

### GOVERNMENT SUES STANDARD & POOR'S

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge the U.S. Department of Justice for finally taking some substantive action against one of the credit rating agencies, Standard & Poor's, for its role in causing the greatest economic crisis since the Great Depression.

When Wall Street's housing bubble burst in 2008, it sent shock waves through our economy. That shock wave may not have been so destructive if credit rating agencies like Standard & Poor's did not create fraud.

Rather than assessing real risk and due diligence on the securities, Standard & Poor's invented a system of defrauding investors by providing the highest rating as long as the clients paid Standard & Poor's enough money. If Standard & Poor's actually rated the mortgage securities for what they were truly worth, our entire banking system and economy may not have collapsed.

While the Department of Justice should be praised for taking some action against Standard & Poor's, other rating agencies were left out of the case. And the fact is Justice's case is only a civil one, not a criminal one. That tells you who really holds political power in our country.

Thanks to Wall Street, America lost over 8 million jobs. American households lost over \$19 trillion in wealth. Yet no major Wall Street executive has ever faced the threat of jail time. Real cases could yield real dollars back to our Treasury and help America pay the bills that resulted from the Great Recession beginning in 2008.

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### HONORING THE LIFE OF CHESTER REITEN

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, a North Dakota legend died recently, and I was honored to be able to attend the celebration of his life, a sendoff worthy of a king.

Chester Reiten was like royalty, especially to the people of his hometown of Minot, where he served as their mayor for 14 years. Public service came naturally to Chet. During World War II, he enlisted in the United States Navy, serving as an ensign and commanding officer of a landing craft infantry ship.

In addition to military and local service, Chet served 16 years in the North Dakota Senate where he was also president pro tem.

Chester really made a name for himself and Minot when he combined his loves of Norwegian culture and America by founding the annual Norsk

Hostfest, the largest Scandinavian festival in North America. The Hostfest brings thousands of people to Minot every year to celebrate all things Scandinavian. Chester received the St. Olav Medal from the King of Norway as a result of his work with Norsk Hostfest and his promotion of Norwegian and Scandinavian heritage. He received the Theodore Roosevelt Roughrider Award in 2002 and was inducted into the Scandinavian American Hall of Fame in 2011.

May God bless Chester's memory; his wife, Joy; and their beautiful family. He will be missed.

### JACK'S OYSTER HOUSE CELEBRATES 100TH ANNIVERSARY

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, with pride I rise today to congratulate Jack's Oyster House of Albany, New York, on the celebration of its 100th anniversary recently held on January 24. Founded by Jack Rosenstein, the restaurant is currently owned by his grandson, Brad. As a sampling of its entree depth, Jack's has served liver and onions since the first day it opened. One menu, dating back to 1939, lists the price of this signature dish as 75 cents.

Sadly, however, many restaurants do not make it past their first few years of operation; but Jack's has endured because it remembers and honors its past, including well-dressed wait staff and boutique tables and place settings, while striving to serve its current customers in a top-notch manner with quality, classic fare.

The only day, interestingly, Jack's ever closed in the past 100 years was in 1986 for Jack Rosenstein's funeral. May he rest in peace. And may Jack's Oyster House continue to thrive for centuries to come. We wish all involved a happy 100th birthday.

### FORT HOOD'S TERRORIST ATTACK

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, a report will air tonight on "ABC News" about the Obama administration's negligence of the Fort Hood survivors and their families. This was clearly a terrorist attack. And while the Obama administration has designated that attack that killed all those people a "workplace violence," the survivors cannot get assistance. Major Hasan was influenced by Awlaki. The administration knew Awlaki was bad, and they killed him by a drone missile. And now the people that are involved are not getting the necessary help.

Secretary of Defense Panetta, Chairman of the Joint Chiefs Dempsey, Attorney General Holder, and the President of the United States have failed

the people and continue to fail the people who were wounded and killed at Fort Hood, as well as their families.

### REMEMBERING PRESIDENT LINCOLN

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, today is the birthday of Abraham Lincoln. Unfortunately, not many Americans probably know that; but February 12 used to be a date that people remembered. Now it's just Presidents Day, a weak invocation.

An award-winning movie is presently showing about President Lincoln, a great President who saved the Union and got the 13th Amendment passed—slavery abolished. But the movie also showed that President Lincoln could make compromise and make the two sides of the bodies work together for the betterment of this Nation.

As President Obama from the Land of Lincoln speaks tonight in the State of the Union, we should remember what Lincoln taught us: that you need to work for the union of this government, the unity of our people, for rights for everybody and diversity, and for the two parties to work together for the betterment of the United States of America.

Thank you, President Lincoln.

### RESPONSIBLE SPENDING CONTROLS

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, Uncle Sam's free-spending ways have cost each American \$27,000 over the last 4 years. As a Nation, we are adding \$50,000 in debt each second. But listening to this President talk about sequestration, you would think that we can't spend one penny less, even though discretionary spending has risen over his tenure, even though we spend millions on such necessities as robotic squirrels, Martian menus, hot-air balloons, and other so-called priorities.

The House has voted twice to replace the President's sequester with commonsense spending reforms. It is time to get serious about replacing these indiscriminate cuts with other more targeted spending reductions, but not by raising taxes again.

Mr. Speaker, I am willing to work with this President to replace his sequester with responsible spending controls. I am not willing to ask our constituents to give Washington more of their hard-earned money so it can be squandered and added to the hefty tab Uncle Sam is piling up on their behalf.

### CURBING GUN VIOLENCE

(Mr. SCHNEIDER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, a little over a week ago, I met with community leaders, law enforcement, mental health professionals, gun owners, and those who have been touched by gun violence to discuss what we can do together to curb gun violence. They shared their thoughts and different perspectives; but, together, they called on me to take action.

So today, I rise to urge my colleagues to join me in support of sensible new gun laws. We must pass legislation that will lead to universal background checks, that makes gun trafficking a Federal crime, and limits access to high-capacity magazines and military-style assault weapons.

This is the moment. Right now, this is the time. Together, we have the opportunity to save lives. It's up to us to seize the moment. Let's get to work.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### HYDROPOWER REGULATORY EFFICIENCY ACT OF 2013

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 267) to improve hydropower, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 267

*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 “Hydropower Regulatory Efficiency Act of 2013”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Promoting small hydroelectric power projects.
- Sec. 4. Promoting conduit hydropower projects.
- Sec. 5. FERC authority to extend preliminary permit periods.
- Sec. 6. Promoting hydropower development at nonpowered dams and closed loop pumped storage projects.
- Sec. 7. DOE study of pumped storage and potential hydropower from conduits.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the hydropower industry currently employs approximately 300,000 workers across the United States;

(2) hydropower is the largest source of clean, renewable electricity in the United States;

(3) as of the date of enactment of this Act, hydropower resources, including pumped storage facilities, provide—

(A) nearly 7 percent of the electricity generated in the United States; and

(B) approximately 100,000 megawatts of electric capacity in the United States;

(4) only 3 percent of the 80,000 dams in the United States generate electricity, so there is substantial potential for adding hydropower generation to nonpowered dams; and

(5) according to one study, by utilizing currently untapped resources, the United States could add approximately 60,000 megawatts of new hydropower capacity by 2025, which could create 700,000 new jobs over the next 13 years.

#### SEC. 3. PROMOTING SMALL HYDROELECTRIC POWER PROJECTS.

Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705) is amended by striking “5,000” and inserting “10,000”.

#### SEC. 4. PROMOTING CONDUIT HYDROPOWER PROJECTS.

(a) **APPLICABILITY OF, AND EXEMPTION FROM, LICENSING REQUIREMENTS.**—Section 30 of the Federal Power Act (16 U.S.C. 823a) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a)(1) A qualifying conduit hydropower facility shall not be required to be licensed under this part.

“(2)(A) Any person, State, or municipality proposing to construct a qualifying conduit hydropower facility shall file with the Commission a notice of intent to construct such facility. The notice shall include sufficient information to demonstrate that the facility meets the qualifying criteria.

“(B) Not later than 15 days after receipt of a notice of intent filed under subparagraph (A), the Commission shall—

“(i) make an initial determination as to whether the facility meets the qualifying criteria; and

“(ii) if the Commission makes an initial determination, pursuant to clause (i), that the facility meets the qualifying criteria, publish public notice of the notice of intent filed under subparagraph (A).

“(C) If, not later than 45 days after the date of publication of the public notice described in subparagraph (B)(ii)—

“(i) an entity contests whether the facility meets the qualifying criteria, the Commission shall promptly issue a written determination as to whether the facility meets such criteria; or

“(ii) no entity contests whether the facility meets the qualifying criteria, the facility shall be deemed to meet such criteria.

“(3) For purposes of this section:

“(A) The term ‘conduit’ means any 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.

“(B) The term ‘qualifying conduit hydropower facility’ means a facility (not including any dam or other impoundment) that is determined or deemed under paragraph (2)(C) to meet the qualifying criteria.

“(C) The term ‘qualifying criteria’ means, with respect to a facility—

“(i) the facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit;

“(ii) the facility has an installed capacity that does not exceed 5 megawatts; and

“(iii) on or before the date of enactment of the Hydropower Regulatory Efficiency Act of

2013, the facility is not licensed under, or exempted from the license requirements contained in, this part.

“(b) Subject to subsection (c), the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility (not including any dam or other impoundment) constructed, operated, or maintained for the generation of electric power which the Commission determines, by rule or order—

“(1) utilizes for such generation only the hydroelectric potential of a conduit; and

“(2) has an installed capacity that does not exceed 40 megawatts.”;

(2) in subsection (c), by striking “subsection (a)” and inserting “subsection (b)”;

(3) in subsection (d), by striking “subsection (a)” and inserting “subsection (b)”.

(b) **CONFORMING AMENDMENT.**—Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705), as amended, is further amended by striking “subsection (a) of such section 30” and inserting “subsection (b) of such section 30”.

#### SEC. 5. FERC AUTHORITY TO EXTEND PRELIMINARY PERMIT PERIODS.

Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) by designating the first, second, and third sentences as subsections (a), (c), and (d), respectively; and

(2) by inserting after subsection (a) (as so designated) the following:

“(b) The Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years permitted by subsection (a) if the Commission finds that the permittee has carried out activities under such permit in good faith and with reasonable diligence.”.

#### SEC. 6. PROMOTING HYDROPOWER DEVELOPMENT AT NONPOWERED DAMS AND CLOSED LOOP PUMPED STORAGE PROJECTS.

(a) **IN GENERAL.**—To improve the regulatory process and reduce delays and costs for hydropower development at nonpowered dams and closed loop pumped storage projects, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) shall investigate the feasibility of the issuance of a license for hydropower development at nonpowered dams and closed loop pumped storage projects in a 2-year period (referred to in this section as a “2-year process”). Such a 2-year process shall include any prefiling licensing process of the Commission.

(b) **WORKSHOPS AND PILOTS.**—The Commission shall—

(1) not later than 60 days after the date of enactment of this Act, hold an initial workshop to solicit public comment and recommendations on how to implement a 2-year process;

(2) develop criteria for identifying projects featuring hydropower development at nonpowered dams and closed loop pumped storage projects that may be appropriate for licensing within a 2-year process;

(3) not later than 180 days after the date of enactment of this Act, develop and implement pilot projects to test a 2-year process, if practicable; and

(4) not later than 3 years after the date of implementation of the final pilot project testing a 2-year process, hold a final workshop to solicit public comment on the effectiveness of each tested 2-year process.

(c) **MEMORANDUM OF UNDERSTANDING.**—The Commission shall, to the extent practicable, enter into a memorandum of understanding with any applicable Federal or State agency to implement a pilot project described in subsection (b).