

## HR 6213

No More Solyndras Act

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Energy

**Introduced:** Jul 26, 2012

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources. (Sep 19, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/6213>

### Sponsor

**Name:** Rep. Upton, Fred [R-MI-6]

**Party:** Republican • **State:** MI • **Chamber:** House

### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jul 26, 2012
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Jul 26, 2012
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Jul 26, 2012
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Jul 26, 2012
Rep. Gingrey, Phil [R-GA-11]	R · GA		Jul 26, 2012
Rep. Harper, Gregg [R-MS-3]	R · MS		Jul 26, 2012
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Jul 26, 2012
Rep. Latham, Tom [R-IA-4]	R · IA		Jul 26, 2012
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Jul 26, 2012
Rep. Olson, Pete [R-TX-22]	R · TX		Jul 26, 2012
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jul 26, 2012
Rep. Pompeo, Mike [R-KS-4]	R · KS		Jul 26, 2012
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jul 26, 2012
Rep. Scott, Tim [R-SC-1]	R · SC		Jul 26, 2012
Rep. Stearns, Cliff [R-FL-6]	R · FL		Jul 26, 2012
Rep. Stivers, Steve [R-OH-15]	R · OH		Jul 26, 2012
Rep. Sullivan, John [R-OK-1]	R · OK		Jul 26, 2012
Rep. Terry, Lee [R-NE-2]	R · NE		Jul 26, 2012
Rep. Whitfield, Ed [R-KY-1]	R · KY		Jul 26, 2012
Rep. Cassidy, Bill [R-LA-6]	R · LA		Aug 1, 2012
Rep. Benishek, Dan [R-MI-1]	R · MI		Aug 2, 2012

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 27, 2012
Energy and Natural Resources Committee	Senate	Referred To	Sep 19, 2012
Science, Space, and Technology Committee	House	Discharged From	Sep 10, 2012

## Subjects & Policy Tags

### Policy Area:

Energy

## Related Bills

Bill	Relationship	Last Action
112 HRES 779	Procedurally related	<b>Sep 13, 2012:</b> Motion to reconsider laid on the table Agreed to without objection.

No More Solyndras Act - (Sec. 3) Prohibits the Secretary of Energy (DOE) from issuing any new loan guarantee of an innovative energy project under title XVII (Incentives for Innovative Technologies) of the Energy Policy Act of 2005 for any application submitted to DOE after December 31, 2011.

Prohibits a loan guarantee for any application pending before that date until the Secretary of the Treasury furnishes, within 30 days after receiving the guarantee proposal from DOE, a written analysis of the its financial terms and conditions. Requires DOE, before making such a guarantee, to take the written analysis into consideration.

Requires DOE also, if it makes a guarantee inconsistent with that written analysis, to give certain congressional committees, within 30 days after making the guarantee, a written explanation of any material inconsistencies.

Requires DOE, within 60 days after making a loan guarantee on a pending application, to report to specified congressional committees on: (1) the review and decisionmaking process used in making the guarantee; (2) the terms of the guarantee; and (3) the recipient, the technology, and project for which the loan guarantee will be used.

(Sec. 4) Directs the Secretary to consult with the Secretary of the Treasury regarding any restructuring of the terms and conditions of an innovative energy project loan guarantee, including any deviations from the financial terms of the guarantee.

(Sec. 5) Revises the condition on the loan guarantee that the obligation shall not be subordinate to any other financing for the project. Prohibits likewise subordination to other financing of any reorganization, restructuring, or termination of the obligation.

(Sec. 6) Subjects to certain administrative actions and civil penalties any federal official responsible for the issuance of an innovative energy project loan guarantee in violation of either the requirements of this Act or of title XVII of the Energy Policy Act of 2005. Specifies such sanctions as: (1) administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office; and (2) personal liability for a civil penalty of between \$10,000 and \$50,000 for each violation.

(Sec. 7) Directs the Comptroller General to study federal subsidies in energy markets from FY2003-FY2012, with particular focus upon subsidies supporting: (1) electricity production, transmission, and consumption; (2) transportation fuels and infrastructure; (3) energy-related research and development; and (4) facilities that manufacture energy-related components.

Requires the report to Congress on such study to identify and quantify: (1) costs to the U.S. Treasury; (2) impacts on U.S. energy security, electricity and transportation fuel prices, and private energy-related industries not benefitting from federal subsidies in energy markets; (3) federal subsidies in energy markets provided to foreign persons or corporations; and (4) subsidies and direct financial interest any of the 15 foreign countries with the largest gross domestic product (GDP) are providing to support energy markets in their respective countries.

## Actions Timeline

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- **Sep 19, 2012:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Sep 14, 2012:** Considered under the provisions of rule H. Res. 779. (consideration: CR H6004-6012, H6012-6024)
- **Sep 14, 2012:** Rule provides for consideration of H.R. 6213 with 1 hour and 30 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived. 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 112-31. Section 2 of the resolution authorizes the Speaker to entertain motions to suspend the rules at any time on the legislative days of September 20, 2012 and September 21, 2012.
- **Sep 14, 2012:** The Speaker designated the Honorable Rob Bishop to act as Chairman of the Committee.
- **Sep 14, 2012:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 779 and Rule XVIII.
- **Sep 14, 2012:** GENERAL DEBATE - The Committee of the Whole proceeded with 90 minutes of general debate on H.R. 6213.
- **Sep 14, 2012:** The Committee of the Whole rose informally to receive a message from the Senate.
- **Sep 14, 2012:** GENERAL DEBATE - The Committee of the Whole resumed its sitting and continued with general debate on H.R. 6213.
- **Sep 14, 2012:** DEBATE - Pursuant to the provisions of H. Res. 779, the Committee of the Whole proceeded with 10 minutes of debate on the DeGette amendment No. 1.
- **Sep 14, 2012:** POSTPONED PROCEEDINGS - At the conclusion of debate on the DeGette amendment No. 1, the Chair put the question on adoption of the amendment, and by voice vote announced that the ayes had prevailed. Mr. Stearns demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until a time to be announced.
- **Sep 14, 2012:** DEBATE - Pursuant to the provisions of H. Res. 779, the Committee of the Whole proceeded with 10 minutes of debate on the Waxman amendment No. 2.
- **Sep 14, 2012:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Waxman amendment No. 2, the Chair put the question on adoption of the amendment, and by voice vote announced that the ayes had prevailed. Mr. Stearns demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until a time to be announced.
- **Sep 14, 2012:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 6213.
- **Sep 14, 2012:** The previous question was ordered pursuant to the rule. (consideration: CR H6022)
- **Sep 14, 2012:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of amendment in the nature of a substitute: CR H6017-6018)
- **Sep 14, 2012:** Mr. Markey moved to recommit with instructions to Energy and Commerce. (consideration: CR H6022-6024; text: CR H6022)
- **Sep 14, 2012:** DEBATE - The House proceeded with 10 minutes of debate on the Markey motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to add a section to the bill relating to Buy America provisions. The new section prohibits the Secretary of Energy from issuing loan guarantees for an energy project unless the applicant certifies to the Secretary that at least 75% of the materials and components used for construction, manufacturing, or operations of the project are to be produced in the United States. The motion would also make the underlying bill's prohibition against awarding new loan guarantees contingent on the extension of the Wind Energy Production Tax Credit.
- **Sep 14, 2012:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H6023)
- **Sep 14, 2012:** On motion to recommit with instructions Failed by recorded vote: 175 - 234 (Roll no. 583).
- **Sep 14, 2012:** Passed/agreed to in House: On passage Passed by recorded vote: 245 - 161 (Roll no. 584).
- **Sep 14, 2012:** On passage Passed by recorded vote: 245 - 161 (Roll no. 584).
- **Sep 14, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 13, 2012:** Rule H. Res. 779 passed House.
- **Sep 12, 2012:** Rules Committee Resolution H. Res. 779 Reported to House. Rule provides for consideration of H.R. 6213 with 1 hour and 30 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived. 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 112-31. Section 2 of the resolution authorizes the Speaker to entertain motions to suspend the rules at any time on the legislative days of September 20, 2012 and September 21, 2012.

- **Sep 10, 2012:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 112-652, Part I.
- **Sep 10, 2012:** Committee on Science, Space, and Technology discharged.
- **Sep 10, 2012:** Placed on the Union Calendar, Calendar No. 470.
- **Jul 27, 2012:** Referred to the Subcommittee on Energy and Power.
- **Jul 26, 2012:** Introduced in House
- **Jul 26, 2012:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.