

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful today to recognize the State of South Carolina being named by Foreign Direct Investment magazine for its superior achievement in foreign direct investment.

South Carolina was identified for leading the Nation in foreign direct investment and also being the top State for expansion. The probusiness climate, superior workforce being trained by technical colleges, and quality of life make South Carolina the natural choice for any business looking to locate or expand, creating jobs, as done by Dr. Susan Windsor of Aiken Technical College.

In 2015, South Carolina was also recognized for their record-breaking total export sales. It was the top Southeastern State.

For the second consecutive year, the State was the top exporter in America for cars and tires. It is home to BMW, Volvo, Michelin, Bridgestone, Boeing, and more. Many of these businesses are located in the Second District, and I am honored to serve them in Congress.

I appreciate Governor Nikki Haley, Secretary of Commerce Bobby Hitt, along with the State legislative leaders, Senate President Hugh Leatherman and Speaker Jay Lucas, and the State's Chamber of Commerce and economic development organizations, who work tirelessly to create job opportunities.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1545

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at 3 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

MODERNIZATION OF TERMS RELATING TO MINORITIES

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4238) to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4238

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

SECTION 1. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, Native Hawaiian, a Pacific Islander, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, Native Hawaiian, Pacific Islanders, African American, Hispanic, Native American, or Alaska Natives”.

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

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I am pleased to consider H.R. 4238, a bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms in the original legislation relating to minorities.

This bill replaces offensive terms relating to minorities found in decades-old energy legislation. I want to thank GRACE MENG for being the lead on this commonsense piece of legislation.

I reserve the balance of my time.

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

Mr. Speaker, I would like to commend my colleague from the great State of New York (Ms. MENG) for her work in bringing forth H.R. 4238, a bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

Mr. Speaker, this commonsense bill received unanimous bipartisan support

when it came before both the Energy and Power Subcommittee, on which I serve as the ranking member, and when it came before the full Energy and Commerce Committee.

Mr. Speaker, words matter. This bill strikes outdated, offensive terms related to minorities out of the Federal statute that can be found in the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976.

Mr. Speaker, this is a straightforward bill that helps bring these statutes up to modern times and into the 21st century, at least as far as getting rid of these offensive terms is concerned.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. MENG).

Ms. MENG. Mr. Speaker, I am very pleased that H.R. 4238 has made it to the House floor today.

As you know, this bill will strike the term “Oriental” from Federal law in the last two places it is used to refer to a person. This legislation is long overdue, and I am thankful for your consideration and, I hope, passage of it.

I would like to thank my colleague and friend, Representative ED ROYCE, for being an original author of this bill with me, as well as every member of the Congressional Asian Pacific American Caucus.

I would also like to thank Representative BUTTERFIELD and Representative SÁNCHEZ, chairs of the Congressional Black Caucus and Congressional Hispanic Caucus, respectively, for cosponsoring this legislation.

I would also like to personally thank Chairman UPTON and Ranking Member PALLONE for shepherding this legislation through the Energy and Commerce Committee, as well as Representatives WHITFIELD and RUSH, who moved it through the Energy and Power Subcommittee.

We are all aware that there are chapters of American history that are not perfect. This very body, for example, once found it appropriate to pass laws such as the Chinese Exclusion Act and the Geary Act. But we also found it appropriate to repeal them. Times change, what is acceptable changes, and this Congress more often than not yields to that change.

Toward that end, the time has come to repeal certain terms from Federal law that many in the Asian American community would find offensive. In the same way I would not want either of my children to be referred to as “Orientals” by their teachers at school, I hope we can agree that such terms no longer deserve a place in Federal law.

Again, Mr. Speaker, I thank you for allowing this legislation to the floor for a vote today. I urge all of my colleagues to support this important measure.

Mr. RUSH. Mr. Speaker, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I want to thank once again Ms. GRACE

MENG for bringing this important issue to the attention of the Energy and Commerce Committee.

I would urge all Members to support this legislation.

I yield back the balance of my time.
Mr. ROYCE. Mr. Speaker, I rise today to speak in support of H.R. 4238, which was introduced by my colleague, the gentlewoman from New York, Representative MENG.

Racism and discrimination have no place in America today. We are a nation of immigrants that is proud of its diversity.

Despite our society's progression and growth over the last 100 years, the Federal Code still contains language on ethnicity that is antiquated, and, quite frankly, inappropriate. For example, the term "Orientals" is offensive, especially so when referring to the vibrant Asian American community. Using this term in federal law lends it a legitimacy it doesn't deserve.

I strongly believe that when we get the chance, we should correct the mistakes of the past. This bill goes a long way towards correcting our mistakes.

H.R. 4238 eliminates outdated, disrespectful terms from federal law and replaces them with terms, such as "Asian American," "Alaska Natives," and "Hispanic," that are more appropriate for our times and in keeping with our values.

Last year, Representative MENG and I successfully amended H.R. 8 to strike these derogatory terms, which did not move in the Senate. As an original cosponsor of this standalone bill, I'm very happy that she and I are closer to having this language signed into law and these terms removed for good.

Deleting inappropriate terms from the U.S. Code is a simple, yet important, way of demonstrating respect for our Nation's diversity.

I strongly support this bill and urge my colleagues in the House to vote in support of it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 4238.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WHITFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EPS IMPROVEMENT ACT OF 2016

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4444) to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4444

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 "EPS Improvement Act of 2016".

SEC. 2. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through "The term" and inserting the following:

"(A) EXTERNAL POWER SUPPLY.—

"(i) IN GENERAL.—The term"; and

(2) by adding at the end the following:

"(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

"(I) light-emitting diodes providing illumination;

"(II) organic light-emitting diodes providing illumination; or

"(III) ceiling fans using direct current motors.".

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

"(v) electric lights and lighting power supply circuits;".

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

"(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.".

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking "(19)" and inserting "(20)".

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking "(19)" each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting "(20)".

(3) Section 325(1) of the Energy Policy and Conservation Act (42 U.S.C. 6295(1)) is amended by striking "paragraph (19)" each place it appears and inserting "paragraph (20)".

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

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I am pleased to bring to the floor today H.R. 4444, the EPS Improvement Act of 2016.

I want to give special thanks to our colleagues, RENEE ELLMERS of North Carolina, DIANA DEGETTE of Colorado, MIKE POMPEO of Kansas, DORIS MATSUI of California, and Mr. CHARLES DENT of Pennsylvania, for their work on this piece of legislation.

I yield 5 minutes to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. I thank the chairman for yielding on this specific issue and for leading our subcommittee of the Energy and Commerce Committee.

Mr. Speaker, I rise today to urge my colleagues to support H.R. 4444, the EPS Improvement Act of 2016. This bipartisan bill would provide certainty to North Carolina lighting manufacturers that provide over 3,000 jobs in my home State. H.R. 4444 will resolve the underlying issues of the Department of Energy External Power Supply rule.

In 2005, Congress directed the Department of Energy to develop energy efficiency standards for external power supplies. The DOE initially stated that products intended to be covered by these standards "convert household electric current into DC or lower voltage AC to operate consumer products such as a laptop computer or a smartphone."

Years after the passage of the Energy Policy Act of 2005, new technologies such as OLED and LED drivers were introduced into the marketplace. While the development of these drivers increased energy efficiency, it has also caused uncertainty in the manufacturing sector. This is because DOE roped in drivers as products to also be covered under the EPS rule.

DOE is now attempting to regulate a product that was not in the marketplace at the time Congress initially directed the Department to set external power supply standards. Both manufacturers and the energy efficiency community agree that this was and is not the intent of Congress.

DOE has continued with this misguided rule despite the distinct difference in the design and use of LED drivers to that of the design and use of EPS. One example demonstrating the difference is that EPS uses single-stage power conversion while LED drivers use a two-stage power conversion.

Thankfully, H.R. 4444 is a promanufacturing, proconsumer piece of legislation that resolves this problem. It will exclude certain technologies from being included in other broad rulemakings.

I would like to thank my colleagues, Representatives DEGETTE, POMPEO, MATSUI, and DENT for their leadership on this important issue.

Additionally, I would like to thank Chairman WHITFIELD and the Energy and Power Subcommittee staff for their time and efforts in advancing this legislation.

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