
PROVIDING FOR 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; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4923) MAKING APPROPRIATIONS FOR ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

June 24, 2014.—Referred to the House Calendar and ordered to be printed.

MR. BISHOP (UT), from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 9 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4899, the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-50 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall

be considered as read, shall be debatable for the time specified in this 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 in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The rule provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4923, the Energy and Water Development and Related Agencies Appropriations Act, 2015, under a modified-open rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the bill. The resolution waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. The resolution provides that after general debate the bill shall be considered for amendment under the five-minute rule. During consideration of the bill for amendment: (1) amendments shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment; and (2) no pro forma amendments shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. Under the rules of the House the bill shall be read for amendment by paragraph. The resolution authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The resolution provides one motion to recommit with or without instructions.

Section 3 of the resolution provides that on any legislative day during the period from June 27, 2014, through July 7, 2014: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 4 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3.

Section 5 of the resolution provides for consideration of concurrent resolutions providing for adjournment during the month of July.

Section 6 of the resolution provides that the Committee on Appropriations may, at any time before 5 p.m. on Thursday, July 3, 2014, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2015.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 4899, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 4899 made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any

points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 4923 includes a waiver of clause 4(c) of rule XIII, which prohibits consideration of a general appropriations bill reported by the Committee on Appropriations from being considered in the House until the third calendar day on which printed hearings of the Committee on Appropriations thereon have been available to Members.

The resolution includes a waiver of points of order against provisions in H.R. 4923 for failure to comply with clause 2 of rule XXI, which prohibits unauthorized appropriations or legislative provisions in an appropriations bill. The waiver is necessary because the bill contains unauthorized appropriations and legislative provisions included in the bill.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 147

Motion by Ms. Slaughter to report open rules for H.R. 4899 and H.R. 4923.
Defeated: 3-9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....	Nay		
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

Rules Committee Record Vote No. 148

Motion by Mr. Bishop of Utah to report the rule. Adopted: 9-3

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Yea	Ms. Slaughter.....	Nay
Mr. Bishop of Utah.....	Yea	Mr. McGovern.....	Nay
Mr. Cole.....	Yea	Mr. Hastings of Florida.....	Nay
Mr. Woodall.....	Yea	Mr. Polis.....	
Mr. Nugent.....	Yea		
Mr. Webster.....	Yea		
Ms. Ros-Lehtinen.....	Yea		
Mr. Burgess.....	Yea		
Mr. Sessions, Chairman.....	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 4899 MADE IN ORDER

1. Wittman (VA), Duncan (SC): Grants the Secretary of the Interior the ability to add a lease sale area to a finalized 5 year plan, as long as all of the National Environmental Policy Act requirements have been met on that specific area within the last 5 years. (10 minutes)
2. Lowenthal (CA), Capps (CA), Farr (CA), Holt (NJ), Honda (CA), Huffman (CA), Langevin (RI), Peters, Scott (CA), Pingree (ME), Shear-Porter (NH), Lee, Barbara (CA): Strikes section 10410 which prohibits BOEM and BSEE from coordinating coastal and marine spatial planning under the National Ocean Policy. (10 minutes)
3. Duncan (SC), Rigell (VA), Wittman (VA), Hudson (NC), Graves, Tom (GA), Ellmers (NC): Directs the Bureau of Ocean Energy Management to include Virginia, North Carolina, South Carolina and Georgia into an administrative planning area for offshore leasing purposes. (10 minutes)
4. Wittman (VA): Fosters STEM education in the South Atlantic states by allowing colleges, universities and historically black colleges and universities (with a preference to military veteran serving institutions of higher education) to partner with the Bureau of Ocean Energy Management to train the next generation of geological and geophysical scientists to better understand the oil, gas and other hydrocarbon potential of the offshore South Atlantic. (10 minutes)
5. Capps (CA), Brownley (CA), Huffman (CA), Lowenthal (CA): Requires the Secretary of Interior to 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. (10 minutes)
6. Deutch (FL): Strikes the provision that an action involving a covered energy decision shall take precedence over all other pending matters before the district court. (10 minutes)
7. Blumenauer (OR): Requires companies holding leases, which allow them to drill on public lands off-shore without paying a royalty, to renegotiate those leases prior to bidding on new leases issued pursuant to Title I of this Act. (10 minutes)
8. Bishop, Rob (UT): Prohibits the Secretary from canceling, deferring or withdrawing any lease previously announced to be auctioned based on public comments received by the Department after the public comment period has expired. (10 minutes)
9. Jackson Lee (TX): Establishes an Office of Energy Employment and Training to ensure that veterans, women, and underrepresented minorities are fully included in the hiring and training efforts of the Department of the Interior's energy planning, permitting, and regulatory agencies. (10 minutes)
10. DeFazio (OR): Authorizes \$10 million of the revenue generated by the underlying bill for the Commodity Futures Trading Commission to use existing authority to limit speculation in energy markets. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 4899 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WITTMAN OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4899

OFFERED BY

Robert J. Wittman (VA-01)

Page 9, after line 17, add the following:

1 **SEC. ____ . ADDITION OF LEASE SALES AFTER FINALIZATION**
2 **OF 5-YEAR PLAN.**

3 Section 18(d) of the Outer Continental Shelf Lands
4 Act (43 U.S.C.1344(d)) is amended—

5 (1) in paragraph (3), by striking “After” and
6 inserting “Except as provided in paragraph (4),
7 after”; and

8 (2) by adding at the end the following:

9 “(4) The Secretary may add to the areas included
10 in an approved leasing program additional areas to be
11 made available for leasing under the program, if all review
12 and documents required under section 102 of the National
13 Environmental Policy Act of 1969 (42 U.S.C. 4332) have
14 been completed with respect to leasing of each such addi-
15 tional area within the 5-year period preceding such addi-
16 tion.”.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

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AMENDMENT TO RULES COMMITTEE PRINT 113-

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OFFERED BY MR. LOWENTHAL OF CALIFORNIA

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



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DUNCAN OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY *Mr. Duncan*

Page 51, after line 21, insert the following:

1 **SEC. __. SOUTH ATLANTIC OUTER CONTINENTAL SHELF**
2 **PLANNING AREA DEFINED.**

3 For the purposes of this Act, the Outer Continental
4 Shelf Lands Act (43 U.S.C. 1331 et seq.), and any regula-
5 tions or 5-year plan issued under that Act, the term
6 “South Atlantic Outer Continental Shelf Planning Area”
7 means the area of the outer Continental Shelf (as defined
8 in section 2 of that Act (43 U.S.C. 1331)) that is located
9 between the northern lateral seaward administrative
10 boundary of the State of Virginia and the southernmost
11 lateral seaward administrative boundary of the State of
12 Georgia.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WITTMAN OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

5

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4899

OFFERED BY *Robert J. Withman (VA-01)*

Page 51, after line 21, insert the following:

1 **SEC. ____ . ENHANCING GEOLOGICAL AND GEOPHYSICAL IN-**
2 **FORMATION FOR AMERICA'S ENERGY FU-**
3 **TURE.**

4 Section 11 of the Outer Continental Shelf lands Act
5 (43 U.S.C. 1340) is amended by adding at the end the
6 following:

7 “(i) ENHANCING GEOLOGICAL AND GEOPHYSICAL
8 INFORMATION FOR AMERICA’S ENERGY FUTURE.—

9 “(1) The Secretary, acting through the Director
10 of the Bureau of Ocean Energy Management, shall
11 facilitate and support the practical study of geology
12 and geophysics to better understand the oil, gas, and
13 other hydrocarbon potential in the South Atlantic
14 Outer Continental Shelf Planning Area by entering
15 into partnerships to conduct geological and geo-
16 physical activities on the outer Continental Shelf.

17 “(2)(A) No later than 180 days after the date
18 of enactment of the Lowering Gasoline Prices to
19 Fuel an America That Works Act of 2014, the Gov-

1 ernors of the States of Georgia, South Carolina,
2 North Carolina, and Virginia may each nominate for
3 participation in the partnerships—

4 “(i) one institution of higher education lo-
5 cated within the Governor’s State; and

6 “(ii) one institution of higher education
7 within the Governor’s State that is a histori-
8 cally black college or university, as defined in
9 section 631(a) of the Higher Education Act of
10 1965 (20 U.S.C. 1132(a)).

11 “(B) In making nominations, the Governors
12 shall give preference to those institutions of higher
13 education that demonstrate a vigorous rate of ad-
14 mission of veterans of the Armed Forces of the
15 United States.

16 “(3) The Secretary shall only select as a part-
17 ner a nominee that the Secretary determines dem-
18 onstrates excellence in geophysical sciences cur-
19 riculum, engineering curriculum, or information
20 technology or other technical studies relating to seis-
21 mic research (including data processing).

22 “(4) Notwithstanding subsection (d), nominees
23 selected as partners by the Secretary may conduct
24 geological and geophysical activities under this sec-
25 tion after filing a notice with the Secretary 30-days

1 prior to commencement of the activity without any
2 further authorization by the Secretary except those
3 activities that use solid or liquid explosives shall re-
4 quire a permit. The Secretary may not charge any
5 fee for the provision of data or other information
6 collected under this authority, other than the cost of
7 duplicating any data or information provided. Nomi-
8 nees selected as partners under this section shall
9 provide to the Secretary any data or other informa-
10 tion collected under this subsection within 60 days
11 after completion of an initial analysis of the data or
12 other information collected, if so requested by the
13 Secretary.

14 “(5) Data or other information produced as a
15 result of activities conducted by nominees selected as
16 partners under this subsection shall not be used or
17 shared for commercial purposes by the nominee, may
18 not be produced for proprietary use or sale, and
19 shall be made available by the Secretary to the pub-
20 lic.

21 “(6) The Secretary shall submit to the Com-
22 mittee on Natural Resources of the House of Rep-
23 resentatives and the Committee on Energy and Nat-
24 ural Resources of the Senate reports on the data or
25 other information produced under the partnerships

1 under this section. Such reports shall be made no
2 less frequently than every 180 days following the
3 conduct of the first geological and geophysical activi-
4 ties under this section.

5 “(7) In this subsection the term ‘geological and
6 geophysical activities’ means any oil- or gas-related
7 investigation conducted on the outer Continental
8 Shelf, including geophysical surveys where magnetic,
9 gravity, seismic, or other systems are used to detect
10 or imply the presence of oil or gas.”.



5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPPS OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY MRS. CAPPS OF CALIFORNIA**

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

1 **SEC. ____ . NOTICE OF RECEIPT OF ANY APPLICATION FOR**
2 **A PERMIT THAT WOULD ALLOW THE CON-**
3 **DUCT OF ANY OFFSHORE OIL AND GAS WELL**
4 **STIMULATION ACTIVITIES.**

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



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DEUTCH OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY MR. DEUTCH OF FLORIDA**

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.



7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BLUMENAUER OF OREGON OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY MR. BLUMENAUER OF OREGON**

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

1 **Subtitle E—Miscellaneous**
2 **Provisions**

3 **SEC. 25001. ELIGIBILITY FOR NEW LEASES AND THE TRANS-**
4 **FER OF LEASES.**

5 (a) ISSUANCE OF NEW LEASES.—

6 (1) IN GENERAL.—Beginning in fiscal year
7 2016, the Secretary of the Interior shall not accept
8 bids on any new leases offered pursuant to this title
9 (including the amendments made by this title) from
10 a person described in paragraph (2) unless the per-
11 son has renegotiated each covered lease with respect
12 to which the person is a lessee, to modify the pay-
13 ment responsibilities of the person to require the
14 payment of royalties if the price of oil and natural
15 gas is greater than or equal to the price thresholds
16 described in clauses (v) through (vii) of section
17 8(a)(3)(C) of the Outer Continental Shelf Lands Act
18 (43 U.S.C. 1337(a)(3)(C)).

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

3 (A) a person that is a lessee that—

4 (i) holds a covered lease on the date
5 on which the Secretary considers the
6 issuance of the new lease; or

7 (ii) was issued a covered lease before
8 the date of enactment of this Act, but
9 transferred the covered lease to another
10 person or entity (including a subsidiary or
11 affiliate of the lessee) after the date of en-
12 actment of this Act; or

13 (B) any other person that has any direct
14 or indirect interest in, or that derives any ben-
15 efit from, a covered lease.

16 (3) MULTIPLE LESSEES.—

17 (A) IN GENERAL.—For purposes of para-
18 graph (1), if there are multiple lessees that own
19 a share of a covered lease, the Secretary may
20 implement separate agreements with any lessee
21 with a share of the covered lease that modifies
22 the payment responsibilities with respect to the
23 share of the lessee to include price thresholds
24 that are equal to or less than the price thresh-
25 olds described in clauses (v) through (vii) of

1 section 8(a)(3)(C) of the Outer Continental
2 Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

3 (B) TREATMENT OF SHARE AS COVERED
4 LEASE.—Beginning on the effective date of an
5 agreement under subparagraph (A), any share
6 subject to the agreement shall not constitute a
7 covered lease with respect to any lessees that
8 entered into the agreement.

9 (b) TRANSFERS.—A lessee or any other person who
10 has any direct or indirect interest in, or who derives a
11 benefit from, a covered lease shall not be eligible to obtain
12 by sale or other transfer (including through a swap, spin-
13 off, servicing, or other agreement) any new lease offered
14 pursuant to this title (including the amendments made by
15 this title) or the economic benefit of any such new lease,
16 unless the lessee or other person has—

17 (1) renegotiated each covered lease with respect
18 to which the lessee or person is a lessee, to modify
19 the payment responsibilities of the lessee or person
20 to include price thresholds that are equal to or less
21 than the price thresholds described in clauses (v)
22 through (vii) of section 8(a)(3)(C) of the Outer Con-
23 tinental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C));
24 or

1 (2) entered into an agreement with the Sec-
2 retary to modify the terms of all covered leases of
3 the lessee or other person to include limitations on
4 royalty relief based on market prices that are equal
5 to or less than the price thresholds described in
6 clauses (v) through (vii) of section 8(a)(3)(C) of the
7 Outer Continental Shelf Lands Act (43 U.S.C.
8 1337(a)(3)(C)).

9 (e) DEFINITIONS.—In this section:

10 (1) COVERED LEASE.—The term “covered
11 lease” means a lease for oil or gas production in the
12 Gulf of Mexico that is—

13 (A) in existence on the date of enactment
14 of this Act;

15 (B) issued by the Department of the Inte-
16 rior under section 304 of the Outer Continental
17 Shelf Deep Water Royalty Relief Act (43
18 U.S.C. 1337 note; Public Law 104-58); and

19 (C) not subject to limitations on royalty re-
20 lief based on market price that are equal to or
21 less than the price thresholds described in
22 clauses (v) through (vii) of section 8(a)(3)(C) of
23 the Outer Continental Shelf Lands Act (43
24 U.S.C. 1337(a)(3)(C)).

1 (2) LESSEE.—The term “lessee” includes any
2 person or other entity that controls, is controlled by,
3 or is in or under common control with, a lessee.

4 (3) NEW LEASE.—The term “new lease” means
5 a lease issued in a lease sale under this title or the
6 amendments made by this title.



8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BISHOP OF UTAH OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

3

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4899

OFFERED BY *Mr. Bishop*

Page 69, after line 4, insert the following (and re-designate the subsequent subparagraphs accordingly):

1 “(F) After the conclusion of the public comment pe-
2 riod for a planned competitive lease sale, the Secretary
3 shall not cancel, defer, or withdraw any lease parcel an-
4 nounced to be auctioned in the lease sale.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

10

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY MS. JACKSON LEE OF TEXAS**

Add at the end the following:

1 **TITLE ____—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 01. ESTABLISHMENT OF OFFICE OF ENERGY EMPLOY-**
4 **MENT AND TRAINING.**

5 (a) ESTABLISHMENT.—The Secretary of the Interior
6 shall establish an Office of Energy Employment and
7 Training, which shall oversee the hiring and training ef-
8 forts of the Department of the Interior’s energy planning,
9 permitting, and regulatory agencies.

10 (b) DIRECTOR.—

11 (1) IN GENERAL.—The Office shall be under
12 the direction of a Deputy Assistant Secretary for
13 Energy Employment and Training, who shall report
14 directly to the Assistant Secretary for Energy,
15 Lands and Minerals Management, and shall be fully
16 employed to carry out the functions of the Office.

17 (2) DUTIES.—The Deputy Assistant Secretary
18 for Energy Employment and Training shall perform
19 the following functions:

1 (A) Develop and implement systems to
2 track the Department's hiring of trained skilled
3 workers in the energy permitting and inspection
4 agencies.

5 (B) Design and recommend to the Sec-
6 retary programs and policies aimed at expand-
7 ing the Department's hiring of women, minori-
8 ties, and veterans into the Department's work-
9 force dealing with energy permitting and in-
10 spection programs. Such programs and policies
11 shall include—

12 (i) recruiting at historically black col-
13 leges and universities, Hispanic-serving in-
14 stitutions, women's colleges, and colleges
15 that typically serve majority minority pop-
16 ulations;

17 (ii) sponsoring and recruiting at job
18 fairs in urban communities;

19 (iii) placing employment advertise-
20 ments in newspapers and magazines ori-
21 ented toward minorities, veterans, and
22 women;

23 (iv) partnering with organizations that
24 are focused on developing opportunities for
25 minorities, veterans, and women to be

1 placed in Departmental internships, sum-
2 mer employment, and full-time positions
3 relating to energy;

4 (v) where feasible, partnering with
5 inner-city high schools, girls' high schools,
6 and high schools with majority minority
7 populations to demonstrate career opportu-
8 nities and the path to those opportunities
9 available at the Department;

10 (vi) coordinating with the Department
11 of Veterans Affairs and the Department of
12 Defense in the hiring of veterans; and

13 (vii) any other mass media commu-
14 nications that the Deputy Assistant Sec-
15 retary determines necessary to advertise,
16 promote, or educate about opportunities at
17 the Department.

18 (C) Develop standards for—

19 (i) equal employment opportunity and
20 the racial, ethnic, and gender diversity of
21 the workforce and senior management of
22 the Department; and

23 (ii) increased participation of minor-
24 ity-owned, veteran-owned, and women-

1 owned businesses in the programs and con-
2 tracts with the Department.

3 (D) Review and propose for adoption the
4 best practices of entities regulated by the De-
5 partment with regards to hiring and diversity
6 policies, and publish those best practices for
7 public review.

8 (c) REPORTS.—The Secretary shall submit to Con-
9 gress an annual report regarding the actions taken by the
10 Department of the Interior agency and the Office pursu-
11 ant to this section, which shall include—

12 (1) a statement of the total amounts paid by
13 the Department to minority contractors;

14 (2) the successes achieved and challenges faced
15 by the Department in operating minority, veteran or
16 service-disabled veteran, and women outreach pro-
17 grams;

18 (3) the challenges the Department may face in
19 hiring minority, veteran, and women employees and
20 contracting with veteran or service-disabled veteran,
21 minority-owned, and women-owned businesses; and

22 (4) any other information, findings, conclusions,
23 and recommendations for legislative or Department
24 action, as the Director determines appropriate.

1 (d) DEFINITIONS.—For purposes of this section, the
2 following definitions shall apply:

3 (1) MINORITY.—The term “minority” means
4 United States citizens who are Asian Indian Amer-
5 ican, Asian Pacific American, Black American, His-
6 panic American, or Native American.

7 (2) MINORITY-OWNED BUSINESS.—The term
8 “minority-owned business” means a for-profit enter-
9 prise, regardless of size, physically located in the
10 United States or its trust territories, that is owned,
11 operated, and controlled by minority group members.
12 “Minority group members” are United States citi-
13 zens who are Asian Indian American, Asian Pacific
14 American, Black American, Hispanic American, or
15 Native American (terminology in NMSDC cat-
16 egories). Ownership by minority individuals means
17 the business is at least 51 percent owned by such in-
18 dividuals or, in the case of a publicly owned busi-
19 ness, at least 51 percent of the stock is owned by
20 one or more such individuals. Further, the manage-
21 ment and daily operations are controlled by those
22 minority group members. For purposes of NMSDC’s
23 program, a minority group member is an individual
24 who is a United States citizen with at least 1/4 or
25 25 percent minimum (documentation to support

1 claim of 25 percent required from applicant) of one
2 or more of the following:

3 (A) Asian Indian American, which is a
4 United States citizen whose origins are from
5 India, Pakistan, or Bangladesh.

6 (B) Asian Pacific American, which is a
7 United States citizen whose origins are from
8 Japan, China, Indonesia, Malaysia, Taiwan,
9 Korea, Vietnam, Laos, Cambodia, the Phil-
10 ippines, Thailand, Samoa, Guam, the United
11 States Trust Territories of the Pacific, or the
12 Northern Marianas.

13 (C) Black American, which is a United
14 States citizen having origins in any of the Black
15 racial groups of Africa.

16 (D) Hispanic American, which is a United
17 States citizen of true-born Hispanic heritage,
18 from any of the Spanish-speaking areas of the
19 following regions: Mexico, Central America,
20 South America, and the Caribbean Basin only.

21 (E) Native American, which means a U.S.
22 citizen enrolled to a federally recognized tribe,
23 or a Native as defined under the Alaska Native
24 Claims Settlement Act.

1 (3) NMSDC.—The term “NMSDC” means the
2 National Minority Supplier Development Council.

3 (4) WOMEN-OWNED BUSINESS.—The term
4 “women-owned business” means a business that can
5 verify through evidence documentation that 51 per-
6 cent or more is women-owned, managed, and con-
7 trolled. The business must be open for at least 6
8 months. The business owner must be a United
9 States citizen or legal resident alien. Evidence must
10 indicate that—

11 (A) the contribution of capital or expertise
12 by the woman business owner is real and sub-
13 stantial and in proportion to the interest owned;

14 (B) the woman business owner directs or
15 causes the direction of management, policy, fis-
16 cal, and operational matters; and

17 (C) the woman business owner has the
18 ability to perform in the area of specialty or ex-
19 pertise without reliance on either the finances
20 or resources of a firm that is not owned by a
21 woman.

22 (5) SERVICE DISABLED VETERAN.—The term
23 “Service Disabled Veteran” must have a service-con-
24 nected disability that has been determined by the
25 Department of Veterans Affairs or Department of

1 Defense. The SDVOSBC must be small under the
2 North American Industry Classification System
3 (NAICS) code assigned to the procurement; the
4 SDV must unconditionally own 51 percent of the
5 SDVOSBC; the SDVO must control the manage-
6 ment and daily operations of the SDVOSBC; and
7 the SDV must hold the highest officer position in
8 the SDVOSBC

9 (6) VETERAN-OWNED BUSINESS.—The term
10 “veteran-owned business” means a business that can
11 verify through evidence documentation that 51 per-
12 cent or more is veteran-owned, managed, and con-
13 trolled. The business must be open for at least 6
14 months. The business owner must be a United
15 States citizen or legal resident alien and honorably
16 or service-connected disability discharged from serv-
17 ice.



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DEFAZIO OF OREGON OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

9

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4899
OFFERED BY Mr. DeFazio**

At the end of title II, add the following:

1 **Subtitle E—Miscellaneous**
2 **Provisions**

3 **SEC. 25001. CERTAIN REVENUES GENERATED BY THIS ACT**
4 **TO BE MADE AVAILABLE TO THE COMMODITY**
5 **FUTURES TRADING COMMISSION TO LIMIT**
6 **EXCESSIVE SPECULATION IN ENERGY MAR-**
7 **KETS.**

8 The Mineral Leasing Act (30 U.S.C. 181 et seq.) is
9 amended by redesignating section 44 as section 45, and
10 by inserting after section 43 the following:

11 **“SEC. 44. REVENUES TO BE MADE AVAILABLE TO THE COM-**
12 **MODITY FUTURES TRADING COMMISSION.**

13 “(a) ESTABLISHMENT OF TREASURY ACCOUNT.—
14 The Secretary of the Treasury (in this section referred to
15 as the ‘Secretary’) shall establish an account in the Treas-
16 ury of the United States.

17 “(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVE-
18 NUES GENERATED BY THIS ACT.—The Secretary shall
19 deposit into the account established under subsection (a)

1 the first \$10,000,000 of the total of the amounts received
2 by the United States under leases issued under this Act
3 or any plan, strategy, or program under this Act.

4 “(c) AVAILABILITY AND USE OF FUNDS.—

5 “(1) IN GENERAL.—Subject to paragraph (2),
6 the amounts in the account established under sub-
7 section (a) shall be made available to the Commodity
8 Futures Trading Commission to use its existing au-
9 thorities to limit excessive speculation in energy
10 markets.

11 “(2) SUBJECT TO APPROPRIATIONS.—The au-
12 thority provided in paragraph (1) may be exercised
13 only to such extent, and with respect to such
14 amounts, as are provided in advance in appropria-
15 tions Acts.”.

