

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. 641]

The Committee on Rules, having had under consideration House Resolution 641, 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 print-

ed 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 Com-

mittee 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), Shea-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 the 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

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.”.

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

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

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.

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

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 univer-

sity, 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.”.

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

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.

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

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

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—

(A) a person that is a lessee that—

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

(ii) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or

(B) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

(3) **MULTIPLE LESSEES.**—

(A) **IN GENERAL.**—For purposes of paragraph (1), if there are multiple lessees that own a share of a covered lease, the Secretary may implement separate agreements with any lessee with a share of the covered lease that modifies the payment responsibilities with respect to the share of the lessee to include price thresholds that are equal to or less than 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)).

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

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

(1) renegotiated each covered lease with respect to which the lessee or person is a lessee, to modify the payment responsibilities of the lessee or person to include price thresholds that are equal to or less than 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)); or

(2) entered into an agreement with the Secretary to modify the terms of all covered leases of the lessee or other person to include limitations on royalty relief based on market prices that are equal to or less than 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)).

(c) DEFINITIONS.—In this section:

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

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

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

(C) not subject to limitations on royalty relief based on market price that are equal to or less than 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) LESSEE.—The term “lessee” includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee.

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

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

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

“(F) After the conclusion of the public comment period for a planned competitive lease sale, the Secretary shall not cancel, defer, or withdraw any lease parcel announced 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

Add at the end the following:

**TITLE — MISCELLANEOUS
PROVISIONS**

**SEC. 01. ESTABLISHMENT OF OFFICE OF ENERGY EMPLOYMENT AND
TRAINING.**

(a) **ESTABLISHMENT.**—The Secretary of the Interior shall establish an Office of Energy Employment and Training, which shall oversee the hiring and training efforts of the Department of the Interior’s energy planning, permitting, and regulatory agencies.

(b) **DIRECTOR.**—

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

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

(A) Develop and implement systems to track the Department’s hiring of trained skilled workers in the energy permitting and inspection agencies.

(B) Design and recommend to the Secretary programs and policies aimed at expanding the Department’s hiring of women, minorities, and veterans into the Department’s workforce dealing with energy permitting and inspection programs. Such programs and policies shall include—

(i) recruiting at historically black colleges and universities, Hispanic-serving institutions, women’s colleges, and colleges that typically serve majority minority populations;

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

(iii) placing employment advertisements in newspapers and magazines oriented toward minorities, veterans, and women;

(iv) partnering with organizations that are focused on developing opportunities for minorities, veterans, and women to be placed in Departmental internships, summer employment, and full-time positions relating to energy;

(v) where feasible, partnering with inner-city high schools, girls’ high schools, and high schools with majority minority populations to demonstrate career opportunities and the path to those opportunities available at the Department;

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

(vii) any other mass media communications that the Deputy Assistant Secretary determines necessary to

advertise, promote, or educate about opportunities at the Department.

(C) Develop standards for—

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

(ii) increased participation of minority-owned, veteran-owned, and women-owned businesses in the programs and contracts with the Department.

(D) Review and propose for adoption the best practices of entities regulated by the Department with regards to hiring and diversity policies, and publish those best practices for public review.

(c) REPORTS.—The Secretary shall submit to Congress an annual report regarding the actions taken by the Department of the Interior agency and the Office pursuant to this section, which shall include—

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

(2) the successes achieved and challenges faced by the Department in operating minority, veteran or service-disabled veteran, and women outreach programs;

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

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

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

(1) MINORITY.—The term “minority” means United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American.

(2) MINORITY-OWNED BUSINESS.—The term “minority-owned business” means a for-profit enterprise, regardless of size, physically located in the United States or its trust territories, that is owned, operated, and controlled by minority group members. “Minority group members” are United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American (terminology in NMSDC categories). Ownership by minority individuals means the business is at least 51 percent owned by such individuals or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more such individuals. Further, the management and daily operations are controlled by those minority group members. For purposes of NMSDC’s program, a minority group member is an individual who is a United States citizen with at least 1/4 or 25 percent minimum (documentation to support claim of 25 percent required from applicant) of one or more of the following:

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

(B) Asian Pacific American, which is a United States citizen whose origins are from Japan, China, Indonesia, Malaysia, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Thailand, Samoa, Guam, the United States Trust Territories of the Pacific, or the Northern Marianas.

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

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

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

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

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

(A) the contribution of capital or expertise by the woman business owner is real and substantial and in proportion to the interest owned;

(B) the woman business owner directs or causes the direction of management, policy, fiscal, and operational matters; and

(C) the woman business owner has the ability to perform in the area of specialty or expertise without reliance on either the finances or resources of a firm that is not owned by a woman.

(5) SERVICE DISABLED VETERAN.—The term “Service Disabled Veteran” must have a service-connected disability that has been determined by the Department of Veterans Affairs or Department of Defense. The SDVOSBC must be small under the North American Industry Classification System (NAICS) code assigned to the procurement; the SDV must unconditionally own 51 percent of the SDVOSBC; the SDVO must control the management and daily operations of the SDVOSBC; and the SDV must hold the highest officer position in the SDVOSBC

(6) VETERAN-OWNED BUSINESS.—The term “veteran-owned business” means a business that can verify through evidence documentation that 51 percent or more is veteran-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien and honorably or service-connected disability discharged from service.

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

At the end of title II, add the following:

Subtitle E—Miscellaneous Provisions

SEC. 25001. CERTAIN REVENUES GENERATED BY THIS ACT TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION TO LIMIT EXCESSIVE SPECULATION IN ENERGY MARKETS.

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. REVENUES TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION.

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

“(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) the first \$10,000,000 of the total of the amounts received by the United States under leases issued under this Act or any plan, strategy, or program under this Act.

“(c) AVAILABILITY AND USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), the amounts in the account established under subsection (a) shall be made available to the Commodity Futures Trading Commission to use its existing authorities to limit excessive speculation in energy markets.

“(2) SUBJECT TO APPROPRIATIONS.—The authority provided in paragraph (1) may be exercised only to such extent, and with respect to such amounts, as are provided in advance in appropriations Acts.”.