

□ 1450

Ms. CASTOR of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the ranking member of the Energy and Commerce Committee asked me to convey that he has no objection to the bill. Mr. ADERHOLT's bill provides the flexibility for walk-in coolers and walk-in freezers to meet the applicable energy-efficiency standards with technologies other than foam insulation. The bill ensures that the alternative technology reduces energy consumption at least as much as the insulation that is currently required. We think this is a reasonable approach, encourage Members to support the bill, and I reserve the balance of my time.

Mr. WHITFIELD. Madam Speaker, at this time I would like to yield 6 minutes to the gentleman from Alabama (Mr. ADERHOLT), who is the author of this legislation.

Mr. ADERHOLT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, when Congress passed the Energy Independence and Security Act in December 2007, it inadvertently did not allow a procedure for technologies which may provide greater energy efficiencies than even what is required in the bill. The legislation before us this afternoon simply makes a small change in relation to walk-in coolers and freezers.

Section 312 of the Energy Independence and Security Act regulates the efficiency standards of walk-in coolers and freezers. The section mandates that cooler and freezer doors meet a certain R-value as a measurement of their ability to retain temperature and use less energy. The problem is that an R-value is a measurement based primarily on the thickness of foam. Therefore, requiring products to meet an R-value prohibits technologies that are just as efficient, but utilize alternative materials or technologies.

These types of statutes typically provide the Department of Energy with a waiver authority. This bill simply provides the Department of Energy with the authority to waive the R-value requirement if they determine a product meets or exceeds the desired energy-efficiency goals. This bill is supported by the American Council for an Energy Efficient Economy. Furthermore, we have spoken with officials at the Department of Energy who recognize the need to consider the energy savings of nonfoam products.

Madam Speaker, this situation offers a prime example of how making an adjustment in a government regulation can maintain standards and at the same time allow flexibility for businesses and retailers to purchase superior products to enable their businesses to use less energy and therefore save more money. The law as it currently stands is preventing this mutually beneficial transaction from taking place. Furthermore, without a waiver authority, the law will continue to limit fu-

ture innovations in this important sector. It would be, as if in the 1950s, Congress had mandated that the record industry only use a certain type of vinyl. Therefore, there would be no cassette tapes, CDs, or iPods.

With this simple bill, Congress can fix this oversight, allowing more eco-friendly innovations and a freer marketplace. This is one way we as Representatives can help continue to create an environment for economic growth. For those reasons, this bill enjoys wide bipartisan support, and I urge a "yes" vote on H.R. 4850.

Ms. CASTOR of Florida. Madam Speaker, if the other side of the aisle has no further speakers, then I'm prepared to yield back.

Mr. WHITFIELD. We have no further speakers.

Ms. CASTOR of Florida. I urge a "yes" vote on the bill, and I yield back the balance of my time.

Mr. WHITFIELD. Madam Speaker, I just want to thank the gentlelady from Florida and the ranking member for working with us on this legislation. I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 4850.

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

A motion to reconsider was laid on the table.

#### COLLINSVILLE RENEWABLE ENERGY PROMOTION ACT

Mr. WHITFIELD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5625) to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5625

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Collinsville Renewable Energy Promotion Act".

#### SEC. 2. REINSTATEMENT OF EXPIRED LICENSES AND EXTENSION OF TIME TO COMMENCE CONSTRUCTION OF PROJECTS.

Subject to section 4 of this Act and notwithstanding the time period under section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission projects numbered 10822 and 10823, the Federal Energy Regulatory Commission (referred to in this Act as the "Commission") may—

- (1) reinstate the license for either or each of those projects; and
- (2) extend for 2 years after the date on which either or each project is reinstated under paragraph (1) the time period during which the licensee is required to commence the construction of such projects.

Prior to reaching any final decision under this section, the Commission shall provide an opportunity for the submission of comments by interested persons, municipalities, and States and shall consider any such comment that is timely submitted.

#### SEC. 3. TRANSFER OF LICENSES TO THE TOWN OF CANTON, CONNECTICUT.

Notwithstanding section 8 of the Federal Power Act (16 U.S.C. 801) or any other provision thereof, if the Commission reinstates the license for, and extends the time period during which the licensee is required to commence the construction of, a Federal Energy Regulatory Commission project under section 2, the Commission shall transfer such license to the town of Canton, Connecticut.

#### SEC. 4. ENVIRONMENTAL ASSESSMENT.

(a) DEFINITION.—For purposes of this section, the term "environmental assessment" shall have the same meaning as is given such term in regulations prescribed by the Council on Environmental Quality that implement the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) ENVIRONMENTAL ASSESSMENT.—Not later than 180 days after the date of enactment of this Act, the Commission shall complete an environmental assessment for Federal Energy Regulatory Commission projects numbered 10822 and 10823, updating, to the extent necessary, the environmental analysis performed during the process of licensing such projects.

(c) COMMENT PERIOD.—Upon issuance of the environmental assessment required under subsection (b), the Commission shall—

(1) initiate a 30-day public comment period; and

(2) before taking any action under section 2 or 3—

(A) consider any comments received during such 30-day period; and

(B) incorporate in the license for the projects involved, such terms and conditions as the Commission determines to be necessary, based on the environmental assessment performed and comments received under this section.

#### SEC. 5. DEADLINE.

Not later than 270 days after the date of enactment of this Act, the Commission shall—

(1) make a final decision pursuant to paragraph (1) of section 2; and

(2) if the Commission decides to reinstate 1 or both of the licenses under such paragraph and extend the corresponding deadline for commencement of construction under paragraph (2) of such section, complete the action required under section 3.

#### SEC. 6. PROTECTION OF EXISTING RIGHTS.

Nothing in this Act shall affect any valid license issued by the Commission under section 4 of the Federal Power Act (16 U.S.C. 797) on or before the date of enactment of this Act or diminish or extinguish any existing rights under any such license.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Connecticut (Mr. MURPHY) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

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

I rise in support of H.R. 5625, which was introduced by Representative MURPHY of Connecticut. This legislation would provide the Federal Energy Regulatory Commission with limited authority to reinstate two terminated hydroelectric licenses and transfer

them to a new owner, the town of Canton, Connecticut.

The licenses are associated with the Upper and Lower Collinsville dams on the Farmington River in Connecticut. Both projects are under one megawatt each, and I urge all Members to support this legislation, and I reserve the balance of my time.

Mr. MURPHY of Connecticut. Madam Speaker, I yield myself such time as I may consume, and I would like to thank the chairman for his assistance and leadership in bringing this bill forward today.

This legislation before us, as Chairman WHITFIELD stated, is pretty simple. It will allow FERC the permissive authority to allow several communities in my district to operate two very small hydroelectric dams as municipal power sources. The Upper and Lower Collinsville dams have been dormant along Connecticut's Farmington River since the 1960s. The licenses that were fairly recently previously issued by FERC to operate both small dams are currently inactive. This legislation would allow FERC the opportunity to reinstate them and transfer them to the town of Canton, Connecticut, for operation.

These two small dams are already a beloved and long-standing symbol of the Farmington Valley's rich history. Today, however, we can help make them a symbol of the valley's future as well—retrofitting them to provide clean energy to power thousands of homes and businesses.

This legislation was the product of a sustained and collaborative process with State and local stakeholders, FERC, and river protection organizations. The bill provides for an additional comment period on any FERC licensing action, as well as on the licenses' environmental provisions—ensuring that public input is respected and the river's health is protected.

While we work to enact policies that will accelerate our transition to energy independence, we shouldn't neglect these smaller projects that can begin that process right here and now, and this bill represents that kind of opportunity.

This isn't the first time we've considered this bill in this Chamber. Identical legislation passed the House by voice vote on June 16, 2010. However, the Senate didn't take up the bill that year. As such, I'm hopeful we can muster the same bipartisan spirit today and again pass this noncontroversial energy legislation.

Again, I'd like to thank Chairman WHITFIELD, as well as Chairman UPTON and Ranking Members WAXMAN and RUSH and their staffs, for helping bring this legislation to the floor today. We do this institution credit with this kind of bipartisan legislation. Again to the chairman, I appreciate it, and I reserve the balance of my time.

Mr. WHITFIELD. Madam Speaker, we have no further speakers, so at this time I would just thank the gentleman

from Connecticut for bringing this legislation to our attention. I appreciate his patience. It took us a little while to get it to the floor, but I do urge its passage, and I yield back the balance of my time.

Mr. MURPHY of Connecticut. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 5625.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. WHITFIELD. Madam Speaker, I ask unanimous consent that all Members be allowed to revise and extend their remarks and insert extraneous material on H.R. 4850 and H.R. 5625.

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

There was no objection.

□ 1500

#### NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5889) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5889

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2012”.

#### TITLE I—SAFETY OF MARITIME NAVIGATION

##### SEC. 101. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking “a ship flying the flag of the United States” and inserting “a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)”;

(B) in paragraph (1)(A)(ii), by inserting “, including the territorial seas” after “in the United States”; and

(C) in paragraph (1)(A)(iii), by inserting “, by a United States corporation or legal entity,” after “by a national of the United States”;

(2) in subsection (c), by striking “section 2(c)” and inserting “section 13(c)”;

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c):

“(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

“(1) ‘applicable treaty’ means—

“(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

“(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

“(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

“(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

“(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

“(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

“(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

“(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

“(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

“(2) ‘armed conflict’ does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

“(3) ‘biological weapon’ means—

“(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

“(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

“(4) ‘chemical weapon’ means, together or separately—

“(A) toxic chemicals and their precursors, except where intended for—

“(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

“(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

“(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

“(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

“(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

“(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

“(5) ‘covered ship’ means a ship that is navigating or is scheduled to navigate into,