CELEBRATING EDNA YODER'S 103RD BIRTHDAY

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

Mr. YODER. Madam Speaker, I rise this morning to ask my colleagues to join me in celebrating my grandmother Edna Yoder's birthday.

Born on June 28, 1911, my grandmother will turn 103 on Saturday, and I couldn't be prouder of her. She and my grandfather, Orie Yoder, spent their lives working on a farm and raising their four children, including my father, Wayne Yoder. She is a very principled and humble woman who believes strongly in her family and her faith.

Over the past 103 years she has lived through the Great Depression, the Dust Bowl, and two world wars, to name a few. She has seen a lot, and to this day tells great stories, has a wonderful and cheery sense of humor, and, of course, dispenses plenty of advice.

Each day when I get up in a nation of prosperity and freedom, I think of my grandmother and people of her generation who worked themselves to the bone, who helped build this great country so that their children and children's children would have the opportunity to realize their dreams.

Today, my grandmother spends her time working puzzles, playing games, playing in the bell choir, and, of course, keeping up with her many grandchildren, great-grandchildren, and even great-great-grandchildren.

Grandma, happy 103rd birthday to you.

VOTING RIGHTS AMENDMENT ACT

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, I rise today to speak in support of the Voting Rights Amendment Act. This is a critical piece of bipartisan legislation in response to the Supreme Court's ruling, Shelby County v. Holder, that was handed down exactly 1 year ago this week.

This decision undid critical voting protections that have proven effective over the years and that Congress has reauthorized as early as 2006. The Voting Rights Amendment will do several things, among them: enhance the power of Federal courts to stop discriminatory voting changes from being implemented, create new nationwide transparency requirements that help keep communities informed about voting changes in their community, and continue the Federal observer program that combats racial discrimination at the polls.

Voter discrimination is not just a problem of the past but is very much alive today. In fact, since the 2013 decision, there have been 10 voting changes across the country that have raised concerns about voting discrimination.

As Representatives in a democratic government, we have a duty to prevent voter discrimination and make sure that every citizen's voice is heard.

EXPORT-IMPORT BANK

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

Ms. DUCKWORTH. Madam Speaker, last summer more than 100 businesses attended a forum I held in Schaumburg, Illinois, to learn more about the benefits of the Export-Import Bank of the United States. Since then, businesses in my district have told me time and again how the bank's services keep them competitive in the global marketplace and create good-paying American jobs. They know we need to reauthorize the Export-Import Bank now.

For decades, the Export-Import Bank has helped American exporters sell their products overseas. It provides their financing, credit, and insurance to grow their businesses abroad when other options are simply not available. Last year, these investments led to $37.4 billion in exports that created more than 200,000 jobs right here in America.

This week, a USA Today editorial stated:

> One of the most vexing economic developments in recent decades has been the decline in manufacturing jobs. An industry that employed nearly 25 percent of the workforce in the 1970s today accounts for only 7.8 percent . . . The loss of these jobs has reduced opportunities for people without a college degree to move into the middle class.

Madam Speaker, we can't abandon the American manufacturing and the American middle class. Bring up the bill I helped introduce, H.R. 4950, and let's reauthorize the Export-Import Bank.

TRANS-PACIFIC PARTNERSHIP

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Madam Speaker, now is not the time for the Trans-Pacific Partnership or fast track legislation. Five years into our economic recovery, high unemployment and stagnant incomes continue to keep consumer spending down. American families still cannot make ends meet. For too many people, that is the reality. Meanwhile, we are being asked to pass fast track legislation for TPP, and I think it is a threat to American jobs.

How do we know? We have already tried this 20 years ago when we passed NAFTA. Similar to TPP, NAFTA promised to create jobs, 200,000 Americans jobs every year, but they didn't materialize. Instead, the United States lost more than a million jobs. In Minnesota, more than 13,000 workers were displaced.

We don't want to see this happen again. It is time to pass a trade bill that lifts labor standards around the world, not encourages a race to the bottom. We cannot afford to offshore any more of our jobs. Let's pass a good trade bill.

RECOGNIZING MR. HERSCHEL LUCKINBILL FOR HIS SERVICE TO OUR COUNTRY

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

Mr. FOSTER. Madam Speaker, I rise today to recognize Herschel Luckinbill of Montgomery, Illinois, as the Illinois Veteran of the Month for June 2014. The title of Veteran of the Month is bestowed upon individuals who have been exceptionally dedicated to honoring veterans and improving our community.

A Navy veteran of the Vietnam War, Mr. Luckinbill has taken great effort to continue his service beyond Active Duty. As a member of the Aurora Veterans Advisory Council, Mr. Luckinbill represents the interests of veterans in our community. Mr. Luckinbill organized efforts to bring The Vietnam Moving Wall to Aurora in 2013, giving the community and the next generation the opportunity to honor the fallen. Working as part of the organization Honor Flight Chicago, Mr. Luckinbill has helped World War II veterans fly to Washington to view the monuments that were erected in their honor.

We can never fully repay those who have risked and given their lives in service to our country, but because of the tireless efforts of advocates like Herschel Luckinbill, their sacrifice will not be forgotten.

Madam Speaker, I ask my colleagues to join me today in recognizing Mr. Herschel Luckinbill for his service to our country and to veterans in our community.

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

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 the bill, H.R. 4899.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 641 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4899.

Will the gentlewoman from North Carolina (Ms. FOXX) kindly take the chair.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4899) to lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, and for other purposes, with Ms. FOXX (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 25, 2014, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–50. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4899

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 ''Lowering Gasoline Prices to Fuel an America That Works Act of 2014''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is the following:

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).

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''.

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) 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.

''(G) 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.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–493. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–493.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 17, add the following:

SEC. ___. 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.''.

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

The Chair recognizes the gentleman from Virginia.

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

Under current law, the Secretary of the Interior is not able to add any additional lease sales to a finalized 5-year plan, even if that area has been included in a draft plan and then withdrawn, so even if the work has been done to look at areas to include, he can't consider that in the final plan.

This amendment is pretty simple. It provides the Secretary of the Interior the ability to add a lease sale to a finalized plan, as long as all of the NEPA requirements have been met on that specific area within the last 5 years.

This is especially applicable to the case of Virginia Lease Sale 220 which, as I stated, was studied and included in the environmental impact statement, though it was later postponed and canceled.

I want to make sure that the Secretary has the ability to add that back into the plan, since all the work has already been done to look at the environmental impacts; and, again, it was included originally in the plan. The flexibility should be there for that to happen.

Should this administration finalize the next 5-year plan early, that would mean the ensuing administration would not have any ability to add lease sales.

This amendment ensures that already studied lease sales can be added to a 5-year plan, as long as existing environmental requirements are met.

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

Mr. DEFAZIO. Madam Chair, I yield myself such time as I may consume.

Now, we have the idea of a 5-year planning process, a 5-year plan, and then, you can just add things to it, so really, it is kind of not really a 5-year plan anymore. It is meaningless.

There is an urgent, urgent need for more leases offshore in sensitive areas, there really is—southern California, Virginia, Maine, areas that are incredibly productive in terms of their fisheries, that are heavily recreated, and have other uses.

There is an urgent need to plop down some oil wells there because we have only exported 1.7 million barrels of oil and gasoline yesterday—refined. There is a shortage, and that is why prices are high. If we just produced more in the most sensitive areas, without any environmental review, then the price would drop.

Well, no, actually, production has doubled since the Republicans first passed this bill, its fifth year in a row—it is Groundhog Day in June.

Now, they are still pretending. Actually, we heard a new argument yesterday: prices would be higher if we weren't exporting all of that diesel and gasoline, and the American Petroleum Institute hopes we will start soon acting like a colony and export crude oil to our friends in China and elsewhere, so they can make manufactured goods and sell them to us. Now, this is a great plan, and we are going to make it even better by not planning anymore.

There are 36.1 million acres of land under lease onshore. We had an argument about that yesterday—that is half the bill—and 23.5 million are not in production, but we need to lease more. Offshore, 220 million acres are available under the current leasing plan, 33.2 million acres have been leased, and 28.1 million of those 33.2—that is a pretty high percentage—aren't producing, and that is about 85 percent.

We need to lease more. We need to lease it now, so the oil companies can sit on it until they drive the price to $200 or $300 a barrel, which they will because we pay the royal price—we produce oil more cheaply here, but we pay the royal price.

We are exporting gasoline and diesel and paying extortionate prices, and the oil companies are making obscene prices, and only if we didn't have a planning process and we leased in some more sensitive areas, price wouldn't go down.

With that, I reserve the balance of my time.

Mr. WITTMAN. Madam Chairman, I yield 3½ minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Madam Chair, I thank the gentleman for yielding, and I thank him for offering this amendment.

In many ways, Madam Chairman, this is indicative of the bureaucratic hoops that people have to jump through. Now, keep in mind, this lease sale in Virginia went through all of the environmental hoops and then was taken off the roles, if you will.

Under current law, you have to jump through the same environmental hoops again, notwithstanding the fact that all of the work has been done. I say this is indicative of what goes on with the bureaucracy in a great many ways throughout our country, but this is especially, I think, troubling to the people of Virginia because not only has their Governor and their legislature spoken very loudly that they would like to have an opportunity to drill offshore, to deny them that opportunity because of what I would call a bureaucratic morass of having to jump

through hoops doesn't make any sense at all.

I think the gentleman's amendment makes immensely good sense, and I think it is something we should look at in a broader scale in a lot of other areas.

I thank the gentleman for offering the amendment.

Mr. DEFAZIO. Madam Chair, I believe I have the right to close, so I would reserve until the other side has concluded.

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

As the chairman expressed, he is exactly correct. Virginia is interested in being able to develop Lease Sale 220, and it is a bipartisan interest. It is both of our Senators from Virginia, it is our Governor from Virginia, it is our general assembly from Virginia.

There is broad bipartisan support in moving forward with offshore energy production. Virginia has the potential to be a leader in oil and gas development on the east coast.

I, along with many in Virginia, was disappointed when the Department of Interior announced that Virginia would not be included in the 2012–2017 Outer Continental Shelf Oil and Gas Leasing Program. It was in the plan originally.

When the final plan came out, Lease Sale 220 was taken out and for no good apparent reason. We want the ability to be able to add it back because all the work has been done to have it there. We want to make sure the flexibility is there for the administration to do that.

The Department's exclusion of Virginia from consideration essentially prevents the creation of thousands of great-paying jobs and around $19.5 billion in Federal, State, and local revenue.

This amendment is a step forward for responsible offshore energy development and assures that decisions can be made in a timely way, especially when all of the environmental evaluation has already been done. We are not asking for any of that to be skipped.

We are asking for the ability to add this into a plan outside of the 5-year window. If this was removed from the plan for a reason, it ought to have the same opportunity to be included into the plan for a reason. That is what we are asking here, is for that to happen in a reasonable, thoughtful, and concerted way.

I urge my colleagues to support this amendment, and, Madam Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Madam Chair, we had extensive debate yesterday, and it is really not worth revisiting today. We had the same debate last year. This bill passed and has languished in the Senate and will not go anywhere in the Senate. We had the same the year before, the year before, and the year before.

You can pretend that you care about high oil prices at the same time while protecting the unbelievably obscene profits of the oil industry. You can pretend that the fact that they are sitting on 28.1 million acres of leases offshore that they have yet to develop doesn't exist and they need to lease more acreage.

They basically sit on these leases for years and watch the value of their asset, which is the oil underneath, rise. They have no incentive, actually, to drill in many of these areas because they pay a de minimus—a few bucks an acre kind of lease on an annual basis—and, hey, what a great activity.

Meanwhile, the speculators on Wall Street, according to the head of ExxonMobil—who is a pretty good authority—have jacked up the price because of speculation about 60 cents a gallon at the pump.

So every American should know every time they go to the pump, they can thank speculators on Wall Street, and inaction on the Republican side of the aisle either attempts to delay any minimal regulation or reforms of wild speculation of flash trading in the commodities market.

Instead, they are going to pretend, if we let more leases that the oil companies can sit on, that somehow the price will begin magically to come down, even though all the development in the last few years and the doubling of exports of oil of gasoline and diesel has not brought down the price. It is a so-called world market.

We produce it more cheaply here, but we pay the same price as the most expensively produced North Sea oil, so it is all kind of meaningless.

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

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

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–493.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 49, beginning at line 7, strike section 10410.

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

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Madam Chair, my district provides a perfect example of the need for ocean coordination and information sharing between local, State, and Federal governments, including our offshore energy management agencies, the military, our ports, our ocean carriers, our energy developers, recreational users, and other stakeholders.

Let me explain. The Port of Long Beach is the second busiest port in the United States, moving $140 billion in goods, supporting 1.4 million jobs in the United States.

Offshore oil platforms extract crude oil in San Pedro Bay, less than a mile from my front door. San Clemente Island, in my district, has a Navy training ground and a ship-to-shore firing range. Nearby waters are home to seabirds, fisheries, and migrating whales.

Sea-level rise and extreme weather threaten neighborhoods and businesses all along my district and the entire coast of California.

□ 0930

These are all major, interwoven uses of our oceans, and it doesn't make sense to address them on a case-by-case basis without all the stakeholders participating. We need smart ocean planning and coordination.

For those reasons, my amendment would strike the misguided and counterproductive language in H.R. 4899 that prohibits costal and marine spatial planning coordination. We need our Federal offshore energy management agencies to include the consideration of other stakeholders, not exclude them from the offshore leasing and the drilling process.

We should all want BOEM and BSEE to coordinate with our ports and our shipbuilders, not restrict coordination. We should all want BOEM and BSEE to coordinate with our fishermen and our fishery councils, not to restrict coordination. We should all want BOEM and BSEE to coordinate with our States and local governments, not to restrict coordination.

The country, and my district, needs a comprehensive approach to our ocean resources, which is what the National Ocean Policy provides.

At this time I yield 1 minute to the gentleman from California (Mr. FARR), a lifelong advocate for our oceans.

Mr. FARR. Thank you for yielding.

Madam Chair, this bill has in its title ''America That Works.'' It is not going to work with this provision in it, and that is why the bill fails. I think year after year of failing and failing is a policy of upward failure.

It makes no sense not to allow all the Federal agencies to coordinate. We do that in the military. This would be like restricting the ability of the military to coordinate between services.

So we do it with shipping lanes, we do it with wildlife, we do it with habitat protection. It is just smart.

The spatial planning in the National Ocean Policy, for the first time, saves a lot of money because all these Federal agencies now sit down and talk

about how they can carry out the policies that they are responsible for. You wipe all that. No dialogue, no communication, no ability to reach agreements in a way by this crazy restrictive language.

Without this amendment, this bill proves that America can't work.

I urge adoption of the amendment.

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

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

Mr. FLORES. Madam Chair, section 10410 of the bill prohibits offshore energy agencies from engaging in coastal and marine spatial planning, or ocean zoning, under the National Ocean Policy established by President Obama's Executive Order 13547.

The House is on record six times in opposition to language such as that proposed by the gentleman, each time with bipartisan support against this type of language and also in support of efforts to oppose the Obama administration's attempt to zone the oceans under this unconstitutional executive order.

Just as a little background: Executive Order 13547 was signed in 2010, and it requires that numerous Federal bureaucracies essentially zone the ocean and the sources thereof. This actually means that a drop of rain that falls on your house could be subject to this overreaching policy because that drop of rain will ultimately wind up in the ocean.

As someone who worked on the ocean for 17 years, I know something about this particular issue.

There are concerns that have been raised that the National Ocean Policy may not only restrict ocean and inland activities, but it may also be flawed because it has not been given any specific appropriations by this Congress, nor does it have any statutory authority from any Congress for this initiative.

This administration was also directed by the fiscal 2014 omnibus appropriations bill to submit a spending report to the Appropriations Committee by March of 2014, and yet they have failed to do so.

So, on this ocean zoning activity, the administration has not been transparent with respect to this executive order.

Let me say this. You have heard from the other side—and you are going to continue to hear from the other side—that planning is good. Yes, planning may be good. Planning with the intent to regulate or backdoor regulation or backdoor rulemaking is not, because here is what the executive order says on its face. It says:

> All executive departments, agencies, and offices that are members of the council and any other executive department, agency, or office whose action affects the oceans, our coasts, and the Great Lakes shall, to the fullest extent consistent with the applicable law . . . comply with council certified coastal and marine spatial plans.

That sounds like regulation and rulemaking to me. That means all these folks are going to have something to say on how we move forward, and that is why section 10410 is so important to the bill we are talking about today.

I reserve the balance of my time.

Mr. LOWENTHAL. Madam Chair, I would like to point out that the opposition said that six times the House is on record for striking out the National Ocean Policy.

I would like to remind him that all six times that has been put back in by the U.S. Senate.

I want to point out that ocean coordination—as he points out, the planning is good, but not now—has been supported by a broad array of stakeholders, including commercial fishing, engineering and consulting, recreation tourism, the renewable energy industries, as well as academics, tribes, faith-based groups, and NGOs.

In fact, 117 of those organizations across 20 States wrote a letter to Congress saying:

> We urge you to reject any provisions that would undermine continued progress on coordinated ocean planning or seek to undermine the implementation of the National Ocean Policy.

Madam Chair, I will insert that letter in the RECORD, as well as a letter from the North Atlantic Ports Association that represents ports and port-related interests from Virginia to Canada.

The Ports Association says:

> We strongly oppose these amendments to any legislation, which undermine our ability to engage in planning for future ocean uses, impede the integration of the marine highway system, and create uncertainty for our businesses.

MAY 16, 2014.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Office of the Speaker, U.S. Capitol, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Office of the Democratic Leader, U.S. Capitol, Washington, DC.
Hon. HAROLD ROGERS,
Chairman, House Appropriations Committee, Rayburn House Office Building, Washington, DC.
Hon. NITA M. LOWEY,
Ranking Member, House Appropriations Committee, Rayburn House Office Building, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, CHAIRMAN ROGERS AND RANKING MEMBER LOWEY: We are writing to express our strong support for coordinated ocean planning. In recent years, provisions attempting to undermine and defund ocean planning and coordination work among states, tribes, and federal agencies have been repeatedly inserted in a variety of legislation, particularly appropriation bills. The sole purpose of these provisions is to halt vital cross-jurisdictional coordination and ocean planning that benefits coastal communities, ocean-based businesses, and helps to protect, maintain and restore the health of our ocean's wildlife and ecosystems. We strongly object to these provisions and urge you to oppose inclusion of any such language in legislation moving through the House of Representatives.

Cross-jurisdictional coordination and smart ocean planning allow coastal communities to take a pragmatic approach to changing ocean economies and environments. This approach puts ocean management decisions closer to the people, industries, and jobs that will be impacted by ocean management decisions, allowing communities to help guide their own future and make smart choices that will provide balanced use, good governance, and long-term sustainability. In contrast to misleading rhetoric from those who oppose the National Ocean Policy and the improved coordination and leveraging of limited resources it supports, efforts to better coordinate and plan for ocean uses have emerged from the ground up, with their roots in state-sponsored regional partnerships.

Comprehensive, science-based coordination efforts are already underway in several regions—engaging stakeholders who use the ocean, developing region-specific data, building resiliency from large storms and creating a regional ocean plan to address current and future ocean uses. These partnerships allow local, state, tribal, and federal institutions to work together toward solutions for ocean and coastal health and improved economies. In addition to these regional efforts, several individual states are also currently using smart-ocean planning as a management tool for their state waters, including Massachusetts, Rhode Island, New York, Washington, and Oregon.

Attempts to prohibit key coastal and ocean management agencies from coordinating with coastal states, other federal agencies and the public, or to undermine the National Ocean Policy are severely misguided. Dismantling coordination efforts results in overspending at the state and federal level, duplicative and potentially conflicting processes among agencies, and creates uncertainty among ocean-based businesses and industries. Coordination at a regional scale through Regional Ocean Partnerships and Regional Planning Bodies provides a seat at the table for all ocean users to address current and emerging ocean uses and conflicts. Provisions attempting to impose arbitrary restrictions on coordinated planning undermine these ongoing state and regional efforts and threaten the progress already being made to enhance ocean and coastal communities, economies, and ecosystems. Accordingly, we oppose any effort to obstruct funding for regional coordination and planning, or to undermine participation by any relevant agency in regional coordination and planning efforts.

Congress should be enhancing our ocean and coastal economies by supporting coordinated ocean planning, not creating arbitrary barriers for this ongoing work at the local, state, and regional level. We urge you to reject any provisions that would undermine continued progress on coordinated ocean planning or seek to undermine the implementation of the National Ocean Policy.

Sincerely,

NATIONAL

American Littoral Society; Blue Frontier; Friends of the National Ocean Policy; Greenpeace; GZA GeoEnvironmental, Inc.; Interfaith Council for the Protection of Animals and Nature; International Federation of Fly Fishers; League of Conservation Voters; Mangrove Action Project (MAP); National Audubon Society; National Marine Mammal Foundation; Natural Resources Defense Council; Nature Abounds; Ocean Champions; Ocean Conservancy; Ocean Conservation Research; Oceana; Save Our Shores; Shark Stewards; Surfrider Foundation; The Wilderness Society; WATERWATCH International; Wild Heritage Planners.

REGIONAL

Anacostia Watershed Society; Center for Chesapeake Communities; Conservation Law Foundation; Gulf of Mexico Coastal Ocean Observing System; Gulf Restoration Network; Markian Melnyk, President, Atlantic

Grid Development LLC; New England Coastal Wildlife Alliance; Northwest Watershed Institute; Pacific Coast Shellfish Growers Association.

CALIFORNIA

Endangered Habitats League; Environmental Defense Center; Monterey Coastkeeper; Ocean Defenders Alliance; The Otter Project; Ayana Elizabeth Johnson, Ph.D., Executive Director, Waitt Institute; Dawn Wright, Ph.D., Chief Scientist, Environmental Systems Research Institute, Redlands, CA; Jacob A. James, Managing Director, Waitt Foundation; Jennifer Harrower, Ph.D., Student, Environmental Studies, University of California, Santa Cruz; Marc Shargel, Sea Life Photographer and Author, Living Sea Images, Santa Cruz County, California; Marilyn O'Neill, Founder & CEO, Nautilus Environmental; Zdravka Tzankova, Ph.D., Assistant Professor, Environmental Studies, University of California, Santa Cruz.

COLORADO

Colorado Ocean Coalition.

CONNECTICUT

Rivers Alliance of Connecticut; Save the Sound, a program of Connecticut Fund for the Environment.

DELAWARE

Delaware Nature Society; Dr. Alina M. Szmant, Professor of Marine Biology, Center for Marine Science, University of North Carolina Wilmington.

FLORIDA

Florida Wildlife Federation; Indian Riverkeeper; Fly & Light Tackle Angler, Stuart, FL; Just-In-Time Charters; Palm Beach County Reef Rescue; Drew Martin, Conservation Chair, Loxhatchee Group; Sierra Club; Dr. Ed Schwerin, Professor of Public Policy, Florida Atlantic University; Kristen Hoss, President, Tanawha Presents LLC; Dr. Rozalind Jester, Professor of Marine Science, Edison State College, Fort Myers, FL.

LOUISIANA

Pointe-au-Chien Indian Tribe.

MAINE

F/V Sea Keeper; Great Harbor Maritime Museum; Island Institute; Maine Wind Industry Initiative; Sea Keeper Fishery Consulting LLC; Richard C. Nelson, Captain F/V Pescadero, Maine Regional Ocean Planning Advisory Group, Friendship, Maine; Ryan Beaumont, P.E., Principal Engineer, R.M. Beaumont Corp., Brunswick, Maine.

MARYLAND

1000 Friends of Maryland; Maryland Academy of Sciences; Maryland Coastal Bays Program; National Aquarium; Daniel Trott, Owner, Maritime Sector Solutions, LLC, Fort Washington, MD; Drew J. Koslow, Choptank Riverkeeper, Midshore Riverkeeper Conservancy; John H. Dunnigan, Sailor and Grandpa.

MASSACHUSETTS

Alewives Anonymous; Peter Phippen, Coastal Coordinator, Massachusetts Bays National Estuary Program, Eight Towns and the Great Marsh Committee; Richard F. Delaney, President & C.E.O., Center for Coastal Studies, Provincetown, MA; Robert Stoddard, Executive Vice President, GWAVE LLC, Boston, MA; Tedd Saunders, CSO, The Saunders Hotel Group, Boston, MA.

NEW HAMPSHIRE

Blue Ocean Society for Marine Conservation; Seacoast Science Center; Noah J. Elwood, PE, Appledore Marine Engineering.

NEW JERSEY

Environment New Jersey; SandyHook SeaLife Foundation; Margo Pellegrino, Founder, Miami2Maine; Michael L. Pisauro, Jr. Legislative Affairs Director, New Jersey Environmental Lobby.

NEW YORK

Blue Ocean Institute; Citizens Campaign for the Environment; Empire State Consumer Project; Friends of the Bay; Group for the East End; Operation SPLASH; Arthur H. Kopelman, Ph.D., President, Coastal Research and Education Society of Long Island; Harald Duell, Senior Vice President, Ardour Capital Investments, LLC, The Empire State Building, New York, NY; Jackie Quillen, The Garden Club of East Hampton.

OREGON

Oregon Shores Conservation Coalition; Oregon Wave Energy Trust; Port Orford Ocean Resource Team; Chares Steinback, Director, Point 97; Ruby Gate, CEO, Point 97.

PENNSYLVANIA

Captain Joel S. Fogel, The Explorers Club, First World Ambassador.

RHODE ISLAND

The Ocean Project; Bill McElroy, Captain/Owner, FV Ellen June; Jeff Grybowski, CEO, Deepwater Wind; Michael C. Tuttle, Manager Marine Services Division, HRA Gray & Pape, LLC, Providence, RI.

SOUTH CAROLINA

South Carolina Coastal Conservation League; Waccamaw Riverkeeper; Paul M. Rosenblum Ph.D., Faculty Advisor to the Honor Committee, Professor of Biology, The Citadel.

TEXAS

Texas Coastal Partners; Ann E. Jochens, Research Scientist, Retired, Texas A&M University, College Station.

VIRGINIA

TerraScapes Environmental; Virginia Aquarium & Marine Science Center; Eileen Levandoski, Assistant Director, Virginia Chapter Sierra Club; W. Mark Swingle, Director of Research & Conservation, Virginia Aquarium & Marine Science Center, Virginia Beach, VA.

WASHINGTON

FOGH (Friends of Grays Harbor); Taylor Shellfish Farms; Wild Fish Conservancy; Kathleen Sayce, Shoalwater Botanical, Nahcotta, WA; Norman T. Baker, Ph.D., Executive Committee, North Olympic Group of the Sierra Club.

WEST VIRGINIA

Christians for the Mountains.

NORTH ATLANTIC PORTS ASSOCIATION INCORPORATED,
Portland, ME, June 14, 2014.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Office of the Speaker, U.S. Capitol, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Office of the Democratic Leader, U.S. Capitol, Washington, DC.
Hon. HAROLD ROGERS,
Chairman, House Appropriations Committee, Rayburn House Office Building, Washington, DC.
Hon. NITA M. LOWEY,
Ranking Member, House Appropriations Committee, Rayburn House Office Building, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, CHAIRMAN ROGERS AND RANKING MEMBER LOWEY: The North Atlantic Ports Association Inc., founded in 1949, is one of the oldest and most active trade associations of commercial seaports. Our goal is to promote ocean commerce in a responsible manner in order to strengthen the national economy and help our communities to prosper.

Our members are connected to seaports and ocean commerce in some way: terminal operators, stevedores, port authorities, governmental agencies, non-profits, consultants, academics, maritime lawyers, ships' agents and are all located between Virginia and the Canadian Maritimes. Our member ports, in the United States, are Portland, Portsmouth, Gloucester, Boston, New Bedford, Providence, Davisville, New London, New Haven, Bridgeport, New York, Philadelphia, Wilmington, Baltimore, and Norfolk. We are interested in expanding trade among nations and in helping our local communities to prosper through growth in ocean commerce. As the economy becomes ever more global, our role in the world-wide supply chain has increased in importance. Ocean activity across the nation is growing. We have witnessed the competition for space amongst the numerous ocean-based business sectors either currently operating or planning to operate in our ocean and ports. Coordinated planning is critical to ensure the current and future needs of our businesses are considered and accommodated as the ocean and ports become more crowded.

We, the members of the North Atlantic Ports Association, resolved during our last semi-annual meeting to ask our leaders in Washington ''to utilize existing federal programs in support of the rapid development of the Marine Highway System to ease roadway corridor congestion, reduce infrastructure costs, provide for improved safety and security, and to have a positive environmental impact to the benefit of the general public.'' Further, the resolution calls for the development of a National Ports Strategy to better integrate the marine highway system into our national surface transportation strategy, network and policies. We believe that the resources necessary to achieve these objectives exist within the budget of the U.S. Department of Transportation.

Regional Ocean Partnerships like the Northeast Regional Ocean Council, and the Mid-Atlantic Regional Council on the Ocean, provide a unique forum for the states and federal agencies to work across jurisdictional boundaries on ocean and coastal challenges. This venue offers our businesses a clear way to have a seat at the decision-making table, rather than on an ad hoc basis trying to track and respond to the huge array of new ocean activities that affect our businesses. This type of planning approach ensures that we are able to inform future decisions by providing input on the needs of our industry.

It is important to us that Regional Ocean Partnerships have the funding necessary to continue this regional ocean coordination and planning work, and that federal legislation does not interfere with the process. We believe that the resources necessary to achieve these objectives exist within the budget of the various agencies. Unfortunately, a number of amendments have been repeatedly inserted into the recent legislation, in an attempt to prohibit key coastal and ocean management agencies from coordinating with coastal states, other federal agencies, and the public.

We strongly oppose these amendments to any legislation, which undermine our ability to engage in planning for future ocean uses, impede the integration of the marine highway system and create uncertainty for our businesses.

We thank you for your consideration and support.

Sincerely,

CAPT. F. BRADLEY WELLOCK,
President.

Mr. LOWENTHAL. Madam Chair, I urge my colleagues to vote ''yes'' to

States and tribes having a seat at the table for Federal oceans decisions and vote ''yes'' on the Lowenthal amendment.

I yield back the balance of my time.

Mr. FLORES. I yield 1 minute to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

Madam Chair, I just want to make this point, which the gentleman from Texas pointed out.

What we are saying, essentially, in the underlying bill is that we are not going to fund an executive order. Now let's think about that. It is an executive order that has no statutory authority.

In many ways, this is one of the examples of this administration, I think, far overstepping its ability to faithfully execute the laws of the land. This may be one of those examples that the Speaker was alluding to yesterday when he suggested there may be a lawsuit coming from the U.S. House. Because there is no statutory authority for the National Ocean Policy.

What I find so interesting is that my friends on the other side of the aisle argue about how important the National Ocean Policy is, but when they controlled the House, the Senate, and the Presidency the first two years of this President's term, they did nothing with the National Ocean Policy. Why? Because there is a lot to be looked at in that.

So I think that opposition to this is something that we have done over and over and over again, and I congratulate the gentleman from Texas for taking the lead on ocean policy.

Mr. FLORES. Madam Chair, I have to concur wholeheartedly with the chairman's remarks when he said that the President's executive order has never been statutorily authorized by Congress. Four Congresses attempted to do so, under Democratic control, and four times this has not happened. Four times, Congress has looked at this issue and has said ''no'' to the President's activity.

Also, Congress has never specifically authorized one penny for this activity. It doesn't make any difference how many people want this. It is whether or not Congress authorizes this activity. Congress specifically did not authorize this activity. The executive order is unconstitutional, and it should not be supported by approving the gentleman's amendment.

First of all, let me say this. I would like to thank Chairman HASTINGS for his support and the Natural Resources Committee's oversight efforts to protect both our ocean and our inland economies by stopping this Federal overreach.

Again, I urge a ''no'' vote on the gentleman's amendment, and I yield back the balance of my time.

Ms. PINGREE of Maine. Madam Chair, I support this amendment offered by my colleague from California, which would strike the anti-National Ocean Policy language contained in H.R. 4899.

The National Ocean Policy seeks to improve the coordinated management of our oceans and coasts, and to address the most pressing issues facing our oceans, resources, and coastal communities. In fact, right now, there are over a hundred different ocean users meeting in Massachusetts to help develop New England's ocean plan. Lobstermen from Maine, science educators from New Hampshire, fishermen from Massachusetts, clean energy company representatives from Rhode Island, and recreational fishermen from Connecticut are meeting with federal and state agencies to talk about how to improve their options for their local businesses, build resiliency for coastal communities in the face of extreme weather events, and maintain the health of the ocean that provides us with the goods and services we need and enjoy.

The work and research conducted under the National Ocean Policy supports tens of millions of jobs, which in turn generate billions of dollars for our coastal communities. The National Ocean Policy improves government efficiency and decision outcomes by bringing a variety of government agencies together at a single table. The planning and coordination done according to this policy involves stakeholders in the policy-making process, helping to produce relevant policies supported across sectors. This policy also balances the needs of a variety of interests, ensuring that the fishing industry and working waterfronts are preserved while new energy businesses and other economic sectors are developed.

The National Ocean Policy helps to ensure that our resources, our culture, our history, and the economic vitality of our communities are fully considered in decisions concerning our oceans.

I urge my colleagues to join me in supporting the wise stewardship of the oceans and our ocean economy by supporting the Lowenthal amendment.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–493.

Mr. DUNCAN of South Carolina. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 51, after line 21, insert the following:

SEC. ___. 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.

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

The Chair recognizes the gentleman from South Carolina.

Mr. DUNCAN of South Carolina. Madam Chairman, several coastal States, including my home State of South Carolina, as well as the Commonwealth of Virginia, have long advocated for responsible offshore energy development for our shores. This resource development starts with seismic surveying and goes all the way to production.

Unfortunately, the Obama administration has blocked this exploration and development every step of the way, from tying up the seismic permitting process in bureaucratic delays to excluding several Atlantic States from the current 5-year plan.

As we move forward to plan for a more secure energy future, opening access to new areas of our Outer Continental Shelf, or OCS, is a no-brainer. We must do it to stay competitive and to generate American energy and American jobs.

When BOEM conducts their 5-year planning process, they use administrative boundaries to divide up areas for leasing. This amendment simply tells them to consider Virginia, North Carolina, South Carolina, and Georgia as one area.

Our amendment is simple: it unifies four pro-offshore drilling States as one administrative area for offshore leasing planning purposes. It also ensures that the South Atlantic meets the underlying threshold in H.R. 4899—and I want to commend Chairman DOC HASTINGS for his leadership on this—so that sales in this area will be included in future 5-year plans under this legislation.

Our amendment does not have any effect on revenue-sharing and it does not hold back other Atlantic areas from seeking to develop energy off their shores.

I will give a shout-out to Senator TIM SCOTT, who has also taken the initiative on the Senate side for this very issue.

Madam Chairman, I came to Washington as a Congressman to focus on jobs, energy, and our Founding Fathers. H.R. 4899 focuses on job creation. Energy production is a segue to job creation in this country.

If you look at North Dakota, Texas, Oklahoma, and Louisiana, these are energy-producing States that have very, very low unemployment. North Dakota has a 3 percent unemployment rate—or

less. In fact, you can get a finder's fee if you get somebody to work at a McDonald's in North Dakota.

We can have economic development in this country if we allow energy production onshore and offshore. My State of South Carolina wants to see those energy jobs along our coast.

These are not just the oily guys in the hard hats out on the rigs turning the drill. These are folks onshore supporting the offshore industry. These are the widgetmakers, the pipefitters, the welders, auto body mechanics, and the waitresses at the restaurants that receive the tips from all these workers, the churches that receive the tithes, the chambers of commerce and United Ways that receive our contributions.

Energy jobs have a tremendous trickle-down effect on the economy. The first domino is to actually open up these areas, and I think that is what South Carolina, Georgia, North Carolina, and Virginia want to see.

They want to see our areas offshore at least included in the next 5 years plan, so guess what? Maybe we can go out there and drive some seismic. Maybe we can get beyond this 30-year old technology that we are using to see if there are any resources off our coast. Maybe we can actually use 21st century technology like 3–D and 4–D technology that will actually see down into the Earth and see what recoverable resources may or may not be there.

□ 0945

Let's allow these areas in the next 5-year plan to help create jobs in our States—jobs, energy, our Founding Fathers, and a return to more states' rights issues.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DUNCAN of South Carolina. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment. I think it is a very good amendment. That part of the South Atlantic needs to be treated, I think, as one entity just because of the nature of how the State lines are. I think the gentleman's amendment makes immensely good sense. I support it, and I thank the gentleman for offering it.

Mr. DUNCAN of South Carolina. I thank the gentleman from Washington for his leadership on this.

Madam Chairman, the folks in Florida were concerned, but guess what? This area stops at the Florida-Georgia line. They can deal with their own waters. These are the waters of Georgia, South Carolina, North Carolina, and Virginia that we are talking about.

I spoke yesterday and had a graph of disease fuel prices in this country—I drive a diesel truck—and of the disparity between off-road and on-road diesel fuel. Let me tell you this: if we, through our policies, could lower the price of diesel fuel by $1 from that $3.69 a gallon for America's truckers down to $2.69—there is a 300-gallon tank on every 18-wheeler. If we could lower the price by $1, we would save every trucker $300 per fill-up. Think about how that trickles down to the price of the commodities when you shop all across America.

I support this amendment, and I ask everyone to support this simple, administrative change.

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

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–493.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 51, after line 21, insert the following:

SEC. ___. 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.''.

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

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Madam Chair, today, in order to maintain our Nation's competitive edge, to generate millions in much-needed revenue and to create millions of new jobs, we simply must move forward with offshore energy development. It just makes sense. There are new areas in our Nation today in which we are not developing that energy, specifically the Atlantic Outer Continental Shelf—the mid-Atlantic area.

Just as Mr. DUNCAN mentioned, it is incumbent upon us to make sure that we are doing the science to determine the extent of those resources. I believe it is a national obligation to develop the resources that we have. Allowing seismic surveying in the Atlantic is an important step toward achieving this goal.

My amendment builds on that effort by promoting offshore seismic surveying through institutions of higher education, especially those that have done so much for our veterans. Specifically, this amendment would allow the Bureau of Ocean Energy Management to partner with colleges and universities in the South Atlantic region, including Historically Black Colleges and Universities, to promote geological and geophysical educational opportunities. The amendment language specifically gives preference to higher education institutions that admit and educate our Nation's returning veterans.

This is a win-win, folks. It helps develop our Nation's energy resources, and it helps our veterans. The time is now.

These partner schools would be able to conduct offshore geological and geophysical surveys for research purposes. Any data collected would be shared with the government, and it is prohibited from being used for commercial purposes. This language is modeled after existing regulations for seismic surveying that are already in place at the Bureau of Ocean Energy Management.

This amendment promotes STEM educational opportunities and prepares students in the South Atlantic States of Georgia, South Carolina, North Carolina, and Virginia for the cutting-edge, high-paying jobs of America's energy renaissance. Just as Mr. DUNCAN spoke about, the time is now for that opportunity.

Madam Chair, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Virginia for the time and for his leadership on this issue.

Madam Chairman, I am wearing a Clemson Tiger Paw and an orange tie today in support of Clemson University, but I will tell you that the University of South Carolina has a leading program on geology and seismic testing. Dr. James Knapp testified before this committee about what they can do in looking at 3–D and 4–D 21st century technology to find the resources, to pinpoint those resources, and to maximize the production of those resources. That is what we want—to partner with the universities as Mr. WITTMAN mentioned—in order to help shape the minds and opportunities and the potential of future leaders within the energy realm.

So I commend him. I support this amendment, and I hope my colleagues will.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. WITTMAN. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for offering this amendment.

I think, once again, the combination of what you and the gentleman from South Carolina said about the new technologies that will help us in the long run to develop our own energy resources makes immensely good sense, and I think this amendment adds to that process. I commend the gentleman, and I support the amendment.

Mr. WITTMAN. Madam Chairman, in closing, this is about American jobs; it is about developing our energy; it is about educational opportunities; it is about promoting STEM within our colleges and universities; it is about providing opportunities in Historically Black Colleges and Universities throughout the United States; and it is about providing opportunities for our veterans.

This is a win-win for our Nation. It is an amendment that should be adopted and that should be voted on in favor by every Member of this body.

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

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–493.

Mrs. CAPPS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title I, at the end of subtitle F (page 51, after line 21) add the following:

SEC. ___. NOTICE OF RECEIPT OF ANY APPLICATION FOR A PERMIT THAT WOULD ALLOW THE CONDUCT OF ANY OFFSHORE OIL AND GAS WELL STIMULATION ACTIVITIES.

The Secretary of the Interior shall notify all relevant State and local regulatory agencies and publish a notice in the Federal Register, within 30 days after receiving any application for a permit that would allow the conduct of any offshore oil and gas well stimulation activities.

The Acting CHAIR. Pursuant to House Resolution 641, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Madam Chair, I yield myself such time as I may consume.

I rise in support of the Capps-Brownley-Huffman-Lowenthal amendment. This commonsense amendment simply ensures that the American public and State regulators are kept informed of offshore fracking activities in Federal waters.

Last year, a FOIA request revealed that at least 15 fracks have taken place in Federal waters off the coast of California during the last two decades, with several being approved as recently as last year. While we know little about the impacts of fracking onshore, we know even less about the impacts of offshore. Any leak, spill, or blowout offshore would be very difficult to detect and contain, especially considering how little is known about the chemicals being used. Exposure to these chemicals could seriously harm the sensitive marine areas in and around the Channel Islands National Marine Sanctuary and the Santa Barbara Channel, which is where much of this activity is now occurring. Such exposure would not only harm the marine environment, it would also harm our local economy.

That is why I was disappointed that my amendment to simply study the impacts of offshore fracking was ruled out of order. Regardless of your views on offshore drilling, there should be bipartisan agreement that we need to fully understand the impacts of these activities, but the majority blocked debate on this amendment, so we can't even discuss it.

Madam Chair, it is bad enough that offshore fracking is happening without a proper understanding of its impacts, but it is even more troubling that no one even knew that it was happening in the first place. Federal regulators claim they knew about these activities but that they didn't think it was necessary to notify the California Coastal Commission, local officials, or the public. If a spill occurs, the oil and chemicals don't stop at the 3-mile mark where Federal waters end and State waters begin. Whether the spill is 10 miles offshore or 4 miles offshore, those chemicals will flow into State waters, and they will wash up onto our local beaches.

My constituents have a right to know what is happening in their backyards. That is why my amendment would simply ensure that the American public and State regulators, like the California Coastal Commission, are notified whenever a permit to allow offshore fracking is filed. It doesn't slow down or stop these permits from being considered. It simply ensures that all stakeholders know about it and can respond accordingly. If, as the oil companies claim, offshore fracking poses minimal risk, then what is the harm of notifying the public of where and when it is happening?

This is not a partisan idea. Transparency is something both Democrats and Republicans have supported in the past, so I encourage my colleagues to support this amendment to increase transparency in offshore fracking.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I claim the time in opposition to the amendment.

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

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Madam Chairman, the offshore leasing process is managed by the Federal Government because the Outer Continental Shelves are under Federal jurisdiction; therefore, you have that regulation from the Federal Government.

While there is always process, I suppose, with any regulation, this process is transparent, and the Department is already required to publish a Federal notice prior to any lease sale. In fact, when creating a 5-year plan, the Department is also required to consult with States and localities, and this administration has just started its process right now for the time period of 2017–2022.

This amendment is really a red tape, paperwork nightmare. It would have an overwhelming burdensome effect on all existing offshore operations conducted today in the Outer Continental Shelf by adding an additional layer of bureaucracy and by requiring a notice for every permit application received. The amendment is so broad in its description of well enhancement activities that, essentially, every time a permit application would be received by the Bureau, it would then require a Federal notice.

Just think about that. Every time you have an action like that that requires a Federal notice, does it not logically suggest that that might be open to some sort of legal activity? Maybe that is, perhaps, what the sponsors of this amendment really want to do is to slow the paperwork down so much as to not have the activity of utilizing these resources. This amendment would inhibit offshore safety by turning the Bureau of Safety and Environmental Enforcement into a publishing behemoth rather than allowing them to focus on their mission of ensuring safe offshore operations to continue.

Finally, I would make this notation, Mr. Chairman, that all permit applications are made public on the Bureau's Web site—and I will just put it in as part of the RECORD—www.bsee.gov. Why add additional requirements to publish information that is already open and part of that Web site?

This amendment is unnecessary. As I say, I think it would add to the burdensome steps and hoops that one has to go through to utilize these resources that, I think, all Americans want. Keep in mind that the issue here is in the long term, utilizing our resources to become more energy independent and utilizing these resources in the long run to have a vibrant energy component of our national economy. You can't have a growing economy unless you have certainty in the energy sector. This amendment, from my point of view, would slow that process down, so I urge the rejection of the amendment.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, having witnessed the 1969 Santa Barbara oil spill, I know firsthand the devastation a community can experience when something goes wrong on offshore oil rigs.

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The marine ecosystem is devastated. Local businesses lose customers, and they lay off workers. Fishing boats are left idle in the harbor.

Given this reality, we owe it to those who suffer the impacts of these spills, these mishaps, to make sure these activities are as safe as possible.

Increasing transparency will strengthen oversight. It will improve safety. This is a commonsense idea that should have bipartisan support. I urge my colleagues to support this amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, again, I rise in opposition to this amendment because of the burdensome paperwork that I think that this would create, but the gentlewoman made an observation that needs to be addressed because she does live in the Santa Barbara area—and yes, they did experience a spill there many years ago.

I would remind my friend from California that also within this legislation is language that strengthens the oversight in a statutory way of activities in the Outer Continental Shelf.

Currently, that is done, not with statutory authority, but with regulatory authority going back to the Reagan administration, so if the gentlewoman really wants to make sure that there is some certainty, so that we won't have these devastating spills in the future, I would invite her to join us in supporting this legislation because we put into law—statutory law—how we should regulate the offshore.

Again, I rise in opposition to this amendment because I think that it is too much—burdensome—from a paperwork standpoint, when the issue is to have certainty in the long term in the energy sector.

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

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

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

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

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

AMENDMENT NO. 6 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–493.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 52, at line 14 insert ''and'' after the semicolon, at line 17 strike ''; and'' and insert a period, and strike lines 18 and 19.

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

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, it is no surprise that I oppose H.R. 4899. However, my amendment is not an attempt to sabotage the bill. It is an honest attempt to fix a major drafting error within this legislation that could have drastic consequences on our Nation's district courts.

My amendment would strike section 10702(a)(3) of the bill, which mandates that cases involving oil and gas leases ''take precedence over all other pending matters before the district court.''

I am grateful for the opportunity to explain the serious implications of this provision. The provision seems to be directed at concerns that individuals and communities, small businesses, other interests that are not party to the production of an oil and gas lease may file lawsuits to prevent or delay an oil and gas lease from moving forward.

Now, I believe that people have an important interest in the production of oil and gas leases that could impact public health, property, and environmental injuries in the area of release.

I don't support the principle of locking people out of the courtroom. In our Nation, where the courts protect and ensure that individual rights and private property rights are not violated, this provision eliminates court protections of these most basic rights.

The bill, as drafted, is so broad that it does so much more than that, and here is where I hope that opponents and supporters of this bill can come together to fix this error.

As drafted, this language requires cases involving oil and gas leases to skip ahead of ''all other pending matters before the district court.'' That means everything—all pending cases, even cases already on the dockets of each of the judges sitting on the district court.

Because it was so broadly drafted, it contains no language to ensure that the case involving the production of oil and gas leases only receives precedence over pending matters before the district court judge who has been assigned to the oil and gas case.

Is it really the intention of Congress to mandate that legal disputes over oil and gas leases take precedence over every single case already pending in our district courts, including national security cases and high-profile criminal and civil cases? Surely not.

H.R. 4899 already lets oil and gas companies choose between the local district court that oversees Federal property for the leases in question or the District Court for the District of Columbia.

This section, therefore, allows oil and gas cases to bump some of the most important legal cases in the Nation off of the D.C. district court's dockets.

Do the oil and gas industries get to butt in line ahead of victims of massive Ponzi schemes? Do they get to bump ahead of litigation over drone strikes? Do oil and gas companies get to jump ahead of litigation, like the dispute between the House GOP and the Department of Justice over Fast and Furious?

Clearly, that is not what my friends on the other side intended.

Do oil and gas companies get to jump ahead of the prosecution of terrorists, like the mastermind of the appalling attack in Benghazi that claimed the lives of brave and dedicated Americans?

I just cannot fathom that that is the intent of my colleagues, and the implication of this poorly-drafted addition goes beyond the D.C. district court.

The Eastern District Court of Virginia's recent hearing in the case of the individual who plotted to bomb the U.S. Capitol should remind us that, across this country, there are district court hearings—important cases that

shouldn't be put on hold because Congress wants to please Big Oil.

Even with my amendment, H.R. 4899 still includes language that requires cases involving oil and gas to be resolved as expeditiously as possible and not more than 180 days after the claim is filed. Isn't that enough?

Mr. Chairman, my amendment would strike this poorly-drafted provision from the bill. We shouldn't let oil and gas litigation skip ahead of some of the most important national security cases, civil cases, and criminal cases of our time.

At the very least, I would urge my friend, Chairman HASTINGS, to revisit this provision to ensure that it is consistent with the intent of the overall legislation.

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

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I obviously rise in opposition to this amendment, and let me talk about the underlying legislation.

The underlying legislation streamlines the judicial process to ensure that there are timely resolutions of lawsuits that seek to block and slow down American-made energy. That was what the whole idea was.

In fact, I referred to this in my comments on the previous amendment, where we have a lot of litigation slowing down the process, so the intent of the underlying legislation was to make sure that there was a timely response to this, so that there can be, again, some certainty in the process.

Now, what I find interesting—I think the gentleman from Florida makes some valid points as to what, perhaps, the interpretation of the underlying legislation, but I would remind the gentleman that—when this legislation was on the floor as an individual amendment—exact language was in here, the Judiciary Committee—who has jurisdiction, obviously, over this—waived their jurisdiction and felt that the language was very good.

I would certainly be willing to—if the gentleman has a way to maybe fine-tune that, I think that is something that we should look at, but—and this is the important point here, Mr. Chairman, as we debate this amendment—his approach to this is like taking a sledge hammer to a fly.

I don't think that that is the proper way to go because he strikes the whole section dealing with giving priority and trying to get certainty in the judicial process, so I rise in opposition to the gentleman.

I will say to the gentleman, as this legislation moves forward and he has some suggestions—if and when the Senate, by the way, passes legislation and we can fine-tune this—to address, I think, some valid concerns that he has, while still making sure that energy-produced litigation is dealt with in a timely manner. I think there might be some common ground on that.

Mr. Chairman, I believe that his approach, by striking that whole section out of this legislation, is not the proper way to go.

Mr. Chairman, I urge rejection of the amendment, and I reserve the balance of my time.

Mr. DEUTCH. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, just to respond to a couple of points, the Judiciary Committee may have waived jurisdiction. As my friend knows, there was no vote to waive jurisdiction. Had there been, I would have raised this very issue then, as a member of the Judiciary Committee.

Secondly, if the purpose of this legislation is to streamline lawsuits—and that was the whole idea behind the legislation—then having language that requires these to be heard as expeditiously as possible and not more than 180 days, that does that. That is in the bill, even after this amendment passes.

I can't believe that it was the intention of the drafters of this legislation to put these oil and gas disputes ahead of cases that involve plots to kill Americans, as is the case with the mastermind of the Benghazi attack, individuals who have important civil cases, important criminal cases.

I just can't imagine the dispute between the House GOP and the Justice Department over Fast and Furious—clearly, it wasn't the intent to say that the oil and gas companies are more important than seeing that case through.

Mr. Chairman, I hope that this amendment will pass. We don't need to fine-tune the bill. It is clear enough already. I ask my colleagues to support this.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

I just want to point out, again, that the Judiciary Committee last year did waive jurisdiction on this, but I do think that the gentleman makes a valid point.

We all know that legislation is a work in progress, many times. As I acknowledge, I think the gentleman raises the point; but, again, Mr. Chairman, the reason why this amendment ought to be rejected is because it takes out the whole section, and now, you are left with a situation where there is not a certainty whatsoever in these lawsuits.

I don't think that is a proper way to go, especially with the volatility of the energy market worldwide. When we have an opportunity to use the resources we have in this country, whether you are talking about offshore or onshore, to ensure not only the safety, but to add certainty to a growing economy, we should take advantage of that.

I would urge rejection of this amendment because I think that what we put in the underlying legislation is valid for what it is attempting to do.

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

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

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

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

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

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. BISHOP of Utah) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 803. An act to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

The SPEAKER pro tempore. The Committee will resume its sitting.

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

The Committee resumed its sitting.

AMENDMENT NO. 7 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–493.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 54, after line 24) add the following:

Subtitle E—Miscellaneous Provisions

SEC. 25001. ELIGIBILITY FOR NEW LEASES AND THE TRANSFER OF LEASES.

(a) ISSUANCE OF NEW LEASES.—

(1) IN GENERAL.—Beginning in fiscal year 2016, the Secretary of the Interior shall not accept bids on any new leases offered pursuant to this title (including the amendments made by this title) from a person described in paragraph (2) unless the person has renegotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) PERSONS DESCRIBED.—A person referred to in paragraph (1) is—