Outer Continental Shelf mineral and renewable energy resource activities.

(e) OFFSHORE DRILLING SAFETY ASSESSMENTS AND RECOMMENDATIONS.—As part of its duties under this section, the Board shall, by not later than 180 days after the date of enactment of this section and every 5 years thereafter, submit to the Secretary a report that—

(1) assesses offshore oil and gas well control technologies, practices, voluntary standards, and regulations in the United States and elsewhere; and

(2) as appropriate, recommends modifications to the regulations issued under this title to ensure adequate protection of safety and the environment, including recommendations on how to reduce regulations and administrative actions that are duplicative or unnecessary.

(f) REPORTS.—Reports of the Board shall be submitted by the Board to the Committee on Natural Resources of the House or Representatives and the Committee on Energy and Natural Resources of the Senate and made available to the public in electronically accessible form.

(g) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

SEC. 10409. OUTER CONTINENTAL SHELF INSPECTION FEES.

Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended by adding at the end of the section the following:

''(g) INSPECTION FEES.—

''(1) ESTABLISHMENT.—The Secretary of the Interior shall collect from the operators of facilities subject to inspection under subsection (c) non-refundable fees for such inspections—

''(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

''(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

''(2) OCEAN ENERGY SAFETY FUND.—There is established in the Treasury a fund, to be known as the 'Ocean Energy Enforcement Fund' (referred to in this subsection as the 'Fund'), into which shall be deposited all amounts collected as fees under paragraph (1) and which shall be available as provided under paragraph (3).

''(3) AVAILABILITY OF FEES.—

''(A) IN GENERAL.—Notwithstanding section 3302 of title 31, United States Code, all amounts deposited in the Fund—

''(i) shall be credited as offsetting collections;

''(ii) shall be available for expenditure for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program under this section;

''(iii) shall be available only to the extent provided for in advance in an appropriations Act; and

''(iv) shall remain available until expended.

''(B) USE FOR FIELD OFFICES.—Not less than 75 percent of amounts in the Fund may be appropriated for use only for the respective Department of the Interior field offices where the amounts were originally assessed as fees.

''(4) INITIAL FEES.—Fees shall be established under this subsection for the fiscal year in which this subsection takes effect and the subsequent 10 years, and shall not be raised without advise and consent of the Congress, except as determined by the Secretary to be appropriate as an adjustment equal to the percentage by which the Consumer Price Index for the month of June of the calendar year preceding the adjustment exceeds the Consumer Price Index for the month of June of the calendar year in which the claim was determined or last adjusted.

''(5) ANNUAL FEES.—Annual fees shall be collected under this subsection for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2013 shall be—

''(A) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

''(B) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

''(C) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

''(6) FEES FOR DRILLING RIGS.—Fees for drilling rigs shall be assessed under this subsection for all inspections completed in fiscal years 2015 through 2024. Fees for fiscal year 2015 shall be—

''(A) $30,500 per inspection for rigs operating in water depths of 1,000 feet or more; and

''(B) $16,700 per inspection for rigs operating in water depths of less than 1,000 feet.

''(7) BILLING.—The Secretary shall bill designated operators under paragraph (5) within 60 days after the date of the inspection, with payment required within 30 days of billing. The Secretary shall bill designated operators under paragraph (6) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days after billing.

''(8) SUNSET.—No fee may be collected under this subsection for any fiscal year after fiscal year 2024.

''(9) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

''(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

''(i) A statement of the amounts deposited into the Fund.

''(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures and the additional hiring of personnel.

''(iii) A statement of the balance remaining in the Fund at the end of the fiscal year.

''(iv) An accounting of pace of permit approvals.

''(v) If fee increases are proposed after the initial 10-year period referred to in paragraph (5), a proper accounting of the potential adverse economic impacts such fee increases will have on offshore economic activity and overall production, conducted by the Secretary.

''(vi) Recommendations to increase the efficacy and efficiency of offshore inspections.

''(vii) Any corrective actions levied upon offshore inspectors as a result of any form of misconduct.''.

SEC. 10410. PROHIBITION ON ACTION BASED ON NATIONAL OCEAN POLICY DEVELOPED UNDER EXECUTIVE ORDER NO. 13547.

(a) PROHIBITION.—The Bureau of Ocean Energy and the Ocean Energy Safety Service may not develop, propose, finalize, administer, or implement, any limitation on activities under their jurisdiction as a result of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547.

(b) REPORT ON EXPENDITURES.—Not later than 60 days after the date of enactment of this Act, the President shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate identifying all Federal expenditures in fiscal years 2011, 2012, 2013, and 2014 by the Bureau of Ocean Energy and the Ocean Energy Safety Service and their predecessor agencies, by agency, account, and any pertinent subaccounts, for the development, administration, or implementation of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547, including staff time, travel, and other related expenses.

Subtitle E—United States Territories

SEC. 10501. APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.

Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(1) in paragraph (a), by inserting after ''control'' the following: ''or lying within the United States exclusive economic zone and the Continental Shelf adjacent to any territory of the United States'';

(2) in paragraph (p), by striking ''and'' after the semicolon at the end;

(3) in paragraph (q), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(r) The term 'State' includes each territory of the United States.''.

Subtitle F—Miscellaneous Provisions

SEC. 10601. RULES REGARDING DISTRIBUTION OF REVENUES UNDER GULF OF MEXICO ENERGY SECURITY ACT OF 2006.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall issue rules to provide more clarity, certainty, and stability to the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

(b) CONTENTS.—The rules shall include clarification of the timing and methods of disbursements of funds under section 105(b)(2) of such Act.

SEC. 10602. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note) shall be applied by substituting ''2024, and shall not exceed $999,999,999 for each of fiscal years 2025 through 2055'' for ''2055''.

SEC. 10603. SOUTH ATLANTIC OUTER CONTINENTAL SHELF PLANNING AREA DEFINED.

For the purposes of this Act, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), and any regulations or 5-year plan issued under that Act, the term ''South Atlantic Outer Continental Shelf Planning Area'' means the area of the outer Continental Shelf (as defined in section 2 of that Act (43 U.S.C. 1331)) that is located between the northern lateral seaward administrative boundary of the State of Virginia and the southernmost lateral seaward administrative boundary of the State of Georgia.

SEC. 10604. ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.

Section 11 of the Outer Continental Shelf lands Act (43 U.S.C. 1340) is amended by adding at the end the following:

''(i) ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.—

''(1) The Secretary, acting through the Director of the Bureau of Ocean Energy Management, shall facilitate and support the practical study of geology and geophysics to better understand the oil, gas, and other hydrocarbon potential in the South Atlantic Outer Continental Shelf Planning Area by entering into partnerships to conduct geological and geophysical activities on the outer Continental Shelf.

''(2)(A) No later than 180 days after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, the Governors of the States of Georgia, South Carolina, North Carolina, and Virginia may each nominate for participation in the partnerships—

''(i) one institution of higher education located within the Governor's State; and

''(ii) one institution of higher education within the Governor's State that is a historically black college or university, as defined in section 631(a) of the Higher Education Act of 1965 (20 U.S.C. 1132(a)).

''(B) In making nominations, the Governors shall give preference to those institutions of higher education that demonstrate a vigorous rate of admission of veterans of the Armed Forces of the United States.

''(3) The Secretary shall only select as a partner a nominee that the Secretary determines demonstrates excellence in geophysical sciences curriculum, engineering curriculum, or information technology or other technical studies relating to seismic research (including data processing).

''(4) Notwithstanding subsection (d), nominees selected as partners by the Secretary may conduct geological and geophysical activities under this section after filing a notice with the Secretary 30-days prior to commencement of the activity without any further authorization by the Secretary except those activities that use solid or liquid explosives shall require a permit. The Secretary may not charge any fee for the provision of data or other information collected under this authority, other than the cost of duplicating any data or information provided. Nominees selected as partners under this section shall provide to the Secretary any data or other information collected under this subsection within 60 days after completion of an initial analysis of the data or other information collected, if so requested by the Secretary.

''(5) Data or other information produced as a result of activities conducted by nominees selected as partners under this subsection shall not be used or shared for commercial purposes by the nominee, may not be produced for proprietary use or sale, and shall be made available by the Secretary to the public.

''(6) The Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on the data or other information produced under the partnerships under this section. Such reports shall be made no less frequently than every 180 days following the conduct of the first geological and geophysical activities under this section.

''(7) In this subsection the term 'geological and geophysical activities' means any oil- or gas-related investigation conducted on the outer Continental Shelf, including geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of oil or gas.''.

Subtitle G—Judicial Review

SEC. 10701. TIME FOR FILING COMPLAINT.

(a) IN GENERAL.—Any cause of action that arises from a covered energy decision must be filed not later than the end of the 60-day period beginning on the date of the covered energy decision. Any cause of action not filed within this time period shall be barred.

(b) EXCEPTION.—Subsection (a) shall not apply to a cause of action brought by a party to a covered energy lease.

SEC. 10702. DISTRICT COURT DEADLINE.

(a) IN GENERAL.—All proceedings that are subject to section 10701—

(1) shall be brought in the United States district court for the district in which the Federal property for which a covered energy lease is issued is located or the United States District Court of the District of Columbia;

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

(3) shall take precedence over all other pending matters before the district court.

(b) FAILURE TO COMPLY WITH DEADLINE.—If an interlocutory or final judgment, decree, or order has not been issued by the district court by the deadline described under this section, the cause or claim shall be dismissed with prejudice and all rights relating to such cause or claim shall be terminated.

SEC. 10703. ABILITY TO SEEK APPELLATE REVIEW.

An interlocutory or final judgment, decree, or order of the district court in a proceeding that is subject to section 10701 may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit shall resolve any such appeal as expeditiously as possible and, in any event, not more than 180 days after such interlocutory or final judgment, decree, or order of the district court was issued.

SEC. 10704. LIMITATION ON SCOPE OF REVIEW AND RELIEF.

(a) ADMINISTRATIVE FINDINGS AND CONCLUSIONS.—In any judicial review of any Federal action under this subtitle, any administrative findings and conclusions relating to the challenged Federal action shall be presumed to be correct unless shown otherwise by clear and convincing evidence contained in the administrative record.

(b) LIMITATION ON PROSPECTIVE RELIEF.—In any judicial review of any action, or failure to act, under this subtitle, the Court shall not grant or approve any prospective relief unless the Court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a Federal

law requirement, and is the least intrusive means necessary to correct the violation concerned.

SEC. 10705. LEGAL FEES.

Any person filing a petition seeking judicial review of any action, or failure to act, under this subtitle who is not a prevailing party shall pay to the prevailing parties (including intervening parties), other than the United States, fees and other expenses incurred by that party in connection with the judicial review, unless the Court finds that the position of the person was substantially justified or that special circumstances make an award unjust.

SEC. 10706. EXCLUSION.

This subtitle shall not apply with respect to disputes between the parties to a lease issued pursuant to an authorizing leasing statute regarding the obligations of such lease or the alleged breach thereof.

SEC. 10707. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) COVERED ENERGY DECISION.—The term ''covered energy decision'' means any action or decision by a Federal official regarding the issuance of a covered energy lease.

(2) COVERED ENERGY LEASE.—The term ''covered energy lease'' means any lease under this title or under an oil and gas leasing program under this title.

TITLE II—ONSHORE FEDERAL LANDS AND ENERGY SECURITY

Subtitle A—Federal Lands Jobs and Energy Security

SEC. 21001. SHORT TITLE.

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

SEC. 21002. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

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

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

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

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

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

CHAPTER 1—ONSHORE OIL AND GAS PERMIT STREAMLINING

SEC. 21101. SHORT TITLE.

This chapter may be cited as the ''Streamlining Permitting of American Energy Act of 2014''.

Subchapter A—Application for Permits to Drill Process Reform

SEC. 21111. PERMIT TO DRILL APPLICATION TIMELINE.

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

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

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

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

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

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

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

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

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

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

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

''(E) FEE.—

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

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

Subchapter B—Administrative Protest Documentation Reform

SEC. 21121. ADMINISTRATIVE PROTEST DOCUMENTATION REFORM.

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

''(4) PROTEST FEE.—

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

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

Subchapter C—Permit Streamlining

SEC. 21131. MAKING PILOT OFFICES PERMANENT TO IMPROVE ENERGY PERMITTING ON FEDERAL LANDS.

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

(b) MEMORANDUM OF UNDERSTANDING.—

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

(A) the Secretary of Agriculture;

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

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

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

(c) DESIGNATION OF QUALIFIED STAFF.—

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

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

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

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

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

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

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

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

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

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

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

(e) FUNDING.—Funding for the additional personnel shall come from the Department of the Interior reforms identified in sections 21111 and 21121.

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

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

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

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

SEC. 21132. ADMINISTRATION OF CURRENT LAW.

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

Subchapter D—Judicial Review

SEC. 21141. DEFINITIONS.

In this subchapter—

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

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

SEC. 21142. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

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

SEC. 21143. TIMELY FILING.

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

SEC. 21144. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

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

SEC. 21145. STANDARD OF REVIEW.

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

SEC. 21146. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

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

SEC. 21147. LIMITATION ON ATTORNEYS' FEES.

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

SEC. 21148. LEGAL STANDING.

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

Subchapter E—Knowing America's Oil and Gas Resources

SEC. 21151. FUNDING OIL AND GAS RESOURCE ASSESSMENTS.

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

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

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

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of $50,000,000 for fiscal years 2015 through 2018.

CHAPTER 2—OIL AND GAS LEASING CERTAINTY

SEC. 21201. SHORT TITLE.

This chapter may be cited as the ''Providing Leasing Certainty for American Energy Act of 2014''.

SEC. 21202. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE LEASE SALES.

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

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

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

SEC. 21203. LEASING CERTAINTY.

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

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

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

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

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

''(E) The Secretary shall not cancel or withdraw any lease parcel after a competitive lease sale has occurred and a winning bidder has submitted the last payment for the parcel.

''(F) After the conclusion of the public comment period for a planned competitive lease sale, the Secretary shall not cancel, defer, or withdraw any lease parcel announced to be auctioned in the lease sale.

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

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

SEC. 21204. LEASING CONSISTENCY.

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

SEC. 21205. REDUCE REDUNDANT POLICIES.

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

SEC. 21206. STREAMLINED CONGRESSIONAL NOTIFICATION.

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

CHAPTER 3—OIL SHALE

SEC. 21301. SHORT TITLE.

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

SEC. 21302. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

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

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

SEC. 21303. OIL SHALE LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of

oil shale resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

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

CHAPTER 4—MISCELLANEOUS PROVISIONS

SEC. 21401. RULE OF CONSTRUCTION.

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

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

(2) Executive Order No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

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

Subtitle B—Planning for American Energy

SEC. 22001. SHORT TITLE.

This subtitle may be cited as the ''Planning for American Energy Act of 2014''.

SEC. 22002. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

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

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

''(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(f) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—Not later than 12 months after the date of enactment of this section, in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall complete a programmatic environmental impact statement. This programmatic environmental impact statement will be deemed sufficient to comply with all requirements under that Act for all necessary resource management and land use plans associated with the implementation of the strategy.

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

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

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

Subtitle C—National Petroleum Reserve in Alaska Access

SEC. 23001. SHORT TITLE.

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

SEC. 23002. SENSE OF CONGRESS AND REAFFIRMING NATIONAL POLICY FOR THE NATIONAL PETROLEUM RESERVE IN ALASKA.

It is the sense of Congress that—

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

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

SEC. 23003. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

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

''(a) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the reserve in accordance with this Act. Such program shall include at least one lease sale annually in those areas of the reserve most likely to produce commercial quantities of oil and natural gas each year in the period 2014 through 2024.''.

SEC. 23004. NATIONAL PETROLEUM RESERVE IN ALASKA: PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.

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

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

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

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

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

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

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

SEC. 23005. ISSUANCE OF A NEW INTEGRATED ACTIVITY PLAN AND ENVIRONMENTAL IMPACT STATEMENT.

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

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

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

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

SEC. 23006. DEPARTMENTAL ACCOUNTABILITY FOR DEVELOPMENT.

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

SEC. 23007. DEADLINES UNDER NEW PROPOSED INTEGRATED ACTIVITY PLAN.

At a minimum, the new proposed integrated activity plan issued under section 23005(a)(1) shall—

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

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

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

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

SEC. 23008. UPDATED RESOURCE ASSESSMENT.

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

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

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

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

Subtitle D—BLM Live Internet Auctions

SEC. 24001. SHORT TITLE.

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

SEC. 24002. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

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

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

(2) by adding at the end the following:

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

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

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

(A) the number of bidders;

(B) the average amount of bid;

(C) the highest amount bid; and

(D) the lowest bid;

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

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

Subtitle E—Native American Energy

SEC. 25001. SHORT TITLE.

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

SEC. 25002. APPRAISALS.

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

''SEC. 2607. APPRAISAL REFORMS.

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

''(1) the Secretary;

''(2) the affected Indian tribe; or

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

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

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

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

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

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

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

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

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

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall

use for approving or disapproving an appraisal.''.

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

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

SEC. 25003. STANDARDIZATION.

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

SEC. 25004. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

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

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

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

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

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

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 25006 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 25005. JUDICIAL REVIEW.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 25006. TRIBAL BIOMASS DEMONSTRATION PROJECT.

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

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

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

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

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

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

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

''(2) that includes a description of—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 25007. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an

integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 25008. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

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

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

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

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

(4) by adding at the end the following:

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

SEC. 25009. NONAPPLICABILITY OF CERTAIN RULES.

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

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 30101. ESTABLISHMENT OF OFFICE OF ENERGY EMPLOYMENT AND TRAINING.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish an Office of Energy Employment and Training, which shall oversee the hiring and training efforts of the Department of the Interior's energy planning, permitting, and regulatory agencies.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be under the direction of a Deputy Assistant Secretary for Energy Employment and Training, who shall report directly to the Assistant Secretary for Energy, Lands and Minerals Management, and shall be fully employed to carry out the functions of the Office.

(2) DUTIES.—The Deputy Assistant Secretary for Energy Employment and Training shall perform the following functions:

(A) Develop and implement systems to track the Department's hiring of trained skilled workers in the energy permitting and inspection agencies.

(B) Design and recommend to the Secretary programs and policies aimed at expanding the Department's hiring of women, minorities, and veterans into the Department's workforce dealing with energy permitting and inspection programs. Such programs and policies shall include—

(i) recruiting at historically black colleges and universities, Hispanic-serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(ii) sponsoring and recruiting at job fairs in urban communities;

(iii) placing employment advertisements in newspapers and magazines oriented toward minorities, veterans, and women;

(iv) partnering with organizations that are focused on developing opportunities for minorities, veterans, and women to be placed in Departmental internships, summer employment, and full-time positions relating to energy;

(v) where feasible, partnering with inner-city high schools, girls' high schools, and high schools with majority minority populations to demonstrate career opportunities and the path to those opportunities available at the Department;

(vi) coordinating with the Department of Veterans Affairs and the Department of Defense in the hiring of veterans; and

(vii) any other mass media communications that the Deputy Assistant Secretary determines necessary to advertise, promote, or educate about opportunities at the Department.

(C) Develop standards for—

(i) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of the Department; and

(ii) increased participation of minority-owned, veteran-owned, and women-owned businesses in the programs and contracts with the Department.

(D) Review and propose for adoption the best practices of entities regulated by the Department with regards to hiring and diversity policies, and publish those best practices for public review.

(c) REPORTS.—The Secretary shall submit to Congress an annual report regarding the actions taken by the Department of the Interior agency and the Office pursuant to this section, which shall include—

(1) a statement of the total amounts paid by the Department to minority contractors;

(2) the successes achieved and challenges faced by the Department in operating minority, veteran or service-disabled veteran, and women outreach programs;

(3) the challenges the Department may face in hiring minority, veteran, and women employees and contracting with veteran or service-disabled veteran, minority-owned, and women-owned businesses; and

(4) any other information, findings, conclusions, and recommendations for legislative or Department action, as the Director determines appropriate.

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

(1) MINORITY.—The term ''minority'' means United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American.

(2) MINORITY-OWNED BUSINESS.—The term ''minority-owned business'' means a for-profit enterprise, regardless of size, physically located in the United States or its trust territories, that is owned, operated, and controlled by minority group members. ''Minority group members'' are United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American (terminology in NMSDC categories). Ownership by minority individuals means the business is at least 51 percent owned by such individuals or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more such individuals. Further, the management and daily operations are controlled by those minority group members. For purposes of NMSDC's program, a minority group member is an individual who is a United States citizen with at least ¼ or 25 percent minimum (documentation to support claim of 25 percent required from applicant) of one or more of the following:

(A) Asian Indian American, which is a United States citizen whose origins are from India, Pakistan, or Bangladesh.

(B) Asian Pacific American, which is a United States citizen whose origins are from Japan, China, Indonesia, Malaysia, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Thailand, Samoa, Guam, the United States Trust Territories of the Pacific, or the Northern Marianas.

(C) Black American, which is a United States citizen having origins in any of the Black racial groups of Africa.

(D) Hispanic American, which is a United States citizen of true-born Hispanic heritage, from any of the Spanish-speaking areas of the following regions: Mexico, Central America, South America, and the Caribbean Basin only.

(E) Native American, which means a United States citizen enrolled to a federally recognized tribe, or a Native as defined under the Alaska Native Claims Settlement Act.

(3) NMSDC.—The term ''NMSDC'' means the National Minority Supplier Development Council.

(4) WOMEN-OWNED BUSINESS.—The term ''women-owned business'' means a business that can verify through evidence documentation that 51 percent or more is women-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien. Evidence must indicate that—

(A) the contribution of capital or expertise by the woman business owner is real and substantial and in proportion to the interest owned;

(B) the woman business owner directs or causes the direction of management, policy, fiscal, and operational matters; and

(C) the woman business owner has the ability to perform in the area of specialty or expertise without reliance on either the finances or resources of a firm that is not owned by a woman.

(5) SERVICE DISABLED VETERAN.—The term ''Service Disabled Veteran'' must have a service-connected disability that has been determined by the Department of Veterans Affairs or Department of Defense. The SDVOSBC must be small under the North American Industry Classification System (NAICS) code assigned to the procurement; the SDV must unconditionally own 51 percent of the SDVOSBC; the SDVO must control the management and daily operations of the SDVOSBC; and the SDV must hold the highest officer position in the SDVOSBC.

(6) VETERAN-OWNED BUSINESS.—The term ''veteran-owned business'' means a business that can verify through evidence documentation that 51 percent or more is veteran-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien and honorably or service-connected disability discharged from service.

SUBDIVISION B—BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act''.

SEC. 2. AMENDMENT.

Section 9 of the Act entitled ''An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid semiarid areas of the United States'', approved August 11, 1939 (16 U.S.C. 590z–7; commonly known as the ''Water Conservation and Utilization Act''), is amended—

(1) by striking ''In connection with'' and inserting ''(a) In connection with''; and

(2) by adding at the end the following:

''(b) Notwithstanding subsection (a), the Secretary is authorized to enter into leases of power privileges for electric power generation in connection with any project constructed under this Act, and shall have authority in addition to and alternative to any

authority in existing laws relating to particular projects, including small conduit hydropower development.

''(c) When entering into leases of power privileges under subsection (b), the Secretary shall use the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(d) Lease of power privilege contracts shall be at such rates as, in the Secretary's judgment, will produce revenues at least sufficient to cover the appropriate share of the annual operation and maintenance cost of the project and such fixed charges, including interest, as the Secretary deems proper. Lease of power privilege contracts shall be for periods not to exceed 40 years.

''(e) No findings under section 3 shall be required for a lease under subsection (b).

''(f) All right, title, and interest to installed power facilities constructed by non-Federal entities pursuant to a lease of power privilege, and direct revenues derived therefrom, shall remain with the lessee unless otherwise required under subsection (g).

''(g) Notwithstanding section 8, lease revenues and fixed charges, if any, shall be covered into the Reclamation Fund to be credited to the project from which those revenues or charges were derived.

''(h) When carrying out this section, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred conduit, or to the irrigation district or water users association receiving water from the applicable reserved conduit. The Secretary shall determine a reasonable timeframe for the irrigation district or water users association to accept or reject a lease of power privilege offer. If the irrigation district or water users association elects not to accept a lease of power privilege offer under subsection (b), the Secretary shall offer the lease of power privilege to other parties using the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(i) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this section, excluding siting of associated transmission facilities on Federal lands.

''(j) Nothing in this section shall obligate the Western Area Power Administration or the Bonneville Power Administration to purchase or market any of the power produced by the facilities covered under this section and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

''(k) Nothing in this section shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved and shall not create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred conduit in advance of offering the lease of power privilege and shall prescribe such terms and conditions necessary to adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

''(l) Nothing in this section shall alter or affect any agreements in effect on the date of the enactment of the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act for the development of conduit hydropower projects or disposition of revenues.

''(m) In this section:

''(1) The term 'conduit' means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

''(2) The term 'irrigation district' means any irrigation, water conservation or conservancy, multi-county water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

''(3) The term 'reserved conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

''(4) The term 'transferred conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

''(5) The term 'small conduit hydropower' means a facility capable of producing 5 megawatts or less of electric capacity.''.

SUBDIVISION C—CENTRAL OREGON JOBS AND WATER SECURITY ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Central Oregon Jobs and Water Security Act''.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a)(72) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(72)) is amended as follows:

(1) By striking ''15-mile'' and inserting ''14.75-mile''.

(2) In subparagraph (B)—

(A) by striking ''8-mile'' and all that follows through ''Bowman Dam'' and inserting ''7.75-mile segment from a point one-quarter mile downstream from the toe of Bowman Dam''; and

(B) by adding at the end the following: ''The developer for any hydropower development, including turbines and appurtenant facilities, at Bowman Dam, in consultation with the Bureau of Land Management, shall analyze any impacts to the Outstandingly Remarkable Values of the Wild and Scenic River that may be caused by such development, including the future need to undertake routine and emergency repairs, and shall propose mitigation for any impacts as part of any license application submitted to the Federal Energy Regulatory Commission.''.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058), (as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954)) is further amended as follows:

(1) By striking ''ten cubic feet'' the first place it appears and inserting ''17 cubic feet''.

(2) By striking ''during those months when there is no other discharge therefrom, but this release may be reduced for brief temporary periods by the Secretary whenever he may find that release of the full ten cubic feet per second is harmful to the primary purpose of the project''.

(3) By adding at the end the following: ''Without further action by the Secretary, and as determined necessary for any given year by the City of Prineville, up to seven of the 17 cubic feet per second minimum release shall also serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the up to seven cubic feet per second to coincide with City of Prineville groundwater pumping as may be required by the State of Oregon. As such, the Secretary is authorized to make applications to the State of Oregon in conjunction with the City to protect these supplies instream. The City shall make payment to the Secretary for that portion of the minimum release that actually serves as mitigation pursuant to Oregon State law for the City in any given year, with the payment for any given year equal to the amount of mitigation in acre feet required to offset actual City groundwater pumping for that year in accordance with Reclamation 'Water and Related Contract and Repayment Principles and Requirements', Reclamation Manual Directives and Standards PEC 05–01, dated 09/12/2006, and guided by 'Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies', dated March 10, 1983. The Secretary is authorized to contract exclusively with the City for additional amounts in the future at the request of the City.''.

SEC. 4. FIRST FILL PROTECTION.

The Act of August 6, 1956 (70 Stat. 1058), as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954), is further amended by adding at the end the following:

''SEC. 6. Other than the 17 cubic feet per second release provided for in section 4, and subject to compliance with the Army Corps of Engineers' flood curve requirements, the Secretary shall, on a 'first fill' priority basis, store in and release from Prineville Reservoir, whether from carryover, infill, or a combination thereof, the following:

''(1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011, and up to 2,740 acre feet of water annually to supply the McKay Creek lands as provided for in section 5 of this Act.

''(2) Not more than 10,000 acre feet of water annually, to be made available to the North Unit Irrigation District pursuant to a Temporary Water Service Contract, upon the request of the North Unit Irrigation District, consistent with the same terms and conditions as prior such contracts between the District and the Bureau of Reclamation.

''SEC. 7. Except as otherwise provided in this Act, nothing in this Act—

''(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

''(2) amends or reopens contracts referred to in paragraph (1); or

''(3) modifies any rights, obligations, or requirements that may be provided or governed by Oregon State law.''.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District in Oregon, may repay, at any time, the construction costs of the project facilities allocated to that landowner's lands within the district. Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all lands the landowner owns in the district, those lands shall not be subject to the ownership and full-cost pricing limitations of the Act of June 17, 1902 (43 U.S.C. 371 et seq.), and Acts supplemental to and amendatory of that Act, including the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to that landowner's lands owned within the district, the Secretary of the Interior shall provide the certification provided for in subsection (b)(1) of section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing legislation to the contrary, the district's reclamation contracts are modified, without further action by the Secretary of the Interior, to—

(1) authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) classify as irrigable approximately 685 acres within the approximately 2,742 acres of included lands in the vicinity of McKay Creek, where the approximately 685 acres are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights; and

(4) provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of lands added within the district boundary and classified as irrigable under paragraphs (2) and (3), with such stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the State's issuance of water rights for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section shall be construed to—

(1) modify contractual rights that may exist between the district and the United States under the district's Reclamation contracts;

(2) amend or reopen the contracts referred to in paragraph (1); or

(3) modify any rights, obligations or relationships that may exist between the district and its landowners as may be provided or governed by Oregon State law.

SUBDIVISION D—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION; EPA HYDRAULIC FRACTURING RESEARCH

TITLE I—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Protecting States' Rights to Promote American Energy Security Act''.

SEC. 102. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

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

''SEC. 44. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

''(a) IN GENERAL.—The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on or under any land in any State that has regulations, guidance, or permit requirements for that activity.

''(b) STATE AUTHORITY.—The Department of the Interior shall recognize and defer to State regulations, permitting, and guidance, for all activities related to hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on Federal land.

''(c) TRANSPARENCY OF STATE REGULATIONS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of its regulations that apply to hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(d) TRANSPARENCY OF STATE DISCLOSURE REQUIREMENTS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of any regulations of the State that require disclosure of chemicals used in hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(e) HYDRAULIC FRACTURING DEFINED.—In this section the term 'hydraulic fracturing' means the process by which fracturing fluids (or a fracturing fluid system) are pumped into an underground geologic formation at a calculated, predetermined rate and pressure to generate fractures or cracks in the target formation and thereby increase the permeability of the rock near the wellbore and improve production of natural gas or oil.''.

SEC. 103. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study examining the economic benefits of domestic shale oil and gas production resulting from the process of hydraulic fracturing. This study will include identification of—

(1) State and Federal revenue generated as a result of shale gas production;

(2) jobs created both directly and indirectly as a result of shale oil and gas production; and

(3) an estimate of potential energy prices without domestic shale oil and gas production.

(b) REPORT.—The Comptroller General shall submit a report on the findings of such study to the Committee on Natural Resources of the House of Representatives within 30 days after completion of the study.

SEC. 104. TRIBAL AUTHORITY ON TRUST LAND.

The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding the process of hydraulic fracturing (as that term is defined in section 44 of the Mineral Leasing Act, as amended by section 102 of this Act), or any component of that process, relating to oil, gas, or geothermal production activities on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

TITLE II—EPA HYDRAULIC FRACTURING RESEARCH

SEC. 201. SHORT TITLE.

This title may be cited as the ''EPA Hydraulic Fracturing Study Improvement Act''.

SEC. 202. EPA HYDRAULIC FRACTURING RESEARCH.

In conducting its study of the potential impacts of hydraulic fracturing on drinking water resources, with respect to which a request for information was issued under Federal Register Vol. 77, No. 218, the Administrator of the Environmental Protection Agency shall adhere to the following requirements:

(1) PEER REVIEW AND INFORMATION QUALITY.—Prior to issuance and dissemination of any final report or any interim report summarizing the Environmental Protection Agency's research on the relationship between hydraulic fracturing and drinking water, the Administrator shall—

(A) consider such reports to be Highly Influential Scientific Assessments and require peer review of such reports in accordance with guidelines governing such assessments, as described in—

(i) the Environmental Protection Agency's Peer Review Handbook 3rd Edition;

(ii) the Environmental Protection Agency's Scientific Integrity Policy, as in effect on the date of enactment of this Act; and

(iii) the Office of Management and Budget's Peer Review Bulletin, as in effect on the date of enactment of this Act; and

(B) require such reports to meet the standards and procedures for the dissemination of influential scientific, financial, or statistical information set forth in the Environmental Protection Agency's Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency, developed in response to guidelines issued by the Office of Management and Budget under section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106–554).

(2) PROBABILITY, UNCERTAINTY, AND CONSEQUENCE.—In order to maximize the quality and utility of information developed through the study, the Administrator shall ensure that identification of the possible impacts of hydraulic fracturing on drinking water resources included in such reports be accompanied by objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of States and industry. Estimates or descriptions of probability, uncertainty, and consequence shall be as quantitative as possible given the validity, accuracy, precision, and other quality attributes of the underlying data and analyses, but no more quantitative than the data and analyses can support.

(3) RELEASE OF FINAL REPORT.—The final report shall be publicly released by September 30, 2016.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REVIEW OF STATE ACTIVITIES.

The Secretary of the Interior shall annually review and report to Congress on all State activities relating to hydraulic fracturing.

SUBDIVISION E—PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Preventing Government Waste and Protecting Coal Mining Jobs in America''.

SEC. 2. INCORPORATION OF SURFACE MINING STREAM BUFFER ZONE RULE INTO STATE PROGRAMS.

(a) IN GENERAL.—Section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) is amended by adding at the end the following:

''(e) STREAM BUFFER ZONE MANAGEMENT.—

''(1) IN GENERAL.—In addition to the requirements under subsection (a), each State program shall incorporate the necessary rule regarding excess spoil, coal mine waste, and buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation and Enforcement on December 12, 2008 (73 Fed. Reg. 75813 et seq.) which complies with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in view of the 2006 discussions between the Director of

the Office of Surface Mining and the Director of the United States Fish and Wildlife Service, and the Office of Surface Mining Reclamation and Enforcement's consideration and review of comments submitted by the United States Fish and Wildlife Service during the rulemaking process in 2007.

''(2) STUDY OF IMPLEMENTATION.—The Secretary shall—

''(A) at such time as the Secretary determines all States referred to in subsection (a) have fully incorporated the necessary rule referred to in paragraph (1) of this subsection into their State programs, publish notice of such determination;

''(B) during the 5-year period beginning on the date of such publication, assess the effectiveness of implementation of such rule by such States;

''(C) carry out all required consultation on the benefits and other impacts of the implementation of the rule to any threatened species or endangered species, with the participation of the United States Fish and Wildlife Service and the United States Geological Survey; and

''(D) upon the conclusion of such period, submit a comprehensive report on the impacts of such rule to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, including—

''(i) an evaluation of the effectiveness of such rule;

''(ii) an evaluation of any ways in which the existing rule inhibits energy production; and

''(iii) a description in detail of any proposed changes that should be made to the rule, the justification for such changes, all comments on such changes received by the Secretary from such States, and the projected costs and benefits of such changes.

''(3) LIMITATION ON NEW REGULATIONS.—The Secretary may not issue any regulations under this Act relating to stream buffer zones or stream protection before the date of the publication of the report under paragraph (2), other than a rule necessary to implement paragraph (1).''.

(b) DEADLINE FOR STATE IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, a State with a State program approved under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) shall submit to the Secretary of the Interior amendments to such program pursuant to part 732 of title 30, Code of Federal Regulations, incorporating the necessary rule referred to in subsection (e)(1) of such section, as amended by this section.

DIVISION C—JUDICIARY

SEC. 1. SHORT TITLE.

This division may be cited as the ''Responsibly And Professionally Invigorating Development Act of 2014'' or as the ''RAPID Act''.

SEC. 2. COORDINATION OF AGENCY ADMINISTRATIVE OPERATIONS FOR EFFICIENT DECISIONMAKING.

(a) IN GENERAL.—Chapter 5 of part 1 of title 5, United States Code, is amended by inserting after subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''§ 560. Coordination of agency administrative operations for efficient decisionmaking

''(a) CONGRESSIONAL DECLARATION OF PURPOSE.—The purpose of this subchapter is to establish a framework and procedures to streamline, increase the efficiency of, and enhance coordination of agency administration of the regulatory review, environmental decisionmaking, and permitting process for projects undertaken, reviewed, or funded by Federal agencies. This subchapter will ensure that agencies administer the regulatory process in a manner that is efficient so that citizens are not burdened with regulatory excuses and time delays.

''(b) DEFINITIONS.—For purposes of this subchapter, the term—

''(1) 'agency' means any agency, department, or other unit of Federal, State, local, or Indian tribal government;

''(2) 'category of projects' means 2 or more projects related by project type, potential environmental impacts, geographic location, or another similar project feature or characteristic;

''(3) 'environmental assessment' means a concise public document for which a Federal agency is responsible that serves to—

''(A) briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact;

''(B) aid an agency's compliance with NEPA when no environmental impact statement is necessary; and

''(C) facilitate preparation of an environmental impact statement when one is necessary;

''(4) 'environmental impact statement' means the detailed statement of significant environmental impacts required to be prepared under NEPA;

''(5) 'environmental review' means the Federal agency procedures for preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under NEPA;

''(6) 'environmental decisionmaking process' means the Federal agency procedures for undertaking and completion of any environmental permit, decision, approval, review, or study under any Federal law other than NEPA for a project subject to an environmental review;

''(7) 'environmental document' means an environmental assessment or environmental impact statement, and includes any supplemental document or document prepared pursuant to a court order;

''(8) 'finding of no significant impact' means a document by a Federal agency briefly presenting the reasons why a project, not otherwise subject to a categorical exclusion, will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared;

''(9) 'lead agency' means the Federal agency preparing or responsible for preparing the environmental document;

''(10) 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(11) 'project' means major Federal actions that are construction activities undertaken with Federal funds or that are construction activities that require approval by a permit or regulatory decision issued by a Federal agency;

''(12) 'project sponsor' means the agency or other entity, including any private or public-private entity, that seeks approval for a project or is otherwise responsible for undertaking a project; and

''(13) 'record of decision' means a document prepared by a lead agency under NEPA following an environmental impact statement that states the lead agency's decision, identifies the alternatives considered by the agency in reaching its decision and states whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not adopted.

''(c) PREPARATION OF ENVIRONMENTAL DOCUMENTS.—Upon the request of the lead agency, the project sponsor shall be authorized to prepare any document for purposes of an environmental review required in support of any project or approval by the lead agency if the lead agency furnishes oversight in such preparation and independently evaluates such document and the document is approved and adopted by the lead agency prior to taking any action or making any approval based on such document.

''(d) ADOPTION AND USE OF DOCUMENTS.—

''(1) DOCUMENTS PREPARED UNDER NEPA.—

''(A) Not more than 1 environmental impact statement and 1 environmental assessment shall be prepared under NEPA for a project (except for supplemental environmental documents prepared under NEPA or environmental documents prepared pursuant to a court order), and, except as otherwise provided by law, the lead agency shall prepare the environmental impact statement or environmental assessment. After the lead agency issues a record of decision, no Federal agency responsible for making any approval for that project may rely on a document other than the environmental document prepared by the lead agency.

''(B) Upon the request of a project sponsor, a lead agency may adopt, use, or rely upon secondary and cumulative impact analyses included in any environmental document prepared under NEPA for projects in the same geographic area where the secondary and cumulative impact analyses provide information and data that pertains to the NEPA decision for the project under review.

''(2) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

''(A) Upon the request of a project sponsor, a lead agency may adopt a document that has been prepared for a project under State laws and procedures as the environmental impact statement or environmental assessment for the project, provided that the State laws and procedures under which the document was prepared provide environmental protection and opportunities for public involvement that are substantially equivalent to NEPA.

''(B) An environmental document adopted under subparagraph (A) is deemed to satisfy the lead agency's obligation under NEPA to prepare an environmental impact statement or environmental assessment.

''(C) In the case of a document described in subparagraph (A), during the period after preparation of the document but before its adoption by the lead agency, the lead agency shall prepare and publish a supplement to that document if the lead agency determines that—

''(i) a significant change has been made to the project that is relevant for purposes of environmental review of the project; or

''(ii) there have been significant changes in circumstances or availability of information relevant to the environmental review for the project.

''(D) If the agency prepares and publishes a supplemental document under subparagraph (C), the lead agency may solicit comments from agencies and the public on the supplemental document for a period of not more than 45 days beginning on the date of the publication of the supplement.

''(E) A lead agency shall issue its record of decision or finding of no significant impact, as appropriate, based upon the document adopted under subparagraph (A), and any supplements thereto.

''(3) CONTEMPORANEOUS PROJECTS.—If the lead agency determines that there is a reasonable likelihood that the project will have similar environmental impacts as a similar project in geographical proximity to the project, and that similar project was subject to environmental review or similar State procedures within the 5-year period immediately preceding the date that the lead agency makes that determination, the lead

agency may adopt the environmental document that resulted from that environmental review or similar State procedure. The lead agency may adopt such an environmental document, if it is prepared under State laws and procedures only upon making a favorable determination on such environmental document pursuant to paragraph (2)(A).

''(e) PARTICIPATING AGENCIES.—

''(1) IN GENERAL.—The lead agency shall be responsible for inviting and designating participating agencies in accordance with this subsection. The lead agency shall provide the invitation or notice of the designation in writing.

''(2) FEDERAL PARTICIPATING AGENCIES.—Any Federal agency that is required to adopt the environmental document of the lead agency for a project shall be designated as a participating agency and shall collaborate on the preparation of the environmental document, unless the Federal agency informs the lead agency, in writing, by a time specified by the lead agency in the designation of the Federal agency that the Federal agency—

''(A) has no jurisdiction or authority with respect to the project;

''(B) has no expertise or information relevant to the project; and

''(C) does not intend to submit comments on the project.

''(3) INVITATION.—The lead agency shall identify, as early as practicable in the environmental review for a project, any agencies other than an agency described in paragraph (2) that may have an interest in the project, including, where appropriate, Governors of affected States, and heads of appropriate tribal and local (including county) governments, and shall invite such identified agencies and officials to become participating agencies in the environmental review for the project. The invitation shall set a deadline of 30 days for responses to be submitted, which may only be extended by the lead agency for good cause shown. Any agency that fails to respond prior to the deadline shall be deemed to have declined the invitation.

''(4) EFFECT OF DECLINING PARTICIPATING AGENCY INVITATION.—Any agency that declines a designation or invitation by the lead agency to be a participating agency shall be precluded from submitting comments on any document prepared under NEPA for that project or taking any measures to oppose, based on the environmental review, any permit, license, or approval related to that project.

''(5) EFFECT OF DESIGNATION.—Designation as a participating agency under this subsection does not imply that the participating agency—

''(A) supports a proposed project; or

''(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

''(6) COOPERATING AGENCY.—A participating agency may also be designated by a lead agency as a 'cooperating agency' under the regulations contained in part 1500 of title 40, Code of Federal Regulations, as in effect on January 1, 2011. Designation as a cooperating agency shall have no effect on designation as participating agency. No agency that is not a participating agency may be designated as a cooperating agency.

''(7) CONCURRENT REVIEWS.—Each Federal agency shall—

''(A) carry out obligations of the Federal agency under other applicable law concurrently and in conjunction with the review required under NEPA; and

''(B) in accordance with the rules made by the Council on Environmental Quality pursuant to subsection (n)(1), make and carry out such rules, policies, and procedures as may be reasonably necessary to enable the agency to ensure completion of the environmental review and environmental decision-making process in a timely, coordinated, and environmentally responsible manner.

''(8) COMMENTS.—Each participating agency shall limit its comments on a project to areas that are within the authority and expertise of such participating agency. Each participating agency shall identify in such comments the statutory authority of the participating agency pertaining to the subject matter of its comments. The lead agency shall not act upon, respond to or include in any document prepared under NEPA, any comment submitted by a participating agency that concerns matters that are outside of the authority and expertise of the commenting participating agency.

''(f) PROJECT INITIATION REQUEST.—

''(1) NOTICE.—A project sponsor shall provide the Federal agency responsible for undertaking a project with notice of the initiation of the project by providing a description of the proposed project, the general location of the proposed project, and a statement of any Federal approvals anticipated to be necessary for the proposed project, for the purpose of informing the Federal agency that the environmental review should be initiated.

''(2) LEAD AGENCY INITIATION.—The agency receiving a project initiation notice under paragraph (1) shall promptly identify the lead agency for the project, and the lead agency shall initiate the environmental review within a period of 45 days after receiving the notice required by paragraph (1) by inviting or designating agencies to become participating agencies, or, where the lead agency determines that no participating agencies are required for the project, by taking such other actions that are reasonable and necessary to initiate the environmental review.

''(g) ALTERNATIVES ANALYSIS.—

''(1) PARTICIPATION.—As early as practicable during the environmental review, but no later than during scoping for a project requiring the preparation of an environmental impact statement, the lead agency shall provide an opportunity for involvement by cooperating agencies in determining the range of alternatives to be considered for a project.

''(2) RANGE OF ALTERNATIVES.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project, subject to the following limitations:

''(A) NO EVALUATION OF CERTAIN ALTERNATIVES.—No Federal agency shall evaluate any alternative that was identified but not carried forward for detailed evaluation in an environmental document or evaluated and not selected in any environmental document prepared under NEPA for the same project.

''(B) ONLY FEASIBLE ALTERNATIVES EVALUATED.—Where a project is being constructed, managed, funded, or undertaken by a project sponsor that is not a Federal agency, Federal agencies shall only be required to evaluate alternatives that the project sponsor could feasibly undertake, consistent with the purpose of and the need for the project, including alternatives that can be undertaken by the project sponsor and that are technically and economically feasible.

''(3) METHODOLOGIES.—

''(A) IN GENERAL.—The lead agency shall determine, in collaboration with cooperating agencies at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a project. The lead agency shall include in the environmental document a description of the methodologies used and how the methodologies were selected.

''(B) NO EVALUATION OF INAPPROPRIATE ALTERNATIVES.—When a lead agency determines that an alternative does not meet the purpose and need for a project, that alternative is not required to be evaluated in detail in an environmental document.

''(4) PREFERRED ALTERNATIVE.—At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review.

''(5) EMPLOYMENT ANALYSIS.—The evaluation of each alternative in an environmental impact statement or an environmental assessment shall identify the potential effects of the alternative on employment, including potential short-term and long-term employment increases and reductions and shifts in employment.

''(h) COORDINATION AND SCHEDULING.—

''(1) COORDINATION PLAN.—

''(A) IN GENERAL.—The lead agency shall establish and implement a plan for coordinating public and agency participation in and comment on the environmental review for a project or category of projects to facilitate the expeditious resolution of the environmental review.

''(B) SCHEDULE.—

''(i) IN GENERAL.—The lead agency shall establish as part of the coordination plan for a project, after consultation with each participating agency and, where applicable, the project sponsor, a schedule for completion of the environmental review. The schedule shall include deadlines, consistent with subsection (i), for decisions under any other Federal laws (including the issuance or denial of a permit or license) relating to the project that is covered by the schedule.

''(ii) FACTORS FOR CONSIDERATION.—In establishing the schedule, the lead agency shall consider factors such as—

''(I) the responsibilities of participating agencies under applicable laws;

''(II) resources available to the participating agencies;

''(III) overall size and complexity of the project;

''(IV) overall schedule for and cost of the project;

''(V) the sensitivity of the natural and historic resources that could be affected by the project; and

''(VI) the extent to which similar projects in geographic proximity were recently subject to environmental review or similar State procedures.

''(iii) COMPLIANCE WITH THE SCHEDULE.—

''(I) All participating agencies shall comply with the time periods established in the schedule or with any modified time periods, where the lead agency modifies the schedule pursuant to subparagraph (D).

''(II) The lead agency shall disregard and shall not respond to or include in any document prepared under NEPA, any comment or information submitted or any finding made by a participating agency that is outside of the time period established in the schedule or modification pursuant to subparagraph (D) for that agency's comment, submission or finding.

''(III) If a participating agency fails to object in writing to a lead agency decision, finding or request for concurrence within the time period established under law or by the lead agency, the agency shall be deemed to

have concurred in the decision, finding or request.

''(C) CONSISTENCY WITH OTHER TIME PERIODS.—A schedule under subparagraph (B) shall be consistent with any other relevant time periods established under Federal law.

''(D) MODIFICATION.—The lead agency may—

''(i) lengthen a schedule established under subparagraph (B) for good cause; and

''(ii) shorten a schedule only with the concurrence of the cooperating agencies.

''(E) DISSEMINATION.—A copy of a schedule under subparagraph (B), and of any modifications to the schedule, shall be—

''(i) provided within 15 days of completion or modification of such schedule to all participating agencies and to the project sponsor; and

''(ii) made available to the public.

''(F) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review for any project, the lead agency shall have authority and responsibility to take such actions as are necessary and proper, within the authority of the lead agency, to facilitate the expeditious resolution of the environmental review for the project.

''(i) DEADLINES.—The following deadlines shall apply to any project subject to review under NEPA and any decision under any Federal law relating to such project (including the issuance or denial of a permit or license or any required finding):

''(1) ENVIRONMENTAL REVIEW DEADLINES.—The lead agency shall complete the environmental review within the following deadlines:

''(A) ENVIRONMENTAL IMPACT STATEMENT PROJECTS.—For projects requiring preparation of an environmental impact statement—

''(i) the lead agency shall issue an environmental impact statement within 2 years after the earlier of the date the lead agency receives the project initiation request or a Notice of Intent to Prepare an Environmental Impact Statement is published in the Federal Register; and

''(ii) in circumstances where the lead agency has prepared an environmental assessment and determined that an environmental impact statement will be required, the lead agency shall issue the environmental impact statement within 2 years after the date of publication of the Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register.

''(B) ENVIRONMENTAL ASSESSMENT PROJECTS.—For projects requiring preparation of an environmental assessment, the lead agency shall issue a finding of no significant impact or publish a Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register within 1 year after the earlier of the date the lead agency receives the project initiation request, makes a decision to prepare an environmental assessment, or sends out participating agency invitations.

''(2) EXTENSIONS.—

''(A) REQUIREMENTS.—The environmental review deadlines may be extended only if—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) LIMITATION.—The environmental review shall not be extended by more than 1 year for a project requiring preparation of an environmental impact statement or by more than 180 days for a project requiring preparation of an environmental assessment.

''(3) ENVIRONMENTAL REVIEW COMMENTS.—

''(A) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by agencies and the public on a draft environmental impact statement, the lead agency shall establish a comment period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of such document, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) OTHER COMMENTS.—For all other comment periods for agency or public comments in the environmental review process, the lead agency shall establish a comment period of no more than 30 days from availability of the materials on which comment is requested, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(4) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Notwithstanding any other provision of law, in any case in which a decision under any other Federal law relating to the undertaking of a project being reviewed under NEPA (including the issuance or denial of a permit or license) is required to be made, the following deadlines shall apply:

''(A) DECISIONS PRIOR TO RECORD OF DECISION OR FINDING OF NO SIGNIFICANT IMPACT.—If a Federal agency is required to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project prior to the record of decision or finding of no significant impact, such Federal agency shall approve or otherwise act not later than the end of a 90-day period beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency publishes a notice of the availability of the final environmental impact statement or issuance of other final environmental documents, or no later than such other date that is otherwise required by law, whichever event occurs first.

''(B) OTHER DECISIONS.—With regard to any approval or other action related to a project by a Federal agency that is not subject to subparagraph (A), each Federal agency shall approve or otherwise act not later than the end of a period of 180 days beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency issues the record of decision or finding of no significant impact, unless a different deadline is established by agreement of the Federal agency, lead agency, and the project sponsor, where applicable, or the deadline is extended by the Federal agency for good cause, provided that such extension shall not extend beyond a period that is 1 year after the lead agency issues the record of decision or finding of no significant impact.

''(C) FAILURE TO ACT.—In the event that any Federal agency fails to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project within the applicable deadline described in subparagraph (A) or (B), the permit, license, or other similar application shall be deemed approved by such agency and the agency shall take action in accordance with such approval within 30 days of the applicable deadline described in subparagraph (A) or (B).

''(D) FINAL AGENCY ACTION.—Any approval under subparagraph (C) is deemed to be final agency action, and may not be reversed by any agency. In any action under chapter 7 seeking review of such a final agency action, the court may not set aside such agency action by reason of that agency action having occurred under this paragraph.

''(j) ISSUE IDENTIFICATION AND RESOLUTION.—

''(1) COOPERATION.—The lead agency and the participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(2) LEAD AGENCY RESPONSIBILITIES.—The lead agency shall make information available to the participating agencies as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration. Such information may be based on existing data sources, including geographic information systems mapping.

''(3) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, participating agencies shall identify, as early as practicable, any issues of concern regarding the project's potential environmental, historic, or socioeconomic impacts. In this paragraph, issues of concern include any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.

''(4) ISSUE RESOLUTION.—

''(A) MEETING OF PARTICIPATING AGENCIES.—At any time upon request of a project sponsor, the lead agency shall promptly convene a meeting with the relevant participating agencies and the project sponsor, to resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(B) NOTICE THAT RESOLUTION CANNOT BE ACHIEVED.—If a resolution cannot be achieved within 30 days following such a meeting and a determination by the lead agency that all information necessary to resolve the issue has been obtained, the lead agency shall notify the heads of all participating agencies, the project sponsor, and the Council on Environmental Quality for further proceedings in accordance with section 204 of NEPA, and shall publish such notification in the Federal Register.

''(k) LIMITATION ON USE OF SOCIAL COST OF CARBON.—

''(1) IN GENERAL.—In the case of any environmental review or environmental decision-making process, a lead agency may not use the social cost of carbon.

''(2) DEFINITION.—In this subsection, the term 'social cost of carbon' means the social cost of carbon as described in the technical support document entitled 'Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order No. 12866', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, revised in November 2013, or any successor thereto or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

''(l) REPORT TO CONGRESS.—The head of each Federal agency shall report annually to Congress—

''(1) the projects for which the agency initiated preparation of an environmental impact statement or environmental assessment;

''(2) the projects for which the agency issued a record of decision or finding of no significant impact and the length of time it took the agency to complete the environmental review for each such project;

''(3) the filing of any lawsuits against the agency seeking judicial review of a permit,

license, or approval issued by the agency for an action subject to NEPA, including the date the complaint was filed, the court in which the complaint was filed, and a summary of the claims for which judicial review was sought; and

''(4) the resolution of any lawsuits against the agency that sought judicial review of a permit, license, or approval issued by the agency for an action subject to NEPA.

''(m) LIMITATIONS ON CLAIMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or approval issued by a Federal agency for an action subject to NEPA shall be barred unless—

''(A) in the case of a claim pertaining to a project for which an environmental review was conducted and an opportunity for comment was provided, the claim is filed by a party that submitted a comment during the environmental review on the issue on which the party seeks judicial review, and such comment was sufficiently detailed to put the lead agency on notice of the issue upon which the party seeks judicial review; and

''(B) filed within 180 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law pursuant to which judicial review is allowed.

''(2) NEW INFORMATION.—The preparation of a supplemental environmental impact statement, when required, is deemed a separate final agency action and the deadline for filing a claim for judicial review of such action shall be 180 days after the date of publication of a notice in the Federal Register announcing the record of decision for such action. Any claim challenging agency action on the basis of information in a supplemental environmental impact statement shall be limited to challenges on the basis of that information.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create a right to judicial review or place any limit on filing a claim that a person has violated the terms of a permit, license, or approval.

''(n) CATEGORIES OF PROJECTS.—The authorities granted under this subchapter may be exercised for an individual project or a category of projects.

''(o) EFFECTIVE DATE.—The requirements of this subchapter shall apply only to environmental reviews and environmental decisionmaking processes initiated after the date of enactment of this subchapter. In the case of a project for which an environmental review or environmental decisionmaking process was initiated prior to the date of enactment of this subchapter, the provisions of subsection (i) shall apply, except that, notwithstanding any other provision of this section, in determining a deadline under such subsection, any applicable period of time shall be calculated as beginning from the date of enactment of this subchapter.

''(p) APPLICABILITY.—Except as provided in subsection (p), this subchapter applies, according to the provisions thereof, to all projects for which a Federal agency is required to undertake an environmental review or make a decision under an environmental law for a project for which a Federal agency is undertaking an environmental review.

''(q) SAVINGS CLAUSE.—Nothing in this section shall be construed to supersede, amend, or modify sections 134, 135, 139, 325, 326, and 327 of title 23, sections 5303 and 5304 of title 49, or subtitle C of title I of division A of the Moving Ahead for Progress in the 21st Century Act and the amendments made by such subtitle (Public Law 112–141).''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the items relating to subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''560. Coordination of agency administrative operations for efficient decisionmaking.''.

(c) REGULATIONS.—

(1) COUNCIL ON ENVIRONMENTAL QUALITY.—Not later than 180 days after the date of enactment of this division, the Council on Environmental Quality shall amend the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, and shall by rule designate States with laws and procedures that satisfy the criteria under section 560(d)(2)(A) of title 5, United States Code.

(2) FEDERAL AGENCIES.—Not later than 120 days after the date that the Council on Environmental Quality amends the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, each Federal agency with regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall amend such regulations to implement the provisions of this division.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 60 minutes.

The Chair recognizes the gentleman from Washington.

□ 1530

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I stand here on the House floor, only a few hundred yards away from the Senate, and it feels as if we are worlds apart. In the House, we are listening to the American people who are telling us that it is time to expand American energy production.

Hardworking Americans know how important energy is in their lives. They need it to commute to and from work. It fuels the buses that take our kids to school. It powers the businesses on Main Street.

It provides jobs and improves the livelihoods of millions of Americans who are struggling to make ends meet in President Obama's economy; and, Mr. Speaker, Sunday, it will power the Jumbotron at CenturyLink Field in Seattle as the Seahawks take on the Broncos.

Unfortunately, on the other side of the Capitol, these calls to expand American energy production are falling on deaf ears. The House has passed dozens of energy bills, including a number from the House Natural Resources Committee, on which the Senate has failed to act. By doing so, they are standing in the way of American job creation, affordable energy, and increased national security.

H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act, would protect and expand American energy production by removing this administration's roadblocks and preventing unnecessary bureaucratic red tape.

Mr. Speaker, since President Obama took office, total Federal offshore oil production has dropped 13 percent, Federal offshore natural gas production has dropped by nearly one-half, and the Obama administration has placed over 85 percent of America's offshore acreage off limits.

Onshore, Mr. Speaker, it is the same story. This administration has had the 4 lowest years of Federal acres leased for onshore energy production going back to 1988. It has also pledged to impose a duplicative layer of red tape on hydraulic fracturing, which would only hurt American job creation.

The Obama administration has also waged a war on coal and on coal jobs. Coal is a reliable and affordable energy resource that provides 30 percent of America's electricity and supports millions of American jobs.

Unfortunately, with one proposed regulation by the Obama administration, those jobs could disappear. Their rewrite of the stream buffer zone rule could cost 7,000 coal jobs and cause economic harm in 22 States.

But there is good news, and the good news are the provisions in these bills. These provisions are a direct response to the Obama administration's actions that have locked up our energy resources. The bill would end the regulatory delays blocking the construction of the Keystone XL pipeline.

After nearly 6 years of review, this is a commonsense solution that would eliminate the need for a Presidential permit, addresses all other necessary Federal permits, and limit litigation that would delay the project.

The bill would also expand offshore energy production. It would require this administration to responsibly move forward with new offshore energy production in areas that contain the most oil and natural gas resources. What a novel idea, going where the product is, and those areas include areas off the Atlantic and the Pacific coasts.

It also requires the administration to hold oil and natural gas lease sales that have been delayed or canceled, such as offshore of Virginia. This expanded offshore production would generate over $1 billion in new revenue to the Federal Treasury and create up to 1.2 millions of jobs long-term.

Mr. Speaker, the bill would expand onshore energy production. It would reform the leasing and permitting process to remove unnecessary delays, set

clear rules for the development of U.S. oil shale resources, and establish Internet-based auctions for leases. It would also help foster expanded energy production on tribal lands.

The bill would stop the Federal Government from imposing duplicative Federal hydraulic regulations and prevent it from implementing job-destroying coal regulations. It would help protect consumers from EPA regulations that could destroy jobs and increase energy costs.

Finally, Mr. Speaker, the bill would expand production of clean, renewable hydropower by removing outdated barriers and streamlining the regulatory process. It would authorize hydropower development at existing manmade water canals and pipes at 12 Bureau of Reclamation projects.

Mr. Speaker, the American Energy Solutions for Lower Costs and More American Jobs Act is a commonsense action plan to create over 1 million new American jobs and provide relief to hardworking Americans who are feeling the squeeze of higher gasoline and electricity prices. It would strengthen our economy and—probably more importantly in this unsettled world—increase America's energy security.

Mr. Speaker, I urge my colleagues to support this important bipartisan piece of legislation, and I reserve the balance of my time.

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

Well, Mr. Speaker, I would start out by saying this feels like Groundhog Day, but I have already done that when we brought up these same bills multiple times in the past. I could start, as I did the last time we considered this package of bills, by reading a statement from the last time we debated these bills and then pretend to get angry at my staff because they gave me a statement that is 8 months old, but I made that point the last time we debated this energy package on the floor.

Mr. Speaker, the House has passed nearly all the provisions in this bill at least two times. Now, I think most Americans still remember high school civics. The House passes a bill; they send it to the Senate.

The Senate either takes it up or not; and, if they do, then we work out our differences in conference committee and send it to the President for signature. We just keep sending the same bills over to the Senate under the premise that, somehow, they will do something because it has been sent multiples times from the House. It hasn't worked in the past, and it won't work in the future.

This package really also ignores reality. We are producing more natural gas than we ever have and more oil than in over 25 years. We are projected to be the number one oil producer in the world in the next few years.

Meanwhile, thanks to a worldwide glut of oil, gas prices are going down. They are the lowest they have been this time of year since 2010, except perhaps in my State, where we are getting price-gouged because we don't have a refinery.

If Republicans really cared about keeping gas prices down for American consumers, maybe they would take a serious look at the fact that we are exporting 1.6 million barrels of gasoline and diesel every day. There is no shortage.

We are exporting 1.6 million barrels a day; yet truckers are paying extraordinarily high diesel prices because we are exporting more and more diesel and saying, ''Well, you have got to pay the same price they are going to pay in Europe.''

Mr. Speaker, inside the Beltway here, we don't really deal with facts and statistics very much; so, today, we will take up and pass the same tired legislation for the second, third, or fourth time so any Republican Members who happen to be in a tough race can claim that they have been productive on this issue.

This is just an opportunity to check the energy box again and again so you can try to get voters to check the box for the so-called energy experts on the ballot, but we are not legislating; instead, we are wasting time and taxpayer money to put on a rerun show. If you are going to do a rerun show, at the risk of sounding like a broken record, then I am going to do the same.

Every time we have come to the floor to debate another legislative fish wrap this summer, I have brought up the same issue, Western wildfires.

Now, this poster shows Weed, California—or what is left of it. A wildfire destroyed half the town and over 150 homes. In my home State, a major fire is burning 10 miles away from the town of Estacada, threatening over 150 homes, forcing evacuations, and forcing the Governor to use the State's conflagration act to mobilize emergency resources.

In the West, there are over 50 active fires burning, one in the Willamette Forest outside of Eugene and Springfield. It is costing $1 million a day with attempts to keep it from running toward a town. Two days ago, the Forest Service said they have $179 million left for suppression.

Last week alone, they spent $150 million on suppression efforts. That means, next week, while we are out of session, they will run out of money, and they will do what they always do: they will start pulling back money from the fuel reduction, forest health, and other programs to fight the fires.

You can't stop fighting the fires. These fires are enormous, unnatural, and unprecedented in many ways. On top of that, we have a drought which might or might not have to do with climate change, which the other side of the aisle doesn't believe in, but, nonetheless, they are a fact.

Now, it doesn't have to be this way. We could do something real. We have the rarest thing in Washington, D.C.—a bipartisan—that means Democrats and Republicans are on a bill, 52 House Members, including myself, 52 Republicans on a bill—bicameral—similar bill, same bill in the Senate—supported by Democrats and Republicans, and, lo and behold, it is a bill supported by President Obama.

Maybe that is why they won't even hold a hearing on it or move it—because the President supports it—despite the fact that it would deal with a very real problem.

We aren't investing enough money in a regular fashion to get ahead of the fire problem in the West and to do the fuel reduction and the forest health we need. The agencies don't have enough in their budgets, and, every year, in fact, they overspend their firefighting budgets, and they have to cancel projects and other needed activities.

There has been no hearing on the bill. We can't find time to hold a hearing on a bill that has to do with wildfires that are burning up the West. We can't find the time; instead, we are going to pass these bills for the second, third, fourth, fifth, or sixth time. We can't find the time. We are too busy here pretending.

We have 196 Democrats who have signed a petition to overrule the Republican leadership and bring that bill to the floor of the United States House of Representatives. Fifty-two Republicans are cosponsors of that bill.

Many of them have active fires burning in their districts; and will they defy their leadership and do something that is needed for Americans in the Western United States, needed for our natural resources, and needed to prevent these towns from burning down? No. They can't do that. They will not sign the petition.

So here we are. Western communities are burning. You can pretty much step outside the door and smell the smoke from here. We have a potential solution to get ahead of this problem in the future and deal better with it, but, instead, we are wasting time here today passing, yet again, bills that have already been passed and have already been sent to the Senate, but we will send them over to the Senate again, and they can put them on the same stack of paper.

If you look at these pictures, we are wasting the second-to-last day—well, now, it is the last day, actually—on repeat because we have to get home for elections.

I mean, we don't need to pass the budget for the year, the appropriations bills. We don't need to take more meaningful consideration of what we are getting into in the Middle East and spend more time on it, and we can't certainly find any time to deal with the wildfire issue. Let's just pretend.

Yet, again, you get to check a pointless box, and I don't think the American people are going to be fooled.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), my colleague from Oregon, across the Columbia River from my district.

Mr. WALDEN. I thank the chairman of the Natural Resources Committee who has been most helpful in our endeavors in the West on the issues of private property, water rights, improving the health of our forest, and diminishing wildfires through active forest management.

I want to thank him again for his legislation and one that a number of us have shared in helping draft, H.R. 1526, which has been part of our jobs package that we are again sending over to the Senate because they have done nothing in the area of improving forest health and management and stopping these horrible wildfires that we are all trying to deal with—because they are much more than just a budgeting issue, although that is important, it really is about how do you get ahead of these fires, have active management, generate revenues, and generate jobs.

Mr. Speaker, another bill that we are taking up again in the House is one that actually has passed twice in this House unanimously—unanimously—in the last couple of years.

This will be the third time in less than 3 years we have acted. Why are we doing that? Because, at some point, we hope to wake up the Senate to where they actually will take up this issue and pass it because it means jobs for Crook County, which has a very high unemployment rate and a very high poverty rate.

It means better water quality for fish because we changed a designation on a dam that will allow the water to come out in a better way by adding renewable, carbon friendly hydropower to be generated off this dam. It would create 50 jobs over 2 years when they do the hydro piece. The water will come out better, and it will be better for the fish.

The city of Prineville—you talk about drought—the city of Prineville has several hundred residents who cannot access city water because they don't have enough of it.

This legislation will free up 5,100 acre feet of water that will take care of the city of Prineville for some time to come and allow them to actually take care of their citizens with city water. They will pump it out downstream, and water will stay instream for—I think it is something like 20 miles upriver from Bowman Dam.

There is 80,000 acre feet of water sitting unallocated in this reservoir. We take 5,100 acre feet of it. The city is going to pay the appropriate price so there is no cost to the Treasury. It will serve 500 homes, and we have got a bunch of data centers that have come up in Prineville.

They need to make sure they have access to water for cooling. Apple and Facebook and a couple of others need access to this, and all we do is fix an errant boundary decision made many years ago that laid down the boundary of wild and scenic right across the top of the dam.

Now, there is nothing wild or scenic about a dam unless you are falling off the face of it. It was temporary, and that has been decades ago. This moves it a quarter mile downstream.

□ 1545

Beyond that, there are benefits for Ochoco Irrigation District farmers to ensure they will continue to operate their family farms for generations to come. We make sure there is enough water behind the dam for flat water recreation and fishing, which is an important part of the economy there. And we worked with the tribes and others to expedite the McKay Creek restoration project, which will result in increased water flows for redband trout and summer steelhead, a project long supported by the Warm Springs Tribe and the Deschutes River Conservancy.

Just like other bills in this package, this is a good, commonsense piece of legislation. It has achieved overwhelming—in fact, in the House, unanimous—support.

We look forward to working with the Senate, but it is hard to dance with yourself. It is just no fun. So we need a dance partner over in the Senate that will come to the table so we can take this years of work, pull it together in a package that can finally get to the President's desk.

I don't know what else you do. You try again. You never quit trying. And that is what this package of bills is all about. One more time before we leave town, trying to create jobs in America, do the right thing for the environment, and take care of problems at home, that is what this is about.

We hope the Senate will finally take a look at these bills in a meaningful and thoughtful way and be able to come to the table with terms and work these things out.

So I commend the chairman of the House Natural Resources Committee for all his work over the years, but especially for the work he and I have done together to improve forest health, improve forest jobs, improve water quality, take care of these issues that are so important to the rural West.

Mr. DEFAZIO. I yield 3 minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Oregon for yielding as well as for his leadership.

Mr. Speaker, once again, as we stand on the brink of a 7-week recess, we are here in this Chamber considering a package of warmed-over bills that will be dead on arrival when it reaches the Senate. It is an empty legislative vessel that has no meaningful port of destination. We are on a joyride that is going to waste the time and treasure of the American people.

That is not to suggest, Mr. Speaker, that the House majority hasn't been busy during the 113th Congress. This majority has been busy unleashing a parade of horribles on the American people.

The House majority, Mr. Speaker, began by bringing to the American people sequestration, tens of billions of dollars of painful cuts to important domestic programs that will adversely impact the American people.

This House majority, Mr. Speaker, has been busy bringing us a 16-day reckless government shutdown, costing the American people $24 billion in lost economic productivity.

Mr. Speaker, this House majority has been busy engaging in a serial flirtation with defaulting on our debt, threatening the full faith and credit of the United States of America, resulting in an increase in interest rates.

This House majority, Mr. Speaker, has been busy enacting a reckless Republican budget: $137 billion in cuts to nutritional assistance to the American people, many of whom have gone hungry; $260 billion in cuts to higher education; $732 billion in cuts to Medicaid—enacted by this House majority in a reckless Republican budget.

We failed to enact a minimum-wage increase despite the fact that you have got working families living in poverty while going to work each and every day.

We failed to enact comprehensive immigration reform, fixing a broken immigration system, giving life to the American Dream for those who are otherwise now living in the shadows.

We have failed to invest in transportation and infrastructure.

We failed to renew unemployment insurance, leaving millions of Americans on the battlefield of the Great Recession.

What are we doing here on the final day?

I would just ask the American people to ponder this question: What grade should you give the House majority during the 113th Congress?

I would suggest, humbly, there are only two options: D for ''disaster'' and F for ''failure.''

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), the author of this legislation.

Mr. TERRY. Mr. Speaker, DOC HASTINGS, I really appreciate your leadership on energy issues and natural resources issues. It has just been incredibly important to our Congress.

I want to thank my colleagues for allowing me to bring this package here today because this is a commonsense energy approach that grows our economy, creates jobs, and ensures our energy is affordable and reliable.

Yes, Mr. Speaker, most of these, or all of them, have already been voted on at some point in time over the last couple years. It is important that we continue to push the Senate into taking up these energy bills so we can expand our economy and grow the jobs.

Too many of the rules and regulations coming out of this administration are making energy more costly

and less reliable to the consumers. This is the point of this bill. The House continues to do our job with legislation, but the Senate continues to block it. I am not going to stand idly by and keep allowing that to happen.

This approach puts together bills that allow us to build up our infrastructure of abundance, streamlines permitting processes, Mr. Speaker, and provides commonsense guidance to the EPA rulemakers, all of which provides reliability and affordability for our consumers, which is an inherent cornerstone to economic success.

So what does this bill do?

It allows the United States to take advantage of the fact that we are incredibly close to being self-sufficient, no longer reliant on those outside of North America. This bill approves the Keystone pipeline, which was filed, originally, 6 years ago tomorrow. But yet 22,000 pages of studies have been completed that show that this pipeline does not pose an environmental risk to land or aquifer and will actually reduce CO_2 emissions compared to not allowing the pipeline.

Recently, Larry Summers, President Obama's former senior economic adviser, was quoted as saying: ''I am very much aware of the toll that the Keystone pipeline issue has taken on the relations with a crucial U.S. ally, Canada.''

So it is even straining our relationship with our good friend Canada.

This bill also removes Federal barriers to offshore energy production, enhances onshore production by removing red tape and making sure that any regulations are reasonable.

This bill will expedite LNG exportation to our allies, allowing us to maintain a strong, strategic position in the world.

This bill will modernize the permit process for natural gas pipelines. This is important as we use more natural gas for manufacturing, electrical production, and as a transportation fuel.

There is an abundant supply of natural gas here in North America and it has been proven to be cheaper and cleaner, but I believe it is greatly underutilized. We need to make natural gas a priority, which this bill does.

Our country is blessed to have these abundant natural resources. We must do everything in our power to make sure that our policies support resource development and minimize the red tape that strangles our job creators.

I am proud to lead this effort in support of lower cost energy and more American jobs. With these policies, we can make real progress towards reducing prices at the pump and protecting families.

Mr. WAXMAN. I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in opposition to H.R. 2. Here we are, the next day after we passed bipartisan legislation with a majority on both sides, and now today we come up with H.R. 2, which has a combination of bills that this House has already considered.

And what, we are here the last day of voting, the day before we go home to campaign, passing a bill that has zero chance of becoming law.

H.R. 2 is an affront to the bipartisan work we have done in the Energy and Commerce Committee. Over the past year, the members of our committee have worked together to craft legislation that would support the dramatic energy renaissance our country is experiencing. Unfortunately, H.R. 2 that we are considering today is not reflective of this hard work, some of the compromises we did.

Instead of working to improve the decisionmaking made by Federal agencies, H.R. 2 seeks to eliminate Federal authority.

Instead of expediting export permits, H.R. 2 opens the door to sending U.S. gas to countries that are not even our friends.

Instead of respecting the balance we worked so hard to establish between the States and the Federal Government, H.R. 2 rescinds all the authority for our government in State affairs.

It is my hope that we would stop wasting time on these bills that have no bipartisan support and work together to pass legislation in a bipartisan fashion.

We actually have addressed a number of these bills already on this House floor. Everyone, Democrat or Republican, has acknowledged that the energy sector has common ground. We may not always agree on what fuel mix we have or how to best serve our country, but we can agree that the energy sector is vital to our economy and our independence.

The bills included in H.R. 2 include bills I have cosponsored and worked hard to craft with my Republican and Democratic colleagues. It is disappointing that our leadership would use this window of opportunity to pass bills that harm our environment, create uncertainty in our economy, and ultimately delay job growth and energy development.

In the Energy and Commerce Committee, we work across party lines to draft legislation that solves the problems of the American people and American industry. We work to ensure that the EPA, the Environmental Protection Agency, is promulgating rules that make not only economic sense, but, as well, environmental sense. We work to support our natural resources sector and send American gas and refined products overseas to benefit our U.S. economy and balance of trade.

All of these things will garner bipartisan support and establish the U.S. and North America as the world energy leader. But this H.R. 2 takes away all that we have worked for for almost 2 years, and that is why I oppose H.R. 2.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. LAMBORN), the subcommittee chairman on the Natural Resources Committee.

Mr. LAMBORN. I thank the chairman for recognizing me and for his contribution to energy and other policies of our country over many years.

Mr. Speaker, I rise in strong support of the bipartisan H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

I am pleased that this package of energy legislation includes legislation I introduced and that has previously passed the House, H.R. 1965, the Federal Lands Jobs and Energy Security Act.

H.R. 2 will help ensure the successful production of onshore and offshore energy and provides the regulatory certainty energy producers need to produce American-made energy. This creates American jobs, increases revenues to State and local governments, and promotes economic development across the economy.

H.R. 2 promotes an all-of-the-above energy strategy, streamlining regulations and expediting the production of both conventional and renewable energy. It will ensure that the Bureau of Land Management has the resources they need to expeditiously process permits for all energy projects on Federal land.

□ 1600

The Obama administration has made energy production on Federal land so burdensome and so uncertain that conventional and renewable energy producers are avoiding Federal lands in favor of State and private lands. That is where permits are approved in a timely fashion and are not subject to burdensome and obstructionist lawsuits, and projects can move forward in a stable environment.

In my home State of Colorado, a permit for an energy project can be approved in 27 days for State land projects. For a project on Federal land in Colorado, the Obama administration takes nearly a year to approve the same permit. This delay in approvals not only delays energy production, it delays job creation and revenues to State and local governments.

Energy producers should not have to choose between whether to produce energy on Federal versus State land just because of permit timelines, lawsuits, and regulations.

This legislation injects much-needed certainty into every step of the energy production process. It will ensure timely permit approvals, allow Bureau of Land Management field offices to have the resources they need for energy permits, open up offshore areas for energy production, and ensures that our Nation has a plan for our future energy needs.

I urge my colleagues to join me in strong support of this critical legislation.

Mr. WAXMAN. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from California has 47½ minutes remaining. The gentleman from Washington has 44 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I thank my very good friend and our leader from California for yielding me the time.

Mr. Speaker, I rise in opposition to this bill.

So this is the last day we are in session until after the elections. But rather than consider substantive legislation today—or really at any point in this session—that would have extended long-term unemployment benefits, or simplify the Tax Code, or reform our immigration system, or extend expiring tax provisions, or lower foreign trade barriers with new trade authority, or invest in our Nation's deteriorating public infrastructure, we are going home.

Mr. Speaker, the list goes on and on of what we could and should be doing. But we are wasting what limited floor time remains debating a compilation of bad anti-environmental legislative proposals that this Chamber has already passed.

These bills will not be considered by the Senate, and they are bills that the President has already expressed his intention of vetoing if they were to get through the Senate.

It is disappointing, but it is not surprising.

With the vote on this bill, this Chamber will have voted 218 times just this session to weaken existing laws that protect our health and our environment; 58 times this session we voted to block action on climate change; 43 times to weaken the Clean Air Act; and 75 times to weaken the Clean Water Act.

Mr. Speaker, more oil is being produced now during the Obama administration than at any point in the previous 25 years. Our dependence on foreign sources of oil is at a record low. Gasoline prices are actually stabilizing or in decline in many parts of the country.

But with this bill, we will be waiving environmental reviews and advancing more drilling in areas that pose potential harm to the environment and to other American jobs and industries, such as the tourist industry, the fishing industry, and many other industries that don't seem to be given equal weight but are certainly equally or more important than the industries that we are trying against all odds to protect.

Mr. Speaker, the climate is warming. The only place where a majority of the American people are in denial is here in this Chamber.

I have seen a poll that shows that 53 percent of all self-identified Republicans under the age of 34 think politicians who deny climate change are either—and I am quoting here; obviously, these would not be my words, but I am quoting—either ''ignorant,'' ''out of touch,'' or ''crazy.''

So I will let the majority of young Republicans have the last word, Mr. Speaker. But the point is, I oppose this measure, and I urge my colleagues to do so as well by voting ''no.''

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, H.R. 2 is a practical bill that would lower costs for energy, create over 1 million long-term jobs, improve our energy security, and substantially reduce redtape.

This is exactly the type of bipartisan legislation Congress should be passing to revitalize our economy and create jobs.

According to an April 2014 report issued by the U.S. Government Accountability Office, the average wait time for an environmental impact study in 2012 was running 4.6 years. This is the highest average since 1997 and includes projects with wait times of 10 to 20 years.

The World Bank and International Finance Corporation's recent Ease of Doing Business index embarrassingly ranked the U.S. 34th in the world in the category of ''dealing with construction permits.''

This is no longer a political game. This is costing the United States real dollars and good-paying jobs.

Today, the Environmental Protection Agency and other regulatory bodies are filing numerous claims to deny and delay companies from receiving permits for as long as 10 to 15 years just to break ground.

At a time when our economy is lagging and job creation is moving at a very slow pace, this is an outrage. The RAPID Act would set hard deadlines for agencies to approve or deny permits. The RAPID Act would also crack down on prolonged lawsuits, creating a window of 180 days for any claim challenging a permit decision.

This bill would also substantially streamline the process by empowering lead agencies to manage environmental reviews efficiently from start to finish to avoid waste and duplication of efforts among the bureaucratic agencies.

Mr. Speaker, simply because the leader of the Democratic Senate, HARRY REID, will not allow over 260 bills to go to the floor doesn't mean that we should refrain from continuing to do our job here. My constituents back home deserve this legislation and America needs this legislation, and we will continue to fight on a daily basis to make sure that we improve the economy and create jobs.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS), my colleague and good friend.

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, here we go again.

H.R. 2 is yet another example of the majority's backward energy policy, which doubles-down on dirty fossil fuels instead of investing in a clean energy future. I strongly oppose it. While fossil fuels will undoubtedly be a significant part of our energy mix for years to come, they are really only one piece of a very large energy puzzle.

So rather than focusing on dead-end, shortsighted policies like these, we should be considering comprehensive energy legislation that looks at the big picture. We should be investing in cutting edge research, high-tech innovation, and new clean energy technologies. We should be increasing energy efficiency, modernizing the electric grid, and promoting sustainable energy. And we should be taking action to reduce toxic greenhouse gas emissions and finally embrace the overwhelming science of climate change.

Not only does H.R. 2 do nothing to address the serious environmental problems we face, it also creates new ones. H.R. 2 overrides the expressed will of voters in my congressional district and many other communities throughout the Nation by recklessly expanding offshore oil drilling.

We have seen time and time again the devastating environmental and economic threats posed by offshore oil drilling. That is why voters in my congressional district and California have repeatedly rejected new offshore drilling. Yet this bill ignores these wishes and explicitly requires new oil drilling off the central coast of California and in other areas.

I find it ironic that the same majority that decries ''an overreaching Federal Government'' seems to have no qualms about forcing new drilling upon local populations against their expressed wishes.

I have submitted several amendments to the Rules Committee to address this in this legislation and other problems with this bill, but none of them were made in order. In fact, the majority has prohibited consideration of any and all amendments. No debate, no votes.

And if these weren't enough reasons to oppose H.R. 2, the bill is also completely unnecessary because the House has already passed every single provision included in this bill.

H.R. 2 is nothing more than 13 previously passed bills stapled together with a new bill number on the top.

Even worse, this is the third time this Congress, and the fifth time in 4 years, that we are voting on the exact same offshore drilling expansion legislation.

Stapling old bills together doesn't make this a new idea.

One would think that after nearly 4 years in control of this House the majority would have come up with some new ideas by now. But sadly they just found a bigger staple machine.

H.R. 2 is simply a political gimmick and a waste of taxpayer time and money. This is no way to legislate.

Mr. Speaker, the American people expect better from us. They expect us to find common ground and work together across party lines to solve our Nation's problems. And there is certainly no shortage of problems we could be working on right now: strengthening our economy, raising the minimum wage, passing comprehensive immigration reform, making college more affordable, rebuilding our crumbling infrastructure. And that list does not even include the multitude of energy challenges that this bill completely ignores.

This is what the American people are calling for. They are calling on Congress to stop the political gimmicks, they are calling on us to help create middle class jobs to support working families, and they are calling on us to get to work and build a more prosperous and sustainable energy future for our Nation.

H.R. 2 accomplishes none of these things. This bill is simply harmful energy policy and an embarrassing waste of time.

I urge my colleagues to reject this bill and join us in working toward a clean, more sustainable, energy future for the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Mr. Speaker, I thank my colleague from Nebraska, Mr. TERRY, Chairman UPTON, and Chairman HASTINGS for incorporating important provisions that I have worked on in this bill, specifically provisions that would prevent or roll back onerous EPA regulations and provisions that would greatly increase revenue sharing among gulf States, adding billions to Louisiana's coastal restoration effort to build hurricane protection to protect not just our State but energy infrastructure.

Now, we have passed these bills before, sometimes three times before, and there are over 40 jobs bills this Chamber has passed that have gone nowhere in the Senate. The bills sit on Majority Leader HARRY REID's desk. Senator REID and his colleagues like to speak of helping the middle class, but when it comes to a jobs bill they talk and we act.

Now, Louisiana and Louisiana's workers are greatly benefiting from America's energy renaissance. There are over 66 industrial projects—worth some $90 billion—that will break ground over the next 5 years in Louisiana, creating tens of thousands of new jobs for working Americans.

The only thing that can stop these jobs is Federal regulation. For example, some proposed EPA rules would destroy 117,000 jobs in Louisiana alone. Sometimes I think my colleagues on the other side of the aisle are so busy saving the Earth they will sacrifice the American family. My, my, I think we save the Earth by first saving the family.

We should be rolling out the red carpet for these jobs, not the red tape. But already the red tape has made these jobs more difficult and life more difficult for these families.

We have seen the price of utilities, gasoline, groceries, and, of course, health insurance increased under President Obama's administration.

□ 1615

Hardworking families are struggling. They pray for better jobs with better benefits. Fortunately, the energy industry is creating these jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. CASSIDY. These jobs are at risk when President Obama blocked the ability to construct pipeline infrastructure or blocked exploration and production off the Outer Continental Shelf or places hurdles in front of the exportation of liquefied natural gas and when EPA proposes job-killing regulations driving blue-collar jobs to foreign countries.

I urge my colleagues to support this bill. I urge the Senate to pass the dozens of job-producing bills this House has passed and that have been stalled at the majority leader's desk for months.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from California for yielding.

Mr. Speaker, the bill before us today is yet another exercise that explains why the public has such a low opinion of Congress.

We have considered this package of bills before. The Senate will not take it up. The President and administration would not approve it. We are wasting valuable time on our last day in session before the lameduck period.

This bill delivers more benefits to big fossil fuel and mining interests. It would allow them to extract fossil fuels and minerals from our coastlines and public lands with no serious consideration of public health, the environment, or of the many other business interests that rely on a clean, healthy environment to support their continued success.

Our Nation has real challenges. We need faster, broader job growth in all regions of our country and in all sectors of our economy. We need a national energy policy that provides more energy security through efficiency and expanded use of renewable energy resources.

We need an energy policy that recognizes and deals with the challenges of climate change. We need a thoughtful path forward that enables a transition to the energy sector of the future that brings workers and communities into this new model productively and profitably.

We need to invest in our transportation and water infrastructure—infrastructure that is in need of repair, in need of rebuilding, and in need of redesign—to meet our needs into the future. The financing structure in place today and the Federal resources being devoted to these essential systems is outdated and inadequate.

We need to do more to address the lingering problems from the financial debacle that crashed the economy in 2007. Too many of our citizens are still struggling under heavy debt loads as a result of the housing bubble, the stagnant wages, student loans, unemployment, and underemployment.

Our Tax Code needs revision to spur business investment, to bring down the deficit, and to make the Code fair for all taxpayers. We need to invest in research and development, the lifeblood of innovation and progress; instead, this legislation proposes to provide more to a sector of the economy that is already thriving.

Oil and gas production are at record levels, as are the profits of these industries. This bill continues the same old energy policy that we have been following for decades and ignores the mounting social and environmental costs associated with its continuation. This package doubles down on carbon emissions because it is a fossil fuel only policy.

With this proposal, we ask our citizens to accept greatly reduced public health and environmental protection not just to support our domestic use of these fuels, but to enhance our exports of fossil fuels.

It is sad and ironic that, during the week of the 50th anniversary of the Wilderness Act and of the Land and Water Conservation Fund—laws that recognize all the values of public lands and resources to current and future generations and that have provided so much—that we are considering this bill.

H.R. 2 represents a narrow view of natural resources as assets to be exploited for short-term profit by this generation with little regard for our stewardship responsibility to our children and to our grandchildren. If we do not act decisively and soon, our generation's legacy will be one of shortsightedness and wasted opportunity.

We have ignored real challenges for far too long. We need to demonstrate the vision, the courage, and generosity of spirit that previous generations expressed on our behalf. We need to stop making policy in increments of months and do what we were sent here to do, govern by working together and compromising to find solutions with consideration of the present and an eye to the future with bold plans and initiatives.

Generally, I am a big fan of recycling, but H.R. 2 is only suitable for disposal. This is a deeply flawed piece of legislation. I cannot support it, and I strongly urge my colleagues to reject it.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2

minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the distinguished gentleman from Washington for yielding and for his leadership over the years. We are going to miss him in this House, but I appreciate him leading on these energy efforts as he has over the years. I want to also thank my colleague from Nebraska (Mr. TERRY), for bringing this bill forward.

This is a jobs bill, but this is also a bill about American energy security, and, Mr. Speaker, it is a bill about national security.

Let's go through each of those. First of all, this bill green-lights the Keystone pipeline. Here, you have got a bill that has been sitting on Barack Obama's desk for 6 years, Mr. Speaker, where 40,000 jobs hang in the mix, and President Obama continues to say ''no.''

We are finally saying ''yes'' to 40,000 American jobs, a great investment in a trading partner in Canada. We can get energy from Canada that we would no longer have to get from Middle Eastern countries who don't like us, Mr. Speaker.

What this bill also does is opens up some of those vast natural resources throughout the Outer Continental Shelf that are closed right now off the coast of places like Virginia, Alaska, and, yes, even in Louisiana, where in our State we have said those extra revenue sources—that money that would be coming into our treasury—would help us reduce the national debt, but the revenue-sharing States would also be able to play a role in that.

If a State wants to help produce energy for America, they can also help our own economy. In our State, we said we want to focus on restoring our coast, putting that buffer in place that blocks future storms.

Mr. Speaker, this also helps lower gas prices at the pumps. Families who are struggling in this tough economy because of all the radical regulations coming out of the Obama administration can finally get some relief in gas prices through that energy security, again, removing the dependence we have on Middle Eastern countries and other people who don't like us.

We dealt with and started to address the threat from groups like ISIL, Mr. Speaker. Do you know that ISIL makes over $2 million a day from the oil fields they control that funds their terrorist activities?

Let's become energy secure as a Nation and get the energy security that goes with it, the jobs that go with it and all the great access to those resources that improve our economy.

I urge adoption of the bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Montana (Mr. DAINES), a hardworking member of the Natural Resources Committee.

Mr. DAINES. Mr. Speaker, I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

New technology has fueled a 21st century energy boom, but Americans are still paying way too much for everyday expenses like gas, groceries, and electricity. That is why the House has passed dozens of bills to lower energy costs and create jobs, like a bill that I introduced—and passed—called the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act.

It passed unanimously last year. This is commonsense legislation. It would expand hydropower production in a number of Western States. It creates jobs while lowering electric prices for thousands of families.

Whether it is from approving the Keystone XL pipeline to stopping these out-of-touch regulations on our coal industry, the House is fighting to protect and grow American energy and the jobs it supports.

In fact, in Montana alone, more than 5,000 jobs depend on coal, and thousands of middle class families rely on coal-fired power for an affordable source of energy. Fifty-one percent of the electric supply in Montana comes from coal.

Construction of the Keystone pipeline will not only create thousands of good jobs, it is going to help keep energy prices low for Montana families. Let me tell you why.

I was out traveling in eastern Montana in my pickup. I visited the NorVal Electric Co-op in Glasgow, Montana. It will provide power for a future Keystone pump station on the pipeline.

If Keystone is built, NorVal will be able to keep their consumers' electric rates flat for the next 10 years, but, if it isn't, they expect that rates will grow upwards of 40 percent for those ratepayers over the course of the next decade.

These are hardworking Montana families, many of them living paycheck to paycheck, many on fixed incomes, that we will help with the Keystone pipeline.

Unfortunately, tomorrow marks the 6-year anniversary from the time the first permit to build the Keystone pipeline was filed. It took the Canadians 7 months to approve it. We are now at 6 years and waiting with this President.

The American people have waited far too long. That is why the House has passed legislation to approve its construction, but the Senate refuses to act. It is time for the Senate and the President to join us in fighting for solutions to create jobs, lower energy costs, and protect middle class American families.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue.

Energy is vital to every aspect of American life. Working families, retirees, and businesses large and small are all dependent upon reliable and affordable energy.

An unwelcome increase in the electric bill leaves many families no other option but to cut elsewhere. For businesses, higher energy costs mean less money to invest in jobs or expansion. As business costs increase, so does the price of goods down the line, triggering a chain reaction felt throughout the economy.

Unfortunately, the Obama administration's policies are contributing to the rise in energy costs by discouraging exploration of domestic resources, imposing additional regulatory hurdles on energy creation, and attempting to bypass Congress to implement economically devastating policies like cap-and-trade.

Today, Congress reminds the Obama administration about what they seem to have forgotten—that America's economy is intrinsically linked to affordable energy.

This bill encourages us to expand energy production. I am particularly pleased that it includes provisions I have worked on for a long time to move forward, a lease sale off the Virginia coast.

This sale will provide necessary energy resources for our Nation, while providing a significant boost to the economy of the Commonwealth of Virginia. It also includes other important provisions, like the Judiciary-approved RAPID Act, which cuts through the government red tape impeding development of our resources.

Today's bill helps to ensure that America is an energy leader, utilizing our resources to strengthen the reliability and affordability of energy for American consumers.

We must encourage more legislation like the American Energy Solutions for Lower Costs and More American Jobs Act, adopting policies that seek to rebuild our economy and create more jobs.

I urge all Members to vote for this legislation that ensures our energy security while boosting our economy.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Kentucky (Mr. WHITFIELD), one of my classmates.

Mr. WHITFIELD. Mr. Speaker, I am delighted that we have this bill on the floor today.

I am going to confine my remarks to one piece of legislation, and that is the Electricity Security and Affordability Act. This legislation has passed the House before, and it is designed to do two things. One is to reverse the extreme regulations coming out of the

EPA on existing coal-fired plants and new coal-fired plants.

We all understand that the President of the United States views that the number one issue facing mankind today is climate change, and, while we all recognize that there is climate change, we do not view it as the most important issue facing man today.

Because of the President's position—his extreme views—he is dictating to the EPA to take positions that are damaging the coal industry but, more important than the coal industry, damaging the electricity produced from coal.

□ 1630

Now, what does that mean to the American people?

Well, how many of you are aware that CO_2 emissions in America today are lower than they have been for 20 years?

America does not have to take a backseat to any country in the world. And yet, this President, with his EPA, has passed regulations that make it impossible to build a new coal plant in America and in an amount that makes it commercially feasible to do.

So here we are in America, doing a better job than any other country in the world, and yet this President, because of his extreme views, makes it impossible to build a new coal plant.

Now, I would be the first to admit that a new coal plant is not going to be built in America because our natural gas prices are very low. We are fortunate, with the shale development, that gas prices are extremely low.

But what if we find ourselves in the position that they found themselves in Europe?

Gas prices coming from Russia are so high that they started mothballing their natural gas plants to produce electricity and started building new coal plants, and last year, they imported 53 percent of the coal exports from America. So, in Europe, they have that flexibility.

But in America we don't have that flexibility. So, if gas prices go up, which they may very well do, then we can't build a new coal plant because it is too expensive and the technology is not there to meet the extreme, stringent emission standards set by EPA.

So this legislation would stop that, and it would say, EPA, you can regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology.

Now, what do we do—you know, next June EPA is coming out with a new regulation that, in effect, will federalize the electricity-generating business in America for the first time. EPA is setting standard emission caps for every State in America. We already know that in Kentucky they have identified 15 coal units that will be closed down. And guess what? When they adopted this regulation, they did not do any thorough reliability studies.

Now, we all recognize that renewables play an important role, but they cannot be the base load of electricity production in America. And if America is going to remain competitive in the global marketplace, we have to have low-cost, abundant, affordable, reliable electricity.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. WHITFIELD. So all we are saying to the President is, okay, let's be reasonable. This legislation will allow EPA to regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology. And if you want to regulate existing plants, you adopt the regulation, but Congress will set the effective date.

The President is going to be gone from office when all of these regulations really start hitting, and America is going to be hit in its ability to compete in the global marketplace.

Mr. Speaker, I urge passage of this legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 2 minutes.

I am going to have more to say about this bill later, but I want to comment on the comments that were just made to us by the gentleman from Kentucky.

He suggested that we don't need to do anything more about climate change because greenhouse gas emissions are falling in the United States. Well, that is not an accurate story because, while U.S. greenhouse gas emissions did fall in 2008 and 2009 during the economic recession, since that time our overall emissions have grown. Cumulatively, U.S. emissions grew, not fell, in 2010 and 2011, the most recent years for which data is available.

But the fact of the matter is that if coal is being displaced by natural gas, it is not because of any regulation; it is because the market forces are moving in that direction. It is just cheaper.

And why do we want to say that is wrong? Let the market work its will.

But unless we regulate the emissions from powerplants that cause greenhouse gases to be spewed into the air, we are neglecting the major reason we have climate change in this country today.

This bill would prevent the EPA from doing anything about the problem. Burning coal would be completely unregulated, and we would continue to add greenhouse gases to our atmosphere.

I think that this is hiding their heads in the sand, denying that there is climate change, denying that we need to do anything about it, pretending like it is not a problem. This is a disservice to the American people and the future of our economy.

Those businesses that develop the technologies for the future, which will be technologies that reduce carbon pollution, are going to be the place where the economies are going to be benefited, not those that deny the problem and do nothing about it.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, today I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

This important legislation will unleash America's energy potential, create thousands of jobs, and stop the administration from destroying tens of thousands of jobs. I urge all of my colleagues to support it.

Representative LAMBORN and I sponsored the Preventing Government Waste and Protecting Coal Mining Jobs in America Act, which is a portion of this package. This specific title of the bill stops the administration's efforts to virtually eliminate underground mining in the Eastern United States, cost thousands of jobs, and lead to skyrocketing energy costs for all Americans.

Since President Obama came into office, his Department of the Interior has tried to rewrite the stream buffer zone rule. The President's preferred rule would cost at least 7,000 direct jobs and thousands more indirect jobs. This estimate is the administration's own estimate, and it could potentially be much worse.

The President's rewrite of the rule has been ongoing now for 5 years, has cost taxpayers millions of dollars, and has been the subject of an ongoing investigation by Chairman HASTINGS and the House Natural Resources Committee.

As we have seen across the administration, the Interior Department has largely refused to turn over documents and recordings to the committee in a clear violation of the House's oversight authority. The administration is clearly holding back information that they know would be damaging to their efforts.

The House has previously passed this legislation on two separate occasions, both times on a bipartisan basis. Unfortunately, the Senate has refused to even consider the legislation either time.

I specifically want to thank Chairman HASTINGS and Chairman LAMBORN for their leadership on this issue. Without their investigation of the Department on this rulemaking process, we might not have been able to stop it from going forward. However, we will continue our oversight and make sure that the Department doesn't try to push through a rule in their final 2 years.

Again, I thank the chairman for his hard work not only this particular title of H.R. 2, but for his work and leadership on the entire package. This legislation will be a big step forward toward energy independence and security, and I urge all of my colleagues to support the legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is not a new bill to be presented on the House floor. It is a compilation of bills that have already been proposed and passed, for the most part, on a partisan Republican basis.

People have complained on the other side of the aisle that their bills didn't go anywhere. Well, they didn't go anywhere because they didn't have support in the other body, the U.S. Senate. The President of the United States said he would veto it.

They can't pass a bill in the House with Republican votes and put it into law. So if you can't pass a law without working with the Democrats and reaching compromises, what Republicans think is the most effective thing to do is to say it over and over and over again.

Let's not forget, we know that our Republican colleagues didn't like the Affordable Care Act, sometimes known as ObamaCare, so on this House floor we voted over 50 times to repeal it.

The Republicans said we are going to repeal it and replace it. Well, we never heard what they are going to replace it with. They just wanted to repeal it. Well, they didn't repeal it when they passed the first vote, and they didn't repeal it when they passed the 50th vote. But they thought if they say it over and over and again and do it over and over again, they would get somewhere, I presume.

When psychologists talk about this, they call it perseveration, saying the same thing over and over again.

But I don't think this is a reasonable way to legislate. If they want to legislate and you don't have the power, you have to compromise. You have to talk with the President. You have to talk with the Senate majority. You have to talk with your own colleagues. But the Republicans don't want to talk to anybody except themselves over and over and over again.

Let me give you an example. Since Republicans took control of the House less than 4 years ago, they have cast over 500 antienvironmental votes. They have voted over 500 times to weaken protection for public health and the environment, to let polluters off the hook, and even to deny science.

Well, I presume they think that is a good idea. They have voted against clean renewable energy and energy efficiency. They have voted to give taxpayer dollars to oil companies. They have voted to allow more toxic mercury pollution in our air and more contaminants in our drinking water.

I suppose they think that is a good idea, but others don't agree with them nor, I think, do the American people.

They have voted repeatedly to deny the reality of climate change and block any action to cut carbon pollution. They don't want a cap-and-trade. They don't want a price on carbon. They don't want the EPA to regulate.

What is their plan? Well, their plan is to deny the existence of climate change and pretend it is not doing any harm.

We have kept track of these votes that we consider antienvironmental, and there were over 300 antienvironmental votes last Congress, and today Ranking Member DEFAZIO and I released another report that there were over 200 more antienvironment votes in this Congress.

Now, Republicans like to complain about a mythical war on coal. It is a fantasy. But there is a war on the environment that is being waged on the floor of the House, and the bill before us today is proof of that. It contains dozens of antienvironment provisions.

All of us want prosperity and security for America. We know, many of us, that climate change is harming us today through droughts and fires and floods and more, and we know that it will endanger our children's future if we don't act.

Democrats, for the most part, have recognized the threat and we know that we can tackle it while, at the same time, growing jobs and our economy.

How do we know this? Because that was the history of the Clean Air Act. Every time we strengthened the Clean Air Act, industry opponents said it would cost too much, it would weaken our economy, it would mean lost jobs, but when we acted, we found that our air is cleaner and our economy is stronger.

Republicans take a much different approach. They refuse to admit that climate change is real because then, if they did, they would have to do something about it. Their policies embodied in this bill deny the problem and threaten our future.

Remember the health care debate? We said it is not fair to discriminate against people.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself 2 additional minutes.

We said it is not fair to discriminate and deny, allow insurance companies to deny the chance for people with preexisting conditions to buy insurance.

The Republicans said, Oh, yeah, we don't think that is a good idea, but they didn't have a plan to do anything about it. They were happy to let it continue.

They wanted to say it was okay for insurance companies to put caps on the amount that the policies would pay. They wanted a system where people were priced out of insurance; if they couldn't afford it, well, that is just too bad.

They deny the realities of what has been happening to millions of Americans, and now we have a health care law that is benefiting millions of Americans.

This bill is not about health care, but they are denying these environmental problems and they are trying to keep Federal agencies from doing their job.

Powerplants are the single largest uncontrolled source of carbon pollution in the United States. EPA has proposed critically important regulations to cut carbon pollution for powerplants in a balanced, cost-effective, commonsense way.

□ 1645

These rules would cut smog, and they would stop deadly particulate pollution. They would save thousands of lives per year and avoid tens of billions of dollars in costs, but this bill eliminates EPA's authority to issue any rules. Nothing can happen.

Mr. Speaker, powerplants aren't the only source of carbon pollution. Tar sands are another big source. They produce 17 percent more carbon pollution than conventional oil, yet this bill grants a regulatory earmark to the Canadian Keystone XL pipeline, effectively exempting it from all U.S. Federal permitting requirements, including ones that apply to every other major construction project in the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself an additional 1 minute.

This bill creates a new process to rubberstamp every other pending and future tar sands pipeline. It even exempts these massive projects from the National Environmental Policy Act by limiting the NEPA review, which was adopted by Congress overwhelmingly on a bipartisan basis, to only a tiny sliver of the pipeline only where it crosses the border. There are many other anti-environmental provisions. This bill would allow the Department of Energy to veto the rules established by the EPA, even though they are not within the jurisdiction or the expertise of the Department of Energy.

This all may make sense to the oil companies, and this may be a giveaway to the Koch Brothers, but I don't think Americans would agree that this is a good bill. Energy interests should not automatically trump everything else we care about, such as raising healthy children.

Mr. Speaker, I hope my colleagues will vote against this bill. We have had it on the floor too many times, and I hope that we defeat it this time.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Natural Resources Committee.

Mr. GOHMERT. Mr. Speaker, my late mother used to say maybe I should be a college professor because I really do enjoy educating people, and nothing gives me more thrill than to help educate people here on the floor.

My friend says that Republicans deny what is happening to millions of people. No. Actually, there are 11 million people who are not working today who were working when President Obama took office and who are not retired. They just gave up looking for jobs. We care deeply about those people.

When it comes to climate change, my friend says the Republicans continue to deny its existence. Climate change is real. It is a fact. Where I live it happens four times a year. It is real. We acknowledge that. It is a real thing.

Now, under this bill, my friend says that coal would be completely unregulated. He is right if he is talking about China, but here in the United States, where we are talking about real jobs, cheaper energy, and helping families who are struggling to make ends meet, we are talking about helping Americans, not the Chinese to whom we lose so many jobs.

My friend says bills don't have support in the Senate. He is right if he is talking about HARRY REID, but if HARRY REID will bring these bills to the floor, my friend is going to see Democrats either vote for them or lose their seats. They know they have to support them, because it helps real Americans.

Now, what our President and others on the other side of the aisle don't acknowledge is the fact that the policies they have supported help Big Oil. They help their friends in the crony capitalist Big Business. They help the Solyndras and those kinds of folks, but the fact is, even when President Obama proposed what he called a ''jobs bill,'' it gutted independent oil companies and gas companies in America. Big oil companies only operate about 5 percent of the oil and gas wells in America, and 95 percent are drilled and operated by independent oil companies. They are regulated. If we really want to help America, we need to pass this bill and force HARRY REID to either deal with it or lose his position as majority leader.

My friend had previously talked about wilderness areas. National parks are suffering. Why? Because this administration and my friends across the aisle and HARRY REID want to blow money on solar companies that won't work, yet, actually, if this administration were not reducing the number of permits by 40 to 60 percent from what they were under President Clinton, then we would have all the money we would need to have the most wonderful wilderness areas and national parks that you can imagine.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. GOHMERT. We are pro-people. They are pro-government, pro-regulation. Let's get back to helping the people, like the 80-year-old lady who lives outside of Carthage who told me she was born with only a wooden stove in her home. She may die with it if we don't stop gutting the energy that we can produce.

Mr. WAXMAN. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 25 minutes remaining. The gentleman from Washington has 22 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I won't take 25 minutes to rebut the statement that was just made. I yield myself 3 minutes.

I am impressed by the statement we had from a man who is trying to educate, as he says, the American people in that Republicans worry about 11 million people not working. I don't know if that number is right or wrong, but we have got millions of people without jobs today. It is because the Congress is busy passing, over and over and over again, bills to benefit the oil companies and the energy industry, and not to help people get jobs.

Now, they care so much about them, but they won't give them unemployment compensation. They care so much about them that they want to take away their food stamps. They care so much about them that they don't want to allow them to have a minimum living wage. They care so much about them that they want them to go to the lowest paying jobs they can possibly find, and if they can't find them, well, it must be their own fault.

HARRY REID is the majority leader in the Senate. The Senate allows amendments to any bill—they don't have to be germane—but in the House of Representatives, no bill or amendment can be offered unless it is germane or permitted under the rule, and the Rules Committee is controlled by the Republican leadership in the House.

If we would have been allowed to have voted on an immigration bill that passed overwhelmingly on a bipartisan basis in the Senate, it would have passed the House, but we were denied that opportunity. If we had been allowed to vote on background checks on gun purchases so that we wouldn't find guns and assault weapons in the hands of the people who are a danger to their communities because of mental illness, or who have criminal records where they have already used guns for illegal purposes, that would have passed. Even a majority of the National Rifle Association supports that kind of measure.

Let's not be so pious as we educate the American people to say, ''Oh, in the Senate, they can't even consider these things,'' because, in the House, we are denied every day an opportunity to talk about many things. Let me give you another example that is pertinent to this debate.

The Energy and Commerce Committee has jurisdiction over the issue of climate change. We have not been able to get a single hearing that would bring in the scientists to tell us why they are concerned about climate change, to tell us all the pronouncements from consensus discussions among scientists internationally and here from the Institute of Medicine and the National Academy of Sciences and others as to why they think this is a problem that we have got to deal with. If you don't even allow the scientists to talk, you are purposely encouraging your own ignorance and acting upon it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, it is not often in life that you get a second chance, but, today, we are here to offer the Senate a second chance, a second chance to stand up and say ''yes''—''yes'' to these American energy solutions that, indeed, will help create jobs and lower costs for American families.

Several of the bills included in today's package were advanced through our committee, Energy and Commerce, and many were bipartisan from the very start. It includes a solution to finally build the Keystone pipeline 6 years after the application went forward.

Here we are 6 years later from when the application was first submitted. We still don't have a pipeline, and folks are still out of work. It shouldn't take 6 years to approve a pipeline, and the President's continued political delays are simply unacceptable. That is why we are taking action to ensure that this does not happen again. We have got a solution today to bring certainty to the approval process for cross-border energy projects so that we don't have to endure another Keystone-like delay in the future.

As part of the Architecture of Abundance, we are also going to need to build more interstate natural gas pipelines. Last winter, millions of customers throughout the country suffered high heating bills, along with the cold temperatures, due to inadequate infrastructure. Today, we are voting on a solution to get those much-needed pipelines in the ground safely and quickly so that we can start delivering relief from those high energy bills.

We are also working to prevent energy prices from spiking even further with solutions to stop EPA's destructive new rules on powerplants and other energy-related rules that will lead only to higher prices and, yes, to fewer jobs. Everyone is affected by energy cost increases, but they also hurt the Nation's poor and the most vulnerable.

One of the easiest and most effective ways to save consumers money is through energy efficiency, which is why we are also advancing solutions that encourage the development and use of new efficient and renewable technologies—very important.

Finally, we have a solution to not only create energy jobs here at home but also to help our allies across the world by giving them access to our abundant natural gas supply. Just this morning, a few hours ago, we heard from the Ukrainian President about the urgent need for the U.S. to act and help weaken Russia's threat to the region. Every one of us was on his feet.

He said this:

> You support a Nation, meaning the United States, that has chosen freedom. In Ukraine, you don't have to build a democracy; it already exists. You need to defend it.

That is what our LNG export bill does.

Many of America's energy solutions that we are voting on today are part of the package that received, yes, strong bipartisan support in the House, but Senate Leader REID has failed to bring any of them to the floor for a vote.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. UPTON. Creating jobs and keeping energy affordable is a subject that should rise above partisanship. Today, we are giving the Senate yet another shot to try to put politics aside and American families first. We welcome the Senate to join us as we say ''yes'' to American jobs and ''yes'' to American energy.

Mr. WAXMAN. Mr. Speaker, may I inquire of the chairman how many more speakers he has?

Mr. HASTINGS of Washington. Mr. Speaker, I will advise the gentleman that we still have several more. I will advise you when we get down to that point, but we do have several Members still waiting to speak.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of the American Energy Solutions for Lower Costs and More American Jobs Act. This bill is a substantive step towards more affordable energy prices and job creation across the country.

Today's average gas price of $3.28 is well up from the $2.35 per gallon in 2009. Not only are gas prices up, but so too are the prices of groceries and the prices for heating and cooling your home.

Among other important measures, this bill would approve the Keystone pipeline. Friday marks 6 years of delays on Keystone by this administration. That is too long for a job-creating measure. Domestic energy production helps middle class Americans with their everyday costs.

Vote ''yes'' for the middle class. Vote ''yes'' for jobs and more affordable energy. Vote ''yes'' on this bill.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

□ 1700

Mr. HASTINGS of Washington. Mr. Speaker, I would advise my friend from California that I am prepared to close if the gentleman is prepared to close.

Mr. WAXMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), who ought to be here rightfully as a full voting Member of the House, in my opinion.

Ms. NORTON. I thank my good friend from California. I can't say enough about how much this Congress will miss him and how indebted we are to his outstanding service.

Mr. Speaker, I would like to say some closing words about this Congress. I have spent most of my time in the Congress in the minority, with my good friends on the other side in control.

I must say that this is a most unusual 113th Congress. This package of bills is a shameful way to close this Congress.

Usually, this is a time—as I have seen it under Republican Congresses—when you make room for must-pass bills, not for never-to-pass bills or sure to be vetoed bills.

Today certainly was not the time to make up for running through the 113th Congress with neither an agenda, nor legislation to show for it, perhaps to show that Congress was entitled to be paid for being here for 2 years.

Instead of some must-pass bills—and I will suggest a few—what we have heard from my good friends on the other side are some tax and other giveaway bills that add to the deficit or bills that should be stamped ''special interest.''

There was legislation before us that, with small changes in law, could have been passed. Had those bills passed, they never would have been considered bills of one side or the other.

For instance, the Paycheck Fairness Act simply updates, in quite small ways, the Equal Pay Act. That is the act that I administered when I chaired the Equal Employment Opportunity Commission. It is already on the books. Nobody wants to repeal it.

All the Paycheck Fairness Act would have done was to make small changes to bring it into the 21st century, and those changes have no ideological impact.

Or take the Federal Student Loan Refinancing Act. That begged for passage, to give students faced with debt and no jobs—this cohort of students who had the bad luck to come out of school in a bad economy—some relief. That bill surely deserved bipartisan support.

For me, however, the biggest piece of missing legislation is the reauthorized transportation bill, and I say that because that would have been the functional equivalent of the JOBS Act of 2014; instead, we are going to leave here this evening, having given nothing to the American people to assure them that there will be jobs for the 7 weeks that we are gone. That is what they most wanted. That is what we have been given least.

We are on track to beat last year's record. We are on track to become the least productive Congress in the history of our country. Closing the Congress with a bunch of never-to-pass bills that nobody envisioned would be taken up will never make up for the shameful record of the 113th Congress.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself the balance of my time.

I thank the gentlewoman from the District of Columbia.

Mr. Speaker, as I understand what the gentlelady has said is that, if we had passed a transportation bill, that would have provided help for our infrastructure and provided jobs. We didn't vote for that bill even once.

The gentlelady also said we should have done a paycheck fairness law. Well, we didn't have a chance to vote on that. The Speaker of the House or the majority leader of the House wouldn't allow it to be brought to the House floor.

So many young people are struggling with student loans, and there have been proposals to deal with that, yet we were not allowed to even vote on a bill to deal with the student loan problem.

We haven't tackled the real things that people care about, and, if they care about what is in this bill today, it has been passed by the House. Why aren't we moving on and using the time on the House floor for other worthwhile purposes?

I think that is a question that the American people are going to have to think about as they go to the polls in another month, but we have had a 6-week recess. Now, we have been here for 2 whole weeks, and, now, we are going to take another recess until the election, and then we will come back for maybe another couple of weeks.

It doesn't mean you have to work too hard in the Congress of the United States to get nothing done. We are getting nothing done, and the American people are losing out.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this is a good bill. It has been acknowledged on both sides of the aisle that this bill is a package of bills that has passed the Senate. It has been talked about that the Senate hasn't acted on the individual bills. It has been talked about the Senate hasn't acted on a lot of bills.

As a matter of fact, the main bill we passed yesterday, the continuing resolution—which is a terrible way to run the government, by the way, when you haven't got certainty—was passed largely because the Senate had not passed one of the 13 House bills out of the Senate. How do you negotiate when you have that sort of a situation?

Here is a point that has not been made today—and maybe my friends on the other side of the aisle aren't familiar with what our Founders envisioned when they created a bicameral legislative body.

In order for our system to work, both Houses have to pass bills. Now, the American people, in their judgment—

you know, they made good judgments every 2 years. Sometimes, some of us don't like what that judgment is—but, in their wisdom, they created one of the Houses that is controlled by the Democrats, and, in their wisdom, they created a House that is controlled by Republicans.

Now, just by the very definition of that, clearly, you are going to have two different views—clearly, you are going to have two different views. I acknowledge that, and I doubt if anybody on the other side would dispute that too.

When we talk about sending bills that we think are important from here over to the Senate—and, by the way, I should add that within this package of bills were a number of bills that came out of the House Natural Resources Committee that I have the privilege to chair. Every one of them, every one of them passed with bipartisan support. That means there are Democrats that voted for it.

Here is the issue: if the Senate, then, has a different view on these topics than we do, then fine. Pass a bill. Pass a bill. If there is a difference between the House version and the Senate version, we have a means to work that out. It is called going to conference, but the fact is the Senate hasn't passed anything.

So how do you go to conference? The only way that we find that we could make our point over and over and over again is to say, ''Okay. We will send it over.'' Maybe somebody, somebody in the other body will finally get the message and say, ''Maybe we ought to pass it.''

Finally, I just want to make another point too. I had the privilege of serving on the Rules Committee for 12 years, and, yes, the Rules Committee, in a larger body like the House, does set the rules for debate.

When the Democrats were in the majority, they set the rules for debate that we criticized. Obviously, they are criticizing us because we are setting the rules for the debate, but my friend from California said that the Senate doesn't work that way with rules. They work by unanimous consent, that anybody can offer an amendment on any bill.

Well, that may be, that may be how the Senate rules work, but, when it is manipulated by the majority leader, all that goes away. It is a process that—I admit I don't know a whole lot about the Senate rules—but it is a process called filling the amendment tree, amendments to be offered, and the majority leader fills the tree, and nobody has an amendment.

It has gotten so bad, so bad over there in the last 6 years that the junior Senator from Alaska, the junior Senator from Alaska who has been there for 6 years has not had an opportunity to offer one amendment on the floor, and the junior Senator happens to be a member of the majority party. You talk about openness. There is no openness that way.

We feel in this body here that the best way to make the case by debating bills that we think are important for the American people—jobs bills, energy bills, energy security bills—the best way to do that is to continue to send the same stuff over to the Senate. Maybe, maybe—because hope springs eternal, at least from my perspective—they will take one of these up.

All they have to do, by the way, is take up one of these bills and change it and send it back over here, and we will negotiate the difference, but they haven't even done that. You see, that was never acknowledged during this whole debate of defense of what the Senate has or has not done, but, as a matter of fact, Mr. Speaker, that is exactly what has happened, and that is why we are where we are.

Mr. Speaker, this is, once again, a very good bill that deals with energy and energy security and American jobs. I urge its passage, and I yield back the balance of my time.

Mr. SANFORD. Mr. Speaker, I would like to support this bill. I believe in energy independence, as do the people I represent at home, and accordingly am supportive of opening up these offshore areas—but I do not think this should occur without the concurrence and input of coastal states that might be affected were something to go wrong. This fits with what I have consistently heard from people up and down the coast.

Not all decisions must be made in Washington, and the idea of a drilling rig going up just a few miles from our coast without having to acknowledge any degree of state input to me is the codification of Washington control. Some may be for a drilling rig these few thousands of feet from their local beach, others may be against it . . . but in keeping with the principal of federalism, that decision needs to be made by those affected—not an unelected government worker in DC.

Toward that end, I introduced a bill, H.R. 3051, the Coastal States Extension Act of 2013, which would give states the final say on oil and natural gas leases out to twelve nautical miles from the current three nautical mile limit. States no longer have a direct economic tie as you move beyond the line of sight and in this regard, I thought my bill a reasonable compromise between drill and no drill interests. This would give states the flexibility to consider what is best for their economies in terms of the balance between tourism, drilling, fisheries and other considerations. Texas, for instance, already has control of oil and natural gas leases out to nine nautical miles and the model there has worked well. It has not hampered drilling. I testified before the Rules committee the last time this bill came up, but unfortunately, this idea was not attached as an amendment to the bill we had before us and the current bill before us tonight is unamendable. I would have supported the bill if my proposal had been included and I hope we can include it in the future.

Toward that end, I look forward to working with the Committee on Natural Resources to find a way forward on striking a more favorable balance between states' rights and energy independence.

Mr. SMITH of Texas. Mr. Speaker, today we consider H.R. 2, ''the American Energy Solutions for Lower Costs and More American Jobs Act.'' I thank the gentleman from Nebraska, Mr. TERRY, for his initiative on this bill.

Title III of this bill includes H.R. 2850, ''the Hydraulic Fracturing Study Improvement Act'' that was reported out of the Science Committee last year.

The EPA has been conducting a ''Study of the Potential Impact of Hydraulic Fracturing on Drinking Water Resources'' since 2010.

Unfortunately, the EPA's track record of sloppy and secret science and rushed conclusions suggest this study will be yet another attempt to justify new regulations to derail our shale gas revolution and the manufacturing renaissance.

The Science Committee language in Title III of this bill addresses a fundamental flaw in EPA's hydraulic fracturing study design. Specifically, the current study is focused on a search for possible problems with hydraulic fracturing instead of identifying what is likely or probable.

EPA's own Science Advisory Board has repeatedly recommended that the Agency focus on probabilities and uncertainties in its work.

The Science Committee provision addresses those concerns, and requires EPA to follow basic, objective scientific processes in carrying out its study. It also requires peer review of any final or interim report before its release.

Problems with this study underscore EPA's lack of transparency and serious flaws in its peer review process. EPA's conclusions are used to justify billions of dollars in regulations. Science that supports public regulations should be public, not secret.

The Science Advisory Board was created to provide independent scientific advice to Congress and the EPA. However, EPA has hijacked this process.

EPA cherry-picked the reviewers. Among the 22 member Advisory Board panel that the EPA created to look at EPA's hydraulic fracturing research, no member had experience in hydraulic fracturing or had an understanding of current industry practices.

The scientific panel that reviews EPA studies should be balanced and unbiased. And the data behind EPA regulations should be available for independent scientific review. These principles cannot be compromised.

I hope to bring H.R. 4012, ''the Secret Science Reform Act,'' and H.R. 1422, ''the EPA Science Advisory Board Reform Act of 2013,'' to the floor this fall to address these systemic problems.

The provisions in H.R. 2 are an important first step in ensuring the EPA adheres to these principles in their report on hydraulic fracturing.

More comprehensive EPA scientific reform is the next step we must take in the public's interest. We cannot afford to wait.

I urge my colleagues to support this bill.

Mr. VAN HOLLEN. Mr. Speaker, today we are considering once again a range of bills to give away public resources to Big Oil, strip environmental and public health protections, and prioritize drilling over all other uses, including recreation and conservation, on federal lands.

Let's look at the facts. Oil and gas production has reached near historic highs in the United States. Our dependence on foreign oil has dropped from 57 percent in 2008 to 29 percent today. The provisions in this bill—which would block the proposed carbon standard to protect public health, order federal

agencies to pretend that climate change has no impact on our communities, and limit oversight on drilling projects on federal lands—will not improve our energy security. They will endanger our health and resources.

There is nothing new in today's debate. This package includes the same old ideas that the Majority has been pushing, without result, since 2011. Rather than working together for the American people, they are recycling the same partisan agenda. Our constituents deserve better. I urge a no vote.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SCHNEIDER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHNEIDER. I am opposed in its original form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schneider moves to recommit the bill H.R. 2 to the Committee on Natural Resources and the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

DIVISION D—MISCELLANEOUS PROVISIONS

SEC. 1. POLICING EXCESSIVE SPECULATION IN ENERGY MARKETS.

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

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

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

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

''(c) AVAILABILITY AND USE OF FUNDS.—

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

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

SEC. 2. PROTECTING NATIONAL SECURITY.

Any lease issued pursuant to this Act shall specify that United States oil, petroleum products, and natural gas shall not be exported to any nation, corporation, or person that—

(1) provides material support to al Qaeda, the Islamic State of Iraq and the Levant, or other terrorist organizations;

(2) is a state sponsor of terrorism; or

(3) steals America's military technology or intellectual property through cyber-attacks such as Russia and China.

SEC. 3. NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)), as amended by section 21111 of division B of this Act, is further amended by adding at the end the following:

''(F) NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.—Subparagraphs (A), (B), (C), and (D) shall not apply to any corporation or other person that owns petroleum coke stored at a petroleum coke facility, or owns or operates such a facility, that—

''(i) releases toxic air pollutants that harm air quality or contaminate drinking water; and

''(ii) is located within 5 miles of a school, hospital, or nursing home.''.

Mr. SCHNEIDER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. HASTINGS of Washington. Objection.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

□ 1715

Mr. SCHNEIDER. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rise in strong opposition to the underlying bill and to the policy direction that this legislation would take us in.

As I read this legislation, I asked myself a simple question: What in this bill will improve the everyday lives of my constituents? What will help make our country and our communities stronger? Unfortunately, the answer is nothing.

This bill would roll back commonsense safeguards that protect the communities I represent and the Great Lakes upon which we depend from harmful pollutants emitted from powerplants.

This bill would reduce the quality of our drinking water and threaten the safety of the air we breathe. This bill would deny the necessity of combating climate change through the regulation of greenhouse gases, even as the communities I represent and the communities around our country have been ravaged by unprecedented severe weather events that can only be attributed to the effects of climate change.

This bill does not seek to create a healthier environment for our children; instead, it sacrifices our ability to pass to future generations their rightful legacy of a clean, healthy, and dynamic natural world.

For these and other related reasons, I offer an amendment to this legislation. This amendment would seek to limit the release of toxic air pollutants around schools, hospitals, and nursing homes from the massive storage of petroleum coke in populated areas.

This toxic dust, when improperly stored, can easily become an airborne pollutant which the EPA has shown to cause severe health effects to the heart and lungs.

It would ensure that we safeguard our strategic resources by denying U.S. oil and gas exports from being sold to any country, company, or individual that supports or harbors terrorist organizations, including ISIS or al Qaeda. Denying our enemies these critical resources is in the vital national security interest of the United States.

Finally, this amendment would empower the Commodity Futures Trading Commission to combat energy speculation which manipulates fuel prices and distorts markets, harming consumers at the gas pump.

Increasing these efforts will bolster transparency for consumers while discouraging bad actors from gaming energy markets for financial gain.

Like many of my colleagues in this Chamber, I want to pursue an energy policy that utilizes an all-of-the-above strategy, including renewable energy and innovative technologies to save consumers money at the pump and lower their home energy costs.

Unfortunately, Mr. Speaker, the underlying legislation does not achieve this goal and, in fact, would do harmful damage to our environment and the health of our communities. My amendment would be a step forward rather than several steps backward in the underlying bill.

Mr. Speaker, I ask my colleagues to support this commonsense amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the gentleman's amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, this is probably my last opportunity to respond to a Democratic motion to recommit, and I have heard a whole gamut of them in the time that I have had the privilege to do that, and I kind of surmise, from reading the motion to recommit, that he is talking about energy and energy supply.

Well, Mr. Speaker, that is precisely what the underlying legislation is all about. My friends on the other side of the aisle talked about how oil and gas production has gone up in the United States—increased in the United States—which it has.

But, Mr. Speaker, he left out the important part: it is not because of this administration, it is in spite of this administration's actions, because all of that activity is increasing on State and private lands where they don't have the burdensome regulation from the Federal Government inhibiting that growth.

However, the focus of this legislation is to do exactly the same thing which happened on private and State lands on Federal lands because, if you have a problem with supply, what is the best way to respond to that? You increase the opportunity for supply.

What does that do to the marketplace? In the long run, it tends to lower prices. Who benefits? American people, American jobs.

Mr. Speaker, I just simply want to say these motions to recommit have been procedural motions. They have been political motions over time, not that that isn't something we deal with on the floor, but, once again, it is a motion that, I think, is not worthy of passing.

Mr. Speaker, I urge my colleagues to reject—reject—the motion to recommit and vote for the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 5 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1801

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 1 minute p.m.

JOBS FOR AMERICA ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of New York moves to recommit the bill H.R. 4 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of division I the following new title:

TITLE VIII—STOP CORPORATIONS FROM OUTSOURCING AMERICAN JOBS

SEC. 801. CREDIT FOR INSOURCING EXPENSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 45S. CREDIT FOR INSOURCING EXPENSES.

''(a) IN GENERAL.—For purposes of section 38, the insourcing expenses credit for any taxable year is an amount equal to 20 percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection (d).

''(b) ELIGIBLE INSOURCING EXPENSES.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible insourcing expenses' means—

''(A) eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, and

''(B) eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States,

if such establishment constitutes the relocation of business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

''(2) ELIGIBLE EXPENSES.—The term 'eligible expenses' means—

''(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

''(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

''(3) BUSINESS UNIT.—The term 'business unit' means—

''(A) any trade or business, and

''(B) any line of business, or functional unit, which is part of any trade or business.

''(4) EXPANDED AFFILIATED GROUP.—The term 'expanded affiliated group' means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting 'more than 50 percent' for 'at least 80 percent' each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

''(5) EXPENSES MUST BE PURSUANT TO INSOURCING PLAN.—Amounts shall be taken into account under paragraph (1) only to the extent that such amounts are paid or incurred pursuant to a written plan to carry out the relocation described in paragraph (1).

''(6) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the on-going operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

''(c) INCREASED DOMESTIC EMPLOYMENT REQUIREMENT.—No credit shall be allowed under this section unless the number of full-time equivalent employees of the taxpayer for the taxable year for which the credit is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year ending before the first taxable year in which such eligible insourcing expenses were paid or incurred. For purposes of this subsection, full-time equivalent employees has the meaning given such term under section 45R(d) (and the applicable rules of section 45R(e)), determined by only taking into account wages (as otherwise defined in section 45R(e)) paid with respect to services performed within the United States. All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

''(d) CREDIT ALLOWED UPON COMPLETION OF INSOURCING PLAN.—

''(1) IN GENERAL.—Except as provided in paragraph (2), eligible insourcing expenses shall be taken into account under subsection (a) in the taxable year during which the plan described in subsection (b)(5) has been completed and all eligible insourcing expenses pursuant to such plan have been paid or incurred.

''(2) ELECTION TO APPLY EMPLOYMENT TEST AND CLAIM CREDIT IN FIRST FULL TAXABLE YEAR AFTER COMPLETION OF PLAN.—If the taxpayer elects the application of this paragraph, eligible insourcing expenses shall be taken into account under subsection (a) in the first taxable year after the taxable year described in paragraph (1).

''(e) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

''(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the insourcing expenses credit determined under section 45S(a).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:''.

''Sec. 45S. Credit for insourcing expenses.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts