

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, January 23, 2017.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 590, the "Advanced Nuclear Technology Development Act of 2017," which was introduced on January 20, 2017.

H.R. 590 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, January 23, 2017.

Hon. LAMAR SMITH,  
Chairman, Committee on Science, Space, and  
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 590, Advanced Nuclear Technology Development Act of 2017.

As you noted, H.R. 590 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. I appreciate your willingness to forego action on the bill in order to expedite this bill for floor consideration. I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will place a copy of your letter and this response into the Congressional Record during the Floor consideration of this bill.

Sincerely,

GREG WALDEN,  
Chairman.

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

Mr. Speaker, I rise in strong support of H.R. 590, the Advanced Nuclear Technology Development Act of 2017, introduced by Representatives LATTA and MCNERNEY.

This bill would enhance coordination between the Nuclear Regulatory Commission and the Department of Energy by requiring them to enter into a memorandum of understanding on issues related to advanced nuclear reactor technology.

This is a worthy goal, as the chairman said, and is a commonsense way for the Federal Government to support the advanced nuclear power industry. Advanced nuclear technologies have the potential to generate power more safely and with less nuclear waste, which is why I believe the Federal Gov-

ernment should be supporting advancements in nuclear technology.

The bill also requires NRC to develop an advanced reactor regulatory framework to evaluate options to expedite advanced reactor licensing and to make it more predictable. NRC would have 1 year from the date of enactment to submit this plan to Congress. In developing the plan, NRC must also seek input from interested stakeholders, which I believe to be a crucial part of this process.

Nuclear energy must play a continued role in our country's clean energy future to enable us to reach our goals set forth in the Paris climate agreement. I believe the Advanced Nuclear Technology Development Act will enable the Federal Government to more efficiently evaluate and support these promising nuclear technologies, which can put us on a path towards greater reductions in carbon emissions.

I commend both Representatives LATTA and MCNERNEY for introducing this important legislation, and I urge my colleagues to support it.

Mr. Speaker, I don't believe we have any further speakers on this, so I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 590, the Advanced Nuclear Technology Development Act of 2017.

This bill would require the Department of Energy and the Nuclear Regulatory Commission to work together to further the development of advanced nuclear technology. By directing the Department of Energy and the Nuclear Regulatory Commission to enter into a memorandum of understanding, this bill will reduce bureaucratic barriers to advanced nuclear technology research and development.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy independence path for our Nation as we seek new possibilities and alternatives to power our way to a better future. Energy independence is critical to both our national security and to the continued growth of our economy.

There has been a considerable amount of research and development that has gone into nuclear energy, and it accounts for 60 percent of the clean energy produced in the United States. This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend, Mr. LATTA, for his leadership on this issue, and the Energy and Commerce Committee for their work on this bill.

I urge my colleagues to support this bill.

Mr. UPTON. Mr. Speaker, I urge my colleagues to again support this legis-

lating on a bipartisan basis, and I thank all of my colleagues for speaking in support of it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 590.

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

A motion to reconsider was laid on the table.

#### EPS IMPROVEMENT ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 518) 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. 518

*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 2017".

#### 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 Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. UPTON. 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 Michigan?

There was no objection.

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

Mr. Speaker, I rise certainly in support of H.R. 518.

Regulations are based on the state of technology at the time that they are developed and may have the unintended consequences of hindering new advances in products. Such has been the case with the Department of Energy's efficiency standards for external power suppliers, EPS. As the regs on the books now stand, it is not legally possible to make certain types of light-emitting diode—LED—devices, as well as some kinds of ceiling fans.

So this bill, H.R. 518, the EPS Improvement Act, provides a carefully tailored solution to the problem. And I want to thank two Members, Republican and Democrat, Mr. GUTHRIE and Ms. DEGETTE, for their good work on behalf of both the manufacturers, as well as the users, of these products.

The bill carves out an exception for these devices while giving DOE the option of setting separate efficiency standards that are more suited to them.

This bill has been thoroughly vetted—yes, it has. It was included in last year's energy package. And although that bill didn't make it to the finish line for unrelated reasons, language virtually identical to that in H.R. 518 enjoyed very strong bipartisan and certain bicameral support.

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In addition, the bill passed the House on suspension last year as well, but failed to make it on the Senate calendar.

For the sake of the manufacturing jobs that are associated with these products as well as the consumers and small businesses that rely on them, I

would urge all of my colleagues to support and vote for H.R. 518.

I reserve the balance of my time.

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

I rise today to urge the passage of H.R. 518, the EPS Improvement Act.

Last session of Congress, I cosponsored this bill with our former colleague Congresswoman Ellmers, and this year, Representatives GUTHRIE, MATSUI, and DENT are joining me in this effort to strengthen the standards used to keep LED lighting safe and efficient.

By ensuring that our country's energy conservation standards are up to date with the latest developments in high-tech lighting, we can remove obstacles to innovation without sacrificing safety. And as we heard from the chairman, if there has ever been a bill in Congress that was vetted, it was this one.

We have been working on this bill for some years now, and, frankly, what it is doing is it is truly addressing unintended consequences that happened due to the Energy Policy Act of 2005. That act defined external power supplies in a way that just simply did not anticipate the rapid growth and use of LED and OLED light sources during the decade that followed.

Now, these lights are really energy efficient. They are up to 80 percent more efficient than traditional lights like fluorescent and incandescent lights, and 90 percent of the energy in LEDs is committed to illumination, while only 5 percent is heat; so it is no wonder they have become so popular in the last 10 years. Unfortunately, in the 2005 act, the standards did not allow for these types of lighting as their use continues to constitute an ever-growing share of our energy consumption.

What this bill does is it clarifies the definition of “external power supplies” and it amends the conditions under which the Energy Department can undertake a rulemaking process in the future. The bill will facilitate the continued growth of LED lighting, and it will help lower energy prices for businesses and households both in my home State of Colorado and across America.

Clean energy truly is the future. It can be safe, efficient, and affordable for all when it is properly regulated, and that is exactly what this legislation does.

I urge everybody to support this act, and I hope that the Senate will pass it this year. We are getting a good, early start.

Mr. Speaker, I have no one else to speak on this bill, so I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I have no further speakers on this side of the aisle either.

I would urge my colleagues on both sides to again vote for this bill. Let's hope that the Senate can get it on their plate and get it to the President for him to sign into law.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R., 518.

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

A motion to reconsider was laid on the table.

#### FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2017

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 290) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 290

*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 “Federal Communications Commission Process Reform Act of 2017”.

#### SEC. 2. FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM.

(a) IN GENERAL.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

#### “SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of this section, the Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

“(2) REQUIREMENTS FOR RULEMAKING.—The rules adopted under paragraph (1) shall—

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause exists for departing from such minimum comment periods, for—

“(i) significant regulatory actions, as defined in Executive Order No. 12866; and

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period;

“(C) establish policies regarding treatment of comments, ex parte communications, and data or reports (including statistical reports and reports to Congress) submitted after the comment period to ensure that the public has adequate notice of and opportunity to respond to such submissions before the Commission relies on such submissions in any order, decision, report, or action;

“(D) establish procedures for, not later than 14 days after the end of each quarter of a calendar year (or more frequently, as the Commission considers appropriate), publishing on the Internet website of the Commission and submitting to Congress a report that contains—

“(i) the status of open rulemaking proceedings and proposed orders, decisions, reports, or actions on circulation for review by the Commissioners, including which Commissioners have not cast a vote on an order,