□ 1115

H.R. 841 would accelerate elections in case a terrorist attack leaves the House of Representatives with over 100 vacancies. It provides for the expedited special election of new Members to fill seats left vacant in ''extraordinary circumstances.''

The House passed this bill earlier this year by an overwhelming bipartisan margin of 329 to 68. In the 108th Congress, the House passed a similar bill by a vote of 306 to 97. Each time the Senate has failed to consider this vital piece of legislation; so the Speaker wisely asked that this very important legislation be included in this process.

We must not ignore the threat to our constitutional duty. It is time that we have legislation such as this that can handle such an inconceivably horrible possibility and does not leave our duty to legislate and oversee in limbo.

Mr. Speaker, this is a good bill, essential to our continued ability to legislate, to our power of oversight and the continuity of government.

I would like to thank the gentleman from California (Chairman LEWIS) and the gentleman from Wisconsin (Mr. OBEY), ranking member, for their leadership on this. And I thank the distinguished gentlewoman from California for her hard work and friendship.

I urge my colleagues to support both the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me the customary time, and I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, we are here to debate the rule for the Fiscal Year 2006 Legislative Branch Appropriations conference report, and although I support this report, I would just like to express my general concerns over the exorbitant cost overruns of the Capitol Visitors Center. Funding contained in this report is based on the GAO's assessment of needs, and I truly hope that this will be the last installment needed to get the center completed.

Through this measure, we will also fund the operations for our institution and the many supporting bodies that we rely upon daily, like the Library of Congress, the Government Accountability Office, the Congressional Budget Office, and the Capitol Police.

I would just like to take this opportunity to draw attention to those who help keep Congress running. There is a tremendous operation that helps my colleagues and me do the business of the American people, from the personnel at the Congressional Research Service that aids our offices in keeping up with the latest issues, to the Clerk's staff that records every word we speak, tracks each bill introduced, and, no matter the hour, is here to support us as we debate the priorities of the Nation. It is also the curators who impart the history of this great Capitol Building to visitors every single day, and painters and archivists that maintain the historical integrity of the buildings. It is not without the maintenance crews, food service workers, and so many that I cannot even begin to name that keep the trains running smoothly on the Capitol complex. I thank them all for their service.

Mr. Speaker, I look forward to seeing one of the first appropriations conference reports move forward today.

Ms. MATSUI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLAKE. 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 question will be postponed.

CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2005

Mr. BARTON of Texas. Mr. Speaker, pursuant to House Resolution 394, I call up the conference report on the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 394, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 27, 2005 at page H 6691.)

The SPEAKER pro tempore. The gentleman from Texas (Mr. BARTON) and the gentleman from Virginia (Mr. BOUCHER) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I want to say at the beginning we currently do not have on the House floor the gentleman from Massachusetts (Mr. MARKEY), one of the opponents of the bill, but when he arrives, I want to assure those who are in opposition to the bill that we will yield time so that they have an opportunity to participate in the debate.

With that I want to say that this is a great day. The House is poised to pass the most comprehensive energy policy that we have ever had before this body, at least in the time that I have been in the House of Representatives, which encompasses the last 21 years.

In the last Congress, the House was able to adopt a conference report, but the other body was never able to invoke cloture and bring that bill to the floor.

This bill builds on last year's bill. It is full of superb legislation. It is a very balanced bill both for conservation and for production. There is a very strong title on energy efficiency. There is a strong title on renewable energy and clean energy. On a bipartisan basis, we have even adjusted daylight savings time to help save energy.

The bill before us today is going to promote a new generation of clean coal technology. It is going to promote the use of our Nation's greatest domestic resource, which is coal. It is going to do it in a clean, environmentally safe fashion. We are going to introduce a new generation for nuclear power in this country. There are many innovations that should make it possible the next 3 to 4 years to begin to construct a new nuclear power plant.

With the help of the gentleman from Michigan (Mr. DINGELL) and Senator CRAIG in the other body, we have a reform in our relicensing process for hydroelectric plants, which, as we all know, have zero emissions. We also have parts of the bill that are going to vigorously pursue the Hydrogen Fuel Initiative, which has the promise to help relieve some of the dependency on the internal combustion engine which we have developed in this country. We want to give American drivers the opportunity to drive safe, affordable, and reliable, clean hydrogen cars as soon as the year 2020. That is not as far off as it seems, Mr. Speaker.

In the short term, we have provisions in the bill to make it more efficient to use our boutique fuels. These are fuels that are a blend of fuels between gasoline and different types of ethanol. Under current rules there are as many as 19 different blends, many of them manufactured or refined in only one refinery. The bill before us reduces that number so that we have greater transportability of our boutique fuels between those regions of the country that need those fuel sources.

We have a brand new title on siting new liquified natural gas terminals. We are dependent on about 10 percent of imports for natural gas right now, yet we have not sited a new LNG facility in this Nation in over 30 years.

The bill before us will look at the permitting process. It will respect the States rights and local community rights, but it will create a process where they get a decision, and hopefully some of those sites will be permitted in the next 3 to 4 years, and we will be able to import liquefied natural gas for our Nation's economic future.

We also have a sector that came over from the other body on a comprehensive inventory in the oil and gas reserves in the Outer Continental

Shelves. This particular title is something that is a work in progress, and I expect later today to engage in a colloquy with some members of the Florida delegation to see if perhaps in the near future we cannot refine that title to make it more acceptable to some of the Coastal States that have concerns about the inventory.

We have a strong title on research and development that would authorize programs for the study of energy efficiency, renewables, nuclear energy, fossil fuels, and much more.

The electricity title is one of the best titles in the bill. It is a title that has been put together over 6 years on a bipartisan, bicameral basis. It is one of the titles that I am most proud of. It is going to usher in for our electricity industry innovations across the board, from the generation of electricity, to the transmission of electricity, to the distribution of electricity, to the consumption of electricity. It is truly a landmark piece of legislation in the electricity title.

I want to thank the distinguished gentleman from Michigan (Mr. DINGELL), the dean of the House of Representatives, who has been in this body for almost 50 years, for his strong leadership on this bill on the minority side. I cannot tell the Members what a pleasure it was to have him sit with me in the negotiations with the Senate and to have him sit beside me in the open conference markups and educate me on how to do the parliamentary procedure and handle some of the sensitive issues that came before the conference. He is truly a giant among giants, and I cannot more proud. If I am as proud of anything in this bill, it is the fact that the gentleman from Michigan (Mr. DINGELL) signed the conference report. And I think that is a tremendous credit to him and how willing he was to work within the process.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I yield myself 2 minutes.

It is our intent also to join with the gentleman from Texas in yielding some time to the opposition to this measure this morning.

I want to begin by commending the work of the gentleman from Michigan (Mr. DINGELL), the ranking member of our House Committee on Energy and Commerce, for the strong leadership that he has provided as our committee has considered this measure over the past 4 years. And I want to commend the gentleman from Texas (Mr. BARTON), the chairman of our committee. He has presided over the House-Senate conference on this measure with grace. It was truly an open process. It was truly a bipartisan process. And the passage of the Energy Policy Act of 2005, which we will accomplish today, will be a lasting tribute to the gentleman from Texas' (Mr. BARTON) skill and to his leadership.

Today we demonstrably advance our Nation's energy policy. Long-needed reliability standards will add stability and security to the electricity transmission grid. Modernized provisions will encourage cogeneration and other distributed means of producing electricity both efficiently and with improved environmental performance. The bill opens the door to a new generation of smart meters and real-time pricing plans so that electricity consumers can save money by operating appliances during times of lighter electricity demand. And we take meaningful steps to deploy advanced clean coal technologies that will encourage a greater use of coal for the electricity generation with superior environmental performance.

Coal is our most abundant domestic energy reserve. Within our borders we have 250 years of proven coal reserves. Our bill encourages electric utilities to make coal, rather than natural gas, the fuel of choice for new electricity-generating units, with an easing of the escalating pressure on natural gas prices. The bill is a balanced measure which deserves our support.

□ 1130

Mr. Speaker, I urge its approval by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that of the majority time, 10 minutes be yielded to the gentleman from Massachusetts (Mr. MARKEY), and I yield to the gentleman from Virginia (Mr. BOUCHER) to make a similar request on the minority side.

Mr. BOUCHER. Mr. Speaker, I also ask unanimous consent that 10 minutes of our time be yielded to the gentleman from Massachusetts (Mr. MARKEY), with the result that the majority will have 20 minutes, we on our side will have 20 minutes, and the gentleman from Massachusetts (Mr. MARKEY) will also have 20 minutes.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas (Mr. BARTON) and the gentleman from Virginia (Mr. BOUCHER)?

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MARKEY) will control 20 minutes.

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill is a historic failure. It will not lower gasoline prices. This bill does not do anything about fuel economy standards for automobiles and for SUVs. We put 70 percent of all the oil that we consume in the United States into gasoline tanks. This bill is silent on that. It is 2005. We now import 60 percent of all of the oil which we consume in America; most of it comes from the Middle East. One would think that we could do something about the place we put the oil. This bill is silent.

With regard to renewables, all utilities in the United States could have been given a mandate that they have to designate a substantial percentage of their electrical generating capacity over the next 20 years as renewable energy. This bill rejects that. It says, we are not going to move the utilities towards a renewable energy future.

Mr. Speaker, this bill is a failure on two of the central technology issues that the 21st century should be known for. I call for a ''no'' vote on this bill.

Mr. BARTON of Texas. Mr. Speaker, I am in awe, as always, of the gentleman of Massachusetts' rhetorical abilities.

Mr. Speaker, I yield 2 minutes to my distinguished friend, the gentleman from Georgia (Mr. NORWOOD), a member of the committee and a conferee.

Mr. NORWOOD. Mr. Speaker, I rise today in strong support of the Energy Policy Act of 2005. After several years of trying, the time to pass this vital legislation is now. The President has waited patiently since his first week in office. We need to pass this today.

Blackouts have affected our country, gas prices are crippling family budgets, and foreign energy resources have our Nation beholden to overseas interests. We have not built a new nuclear power plant in a generation. Additionally, we must begin to harness new energy sources for new potential. This bill wisely addresses all of these things.

Taken together, the provisions in this legislation will diversify and increase our energy supply in a careful and measured way. It deserves passage.

Now, it does not have everything in it that every Member wanted. This has been a long fight, and we all owe a great deal of gratitude to the gentleman from Texas (Chairman BARTON) for his patience over the last 5 years as he has tried to guide us to an energy policy for this Nation that we have not had certainly since I have been in Congress. It is time now to do that.

I thank personally the gentleman from Texas (Chairman BARTON) for his fair and evenhanded way, as he has been just now, giving time to the gentleman from Massachusetts (Mr. MARKEY), who obviously opposes the bill. But the rest of us in here need to pass this legislation today. I urge us all to vote ''aye.''

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Maryland (Mr. WYNN), one of the conferees on the energy conference.

Mr. WYNN. Mr. Speaker, let me begin by thanking the gentleman from Virginia (Mr. BOUCHER) for yielding me this time. Let me then proceed to thank our ranking member, the gentleman from Michigan (Mr. DINGELL), for his strong leadership on this matter, and also our chairman, the gentleman from Texas (Chairman BARTON), for his leadership. They have done a Herculean job in bringing us this energy bill that will give us a comprehensive and bipartisan energy policy for the future, a very forward-looking bill.

Let me begin by applauding what is not in this bill. First of all, I think it is very significant that in this bill there will be no drilling in the Arctic National Wildlife Reserve. Our Arctic and sub-Arctic ecosystems will continue to flourish.

This bill also does not shield manufacturers of the fuel additive MTBE from lawsuits. This means that States and localities and municipalities will be able to hold these manufacturers liable when they pollute underground water supplies. These are two major environmental victories of which we should be very proud.

But let us look at the positive things that are, in fact, in the bill, because here we see an energy policy emerging that will help America attain security and independence.

First of all, we put in this bill mandatory reliability standards. Now, there are some folks in the Northeast that sat in the dark and suffered through scorching heat in a power outage some years ago, so this is very important. These mandatory standards will help us avoid the problems that we encountered when whole States began to go dark and air conditioners went off. This is very meaningful. We have never had mandatory electricity reliability standards for performance, for training of personnel, and for maintenance of the system.

Let me look at another area, the area of hydrogen. We have almost $3 billion in incentives for hydrogen fuel development. Now, why is that important? Because it looks to the future. We have a past which reflects a dependence on fossil fuels, oil, gas, and cars that emit huge amounts of pollution. We are looking at a future when cars and buildings will run electricity generated by hydrogen fuel cells, hydrogen energy generated through solar, through wind, and through nuclear energy. This is very important. We will see cars that only emit water. We think this is a good thing.

Now, will that solve the problem of the $2.50 gas we have today? No. But this energy policy is looking toward the future, and I think it is important to understand that we are undertaking a task much like putting a man on the Moon in which we are saying, down the road, we will accomplish great things, innovative things because we are making those investments today, and those investments are, in fact, in this energy bill.

We should also be pleased that other sources of energy are being enhanced in this bill. Solar energy, wind energy, biomass, all receive incentives for development of critical alternatives.

We are looking at a situation in which we can tell our children and our grandchildren that we did something today to make their energy security greater and their energy independence greater. Please adopt the Energy Policy Act of 2005.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank the gentleman for yielding me this time.

With great respect to our leaders, the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Ranking Member DINGELL), Mr. Speaker, I do rise in opposition to the bill.

This bill is a missed opportunity to provide a secure energy future for America. It is a bill packed with taxpayer-subsidized goodies for energy companies. It is a bill that will not reduce our dependence on foreign oil.

Mr. Speaker, I am pleased about one part of the bill: it no longer contains the liability waiver to the MTBE industry. Now, perhaps, communities with MTBE-polluted groundwater will have a fighting chance to get it cleaned up by the people who made the mess. I call on the MTBE industry to do the right thing now, stop fighting in court and in Congress, own up to your responsibility by sitting down and working out cleanup plans with these affected communities.

Unfortunately, Mr. Speaker, the rest of the bill is mostly bad news. At a time of record-high energy prices, the bill hands out tens of billions of dollars in taxpayer subsidies for the oil and gas, coal and nuclear power industries already making record profits.

The bill also cuts States out of LNG siting decisions, giving power to the Federal Government, which, of course, always knows what is best.

In addition, the bill does precious little to make America more energy efficient or to reduce our dependence on foreign oil. There is no effort to make our cars more energy efficient. Seventy-five percent of the oil we use every day goes right into our gas tanks. This bill acts like it is okay that mileage on our autos has gone down in recent years, there is no connection between that and today's record gas prices.

Finally, Mr. Speaker, this bill calls for new offshore drilling under the guise of conducting a so-called inventory.

My friends on the other side will argue that this is just a study so we know what is out there. MMS already conducts surveys every 5 years on offshore resources. We already know where the offshore oil and gas is: in the central and western gulf where drilling is currently allowed and is under way, so why the inventory?

Putting it simply, this is just a first step in opening up offshore areas now off limits to new drilling. This means new drilling off States like Florida, North Carolina, and California. Make no mistake: this inventory is the oil companies' attempt to begin dismantling the long-standing, bipartisan moratorium on new drilling in these areas.

Voting for this bill means you support drilling off Florida, California, North Carolina, and other States. I urge my colleagues to vote down this bill.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. HALL), the chairman of the Subcommittee on Energy and Air Quality.

Mr. HALL. Mr. Speaker, I rise today, of course, in support of H.R. 6, the Energy Policy Act of 2005; and I am very pleased with the conference agreement before us today as the culmination of years of hard work and determination amongst my colleagues and friends. I certainly commend the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Ranking Member DINGELL). I have been here 25 years, and I have never seen an operation like the one we have gone through this last week where the ranking member, the gentleman from Michigan (Mr. DINGELL), and the chairman, the gentleman from Texas (Mr. BARTON), worked together on hammering out a good bill; not perfect for either one of them, but both of them working for what has been called ''the greatest good for the greatest number.'' These two men worked together, did not agree on everything, but worked together for the good of the people, basically for the young people of this country who will have to fight a war for energy if we do not find our own energy, and we have plenty of it here.

We need this bill before us today. We needed it 5 years ago. But I gladly accept it, because we simply cannot go another day without doing anything we have to do to increase our domestic production of oil and gas, increase our energy efficiency, and step up our conservation efforts, all towards the goal of being less reliant on foreign countries, people that do not trust us, people that we do not really trust for our energy needs.

I am especially pleased about the inclusion of my Ultra-deepwater and Unconventional Offshore Natural Gas and Research and Development program, which will enable the development of new technology to increase natural gas production from the 1,900 trillion cubic feet of technically recoverable reserves in North America, enough to meet over 85 years of demand at current rates of consumption.

Mr. Speaker, this is a good bill for the Nation, it is a good bill for the Fourth Congressional District of Texas, it is good for our country, and it is good also for this generation of high school juniors and high school seniors who, using this energy policy, will be able to ask themselves which university or college will I enter, rather than which branch of service will I enter.

I urge all of my colleagues to vote ''yes'' for this very important piece of legislation.

Mr. BOUCHER. Mr. Speaker, at this time I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. STUPAK), another of our conferees.

(Mr. STUPAK asked and was given permission to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think what we have before us today is a pretty good energy bill. The conferees worked hard to find a compromise on this legislation, and I think that the majority of our colleagues on both sides of the aisle will support it today.

I want to give particular congratulations and thanks to the leadership of the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Ranking Member DINGELL), and also to Senator DOMENICI and Senator BINGAMAN. By all working together, we do have a bill.

Is it a perfect bill? No. And if we are going to work via compromise, it cannot be a perfect bill. I would have preferred to see fewer corporate tax breaks; and I think in conference, those of us on the main committee, we were blocked out on those tax provisions. So while I have some objections on some of these corporate tax breaks, overall I think they are fair.

In addition, I would have liked to have seen stronger measures for direct relief at the pump for Americans who are suffering right now as we pay record-high gasoline prices. In fact, in Michigan last week, as I noted to the conferees, gas spiked 80 cents in one day, it went up 80 cents, to $3.51. That was based on rumors and everything else. But that is how volatile the situation is out there.

So I actually had a provision that said, stop filling the Strategic Petroleum Reserve until a barrel of oil drops below $40 for 2 consecutive weeks. Unfortunately, the language did not make it into the final bill. But we do encourage the Secretary of Energy to look at this, and I would like to take this time to suggest to him that he do something immediately to help out our domestic gasoline market. We just cannot continue to see spikes of 80 cents.

Also, I would have liked to have seen stronger language on the underground storage issue. While we did make some improvements on this issue, I think we can ill-afford to allow our groundwater to continue contaminating our drinking water. In particular, we cannot allow MTBE to continue to contaminate drinking water across this country.

□ 1145

On a positive note, I am very excited and pleased that finally after all of the years of work, we have a permanent ban on oil and gas drilling in and under the Great Lakes. Whether it is a State permit or a Federal permit, you will no longer be allowed to do it. I am very pleased with that provision that I have worked for for more than a decade to put the provision in there.

Also there are some provisions on nuclear energy, and I know that is sort of a controversial thing, but I, for one, believe if we are going to start worrying on dependency on foreign oil, that if we are really concerned about global climate change and climate change here in this country, we must revisit the issue of nuclear energy, and I am pleased this bill provides incentives to make the United States once again a leader in this area, and protect our environment, protect our climate and get America less dependent on foreign oil.

Mr. Speaker, as I said, this is not a perfect bill but is one that I can support. After 13 years and seeing so many energy bills come before this floor, none of which I have supported, I am pleased to be able to lend my support for this bill, and once again I would like to thank the leadership for their work on this legislation.

Mr. Speaker, I think what we have before us today is a pretty good energy bill. The conferees worked hard to craft compromise legislation that I think the majority of our colleagues on both sides of the aisle will support today.

Is this a perfect bill? No. I would have preferred to see some of the corporate tax breaks pared back, but the Energy and Commerce conferees were shut out of discussions regarding tax provisions.

In addition, I would like to have seen stronger measures to give direct relief at the pump for the millions of Americans who are paying record high prices for gasoline right now. I had a measure that would have provided millions of additional barrels of oil for the U.S. market by suspending contributions to the strategic petroleum reserve until the price of oil dips below $40 per barrel for two consecutive weeks. Unfortunately, that was dropped in exchange for language allowing the Secretary of Energy to voluntarily suspend contributions if he sees fit. I would like to take this time to suggest that he do so immediately, allowing more oil into the domestic market.

I also would have liked to have seen stronger wording for secondary containment of underground storage tanks. While we did make some improvements on this issue, we can ill afford to allow our groundwater to become contaminated with gasoline from leaking underground storage tanks. In particular, we cannot allow MTBE to continue to contaminate drinking water across the country.

I am happy that the "safe harbor" provisions for manufacturers of MTBE that were in the House bill were dropped. Instead, there is a provision allowing lawsuits to be sent to Federal court if a defendant wants to make a request to do so. During the conference, I asked Chairman BARTON about the MTBE provisions in the bill and whether the claims filed after the date of enactment would require a case to be sent to Federal court. The chairman indicated that it did not require a case to be sent to Federal court, but gave defendants in prospective suits the right to ask that the case be sent to Federal courts. I wanted to be sure that we were not conferring any new substantive or subject matter jurisdiction over MTBE cases and I was pleased to hear from Chairman BARTON that to his knowledge, the legislation was not doing so.

I am happy to see that there are provisions in the bill to increase incentives for the nuclear power industry. While I know that there are those who oppose nuclear energy, I feel that if we are going to reduce our dependence on foreign oil, and climate change we need to explore increased nuclear technologies.

A provision I am particularly proud to say made it into the conference is a ban on any new oil and gas drilling beneath our Great Lakes. This provision will improve public safety and protect the source of drinking water for more than 30 million residents of the Great Lakes. I've worked on this for more than a decade and this will benefit the people of the Great Lakes for generations to come.

Lastly, I am happy to report that this bill does not include drilling for oil and gas in the Arctic National Wildlife Refuge.

Mr. Speaker, this is not a perfect bill, but it is one that I can support and I thank Chairman BARTON and Ranking Member DINGELL for their tireless efforts to come to the compromise before us today.

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill contains about $80 billion worth of giveaways to the oil and gas and other industries in our country. Those giveaways are coming from somewhere.

The United States has a huge deficit. We do not have any money. There is only one part of our government that is running a surplus, and that is the Social Security Trust Fund, and what the Republicans are doing is erecting a huge oil rig on top of the Social Security Trust Fund to drill for the revenues that will be given to the wealthiest industries in America—the oil and gas industries—that are reporting the largest profits in the history of any industry in the history of the United States.

The Republicans are tipping the United States consumer and taxpayer upside down and shaking money out of their pockets.

Mr. BARTON of Texas. Mr. Speaker, we thank the gentleman from Massachusetts (Mr. MARKEY) for using his chart once again.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMAS), the distinguished chairman of the Ways and Means Committee.

Mr. THOMAS. Mr. Speaker, they have a saying in racing that to finish first, first you have to finish. It is a pleasure to stand up after several frustrating years and Congresses to be here supporting an energy bill. As we move from a society totally dependent upon fossil fuels to alternative energy, it is important to make sure that the infrastructure that will carry us through to alternate energy is functioning adequately, and I am pleased that that has been done in this bill. I am also pleased that, as principally led by Senator DOMENICI for a number of years, that we are beginning once again to look at an obvious source of energy that has been overlooked, nuclear energy.

And I want to compliment the new chairman of the Energy and Commerce Committee for his understanding that time is secondary to getting people to a level of agreement that allows us to present this bill on the floor today.

Of course, no bill is perfect, but if you do not have a bill, you cannot stand up and criticize it as the gentleman just did in the well. I am very

pleased with this work product in terms of its balance. We tried to create balance within the tax area. We are willing to spend money on an experimental basis on a number of alternative sources. As some do not prove out, I am hopeful that we do not turn them into perennial payments just because they started in the bill; that we move and look for those alternate sources of energy that can begin to augment the fundamental hydrocarbon structure and then move beyond that as expeditiously as possible.

It is a balanced bill. I think you will see balanced support. Once again, I want to compliment the chairman for doing something that heretofore has not been done. It is always easy when you do it. It has not been done before. Congratulations to the gentleman from Texas (Mr. BARTON).

Mr. Speaker, the need to complete this comprehensive energy bill leads us to consider it without the normal accompanying statement of managers used to clarify and enhance understanding of the legislative text. Our colleagues, the chairman of the Committee on Finance and the ranking minority member of that committee, agree with me that those who follow tax legislation can and should use the Joint Committee on Taxation's publication, "Description and Technical Explanation of the Conference Agreement on H.R. 6, Title XIII, Energy Tax Incentives Act of 2005, JCX–60–05, as the functional equivalent of a statement of managers for the purposes of completing their understanding of what the tax incentives provide.

The joint committee publication has been submitted for publication in the CONGRESSIONAL RECORD. It can also be accessed on the joint committee's website—http://www.house.gov/jct/—for those who are interested. It is an extremely useful tool the public can employ to see just how much we have accomplished with this bill.

I would also note, as a matter of clarification, section 1326 of the conference report, which provides for a 7-year depreciation pelod for natural gas gathering lines, is meant to prospectively clarify the depreciation of property meeting either of the two standards in subsection (b) of the section. This provision should not be interpreted as undermining any taxpayer's position versus the IRS in regard to current law, but instead as a clarification of the treatment of property meeting either of the standards described in subsection (b) after April 11, 2005.

Mr. BOUCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RUSH), a valuable member of our Energy and Commerce Committee.

Mr. RUSH. Mr. Speaker, I rise in support of this conference report. I do not think that this piece of legislation is perfect, and there are many provisions in this bill that I disagree with, but overall I support passage of this conference report, because it contains many provisions that are important to me and to my district, including provisions affecting ethanol and the Low Income Home Energy Assistance Program, also known as LIHEAP.

During the markup of this House version of the bill in the Energy and Commerce Committee, we passed my amendment, which will significantly increase authorized funding for LIHEAP to $5.1 billion. And I am very pleased that this increase was sustained during the conference committee and the hearings of the conference committee.

Mr. Speaker, I want you to know that this provision is so important to my constituents and to constituents similar to mine who suffer during the ravaging winter months and are often at a point where they have to make a decision between paying high energy costs and paying for medical care or paying for food.

I want to talk for a moment about this process that we have gone through this year. This year's process has been infinitely better than last year's shoddy process, whereby the majority went behind closed doors and drafted a conference report with zero input from the minority.

And, Mr. Speaker, I want to let you know and let the Members of this House know that I really appreciate the fact that Chairman BARTON has displayed a willingness to be fair and to work with me and other Democrats on this energy bill. We have a long history of bipartisan cooperation in our great committee, the Energy and Commerce Committee, particularly and especially when the gentleman from Michigan (Mr. DINGELL) was chairman. I want to commend the gentleman from Texas (Mr. BARTON) for continuing this tradition. It should serve as a blueprint for the rest of the Congress. We would have a lot less sniping and get a lot more work done in the full House of Representatives were we to follow the leadership of Chairman BARTON, the ranking member and the Energy and Commerce Committee.

And I urge my colleagues to vote yes for this conference report.

Mr. MARKEY. Mr. Speaker, I yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, when it has never been clearer that the United States needs to catch up to the rest of the world dealing with energy efficiency and global warming, even the supporters of this legislation agree with the taglines in the New York Times and the Washington Post, "it is not a disaster", "it could have been worse".

Forget about explaining to our grandchildren; how will the Members of this Congress explain to next Congress' interns about why we settled for the lowest common denominator, continued to finance both sides of the war on terror with our continued dependence on Middle East oil. If we could not get landmark legislation, hopefully this bill will be a tombstone for the energy policy for the last century.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, Ben Franklin certainly would be proud, because as the father of daylight savings time, we are finally implementing his ideas in this legislation.

I want to thank the many Republicans and Democrats that are supporting this legislation in both bodies. And, of course, on daylight savings time today, it starts the first Sunday in April, it goes through the last Sunday in October.

We learned, my coauthor, the gentleman from Massachusetts (Mr. MARKEY), and myself learned that there was a U.S. Government study done back when maybe I was in junior high school that we said that we would save 100,000 barrels of oil a day for every day that we extended daylight savings time. That was when we had 50 million fewer Americans.

Well, guess what we do in this bill? Beginning in 2007, we will change daylight savings time. It will start now the second Sunday in March, it will go through Halloween, through the first Sunday in November.

We know that traffic fatalities will decrease. We know that crime rates will decrease. We know that folks will get home with an hour more of sunlight, whether they are coming home from school or whether they are coming home from work. And by having it kick in 2007, we will allow other countries, whether they be Canada, Mexico, perhaps Europe, to establish their timelines the same as ours. We will add a little more sunshine to everybody's day.

Mr. BOUCHER. Mr. Speaker, we reserve the balance of our time.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I want to tell you that I am in opposition to the Energy Policy Act of 2005. In my opinion, the bill does nothing to reduce our dependency on foreign oil. It does not reduce gas prices. It does not make our Nation more secure.

Instead, the bill will increase gas prices for consumers in California, where I come from, by requiring the increased use of ethanol. It threatens our water supply by rolling back the Safe Drinking Water Act, the Clean Water Act, and a trade-off I do not find acceptable at all. It overrides our States rights to oppose drilling offshore by including language requiring an inventory.

Mr. Speaker, I commend my colleagues for choosing not to include MTBE safe harbor provisions in the bill, but that alone does not guarantee that this is a good bill.

The bill is a missed opportunity. I do not support this legislation. And I know we must continue this debate on cleaning up our environment and protecting our consumers.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, this has indeed been a long process. I thank the chairman and I thank the ranking

member for providing us with the leadership that has given us this balanced legislative product.

Mr. Speaker, conservation, production, alternative energy sources, and new technologies, hybrid vehicles, fuel cell vehicles are all part of this energy bill that we have before us today.

In my district back in Texas, significant because we have a big solar panel production plant in Keller, Texas, we have a wind turbine plant in Gainesville, Texas, up in Cook Country. And while people know that we have lots of wind and lots of sun in Texas, you may not know that we have garbage in Texas. And in Denton, Texas, my hometown, we have a new biodiesel plant, and the energy for that biodiesel plant is taken entirely from methane from the city dump, truly a balanced way to achieve new sources of energy.

Mr. Speaker, again I thank the chairman for the leadership in bringing this bill for us today, and I urge my colleagues to support it.

Mr. BOUCHER. Mr. Speaker, we reserve the balance of our time.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I am voting against this legislation. It does absolutely nothing to lower the outrageous price of gasoline at the pump. It provides precious little for research and development of renewable energy sources.

What it does do is give huge subsidies to the oil and gas industries that are making record profits. But the main reason I am voting against this dog of a piece of legislation is because it gives major megasubsidies to the nuclear industry so that they can build more nuclear power plants.

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What is the problem with this? When you have nuclear energy it produces a deadly by-product. That deadly by-product is nuclear waste. This Nation has never figured out what to do with the nuclear waste. We cannot safely store it. Our solution is to put it in a hole in the Nevada desert where we have ground water problems, seismic activity, volcanic activity. Why would we be spending billions of dollars of taxpayers' money to produce more nuclear waste that has a radioactive life of 300,000 years?

Before we waste taxpayers' money on nuclear energy, let us figure out how to deal with the nuclear waste. This is a slap in the face and an insult to the people I represent.

Mr. BARTON of Texas. Mr. Speaker, I want to first recommend the gentlewoman of Nevada to look at section 1290 of the bill which is an item that the Senior Centers in Nevada strongly supports.

Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. STEARNS) for purposes of a colloquy.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, the gentleman from Florida (Mr. BILIRAKIS) and I would like to engage the gentleman from California (Mr. POMBO) in a colloquy.

First of all, we want to thank the gentleman for his willingness to work with the entire Florida delegation to reach an agreement that will allow the States to increase control of their waters.

Included in H.R. 6 is a provision ordering an inventory and analysis of oil and natural gas resources in the Outer Continental Shelf. Many are concerned that this inventory is merely a precursor to drilling off Florida's coast against the wishes of the Governor and our two U.S. Senators and the Florida delegation.

Currently, there is a moratorium against drilling in this area, over here, until 2012, and these areas called the stovepipe and bulge, here and here to 2007. The top of the stovepipe is about 16 miles off the coast of Pensacola, home to a large amount of military operations.

Mr. Speaker, can we have the chairman's assurance that he will continue to work with the Florida delegation to find a solution that encourages and ensures that drilling or exploration will not occur in the areas off the Florida coast against the wishes of the State?

Mr. BILIRAKIS. Mr. Speaker, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Florida.

Mr. BILIRAKIS. In addition, the chairman has stated in the past that each individual State should have the ability to control its own waters, and the decision to drill or take an inventory should rest with the State legislature and the Governor. Can the gentleman assure us that he will work with us to provide States with that ability?

Mr. POMBO. Mr. Speaker, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from California.

Mr. POMBO. Mr. Speaker, I will continue to work with both of the gentlemen and the entire Florida delegation to resolve all of these problems so that we do what is in the best interest of Florida the other States and the country. I appreciate all the work that the gentlemen have put into this already.

Mr. STEARNS. Mr. Speaker, I would say the importance of this is it be a long-term solution for the State of Florida instead of having to go to reiteration every 2 years dealing with this moratorium. As you know, we worked almost 3 hours in the night trying to come up with a solution. We have a workable plan that we discussed with the chairman, and we very much appreciate the chairman's support, interest, and help.

Mr. BILIRAKIS. We know the chairman is a man of his word.

Mr. BOUCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN), a valuable member of our Committee on Energy and Commerce.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I thank our ranking member on our subcommittee for allowing me to speak for 3 minutes.

The comprehensive energy legislation is a positive step towards a stable energy future for America, and I want to thank all the Members who worked so hard in putting this together on such an aggressive schedule. I especially appreciate our ranking member, the gentleman from Michigan (Mr. DINGELL), of our full Committee of Energy and Commerce, and also our Chair of our subcommittee, the gentleman from Virginia (Mr. BOUCHER), for their hard work. I congratulate the gentleman from Texas (Mr. BARTON) on both his fairness in the committee mark-up and also in the floor action that we had. We actually made democracy work. But also I know the hard work as I watched a lot of conference committee on TV in the effort to get this legislation where it is today. I think it is a great achievement.

The folks who are opposing it, their biggest argument is we do not do anything about lowering oil prices. Well, the easiest thing we could do is actually produce more domestically instead of importing it from everywhere, but they are the same folks that are opposing any more domestic production.

This bill does so many good things. Energy infrastructure, the bill addresses the bureaucratic blocks that hamstring the growth of our energy infrastructure, particularly regarding natural gas terminals and pipelines. And I am pleased the conference committee has chosen to follow the blueprint of the Terry-Green LNG legislation we introduced last year that first recognized LNG as an international and interstate commerce and thus subject to ultimate Federal jurisdiction.

We need to open at least 10 to 15 liquefied natural gas terminals in the lower 48 in the next 5 to 10 years in order to stabilize our natural gas prices, both residential and commercial prices, and protect millions of our manufacturing jobs.

The petro-chemical industry is in dire need of stable natural gas feedstock prices as elsewhere along the Gulf Coast. Our community would end up looking like the Rust Belt. This committee report helps that.

Domestic production, I am disappointed, did not go far enough in domestic energy supplies. America's vast offshore energy resources remain largely off-limits even though our coast would not be threatened by development. Contrary to political scare tactics of certain organizations, oil and gas can be safely produced, whether it is Florida, California, or the east coast. We have been doing it off Texas, Louisiana, Mississippi, and Alabama for

years. Lower 48 production uses pipelines and not tankers so the Valdez is not even an example they can use.

Mr. Speaker, the other concern I have is the loss of the MTBE issue, but I understand the Senate did not want to take it up. So I guess the folks who want to sue for MTBE can go to the courthouse. MTBE actually lowered our air pollution problems in my community in Houston. It was under the 1990 Clean Air Act. I would just hope businesses and communities would still continue to try to find another substances that would clean up our air.

In conclusion, I am concerned about ensuring that we have adequate traditional energy sources because we have to rely on them for the next few decades. I will support anything we do in research to get alternatives, but we also need to make sure we can keep our lights on for this decade.

The comprehensive energy legislation is a positive step towards a stable energy future for America.

I want to thank all Members who have worked so hard on putting this together on such an aggressive schedule. This is a great achievement.

I. ENERGY INFRASTRUCTURE

The bill addresses bureaucratic roadblocks that have hamstrung the growth of our energy infrastructure, particularly liquefied natural gas terminals and pipelines.

I am pleased that the conference committee has chosen to follow the blueprint of the Terry-Green LNG legislation we introduced 1 year ago. Our bill was the first to recognize that LNG is international and interstate commerce, and thus subject to ultimate Federal jurisdiction.

We need to open up 10–15 LNG terminals in the lower 48 States in the next 5–10 years in order to stabilize natural gas prices, residential and commercial electric prices, and protect millions of manufacturing jobs. The petrochemical industry is in dire need of stable natural gas feedstock prices, or else the Gulf Coast could end up like the Rust Belt.

This conference report ensures that "not-in-my-backyard" LNG opposition will not drive electric prices through the roof and drive manufacturing jobs overseas to Asia and Europe in search of affordable natural gas.

II. DOMESTIC PRODUCTION

I am disappointed that the legislation does not go nearly far enough to increase domestic energy supplies.

America's vast offshore energy resources remain largely off-limits, even through our coasts would not be threatened by development.

Contrary to the political scare tactics of certain organizations, oil and gas can be produced safely off of Florida, California, and the East Coast. Beaches and coastal areas in the lower 48 have no need to fear a Valdez-like accident from offshore production.

Lower 48 production uses pipelines, the safest form of transportation in the world, and will not mean more oil tankers.

In many decades of oil and gas production in the Gulf of Mexico, we have not had disasters that ruined any of the beaches or estuaries in Texas, Alabama, or Louisiana. Tourism at Texas beaches like Galveston and South Padre Island is a huge industry and we protect it seriously.

I challenge opponents of offshore production to name one serious oil spill that has harmed a Gulf beach or estuary.

Critics like to say that this bill is projected to do little to reduce gas prices that are squeezing Americans. That may be true in the short run, although if ANWR exploration is approved in the budget that will change. Ironically the real reason there is not enough gas price relief in this bill is the opponents of the bill themselves.

The best thing we can do to stabilize gas prices is produce more oil at home—we cannot wave a magic wand and lower the price of Middle Eastern oil.

III. MTB

I am also disappointed that the Senate is unwilling to help clean up MTBE spills from leaking underground storage tanks.

MTBE was developed to eliminate lead in gasoline, and by fulfilling the 1990 Clean Air Act's oxygenate requirement, MTBE has done much to reduce smog in American cities. Unfortunately, oxygenates are problematic when they are stored in leaky tanks.

MTBE producers, many of which are not huge oil companies, never would have made MTBE without the Clean Air Act of 1990.

In a catch–22, they now face multiple lawsuits for complying with federal law. As a result, U.S. industries are likely to be less willing to make environmentally beneficial products at the direction from Congress in the future.

This bill is a great first step and I support its final passage. However, America's energy policy is not complete and it will require more work for future Congresses.

IV. CONCLUSION

I am most concerned with ensuring we have adequate traditional energy resources, because we will have to rely on them for the next several decades. An abundant, clean energy future is possible, but it is still many, many years away.

But I want to note that this bill is balanced: it has important energy efficiency, energy conservation, and renewable energy incentives and requirements. We will have more solar, wind, biomass, geothermal, hydro, clean coal energy as a result of this legislation.

I urge a "yes" vote on the conference report.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, it is truly sad that a Nation that produced the Apollo Moon Project today will produce something with the success of the Hindenberg.

The only thing that can be guaranteed about this bill is that it will fail. It is guaranteed that it will fail to reduce our dependence on Saudi Arabian oil.

According to the Department of Energy, our dependence will rise under this bill from 58 percent to 68 percent failure. It is guaranteed to fail to deal with global warming, and the reason is you took the money that should have gone to emerging high-tech industries that need the help, the Davids, and you gave 64 percent to the Goliaths of the oil and gas industry. Guaranteed failure.

It is guaranteed to fail, to send our jobs to Japan because you took out of the bill the provision that would bring these new fuel-efficient cars to be manufactured in America where they should be. Guaranteed failure.

The only success that this bill will have is an energetic fleecing of American taxpayers. And if you can find a reason that you can take money from your taxpayers and give to the most profitable business in America at $60 a barrel oil, good luck. I cannot explain it. I do not think you will be able to either.

Vote against this bill.

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members that the gentleman from Texas (Mr. BARTON) has 5½ minutes remaining. The gentleman from Virginia (Mr. BOUCHER) has 6 minutes remaining. The gentleman from Massachusetts (Mr. MARKEY) has 12 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. GILLMOR), one of the distinguished subcommittee chairmen of the Committee on Energy and Commerce.

(Mr. GILLMOR asked and was given permission to revise and extend his remarks.)

Mr. GILLMOR. Mr. Speaker, I thank the gentleman for yielding me time.

I am very pleased to rise in support of this bill, and I want to commend the gentleman from Texas (Mr. BARTON) for the outstanding job he did as chairman of the conference committee. It was about the most fair and open process that I have seen, and I think it has contributed to the success of this report.

We are long overdue for a good national energy policy. We need to increase fuel supply. We need to encourage conservation. We need to encourage the use of renewable fuels, and we need to increase the reliability of our electrical grid. This bill does all of that and much more.

Mr. Speaker, I rise in support of the conference report to H.R. 6 and urge all my colleagues to do the same. In addition, I want to commend Chairman BARTON and Energy Subcommittee Chair HALL for their dedication and hard work in making this bill a reality.

A good national energy policy needs to address the issue from many aspects. It should, I think, deal with increased supply, with conservation, and with increased use of renewable fuels. It should also deal with improvements in the delivery systems for energy, including the reliability of our electrical grid. This bill makes significant improvement in all of the areas, plus more.

This bill is not perfect, but it steps our country in the right direction. Certainly, anyone of us could have written an energy bill that we liked, but getting it to the President's desk is another story. The worst type of legislation, in my opinion, is the kind you cannot get a majority to support.

Like it or not, an energy has to be about understanding our past legacy, solidifying our present reality, and preparing for our future destiny. I believe this conference report

achieves those three goals. Plenty will be said today about the many provisions contained in this conference report, I would only like to take a brief moment to address two of them that directly impact our nation's past, present, and future energy history: leaking underground storage tanks and state energy production tax credits.

Regarding LUST, or the Leaking Underground Storage Tank program, I am pleased that H.R. 6 contains language to help states more aggressively tackle the problems of leaking fuel in their groundwater. Currently, the Federal government has collected gasoline taxes of over $2 billion to provide cleanup. In reality, however, not much more than the interest on yearly receipts is actually used. We must reverse this trend.

H.R. 6 contains many new requirements that I believe will make our underground tank programs more effective and efficient and our environment safer and healthier. Specifically, this conference report requires at least 80 percent of all dollars appropriated from the LUST Trust Fund to be sent to the States for operation leaking underground tank programs. It provides increases in State funding from the LUST Trust Fund for States containing a larger number of tanks or whose leaking tanks present a greater threat to groundwater. H.R. 6 also requires onsite inspections of underground storage tanks every three (3) years after a brief period for the state to update its backlog. In addition, the conference report establishes operator-training programs, where they do not already exist, institutes a specific new funding category to cleanup tank-related releases of oxygenated fuel additives in gasoline, like MTBE, prohibits Federal facilities from exempting themselves from complying with all Federal, State, and local underground tank laws, and asks States to submit an annual inventory to the U.S. EPA detailing the number of regulated tanks in its state and which of those tanks are leaking. Finally, and most importantly, this legislation allows states to stop deliveries of fuel to non-compliant regulated tanks in order to achieve legal enforcement.

These are all strong improvements that not only meet with the spirit, if not the letter of recommended by the General Accounting Office, but most of these same provisions have previously passed the House. I urge their support.

Another item I feel worthy of my colleagues' support is a measure protecting our states' abilities to enact laws providing incentives for energy production. When we are trying to encourage energy production, we should not pit good environmental protection against the retention of good jobs. My state has opted for tough, expensive, new equipment standards on its coal-fired electricity plants and has coupled that with the encouragement of good paying coal jobs. This effort though is in jeopardy because the law is murky enough to make it subject to accusations of Commerce Clause violations. Removing this cloud of uncertainty will further contribute to our nation's energy security, environmental protection, and growing economy.

H.R. 6 contains a section that mirrors legislation that I introduced clarifying that a state may provide a tax credit for in-state electricity production from coal technologies.

Such a credit is considered to be a reasonable regulation of commerce in accordance with the Commerce Clause of the U.S. Constitution, further encouraging states to move forward and take advantage of their respective resources spurring new and cleaner energy production.

I am happy we were able to provide greater protection for the Great Lakes.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, to Americans who are paying record prices for gasoline, do not look for any relief in this legislation. You would think when you pay record high prices for gasoline because of supply and demand that those who are receiving such high prices ought to have enough money to reinvest it to develop more energy.

Well, what are we doing here? We are asking the taxpayers to give more money to the oil, gas, coal, and nuclear industries in order to produce more energy domestically. For those who think that maybe at a time when we are dealing with a supply and demand problem that we also ought to reduce the demand, there is almost nothing in this legislation.

In fact, the other body, that means the Senate, had a provision that would have called on the President to come up with some ideas to reduce the demand for energy and the waste of energy and waste of oil particularly, just the President to come up with some ideas. Well, that was forced out of the bill.

We have nothing to make automobiles more fuel efficient, nothing to reduce the demand. For those who think perhaps we ought to look for alternative renewable fuels, well, the Senate had a provision on that issue. It was not a very strong one. That was struck from the bill.

The Republican Party has always had a tension between those who believe in fiscal responsibility and reducing government spending and those who want to reward their friends. This bill reflects the Republican Party, and many Democrats', support for their goal to reward their friends in big business.

Then the worst part of this bill, at a time when we are fighting in the Middle East, when we are asking our young men and women to risk their lives in part to protect our security from those who have been financed by oil imports into the United States and around the world, we are going to become even more dependent on importing more foreign oil.

This legislation is more than just a lost opportunity; it is a bill that I do not think is worthy of our support.

Now, the bill is not as bad as it could have been, but it is not nearly as good as it should be. The American people deserve much better. They deserve a visionary, bold energy policy that truly makes our country energy independent. And the bill is also a strike at environmental protection.

There was nothing more pathetic than the colloquy a few minutes ago with some of my colleagues from Florida who were worried about the beginning of drilling off the shore of Florida as we in California have worried about that as well. And they asked the chairman of the full committee for assurances that he will continue to work with them if the State does not want to allow the offshore oil drilling off the coast of Florida as we do not want it done in California. And they were assured that, of course, they would continue to be worked with.

Well, those same gentleman offered amendments, and I supported them, to say that we should not start down that road to drilling off the coast. And then they offered an amendment, which I supported, to say, if the State does not want drilling off the Continental Shelf, off that coast, to let the State opt out. That was defeated.

Now what we have in that colloquy is we will have people continue to work with us.

Well, we have taken the step towards letting the oil companies drill off the coast of our Nation. We have taken the step to open up more national lands that we wanted to protect to be developed by the oil companies. In another bill we will open up Alaska lands to further drilling.

We cannot drill ourselves out of our energy problems. We are not going to drill ourselves out of the global climate problems. We have got to get a better energy bill than the one before us. I urge Members to vote against it.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. POMBO), the distinguished chairman of the Committee on Resources.

Mr. POMBO. Mr. Speaker, I thank the gentleman for yielding me time.

While I want to start off by congratulating the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Mr. DINGELL) and the great work that went into putting this bill together, I would say this is a good bill. It is not a great bill. I think we started with a great bill in the House, but in the spirit of compromise in working with the other body, we were able to come up with a good bill that is finally going to be able to pass.

There is a lot that we need to do to have energy independence in this country and to lessen our dependence on foreign energy sources. A lot of that we did not include in this bill. Unfortunately, ANWR is not in this bill. It increased domestic production. We do not go as far as we should have in being able to streamline the process to bring in more alternative energy and renewable energy. A lot of that we were not able to get in. But it is a good first step. It is a way to move forward.

There are a lot of things that we were able to get into this bill that over a period of time will increase domestic production. It is a great start. It is a great way for us to begin to lessen our dependence on foreign oil.

One of the things that is frustrating with all of the process is that a lot of

my colleagues voted against every single increase, anything that had to do with increasing energy independence in this country. We need to continue to work on this.

Again, I congratulate the chairman because I do believe this is a good bill.

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Mr. BOUCHER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, as we consider this energy bill, here are a few numbers we might want to keep in mind: $7.4 billion. That was Exxon Mobil's income in the second quarter, an increase of 32 percent. Net profit at Shell rose 35 percent, going from $4 billion to $5.5 billion. BP's second-quarter profits soared by 29 percent, revenues were $5 billion. ConocoPhillips' earnings up 33 percent.

One more number: $14.5 billion. That is the total amount of taxpayer handouts to oil and gas companies in this bill, the same companies reporting very good profit margins. With oil at $60 a barrel, not $14, not $28, not $32, we are paying oil companies to execute their business plans. So American taxpayers, American consumers are being asked to pay twice, once at the pump and then again on April 15.

The sad truth is that this conference report is a lost opportunity. There are some very, very good provisions in the bill, but instead we have missed an opportunity to present a comprehensive energy policy and filled it instead with gifts to Big Oil. We could have accomplished things on conservation, we could have accomplished things on renewable sources, but we chose to give $14 billion of taxpayer money away to companies to do their business plans. I urge a ''no'' vote.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. CAMP), a member of the Committee on Ways and Means.

Mr. CAMP. Mr. Speaker, I thank the gentleman from Texas (Mr. BARTON), chairman of the Committee on Energy and Commerce, for yielding me this time, and also the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), both of these gentlemen, for their leadership on the Energy Policy Act.

As a conferee to the tax title on H.R. 6, this bill delivers a huge win for Michigan soybean growers by securing an extension of the Federal Biodiesel Tax Incentive through 2010, a program that many farmers in my district depend on. Biodiesel makes sense on every level, our environment, national security, reducing dependence on foreign oil, and it is certainly better for farmers in Michigan. The tax incentive is expected to increase demand for biodiesel, most often made from soybeans. And soybeans are Michigan's fourth largest commodity in terms of farm income, and by far the largest crop grown in mid-Michigan.

I am also pleased that the conference report includes legislation I have been working on that provides consumers with a tax credit for the purchase of hybrid advanced technology, lean-burn diesel, and alternative-fuel vehicles. This incentive will help reduce the amount consumers pay at the pump, lessen our dependence on traditional fossil fuels, and achieve cleaner air.

This bill reflects a balance between oil and gas production and efficiency and conservation. I urge my colleagues to vote for this important legislation.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the gentleman from Virginia (Mr. BOUCHER) for yielding me this time and for his leadership, as well as the gentleman from Texas (Mr. HALL) of the subcommittee, but let me particularly offer appreciation to the chairman of the full committee and the ranking member of the full committee for the hard work and dedication that they have offered, and also the spirit of the conference, which was open and allowed the full debate on what has been an enormously difficult challenge.

This Congress has been swimming the difficult tides of negotiations in an effort to pass a comprehensive energy bill for a very long time, and I believe today that we have that comprehensive legislation. Always when we say comprehensive, we think perfect. It is not perfect. It is not the perfect storm. But it does give us a roadmap that we can follow.

I happen to agree with the elimination of the ANWR provision and the elimination of the MTBE liability provision, but I do think there are enormous strides we have made in renewables. And I want to thank again the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) of the Committee on Science, of which I am a member. We did work on renewables. I am delighted that amendments that we had, and I offered, are in this legislation regarding biomass for minority farmers and ranchers and the utilization of fuel cells that will help the research on how we can be more energy-efficient.

I am delighted to note that we will be working further on a 2-year study back to Congress for those areas offshore, Texas and Louisiana, where environmentally safe development is going on. Domestic development will now get a 2-year report from the Interior Department, which will give us a roadmap on how we can work.

Mr. Speaker, this legislation also contains building standards to ensure that more of our buildings are environmentally safe or energy-efficient. So we have to have conservation as well as domestic development. As I indicated, we have some challenges in this legislation, but I do believe we have an effective roadmap.

We also have some aspirations, and I look forward to working on developing a program to add geologists that can help us find good, safe energy resources, and I would hope my colleagues would vote ''aye'' for this very good roadmap for America.

Mr. Speaker, let me first say thank you to Energy and Commerce Chairman Mr. BARTON, and Ranking Minority Member Mr. DINGELL for there hard and dedicated work on this important conference report. For several Congresses now, we have been swimming the difficult tides of negations in an effort to pass a comprehensive energy bill that would be beneficial to all Americans. I would like to thank as well Mr. BOUCHER, Mr. RALPH HALL, Mr. BOEHLERT, and Mr. BART GORDON.

While this report may not be perfect, it at least provides for no drilling and development of the Arctic National Wildlife Refuge, ANWR. In addition, the report has no MTBE liability clause. Despite this fact, I think it is important to work towards providing some protection for the States, and I look forward to working with Mr. BARTON and Mr. DINGELL in this effort. Further, under the report, there are no EPA restrictions with respect to the Clean Air Act. In addition, EPA can still regulate diesel fuel and certain Enron contracts will now be governed by FERC.

Let me also note that I was able to obtain the following provisions in the report:

BIOENEREGY LANGUAGE

There are authorized to be appropriated to the Secretary for integrated bioenergy research and development programs, projects, and activities $49,000,000 for each of the fiscal years 05–09. This funding shall be used for the training and education targeted to minority and social disadvantaged farmers and ranchers.

OIL AND GAS 2 YEAR STUDY

Under this provision, two years after the date of the enactment of this Act, and at two-year intervals thereafter, the Secretary of the Interior, in consultation with the heads of other appropriate Federal agencies, shall transmit to Congress a report assessing the contents of natural gas and oil deposits at existing drilling sites off the coasts of Texas and Louisiana.

BUILDING STANDARDS

This section calls for an assessment whether high performance buildings are employing voluntary consensus standards and rating systems that are consistent current state of the art technology and research and development findings. High performance buildings have been defined as those that effectively integrate energy efficiency, durability, life-cycle performance, and occupant productivity. This study shall be agreed upon, in conjunction with the National Institute of Building Sciences, no later than 120 days after the enactment of the act. The results of this study will provide the groundwork for future research, if deemed necessary and useful, as well as recommendations on new performance standards. This standard is important because it focuses building-related standards directly and the building industry indirectly on the concept

of whole buildings or high performance buildings. The goal is to take the knowledge we have accumulated through years of Federal research and development and make sure that it is reflected in a comprehensive set of standards that represent best practices and current knowledge. For instance, if we are building low income housing, we hope the builder would take into consideration safety of the inhabitants and how construction decisions will affect the tenants' monthly costs. If for a little higher construction cost, it is possible to cut monthly energy bills in half, then we have a winner.

SECONDARY ELECTRIC VEHICLE BATTERY USE PROGRAM

The act establishes a research, development, and demonstration program for the feasibility of using batteries in secondary applications, including utility and commercial power storage and power quality. The study will evaluate the performance, life cycle costs, and supporting infrastructure necessary to implement this technology. This is a good provision environmentally. If hybrids and other electric vehicles take off we are going to have a problem of what to do with all the batteries. This provision funded a series of research projects to look for uses for these batteries which are likely to outlast the vehicles, in utility applications and elsewhere.

In closing let me note that I also sought to include a provision that was not included in the report. This provision would have required the Secretary of Energy to establish a program to encourage minority students to study the earth sciences and enter the field of geology in order to qualify for employment in the oil and gas and mineral industries. While this provision did not make the cut, I am dedicated to including this provision in an appropriate piece of legislation by the end of the fall session.

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill is socialism at its worst. The headline makers of capitalism: Exxon Mobil, Chevron, and Texaco are reporting the biggest profits in the history of any industry in the history of the United States and bragging about it on the front pages of the newspapers of our country. They are bragging about it.

Right now, Adam Smith is spinning in his grave so fast that he would qualify for a subsidy in this bill as an energy source. That is how bad this bill is.

This bill so fundamentally violates all principles of capitalism that Exxon-Mobil, that Chevron-Texaco would come to the American people's Social Security System, put up an oil rig, and start drilling into the savings of American taxpayers, because that is who will subsidize all of these giveaways.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume to note that although we love the gentleman from Massachusetts (Mr. MARKEY) and his visuals, it is like the ''I Love Lucy'' reruns. We have seen them before.

Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. PICKERING), the vice chairman of the committee.

Mr. PICKERING. Mr. Speaker, I rise today in support of this legislation. It is a good step forward to increase our energy supplies, diversify our energy supplies, provide cleaner air, help our farmers, and strengthen our economy.

I first want to commend the chairman of the committee, the gentleman from Texas (Mr. BARTON), who has done a tremendous job of leading us to a great accomplishment, along with the ranking member, the gentleman from Michigan (Mr. DINGELL). It is an honor to serve on the committee where we have had an open process, a bipartisan process, to reach an agreement to move our country forward.

It is a bill that will give us clean coal, nuclear, new technologies for the future, fuel cell, hybrid, as well as increasing the production of our traditional fuels. It is a well-balanced bill, it is a well-crafted bill, and I am proud to support it and urge all the Members to support.

And to my friend, the gentleman from Massachusetts (Mr. MARKEY), he has been a happy warrior. It is good to know that in that bastion of capitalism, Boston, that we do have a proponent for Adam Smith.

Mr. Speaker, my very strong support of this bill.

Mr. BOUCHER. Mr. Speaker, I too reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, this is a troubling moment. If we were in the military, I think that we might be charged with dereliction of duty. The most important security issue that this Nation has to deal with is the issue of energy, doing things to decrease our dependence on foreign energy, particularly foreign oil. We are now importing about 60 percent of the oil that we use on a daily, monthly, and annual basis. This bill does little to deal with that problem.

Instead, what it does do is it gifts the oil industry with enormous amounts of tax concessions and tax breaks. The oil industry, of course, is now suffering from a very serious problem: They have more cash on hand than they know what to do with. They do not know what to do with all the money coming in from these high gasoline prices, high heating prices, and yet now we are going to dump a whole bunch more money on them.

We should be doing something that looks forward. If this bill were before the Congress in 1955, some people might say it was a forward-looking bill. But in 2005, it does nothing but look backward and does nothing to help our energy dependence and overall energy situation. I hope we defeat it.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume to make a request of the gentleman from Massachusetts (Mr. MARKEY). Could the gentleman yield me 1 minute of his time, if possible; or do you have your speakers all utilized?

Mr. MARKEY. Well, I have three more speakers. Could the Chair tell me how much time is left on both sides?

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. BARTON) has 1½ minutes remaining, the gentleman from Virginia (Mr. BOUCHER) has 4 minutes remaining, and the gentleman from Massachusetts (Mr. MARKEY) has 5 minutes remaining.

Mr. MARKEY. Mr. Speaker, the proponents of the bill still have more time left than the opponents of the bill, and the time was divided 40 minutes to 20 minutes. So what we have been trying to do, honestly, is just to harness our smaller number of minutes.

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that the time I control, which I believe is 1½ minutes, have an additional 1 minute added to that.

The SPEAKER pro tempore. One minute to each side?

Mr. BARTON of Texas. Well, no. I need 1 more minute from somewhere, Mr. Speaker. So if we cannot get it from the other side, I just ask unanimous consent to add 1 minute to the time I control.

The SPEAKER pro tempore. Without objection, the gentleman from Texas has 1 additional minute.

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield 30 seconds to the gentleman from Alabama (Mr. BONNER).

Mr. BONNER. Mr. Speaker, knowing that time is precious and that our colleagues from Florida have already engaged the gentleman from California, I would like to raise this question in a colloquy.

Mr. Speaker, as these discussions continue toward a plan that could affect future oil and gas leasing in the Gulf of Mexico, can the gentleman assure the delegations from all the States that border the Gulf of Mexico that any proposed plan would equitably and fairly consider the interests of those States?

Mr. POMBO. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from California.

Mr. POMBO. Mr. Speaker, I pledge to the gentleman that as we move forward with a long-term solution, that the interests of all the States bordering the Gulf will be protected, and the gentleman will be part of those discussions.

Mr. BONNER. Reclaiming my time, Mr. Speaker, one final question. Can the gentleman also ensure that the Governors and appropriate officials from those States will be included in those discussions?

Mr. POMBO. If the gentleman will continue to yield, the answer is yes.

Mr. BONNER. Mr. Speaker, I thank the gentleman.

Mr. BOUCHER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield 30 seconds to the gentlewoman from Tennessee (Mrs. BLACKBURN), a member of the committee.

Mrs. BLACKBURN. Mr. Speaker, I want to thank our committee chairman for the excellent work. In my district in Tennessee, our farmers are pleased that we are bringing this conference report to the floor. They understand affordable fuels, and they are looking forward to working alternative fuels. Our small business community is excited about available energy.

Most importantly, Mr. Speaker, I think this sends a message that America, this Nation, this Congress, is serious about a comprehensive plan and is ready and willing to address the future needs of this Nation's energy supply.

□ 1230

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in this bill there are so many preposterous provisions, it is impossible to list them all. But amongst them is a provision which after 35 years strips Governors and mayors of an ability to block an LNG, a liquefied natural gas facility, from being built in the middle of a densely populated area. This photograph shows Boston. This is my district. This is where one of the facilities has already been built, but it was built with permission.

Now post-9/11 with terrorists targeting sites with the highest potential harm to Americans, this bill blocks Governors, police, and fire departments from blocking facilities from going into densely populated areas. But the bill also allows the Pentagon, Secretary Rumsfeld, to protect against one of these being built next to a military facility. Imagine that, the Republicans will protect the Pentagon but not civilians in densely populated areas from an LNG catastrophe which could maim or kill tens of thousands of people.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Massachusetts (Mr. MARKEY) has 4 minutes remaining.

Mr. MARKEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is packed with royalty relief for big oil and gas companies, tax breaks for big oil and gas companies, loan guarantees for the wealthiest energy companies in America, even as they are reporting the largest quarterly profits of any corporations in the history of the United States.

It is politically and morally wrong for the United States Congress to come to this floor to pass legislation which will take money from the American taxpayers to hand over to the corporations who are now charging $2.30, $2.40, $2.60 at the pump to American consumers and reporting the largest profits in history. If they need to do new research, they have the money in their own pockets. That is capitalism. If they want to do new drilling out in ultradeep areas of the oceans, they have the profits to do that.

The American taxpayer should not be funding that drilling because, as American consumers, they are already paying for that drilling. The oil companies are saying publicly that they are making so much money they do not know what to do with all of the profits. But even as they say that publicly, they are coming here to the House floor, they are saying to the Members, we want to erect huge oil drills on top of the Social Security trust fund and drill $80 billion of subsidies out of American taxpayers' pockets and hand it over to the oil, the gas, the coal, the nuclear industries that are reporting the largest profits in history.

It is a moral and political failure because it is what is not in this bill that is the important energy agenda for our country. Our country puts 70 percent of all of the oil that we consume in gasoline tanks. We only have 3 percent of the oil reserves in the world. OPEC has 70 percent. That is our weakness. Our strength is that we are the technological giant of the world.

There is nothing in this bill about improving the fuel economy standards for SUVs and automobiles. There is nothing in this bill that will mandate that electric utilities increase their use of renewable energy so we can break our dependence upon these sources of energy that weaken our foreign policy by getting us deeper into the Middle East, emitting more pollutants which cause more asthma, more breast cancer, more prostate cancer as the environment alters genes to increase disease in our society. None of that is addressed in this bill in 2005.

If we could roll back the clock to 1905, this would be a very good bill. It would be about oil, gas and coal. It is 2005, however. We should be talking about the new agenda, the new technology agenda for our country. This bill is a political and a moral and a technological failure.

In addition to draining revenues out of the taxpayers' pockets to subsidize the wealthiest industries, we ignore the technologies which could break our dependence on imported oil and could send a signal to OPEC which would drive down the price of oil which would help our country's national security. I urge a ''no'' vote on this historic failure.

Mr. BOUCHER. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. DINGELL), the distinguished ranking member on the Committee on Energy and Commerce.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I rise in support of the conference report. I begin by commending my colleagues, all of them, for the work they did. I want to pay particular tribute to the staff which worked long and hard and did a superb job, and that is the staff on both sides of the aisle and at both ends of this building: Senate, House, Republicans and Democrats. I want to pay particular tribute to my friends who served as conferees, all of them, whether they signed the conference report or not.

I want to pay particular tribute to the gentleman from Texas (Chairman BARTON) for his outstanding leadership and for the fair and decent way in which he conducted the business of the conference. And I want to pay tribute to Senators DOMENICI and BINGAMAN who did such an outstanding job in making it possible for us to have the kind of negotiations which brought us here.

I would observe that the gentleman from Texas (Mr. BARTON) ran the conference the way it used to be run, in an open, decent, and fair fashion; and I express to him my thanks for the way in which he conducted himself and the honorable and fine way in which he conducted the business of the conference in the House.

My colleagues will remember I voted against the measure in April. It was my view at that time that it hurt consumers, taxpayers, and the environment. Consumer protections in electricity and natural gas markets now, however, will be strengthened, and taxpayers will no longer be on the hook for MTBE cleanups, and the environmental risk has been reduced. Environmental laws have been protected, and it is a much better piece of legislation.

I repeat, the conference was kept as open as it could be because of the leadership of my friend and colleague, the chairman of the committee. Again, I repeat thanks for the outstanding work of the conferees and the staff.

What does this bill do? First of all, it is a much more balanced and collective piece of legislation than that before. It may even be better than either the Senate or the House bill in almost all of the particulars. It begins to set forth a comprehensive and balanced approach to the development and the use of energy resources. And rather than important industries being encumbered with costly mandates, carrying unfortunate economic effects, it lets things work in the way that will achieve the purposes of this Congress.

It is major progress in establishing reliability of the electric grid, incremental progress in efficiency standards on developing renewable energy sources, and potentially very significant progress for clean coal technologies and significant progress for energy research and development programs, including research in very deep water, something about which there has been some unjustified criticism raised lately.

Some of my colleagues will be calling this a missed opportunity. My autoworker constituents will be glad that we missed an opportunity to impose harsh fuel efficiency requirements on home-grown auto manufacturers. They already make many models that are very fuel efficient that American consumers can buy right now.

Others of my colleagues will cite subsidies for traditional energy industries, and sometimes on this matter they are right. I tried, but failed, to reduce many of these. But we need to encourage development of multiple domestic sources of energy, and many of the subsidies in this bill will help us develop those sources; and I would remind my colleagues that Congress has not infrequently, indeed, many times in our history, provided economic incentives for the economic development of this country. We are a richer, better, stronger, and happier country for that reason.

Are we overpaying some particulars? Probably. Would this be the bill I would have drawn had I begun with it? No. It is not a perfect bill, but it is a solid and a good beginning to developing an energy strategy for the 21st century. It is the best that can be constructed at this time. It has been done by honorable leadership of our chairman and members of the conference who worked so hard. I urge my colleagues to support this legislation.

Mr. BARTON of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I call the body's attention to the quote above the podium from Daniel Webster that starts off: ''Let us develop the resources of our land.'' That is what this bill is all about.

I do not recognize the bill that my friend from Massachusetts just talked about. I think America is a land of hope and opportunity. We are a land of can-do and optimism. America is not a land of fear. It is not a land where we want the government to tell us what to do and how to make choices.

Our country is built on the premise that men and women, given the proper information, can make intelligent choices about what is best for them. This bill before us is based on that principle. We have strong environmental protection. We have strong protections against those that misuse the authorities, but this bill is based on the premise that we believe in private free market capitalism to develop the resources of this land in a cost-efficient fashion which benefits all of America. All of America.

And there are numerous provisions in this bill to give incentives to renewable and clean energy resources. There are numerous provisions in this bill to increase the efficient use of those resources. But, yes, there are provisions in this bill that say it is okay to use clean coal; it is okay to build a new nuclear power plant in this country if we do it in the proper way with the proper permits and the proper inspections. And, yes, it is okay to build new LNG facilities to bring more natural gas into our great Nation if we need it and if it is done with the proper consultation with State, local, and Federal agencies.

This is a very, very good bill. It is for America's future. Please vote ''yes'' for this bipartisan, bicameral, for-America bill.

Mr. HASTERT. Mr. Speaker, today I rise in strong support of the Domenici-Barton Energy Policy Act.

I want to congratulate the House Conferees and thank them all for their hard work. I would like to especially recognize the efforts of the Chairman of the Conference, Mr. BARTON and the Dean of the House, Mr. DINGELL.

Working together with their Senate counterparts, the House Conferees did what many said was impossible: complete the most comprehensive energy legislation in a generation in less than one month.

Mr. Speaker, completing this job was important for our Nation. Americans have waited too long for this legislation to get finished. Americans need this legislation to lower their energy costs, to drive economic growth and job creation and to promote greater energy independence.

Mr. Speaker, this bill is important to the Nation for a number of reasons.

First, this bill addresses the burden that higher gasoline prices place on American consumers by reducing our dependency on foreign oil.

This legislation encourages domestic production of oil by streamlining the permit process for new wells. It also promotes greater refining capacity so more gasoline will be on the market; and it increases gasoline supply by putting an end to the proliferation of boutique fuels.

In addition, this bill helps us reduce our dependence on foreign oil by unleashing the power of the American farmer.

This legislation includes a historic Renewable Fuel Standard, which will result in the doubling of the use of clean-burning and renewable ethanol. The production and use of 7.5 billion gallons of ethanol by 2012 will displace over 2 billion barrels of crude oil. America has a strategic reserve of motor fuels in the cornfields of Illinois, the fields of rice in California, and the cane fields of Florida and its time we tap it.

This legislation also helps alleviate the hidden tax on American consumers, farmers, small businesses and manufacturers that comes in the form of higher natural gas prices. Increased natural gas prices have had an adverse impact on the American economy for too long. Several provisions in H.R. 6, including the streamlining of the LNG infrastructure permitting process and the inventory of America's off-shore resources, are significant steps toward ensuring that our Nation has an adequate and affordable supply of natural gas.

Additionally, this bill provides incentives for the development of clean energy technologies. Included in this legislation are tax credits and funds for the promotion and development of clean coal technologies. There are important incentives for the construction of new nuclear power plants, including the President's proposal for risk insurance to protect against the difficult and lengthy regulatory process of building a nuclear plant. And, this bill continues our Nation's commitment to producing electricity through the use of solar, geothermal and wind power.

Another important component of this legislation enhances our electricity transmission infrastructure so it can meet the needs of our growing economy and help reduce the potential for future blackouts. This bill requires the adoption of strict transmission reliability standards and provides incentives for building additional transmission capacity. This bill also includes measures to update our Nation's electricity laws which will attract much-needed capital to this vital sector of our economy.

However, this bill is not just about the creation of energy, it also contains several important provisions which will help conserve energy as well. This bill establishes new mandatory efficiency standards for federal buildings. And, it sets new standards and requires product labeling for battery chargers, commercial refrigerators, freezers and other household products.

Mr. Speaker, I could go on and on about all the positive and important elements in this legislation. But I believe it's enough to say that we should support this bill and send it to the President because it's the right thing for the American people. They should expect to have an affordable, reliable, efficient, and environmentally sound supply of energy and this bill assures that they will.

Again, let me congratulate Mr. BARTON and all the House Conferees and urge my colleagues to support this historic legislation.

Mr. HOLT. Mr. Speaker, I rise in opposition to the energy legislation that we are debating on the House floor today. As an energy scientist who spent nearly a decade working at one of the Nation's premiere alternative energy research labs I understand the complex and challenging nature of moving toward sustainable energy sources. Having served in this body for more than 6 years, I understand the difficulties in balancing competing interests to obtain a policy that benefits the Nation. Unfortunately, this bill does not strike a balance that provides a productive and clear vision that will lead this Nation towards energy independence.

The Energy Policy Act does not provide any solutions to reaching energy independence or reducing our destruction of the world the next generation will inherit. This legislation provides subsidies to industries that produce environmentally damaging and finite energy sources instead of investing in research that would allow our children to be the first generation to realize a nation that is powered largely by renewable energy sources. It is a bill that is designed to meet the needs of special interests instead of demanding higher standards for corporate America.

Instead of investing in cleaner, long term solutions, this bill brushes aside our Nation's future energy needs in order to provide billions of taxpayer dollars to the oil, gas and other traditional energy industries to promote short-term, polluting energy sources. These tax incentives should not be going to industries that are thriving, but should be used to invest in our future by increasing research funding for alternative energy sources such as wind energy, fuel cells and fusion.

The domination of special interests means much more than wealthy industries receiving tax breaks that will make them even richer. It means that more of our children will suffer from asthma because we did not demand stricter regulations on polluters. It means that children across this Nation will drink contaminated water because we chose to insulate an industry from being held accountable for their negligent actions. It means that our children will not have the opportunity to take their children to view the natural treasures that inspired them in their youth because we needed to open up these lands to allow oil and gas companies to expand their operations.

We will never drill our way to independence domestically, yet we have an energy bill that is stuck in the past that yet again seeks to drill a little deeper, in more places. This legislation includes a permanent authorization of an oil and gas leasing program in the National Petroleum Reserve—Alaska without preserving any key wilderness and cultural areas in this 23 million acre region. Further, this bill authorizes an inventory of the oil and gas resources underneath the Outer Continental Shelf, OCS—a first step towards reversing the two decade moratorium that prohibits oil and gas drilling on the Outer Continental Shelf.

This bill also fails to protect American consumers. I am frustrated that an amendment I offered with Representative NANCY JOHNSON to ensure that consumers receive accurate information regarding the fuel efficiency of automobiles was gutted because it was characterized as an attempt to change CAFÉ standards. This is a consumer protection issue and not an attack on the automobile industry that vigorously opposed our legislation. Americans do care how efficient their car is, and it is a failure of our government that we cannot provide consumers that walk into a showroom to pick out a new car with a sticker in the window that reflects accurate information on the car's city and highway gas mileage.

Before I conclude my remarks I would like to recognize that there are some good points in this bill. For example, the bill provides continuing support for the highly successful Energy Star program at the Environmental Protection Agency and the Department of Energy, which promotes energy efficiency in buildings and products. The bill also authorizes annual 10 percent increases in research on energy efficiency and renewable energy. Additionally, it includes a few creative ways to reduce the consumption of energy, such as Representative MARKEY's provision to extend daylight savings time by one month.

We need a responsible and sustainable approach to addressing our Nation's energy needs. On behalf of the residents of the 12th District, I pledge to continue to work toward the development of a balanced, comprehensive energy plan—one that finds environmentally friendly, sustainable ways to decrease our dependence on foreign oil and slow the degradation of our planet.

Mr. SHAW. Mr. Speaker, I rise today to express my concerns about the conference report to the Energy Policy Act of 2005. I believe that the passage of the conference report for H.R. 6 is a momentous event. This conference report is a culmination of many years of hard work and negotiating on both sides of the aisle and in both Chambers of Congress. Our country is finally adopting a national energy policy, an action that is long, long overdue.

The conference report for H.R. 6 includes numerous important measures to promote the use of clean and renewable fuels and emerging energy technologies, improves the delivery and reliability of electricity transmission, requires energy conservation and mandates efficiency standards.

With all of these great provisions in H.R. 6, I am disappointed that the conference report includes a provision to conduct an inventory of all oil and gas resources beneath all waters of the Outer Continental Shelf. I have constantly fought to protect Florida's coast from offshore oil drilling. I have joined my colleagues in the Florida delegation, Republicans and Democrats, in defeating numerous attempts to weaken the drilling moratorium on the OCS.

To Floridians, an inventory of oil resources means drilling. To Floridians, there are too many uncertainties of the impact that seismic testing will have on sensitive ecosystems and marine life. To Floridians, anything but a full and permanent moratorium of drilling off our shores means doom.

I support identifying alternative domestic sources of energy. In our uncertain world, the United States must look closer to home for its energy needs. However, the shores of Florida are too close to home. Florida is a unique ecological gem in our country and the world, and cannot be tampered with. It is also important to note that Florida's leading industry is tourism. If inventorying would lead to drilling, it would inevitably lead to a downturn in tourism to Florida.

While I support the vast majority of H.R. 6, I must stand with my colleagues from Florida in voting against final passage. I remain committed to working with Chairman BARTON, Ranking Member DINGELL and my Florida colleagues in a bipartisan manner as we move forward, to ensure that the OCS drilling moratorium continues to protect Florida.

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to this legislation.

I applaud the work of the conferees and their willingness to find compromise and drop the most controversial and anti-environmental provisions, particularly the authorization to drill in the Arctic National Wildlife Refuge and the liability exemption for the petroleum industry to finance the clean up of drinking water contaminated with MTBE.

I think some of the electricity and utility provisions are more balanced and appropriate.

But, I am still disappointed that this bill falls far short of what this institution and our nation must undertake to remove our dependency on oil and fossil fuels. You would think that in the two years since we last attempted to pass energy legislation, we would have a different bill. World oil supplies have tightened, the price of oil has shot up to over $60 a barrel, and many of our foreign sources of oil, the Middle East, in particular, but Africa and Venezuela as well, have grown even less stable.

What we are considering today is an improvement over what the House passed earlier this year, but absent the two controversial provisions I mentioned it's still practically the same bill from last Congress. It even has the same bill number, H.R. 6, as last time, as if it were photocopied with complete indifference to the disturbing news and international developments that have recently come to pass.

We are an oil-based economy, with about 60 percent of our oil imported from abroad. While coal, uranium and some renewable sources such as wind and hydro comprise a majority of the fuel used to generate electricity, most of our economy is dependent or exclusively reliant on oil, from fertilizers for agriculture, plastics for manufacturing to gasoline and diesel for transportation.

Mr. Speaker, we need a crash course in developing cleaner alternative sources of energy and a Herculean effort to reduce our present level of oil consumption. Nowhere are we demanding greater fuel efficiency in our vehicles. This conference agreement actually extends a loophole that allows automobile manufacturers an exemption from today's weaker fuel efficiency requirements for vehicles that use ethanol. During the next 10 years, this loophole alone is estimated to increase our oil consumption by 15 billion gallons of gasoline. Had we improved vehicle fuel efficiency through higher Corporate Average Fuel Efficiency, CAFE, standards, 27 miles for light trucks and 33 for cars back in the early 1990s, we could have displaced all the oil we imported from OPEC today. This bill is shamefully silent on that issue.

Mr. Speaker, this bill is deficient and heads our country in the wrong direction. It rushes us closer to the day oil shortages occur and sets us backward on our ability to address it.

As a nation, we are blessed with a land of immense beauty and natural wealth and a people of great ingenuity and resourcefulness capable of overcoming vast challenges and obstacles. It is unfortunate that so much of this legislation has the effect of exploiting the former and reflects such little faith in the latter.

I urge my colleagues to reject this bill.

Mr. MURPHY. Mr. Speaker, I rise today in strong support of the Energy Policy Act of 2005 and thank Chairman JOE BARTON and my colleagues for their hard work on this much needed legislation. The war on terror has renewed our interest as a nation in reducing our dependence on energy imports and in diversifying our domestic energy sector. Through the Energy Policy Act of 2005, we can do just that through increased utilization of our coal supply; of nuclear energy; of renewable fuels such as hydrogen and of increased energy efficiency and conservation.

In southwest Pennsylvania, no matter what we do or where we go, we depend on coal. Our computers, the companies we work for, our homes and schools, are powered by coal. The stigma on the burning of coal has always been its air emissions, but now major developments in clean coal technology will expand the benefits of coal in environmentally friendly ways. Establishing a comprehensive national energy policy which includes clean coal technology is the first step in accomplishing this task.

There is more than 250 years worth of coal energy in the ground of southwestern Pennsylvania. It generates more than 55 percent of Pennsylvania's electricity and more than half of the nation's. Coal is America's most abundant energy resource, but to take full advantage of it we need to reduce emissions. Many plants have turned towards the use of natural gas, which in turn has led to less supply, tripling the price in the past decade. The increases in natural gas prices has cost 90,000 jobs in the chemical industry alone and contributed to three million manufacturing job losses.

The Energy Policy Act allows for more than $250 million per year for the Department of Energy's fossil program for existing and new coal-based research and development. It calls for a national center for clean power and energy research as well as coal mining research efforts to reduce contaminants in mined coal. Research is to be focused on innovations at existing plants, new advanced gasification and combined cycle plants, advanced combustion systems and turbines as well as fuel-related research.

There is $1.8 billion included for the development of new clean coal technologies to increase the demand for coal and create 62,000 jobs across the country, from building new plants to mining coal. This includes 10,000

high-paying research jobs in the fields of math, engineering, physics, and science. Each job in the coal industry created in Pennsylvania will generate seven supporting jobs such as barge operators and train engineers.

An additional $2 billion included in the Energy Policy Act encourages the use of new equipment to better clean the air and higher-efficiency power generation machinery, making the use of coal more environmentally friendly. This will lead to increased jobs for virtually every industry in the region.

Pennsylvania is already at the center of the country's coal production thanks to the hardest-working, most dedicated workers in the world. Clean coal technology will allow the region to prosper and meet America's energy needs for years to come.

The bill also boosts production of clean natural gas to help alleviate soaring prices for the environmentally friendly fuel. Specifically, the bill breaks the bureaucratic logjam that has stymied work on approximately 40 liquefied natural gas facilities nationwide.

Nuclear power is a vital part of the energy mix in this country and in our State. The Energy Policy Act of 2005 will encourage this clean-burning energy source by promoting the construction of new nuclear reactors. Building a nuclear reactor creates between 2,000 and 3,000 jobs. Running a nuclear reactor creates an estimated 1,500 jobs. These are highly trained trade or professional positions that pay well.

The bill provides $2.7 billion for nuclear energy research and infrastructure support, including development of safe uses for spent nuclear fuel and advanced reactor designs, support for university nuclear science and engineering programs and establishment of a program dedicated to increasing the safety and security of nuclear power plants. Westinghouse here in Pittsburgh is a major developer of nuclear technology, and our universities are active in this area.

To meet rising energy demands in the future, we need continued advances in energy efficiency and conservation—helping to reduce our demand on foreign supply and stimulating economic growth. Included in the Energy Policy Act are provisions that will save Pennsylvania consumers and businesses money spent on energy, so they can invest, spend and grow the economy and improve our standard of living.

These include a package of energy efficiency, renewable energy and state energy measure that are key steps forward toward enhancing our natural economic drive to use existing energy supplies more efficiently.

The bill authorizes more than $2 billion for a hydrogen fuel-cell program with a goal of launching hydrogen fuel-cell cars into the marketplace by 2020. Hydrogen fuel cells for stationary source use are being developed right here in Pittsburgh.

Financial incentives in the bill will spur renewable energy companies to produce electricity from renewable and alternative fuels such as wind, solar, biomass and waste coal. Funding is provided for energy efficiency programs for public buildings, including schools and hospitals, and increased fuel efficiency requirements for federal vehicles.

The Energy Policy Act expands the Energy Star program, a government-industry partnership for promoting energy-efficient products; establishes new energy efficiency standards for many new commercial and consumer products that use large amount of energy—providing sufficient savings on monthly energy costs; and dramatically increases funding for the Low Income Housing Assistance Program, low-income weatherization programs, and state energy programs to improve energy efficiency.

The Energy Policy Act of 2005 recognizes that renewable fuels can be made from a variety of materials, including the animal fats and other biomass materials collected by renderers. Renderers collect and process materials generated from the livestock industry, as well as used cooking oils from restaurants. Rendering is environmentally beneficial because the reuse of these materials prevents pollution of surface and ground waters that might result from their improper disposal or management. Rendered materials are now used to make detergents, fabric softeners, perfumes, cosmetics, candles, lubricants, paints, plastics and biodiesel.

Moreover, these materials can create renewable-based fuels and feedstocks that in turn reduce the amount of fossil fuel material needed to produce a gallon of motor vehicle fuel. For example, animal fats and other biomass materials can be introduced as renewable fuel feedstocks into the refinery processes, solely or in combination with other conventional fossil fuel derived components, in order to produce renewable fuels. This process will yield renewable fuel or renewable fuel blending components commensurate with the percentage of renewable material introduced to the process.

In establishing the renewable fuel provisions of the Energy Policy Act of 2005, Congress has intended that these provisions allow the broadest use of renewable materials to produce fuels and renewable fuel blending components in order that we might reduce our use of virgin oil, increase our fuel diversity and decrease our dependence on foreign crude oil. Accordingly, implementing regulations should consider these types of uses and establish compliance mechanisms to account for the applicable volumes within the renewable fuel programs.

Again, I want to thank Chairman BARTON and all the Conferees for their hard work on this vital legislation and urge its quick passage.

Mr. MCDERMOTT. Mr. Speaker, a grave threat to America today is our addiction to oil, and voting for the Energy Bill is like franchising drug abuse.

Republicans have written a bill that favors corporate America over Main Street America. This bill does not, and will not, address any of the critical energy issues that threaten our environment, our economy and our middle class.

Sixty dollars for a barrel oil that breaks the backs and the budgets of Mainstream Americans is a scandal. And this legislation serves as a full, free and absolute pardon to those who failed to put America's interests ahead of special interests.

Oil company profits have been driven obscenely high on the backs of American consumers, and this legislation paves an express lane for Big Oil to drive the American consumer into the ground.

At a time when America needs energy vision, Republicans have given us their philosophy: leave no special interest behind.

Big Oil—step right up and fill the tank with the hard earned money of America's middle class.

Big Coal—step right up and pardon that coughing in the background; it's only Americans choking from new pollution spewing into the atmosphere.

This legislation does not address the economic peril Americans face every time they fill up at the pump, but it will give over $14 billions in tax breaks and subsidies to big Republican donors.

This energy legislation represents thinking as old as the dinosaurs, and just as extinct. America needs an energy vision and a commitment to the rapid development of sustainable, renewable, energy resources.

The opportunities and technologies exist today to start us on a road to energy freedom and independence. But we are not going to get there with a bill that encourages predatory dinosaurs like Big Oil to roam the earth and destroy everything and everyone in their path.

I urge my colleagues to vote against an energy legislation that was written as if we lived in 2005—B.C.''

Ms. BALDWIN. Mr. Speaker, I rise in opposition to the energy bill on the floor today. As our dependence on foreign oil increases, this plan fails to directly confront our nation's future energy challenges. It provides a false sense of security to the American people that this Congress is serious about addressing our future energy needs and the skyrocketing cost of oil.

Some of my colleagues have lauded this bill, saying that it is the most comprehensive energy bill to be brought to the House floor in 30 to 40 years. While the bill may be wide-ranging, it provides no solutions, no tools, and no blueprint for reducing our demand for foreign oil or for giving families and small business owners relief at the gas pump.

Over 58 percent of the oil used to transport our nation's food from farms to consumers, heat our homes, and get us to work or school, is imported from overseas. Even the Department of Energy acknowledged that this bill will do next-to-nothing to lower gasoline prices or reduce America's demand for foreign oil. In fact, the Energy Information Administration, EIA, predicts our dependence on foreign oil will increase to more than 68 percent by 2005 regardless of whether this energy bill is signed into law or not.

If this bill does become law, Congress will have missed a monumental opportunity to make real progress in reducing our demand for foreign oil Even small efforts in this direction were rejected. For example, during conference negotiations, Republican conferees voted against a modest Senate proposal that would have required the President to reduce U.S. oil consumption by 1 million barrels a day by 2015.

This energy bill also fails to raise the efficiency standards for automobiles, which have not been increased in decades. Instead of challenging our nation's talented engineers to build safe cars, trucks and SUVs that can travel further on less gasoline, Republican conferees wilted to lobbyists who do not seem to believe in the American worker's ''can do'' ingenuity anymore.

Instead of diversifying the portfolio of the energy resources we depend on to power our nation, a Senate provision that would have required electric utilities to generate 10 percent

of its electricity from renewable sources was dropped during conference. A handful of States, including my home State of Wisconsin, have adopted similar targets and have had tremendous success. The use of renewables in these States has significantly increased while their benefits and popularity among consumers have proved the initial ''doomsday'' predictions by electric utilities wrong.

Rather than make Herculean efforts to bring renewable technologies to the market and expand their use, the bill provides oil and gas companies billions of dollars to subsidize their exploration and production efforts. To me, these taxpayer subsidies do not make much sense when the oil industry already expects to have 40 percent higher profits this year, with Exxon Mobil, BP, and Royal Dutch/Shell expecting to post a combined profit of more than $60 billion.

Despite the many misplaced priorities in this bill, I was pleased a number of provisions were included in this conference report that will benefit our Nation as well as Wisconsin. For example, conferees made the wise decision to expand our use of renewable fuels, such as ethanol, by 7.5 million gallons over 10 years. This is good for the environment, good for our Nation's energy future, and good for America's farmers. We could have done much more, but this is an important step in the right direction.

I believe now is the time to make substantial investments in improving technologies that generate more electricity from fewer resources and developing alternatives that won't pollute our environment. We must start today to ensure our Nation's energy security in the future.

I also strongly support the electricity reliability language in the bill that will help shore up the procedures and rules that govern the flow of electricity across State borders. While the reliability standards are long overdue, I believe they will help keep the lights on and ensure that a blackout similar to the one in 2003 does not happen again.

I also support the provision that will permanently ban oil and gas drilling in the Great Lakes. The Great Lakes are among our Nation's most valuable natural treasures and I believe they should not be threatened by potential oil spills or have their beauty or recreational appeal tainted by massive oil rigs.

Furthermore, I applaud conferees for not including a provision that would open up the Arctic National Wildlife Refuge for oil and natural gas production and exploration. Destroying one of America's most pristine wilderness areas for a few months of oil is not the long-term answer to reducing our-dependence on foreign nations for oil. Energy bill conferees also deserve credit for not including a safe harbor provision that would have shielded the manufacturers of the gasoline additive, MTBE, from lawsuits. This measure would have made taxpayers shoulder the burden of cleaning up hundreds of contaminated water supply systems across the country at a cost of more than $30 million.

Despite these positive provisions, Congress has had almost five years to get its priorities right, to put the American people before special interests, and to put forward a plan that curbs our demand for foreign oil. It is now clear that Congress has failed, and that this bill represents a lost opportunity. This House should not pass a bill that provides a false sense of security to the American people while failing to truly address the energy challenges our Nation will face in the future. I urge my colleagues to vote against this energy bill.

Mrs. MALONEY. Mr. Speaker, I rise today in opposition to this conference report.

As I've said before here on the floor of the House, America needs an energy policy. We need an energy policy that actually brings down record high gas prices, protects our environment, and truly reduces our dependence on foreign oil by encouraging energy efficiency and the use of renewable sources of energy. Unfortunately, this bill fails on all fronts.

We are heavily reliant on oil to power our cars and fuel our lifestyle, and 58 percent of the oil we consume is imported, often from politically volatile regions of the world. Promoting conservation and raising efficiency standards must play an important role in overcoming our dependence on oil and reducing our reliance on imports. Today, more than two-thirds of the oil consumed in the United States is used for transportation, mostly for cars and light trucks. Increasing fuel efficiency would lower pressures on oil prices, enhance our national security, curb air pollution, and reduce the emission of greenhouse gases, which cause global warming. And yet, instead of truly addressing energy conservation and fuel efficiency, H.R. 6 hands out huge new subsidies to the oil, gas, coal and nuclear industries.

This energy bill also harms our environment and threatens our drinking water by rolling back important safeguards in the Clean Water Act and the Safe Drinking Water Act, protections which are critical in keeping our waterways clean and safe. Under this bill, in fact, fluid laced with toxic chemicals and contaminants could actually be injected into oil and gas wells that penetrate underground water sources, risking contamination of our drinking water. I absolutely can not vote for an energy bill that might put the drinking water of my constituents at risk.

I don't think any of us believe that this energy bill is the last word on energy policy, and much remains to be done to meet the great challenges that lie before us. Until more is done, I oppose this conference report, and urge my colleagues to do the same.

Mr. HIGGINS. Mr. Speaker, I rise today in objection to H.R. 6, the Energy Policy Act conference report under consideration by the full House of Representatives and the Senate this week. While the conference report removes many of the worst provisions from the original House bill, this final version does little to reduce our nation's dependence on foreign oil, to decrease rising oil and gas prices, to increase our national security, to protect our environment, or to encourage investment in renewable energy sources. In addition, provisions in the report could directly impact my constituents by excluding local voices and local input during hydropower relicensing, which is what is taking place at the Niagara Power Project, just outside my district, right now.

While I applaud the hard work of my colleagues in removing many of the most egregious aspects of the bill—reducing the giveaways to oil and gas companies, removing the MTBE provision and excluding drilling in the Great Lakes and Alaska—I am most concerned about how this bill will affect my constituents in Western New York where we are currently embattled in a fight with the New York Power Authority over its bad faith negotiations to mitigate the environmental, aesthetic and economic effects of storage and use of NYPA equipment essential to the hydropower dam on Buffalo's waterfront, the Niagara River, Lake Erie and Western New York's economic recovery.

Buried deep in the conference report is language that will make it easier for hydropower project owners to squash local concerns and second-guess federal agency licensing conditions by countering with their own favorable alternatives. Under current law, applications to operate a hydroelectric facility are reviewed by federal environmental agencies. Those agencies, with input from concerned citizens, states and local governments, can place conditions on the approval of a license, requiring the applicant to provide specified protections for water and wildlife. The conference report allows applicants and other interested parties to offer alternatives to those government conditions, but those alternatives must either cost less to implement or increase electricity production. Federal agencies are then forced to accept those alternatives. This means dam owners can control their own licenses. While the language in the conference report is an improvement from the original House language, this would, in effect, give hydropower dam owners special rights to influence federal licensing decisions and reduce the state, local government and concerned citizen roles in the decision-making process. That is a step backwards from current law that I am not willing to take. In Buffalo we need more local control, not less.

In additional direct impact on my constituents, this bill will do nothing to reduce sky high oil and gas prices. The Administration's own Energy Information Administration acknowledges that with this bill, ''changes to production, consumption, imports, and prices are negligible.'' They even find that gasoline prices under this legislation would increase by between three and eight cents per gallon.

Clearly, this measure is a short sighted political move aimed at winning friends and contributors instead of what it should be—a long term plan to ease the energy burden on consumers and make the United States safer and energy independent—and that's a shame.

As a member of the Committee on Government Reform's Subcommittee on Energy and Natural Resources, I know all too well how energy needs shape our foreign policy and our national security agenda. Our desperate need for oil pits us against China and India. It forces us into a position of funding governments and world leaders who funnel our payments to groups that are currently planning to do us harm. And our need for oil from foreign markets forces our brave Armed Service men and women into harm's way to protect our vital interests.

But oil needn't be the lead driver in our national security policy. We have resources at home like water, wind and sun that, with research and investment, can produce cleaner energy sources and cheaper alternatives, can reduce our dependence on foreign oil, and can create jobs and spur spending here at home. Just outside my district, with the water heaving over the Niagara Falls, we convert water into electricity every day. It's a shame this bill doesn't do enough for similar options around the country.

All too often I hear from my constituents in Western New York that too many low-income

families, disabled individuals and senior citizens are not able to afford their energy costs. My district is particularly hard hit with extreme cold temperatures, which cause more families to face unaffordable heating costs and put families and seniors at a higher risk of life-threatening illness or death if their homes are too cold in the winter or too hot in the summer.

Because of its detrimental effects on the people in my district I will vote against the Energy Policy Act conference report today. It ignores my constituents' needs and only adds to their troubles by reducing local decision making, increasing oil and gas prices, increased their tax burden, creating more pollution, and leaving them less secure from foreign threats. I urge my colleagues to do the same.

Ms. WOOLSEY. Mr. Speaker, the energy bill conference report before us today is horrible for the consumer, horrible for the environment, and makes America neither energy independent nor more secure as a nation.

This conference report does too little to promote renewable energy and energy efficiency. By promoting the interests of corporations over consumers, and pollution over conservation, this bill makes the United States much less secure.

America's continued reliance on Middle East oil for the majority of our energy needs is the single largest factor that contributes to our lack of national security. This conference report fails to adequately address our reliance on foreign oil.

Worst of all, the conference report includes a huge provision, inserted in the middle of the night after the conference finished its work, to give $1.5 billion to big oil companies from Texas.

It would be wrong for anyone who cares about our nation's well-being, or the fight against extremism in the Middle East, to vote for this legislation. I urge my colleagues to join me in voting against it.

Mr. GORDON. Mr. Speaker, first, I would like to thank Science Committee Chairman SHERRY BOEHLERT and Energy Subcommittee Chair JUDY BIGGERT for their hard work, leadership and willingness to work with the minority in developing Title IX, the Research and Development title of this bill.

I would also like to call attention to a few provisions of the bill that I believe really illustrate the importance of utilizing our wide base of domestic science and technology resources in industry, the D.O.E. National Laboratories, universities and colleges, and training and trade organizations.

Section 924(b) directs the Secretary of Energy to initiate a program in the field of advanced small-scale portable power technologies. Institutions such as Tennessee Tech University, Vanderbilt University and the University of Missouri are conducting valuable work with fuel cells, advanced batteries, microturbines, nanotechnology, and thermo-electricity. Advances in these fields will have limitless applications both military and civilian.

Section 932(e) establishes a bio-diesel demonstration program for a new breed of fuels that have the capability of replacing most or all of the petroleum diesel component in current bio-diesel mixtures with a non-petroleum product. Middle Tennessee State University has generation units that it could make available to test these new fuels at various levels of concentration, and I hope that DOE would consider MTSU as an appropriate site to conduct these tests.

Section 933 establishes a university program to demonstrate the feasibility of operating a hydrogen-powered vehicle by utilizing an innovative suite of off-the-shelf components in current automotive technologies. Research is being done today at Middle Tennessee State University that would show the practicality of running current engine technology off purely sun and water as the power sources.

Section 983 addresses the critical issue of declining U.S. competencies in math, science and engineering by awarding a grant to a Southeastern consortium of research universities for partnerships with teacher training colleges and National Laboratories to design, implement and disseminate K–16 less on plans in math and science. One of the country's premier organizations in this field is the Oak Ridge Associated Universities (ORAU). By utilizing the expert resources in teacher training institutions such as Middle Tennessee State University, I believe ORAU can play a major role in stemming the growing gap in our global technological competitiveness.

Seciton 1010 seeks to recognize the contributions smaller colleges and universities can make in research and development activities and encourage this through greater collaboration with the traditional research institutions. By identifying the colleges and universities according to the Carnegie Classification system, this amendment defines accurately the categories of research institutions that will benefit most from collaboration.

Section 1104 instructs the Secretary to support expanding ongoing activities of the National Center for Energy Management and Building Technologies. This important organization brings the Sheet Metal and Air Conditioning Contractors National Association, the Sheet Metal Workers, universities, and the national labs together to make sure that technology and skills are transferred in the heating and cooling industry. In my opinion, logical opportunities for expansion involve additional universities that are near other national laboratories like Oak Ridge and to initiate research, technology transfer, and training for related technologies such as ground source heat pumps.

Sec. 404 instructs the Secretary to award grants to institutions of higher education that have substantial experience in coal research and show the greatest potential for advancing clean coal technologies. Schools such as Southern Illinois University, the University of Pittsburgh, Carnegie Mellon University, Virginia Polytechnic Institute and State University and the Center for Electric Power at Tennessee Technological University have programs dedicated to the cost-effective and environmentally-responsible usage of our most plentiful domestic energy source.

I would also like to highlight the contributions of several of our members to very key components of Title IX:

Mr. HONDA's commitment to the progress of the Next Generation Lighting Initiative, the Stanford Linear Accelerator, and the Joint Genomics Institute, Nanotechnology research and development, and his work with Mr. LARSON on transit bus demonstrations of fuel cells.

Mrs. WOOLSEY and Mr. UDALL's continued dedication to deploying clean, newable and efficient energy technologies in transportation, buildings and electric power production.

Mr. COSTELLO's diligence in ensuring that utilization of our vast domestic coal resources only gets cleaner and more efficient and universities play a major role in these efforts.

Mrs. LOFGREN's vision in support of domestic fusion energy research and international fusion projects that may ultimately harness the power of the sun and give the world an inexhaustible source of energy.

Mr. LINCOLN DAVIS' work to ensure good science continues at Oak Ridge National Lab, particularly in the field of High-End Computing.

Mr. MILLER's efforts to establish a nationwide network of Advanced Energy Technology Transfer Centers, to get technologies off the laboratory shelf and into the marketplace.

SHEILA JACKSON LEE's work in electric vehicle battery recycling, building standards, offshore oil and gas resources and most importantly, her tireless commitment to science at minority-serving institutions.

JOHN LARSON's continued support for the development and utilization of fuel cell technologies that will carry us into a future hydrogen economy.

The Science Committee contributed virtually all of Title 9, the research and development title of this bill. While Research and Development programs typically have not been controversial, I believe the Title 9 provisions represent a major part of this legislation. The R&D programs authorized in this bill will provide the means to produce the energy that this country will need for the future.

Mr. GILLMOR. Mr. Speaker, I rise in support of Subtitle B of Title XV of the conference report to H.R. 6, the Domenici-Barton Energy Policy Act of 2005. This section makes many important policy changes that aim to increase funding of and direct additional care for underground storage tanks and the leaks of regulated substances that sometimes come from them. As the Chairman of the authorizing Subcommittee for the Solid Waste Disposal Act, I have been involved in oversight of the Leaking Underground Storage Tank program for the last five years and have personally taken an interest in the writing of this particular Subtitle. I, therefore, want to make some brief comments about the provisions in Subtitle B and the reasons and intent behind them.

SECTION 1522. LEAKING UNDERGROUND STORAGE TANKS

This section is the longest surviving section of several Congresses of work on underground storage tank legislation, starting with an effort to amend this program in the 104th Congress to get more money out of the Leaking Underground Storage Tank Trust Fund and down to the states to ensure better compliance with the law. Specifically, this section amends the Solid Waste Disposal Act to direct the Administrator of EPA to distribute to States at least 80 percent of the funds from the Underground Storage Tank Trust Fund for use in paying the reasonable costs for State enforcement efforts pertaining to underground storage tanks. This limit of 80 percent should be viewed as the floor and not an allocation ceiling. The Committee understands that past congressional legislation that twice passed the House without a single vote in opposition contained an 85 percent limit, but in deference to the U.S. Environmental Protection Agency (EPA) and its Office of Underground Storage Tanks (OUST), the limit in the bill was lowered to 80 percent to allow some flexibilty for the Agency to meet its historical allocation to the States without statutorily binding OUST. In addition, this section establishes guidelines for

revisions to the allocation process that the Administrator may revise after consulting with state agencies responsible for overseeing corrective action for releases from underground storage tanks.

This section also contains language that flows from Section 122(g) of the comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9622(g)) and mimics the intent of the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118). In seeking a cost recovery action, the Administrator (or State) shall consider the owner or operator's ability to pay by weighing the ability of the owner or operator to pay all corrective action costs and still maintain its basic business operations, including consideration of the overall financial condition of the owner or operator and demonstrable constraints on the ability of the owner or operator to raise revenues. In requesting consideration under these provisions, the owner or operator shall promptly provide the Administrator (or State) with all relevant information needed to determine the ability to pay corrective action costs and allow for alternative payment methods as may be necessary or appropriate, if the Administrator (or state) determines that the owner or operator cannot pay all or a portion of the costs in a lump sum payment. Owners and operators are to be held fully accountable for misrepresentation or fraud and the Administrator (or State) is authorized to seek full recovery in the case of fraud or misrepresentation of all the costs for the corrective action without consideration of the factors in this section.

This section addresses two other items. First, it prohibits the EPA Administrator from providing LUST Trust Fund dollars to states that have permanently diverted their underground storage tank cleanup funds to nonemergent items that are completely unrelated to underground storage tank programs. There has been concern that some states were using their underground storage tank funds to cover the costs of other state funding priorities. This provision is meant to apply prospectively and address the most egregious examples of this practice. This section also allows the EPA to withdraw approval of a State underground storage tank program that has been chronically abusive in the way it has run its program. These provisions are not in any way meant to insist on the withdrawal of approval for stats that are making best efforts to comply with Federal standards that provide for State approval, but have had some trouble. The language clearly instructs the EPA Administrator and OUST to work with States, give States leniency whenever needed, and give States every effort to make their programs work. EPA must have the ability to compel ''bad actors'' into compliance, but not to use these authorities as a weapon against States making ''good faith'' efforts.

SECTION 1523. INSPECTION OF UNDERGROUND STORAGE TANKS

On-site inspections are one of the best ways to ensure routine compliance with LUST program rules. This section prescribes inspection requirements for underground storage tanks. These provisions, which are consistent with the core recommendations made by the General Accounting Office, or GAO, (now the Government Accountability Office) requires, for the first time ever, that every state conduct routine inspections of every underground storage tank (UST) every three years. The language in paragraph (c)(1) of Section 1523 (a) reflects two concerns. In order to give States time to pass the appropriate state laws and hire the necessary personnel, which is essential since only 19 states currently operate UST programs that could meet this three year guideline, the provisions in this section allow the states no more than an initial 2-year ''grace period'' to start their inspection programs. During this 2-year period, the provisions establish that states must eliminate their backlog of un-inspected underground tank systems that have been out of compliance with federal regulations that became effective in 1998.

This language reflects Congress's clear intent that States eliminate any backlog in the inspection of and enforcement against noncompliant tanks. This provision is intended to apply to those LUST systems in operation on or before December 22, 1998. The legislation also recognizes that States may not be in the best position to transition to immediate implementation of the requirements in this section. In fact, in a June 2000 Report to Congress on a Compliance Plan for the Underground Storage Tank Program, EPA stated that a significant number of new inspectors would need to be hired or retained and trained by EPA or the States to make meaningful inspections occur. In addition, EPA estimated a total annual cost of hiring an inspector at $70,000 and $1,000 for one month of training.

Next, this section establishes a mandatory requirement that States conduct on-site inspections of every underground storage tank located within their State that is regulated under Subtitle I of the Solid Waste Disposal Act at least once every three (3) years. To aid the States in this effort, the legislation allows the States to contract with third-party inspectors to carry out these inspections.

Finally, since 62 percent of the States either do not conduct regular inspections or inspect their USTs between every 4 to 10 years, the legislation allows a State to petition the U.S. EPA for a one-time grant of a one-year extension to the first mandatory three (3) year inspection cycle in order to meet the requirement of inspecting all tanks. While the language contemplates giving States every opportunity to do meaningful inspections and comply with all legal requirements, any grant of leniency must be demonstrated to EPA by the State and EPA is not required to provide the extra year. In addition, pursuant to section 9008 of the Solid Waste Disposal Act (42 U.S.C. 6991g), nothing in these provisions prevents a State that wants to have a more frequent inspection regime of their underground storage tanks from having them.

SECTION 1524. OPERATOR TRAINING

In its May 2001 report and subsequent testimony before the Subcommittee on Environment and Hazardous Materials, GAO stated that one of the main causes of leaks from underground storage tanks was poor operation of the tank system by owners and operators. In its recommendations to Congress, GAO suggested instituting operator-training programs as an important prevention tool against future leaks. This section instructs the Administrator, with the cooperation of the States, to publish guidelines for use by the States that specify training requirements for persons having primary responsibility for on-site operation and maintenance of underground storage tanks, persons having daily on-site responsibility for the operation and maintenance of underground storage tanks, and daily on-site employees having primary responsibility for addressing emergencies presented by a spill or release from an underground storage tank system. This comprehensive list reflects the concern that responsible persons are not only in a position to prevent leaks, but also to respond quickly once they occur. Of note, the language is clear that in designing these operator training requirements, EPA should make every effort to differentiate the types of training between those persons, like underground storage tank owners and regional managers, who require more comprehensive and involved training and those persons, such as convenience store or gasoline station clerks whose job turnover is high and responsibilities are low, where training obligations should be more basic and minimally intensive in nature.

SECTION 1525. REMEDIATION FROM OXYGENATED FUEL ADDITIVES

While nothing in law prevents EPA from using existing Leaking Underground Storage Tank Trust Funds to remediate fuel that contains oxygenated additives, this section recognizes the growing concern about groundwater and drinking water contamination by oxygenated fuel additives from leaking underground storage tanks. Specifically, this section creates a new dedicated authorization of Federal LUST Trust fund dollars to be used to carry out corrective actions with respect to releases of a fuel containing an oxygenated fuel additive that presents a threat to human health or welfare or the environment. Oxygenated fuel additives include, but are not limited to, methyl tertiary butyl ether, ethanol, ethyl tertiary butyl ether, TAME, and DIPE.

SECTION 1526. RELEASE PREVENTION, COMPLIANCE, AND ENFORCEMENT

This section authorizes funds to be used to conduct inspections, issue orders, or bring actions under this subtitle by a State to carry out State regulations pertaining to underground storage tanks under this subtitle, or by the Administrator, for tanks regulated under this subtitle. Since many persons are concerned that appropriate protective measures are being taken by the States in regards to all underground storage tank systems, whether public or private, this section establishes right-to-know reporting requirements for all government-owned tanks. In these reports, the States submit to the Administrator a list identifying the location and owner of each underground storage tank that is not in compliance with section 9003 and specifies the date of the last inspection and describes the actions that have been and will be taken to ensure compliance of the underground storage tank with this subtitle. The Administrator shall require each State that receives Federal funds to make available to the public a record of underground storage tanks under this subtitle. The Administrator shall prescribe, after consultation with the States, the best manner and form to make available and maintain this record, considering the most practical and efficient means to maintain its intended purpose. This section also establishes incentives for performance measures that may be taken into consideration in determining the terms of a civil penalty under Section 9006 of the Solid Waste Disposal Act.

SECTION 1527. DELIVERY PROHIBITION

Testimony received by the Subcommittee on Environment and Hazardous Materials has

stated that the use of a delivery prohibition, by States, against habitually non-compliant tanks has been the most effective enforcement tool in motivating underground storage tank owners and operators into resolving outstanding problems with their systems. This section of the bill makes it unlawful, two (2) years after the date of enactment, to deliver, deposit into, or accept a regulated substance into an underground storage tank at a facility that has been identified as ineligible for fuel delivery or deposit. EPA is required to work with States and underground storage tank owners and product delivery industries before prescribing minimum guidelines for how this delivery prohibition is supposed to work. In prescribing the minimum guidelines, the EPA Administrator is required to address how to determine which tanks are ineligible for delivery, deposit, or acceptance of a regulated substance under the LUST program; the mechanisms for identifying which underground tanks are ineligible for delivery, deposit, or acceptance of a regulated substance under the LUST program; the process for reclassifying previously ineligible underground storage tanks as eligible for delivery, deposit, or acceptance of a regulated substance under the LUST program; one or more processes for giving notice to product delivery industries and to underground storage tank owners and operators that an underground storage tank or underground storage tank system is ineligible for delivery, deposit, or acceptance of a regulated substance under the LUST program; and a process for figuring out which areas might not be subject to the delivery prohibition. This language is intended to give the EPA Administrator the flexibility to work with and help states that otherwise meet these criteria and have successfully operated delivery prohibition programs to continue to do so. In addition, this section requires States without such delivery prohibition programs to meet these minimum criteria in order to receive funding.

SECTION 1528. FEDERAL FACILITIES

In 1992, Congress enacted the Federal Facilities Compliance Act to send a clear signal to Federal departments and agencies that they should not hide behind claims of sovereign immunity in order to avoid compliance with State and local environmental requirements. This section further reinforces the point that the Federal government must be as protective of the environment and responsive to public health laws at all levels of government as private citizens are. This section also revises requirements for Federal agencies with jurisdiction over underground storage tanks or systems, or engaged in any activity that may result in specified actions regarding such tanks or regulated substances related to them, including release response activities. Specifically, these agencies need to report to Congress on their compliance with UST requirements. This section also waives claims of sovereign immunity with respect to substantive or procedural State requirements. Finally, this section continues the President's authority to exempt any Federal tank from compliance with such requirements if the exemption is in the "paramount interests of the United States."

SECTION 1529. TANKS ON TRIBAL LANDS

Recognizing the unique governmental relationship between the Federal government and sovereign tribal governments and their tribal lands, this section seeks to protect persons on these lands in similar ways to protection requirements in other States. Specifically, this section instructs the Administrator, in coordination with Indian tribes, to develop and implement a strategy, giving priority to releases that present the greatest threat to human health or the environment, to implement and take necessary corrective actions in response to releases from leaking underground storage tanks on tribal lands, and to report within two (2) years to Congress on the status of these programs on tribal lands.

SECTION 1530. ADDITIONAL MEASURES TO PROTECT GROUNDWATER

More recently, information has become public that has identified the causes of leaks from underground storage tanks and suggested ways to creatively address these sources of leaks. One of these sources, a draft study, which covered 22 States, was released by the U.S. Environmental Protection Agency (EPA) in August 2004 showed that of all new releases at new and upgraded UST sites, 54 percent were due to improper installation and physical or mechanical damage to UST parts and 12 percent were due to corrosion. Though EPA has not used its existing authority to administratively require secondary containment, some States (22) have implemented their own laws requiring this feature or tertiary containment. On top of some technical feasibility questions, barriers to some States enactment of secondary containment requirements include costs, since installing a secondarily contained system costs about $27,000–$32,420 or about 20 percent more than an installed, single walled tank system. Additional concerns are impacts on businesses with underground storage tanks because it renders an underground tank system out of service for 21 days.

To address the helpfulness of this groundwater protection device as well as allow states to contemplate other matters raised by groundwater professionals and the petroleum equipment industry, this section allows a State to choose between either secondary containment requirements or installer and manufacturer requirements. If a State chooses secondary containment, then any new installation of an underground storage tank that is within 1,000 feet of community water system or potable water well must be secondarily contained. In addition, any tank or piping that is replaced on an underground storage tank that is within 1,000 feet of a community water system or potable water well must be secondarily contained. Repairs to an underground storage tank system, as defined by EPA, do not trigger any secondary containment requirements and gasoline dispensers must also be addressed as part of the secondary containment strategy. If a State chooses installer and manufacturer certification as well as financial responsibility requirements, this section requires tank installers and manufacturers to follow professional guidelines for tank products or comply with one of the new statutory requirements that are similar to subsections (d) and (e) of 40 CFR 280.20. In addition, this section requires installers and manufacturers maintain evidence of financial assurance to help pay corrective action costs that are directly relatable to a faulty tank part or installation. The lone exception to the financial assurance requirement is where a tank owner or operator, who already maintains evidence of financial responsibility under Section 9003 of the Solid Waste Disposal Act, is also the installer or manufacturer of the underground storage tank. With respect to the financial responsibility option, the conference report references the existing financial responsibility authority contained in section 9003(d) of the Solid Waste Disposal Act that applies to owners and operators. It is the intent of this legislation that all of the authorities and flexibilities contained in 9003(d) would apply to underground storage tank installers and manufacturers in the same way that they currently apply to owners and operators of underground storage tanks.

SECTION 1531. AUTHORIZATION OF APPROPRIATIONS

In order to avoid the creation of unfunded mandates, this section authorizes appropriations for FY 2005 through 2009. Specifically, this section authorizes $50 million per fiscal year from the General Treasury to cover administrative expenses and those areas in the bill that are not specifically authorized to receive direct appropriations from the Leaking Underground Storage Tank Trust Fund. In addition, from the Leaking Underground Storage Tank Trust Fund, $1 billion (or $200 million per year) is authorized for cleanups of releases from leaking underground storage tanks, $1 billion (or $200 million per year) is authorized for the cleanup of releases of oxygenated fuel additives from leaking underground storage tanks, $500 million (or $100 million per year) for on-site inspections and enforcement, and $275 million (or $55 million per year) for delivery prohibition and State tank program disclosure and operations improvements. Of further note, the reference to Section 9508(c)(1) of the Internal Revenue Code in the newly created section 9014(2) of the Solid Waste Disposal Act should be considered to mean Section 9508(c) of the Internal Revenue Code in order to reflect changes made to Title XIII, Subtitle F, Section 1362 that creates a new Section 6430 at the end of Subchapter B of Chapter 65—amending Section 9508(c) by striking the existing subsection 9508(c)(2) and renumbering subsection 9508(c)(1) as subsection 9508(c).

Ms. PELOSI. Mr. Speaker, I rise in opposition to this energy bill. The American people need and deserve an energy policy that will reduce energy prices, reduce our dependence on foreign oil, and reduce pollution. This bill is not the answer.

While it is an improvement over the House bill, it is not good enough for the American people. Several of the most egregious provisions have been removed, thanks to the tireless work of the Democratic Members who served on the conference committee. And I thank them for their contribution.

We kept the heat on the MTBE give-away and the massive roll-back of the Clean Air Act until they were withdrawn. We fought to protect the Arctic National Refuge, making it too hot for the Republicans to handle—forcing them to withdraw from the energy bill their plan to drill in the pristine wilderness.

Nonetheless, like its predecessors, this energy bill is a missed opportunity. It does not address the issues that the American people care about—lower gas prices at the pump, a healthy environment, safe water to drink, and cleaner air. This bill is still anti-taxpayer, anti-environment, and anti-consumer.

It is anti-taxpayer with billions of dollars in gifts to the oil, gas, and nuclear industries, including a new production tax credit for eight years. There are some subsidies for emerging clean energy technologies, such as renewable energy and hybrid vehicles, but not nearly

enough, especially compared to the give-away for the established energy industries.

Then there is the special gift for the gentleman from Texas, the House Majority Leader. After the gavel went down on the energy bill conference, a provision was included that sets up a special $1.5 billion fund for the oil industry to conduct research on how to find oil, and a leading contender to host the consortium is Sugar Land, Texas. Consortium members, including Halliburton and Marathon Oil, can receive awards from the fund.

There you have it: big oil, Halliburton, and TOM DELAY, all in one neat symbolic package.

At a time when Congress is trying to scrape together enough Federal funding for veterans' health care, Social Security, education, Medicare, and Medicaid, why are we giving away taxpayer money hand over fist to well-established, profitable companies?

Some of these energy companies are not simply profitable. The major oil companies are raking in such enormous profits that they do not know what to do with it all. The top three oil companies (Exxon Mobil, BP, and Royal Dutch Shell) are expected to post a new record profit of $60 billion this year, while this quarter's profits are 40 percent better than last year.

Mr. Speaker, this bill is anti-environmental. It authorizes an oil and gas inventory of the Outer Continental Shelf, opening the door to oil and gas drilling in the protected areas off our shores. The House has more than once soundly voted to reject this proposal. Coastal Members from both sides of the aisle know that our beautiful beaches, shores and fisheries are priceless and should not be put at risk. But despite our best efforts, Republicans insisted on keeping the inventory in this bill.

The energy bill carves out exemptions for the oil and gas industry from the Safe Drinking Water Act, and the Clean Water Act. It is loaded with provisions that override local and State authority in favor of Federal authority. It gives the Federal Government the right to condemn land to build electric power lines. It gives the Federal Government the right to decide where gas pipelines and liquefied natural gas facilities will be built. It weakens States' rights to protect their own coastlines from oil and gas exploration.

Last but not least, the energy bill is anti-consumer. It fails to protect consumers from high gasoline prices. It fails to adequately protect consumers from price manipulations and future Enrons. And it fails to protect our national security by reducing our dependence on foreign oil.

Let there be no mistake. This bill is still anti-taxpayer, anti-environment, and anti-consumer. I urge my colleagues to vote ''no'' on the conference report.

Mr. TERRY. Mr. Speaker, I would like to take a moment to congratulate Chairman BARTON on his leadership in driving this legislation to the finish line.

This comprehensive energy bill is a vision. H.R. 6 aims to boost domestic sources of energy, increase the use of clean renewable power, and diversify the nation's energy portfolio. This legislation will not completely solve our dependence on foreign oil overnight, but it puts in place a number of tools to do just that. I applaud the increase of the use of bio-fuels, especially ethanol, to 7.5 billion gallons by 2012. This is important to our Nebraska farmers as well as a benefit for all Americans.

The repel of the Public Utility Holding Company Act (PUHCA) will allow for increased private investment in US. electricity production such as wind farms and other non-fossil energy sources. This is a smart move.

I am pleased to see several provisions that I authorized in this bill including a new provision to speed up the siting of new plants for Liquefied Natural Gas. LNG accounts for 90 percent of fertilizer production costs. Increased access to LNG will help our nation's farmers. I also author a new program to provide incentives for the use of stationary fuels cells and strong increases in renewable fuel efforts. This legislation provides $4 billion over five years to speed the arrival of affordable, viable hydrogen fuel cells; create a new Department of Energy program to encourage the use of on-site energy production from fuel cells and microturbines; and allow the use of livestock methane as an eligible source under the renewable energy fund for public power.

And finally this legislation includes tax incentive, which I authored, for increased use of energy efficient products for the home and office. This is a solid bill, much needed by our Nation. This energy bill is an opportunity to ensure a better future. The bill addresses present day energy problems while looking beyond the horizon and I urge my colleagues to vote for the conference report.

Mr. POMBO. Mr. Speaker, the Energy Policy Act of 2005 will encourage development of our Nation's diverse energy resources, reduce our dependence on foreign sources of energy, and strengthen the country's energy and economic security.

The U.S. has been at the top of the economic food chain for most of recent history. One of the major reasons we've been so successful is that we recognized early-on that the foundation for economic growth is built with energy and minerals. But our continued success fostered apathy and disinterest in the energy and mineral resources that created this success. In the past, U.S. concerns about energy and minerals supplies simply centered on the general issue of availability of these resources for our national purposes. It did not matter if those resources were located in the U.S. or in another country.

Over the years, inadequate domestic energy and minerals policies created a regulatory system that discouraged domestic investment. Capital began flowing overseas into resources-rich countries where regulatory and investment climates in the energy and minerals sectors were more attractive. As a result, the U.S. produced less and became increasingly reliant on foreign sources of energy and minerals. Last year, the U.S. imported more than 63% of its oil, placing our energy needs increasingly at the mercy of foreign governments. Yet the U.S. government continues the cycle of tolerating irresponsible energy and mineral policies, thereby continuing to discourage investment in domestic energy and mineral production. The end result is that the U.S. continues to send money and jobs overseas and becomes more dependent on foreign sources for our energy needs.

Crude oil prices have hit nominal all-time highs, and natural gas prices are sustaining elevated price levels for the foreseeable future. Additionally, U.S. trade deficit in energy is more than 25 percent of our total balance of payments, and continues to increase at a rapid rate,

Today, our problems are two-told. First, the issue of access to domestic resources is still a significant hurdle to bolstering U.S. energy and mineral security. Although industry's technological advancements in exploration and production have sustained some minimal growth, policies preventing access to the responsible development of these resources still remain. Second, the U.S. is facing a global resources future where we are more dependent than ever on foreign sources of energy and minerals while at the same time no longer ''guaranteed'' to be the major recipient of energy and minerals from our traditional foreign suppliers.

In fact, emerging economies such as China and India are forever altering the global commodities markets, where demand by these countries for resources such as oil, natural gas, coal, minerals and metals, is outpacing expectations.

The road to a better quality of life starts with increased use of energy and mineral commodities. Economic growth rates in China and India have surged as have their demands for energy and mineral resources.

The old ''Free World'' versus ''Evil Empire'' dichotomy of energy and minerals availability has been replaced by a rough-and-tumble marketplace for commodities. In that global marketplace, long-running declines in prices for energy and mineral resources have been reversed; and, in the case of mineral commodities, a three decade long decline has been reversed almost overnight.

Our energy and mineral supply strategy for the long-term begins with enacting a comprehensive national energy policy that encourages diversity of fuel use, increased domestic production, and self-sufficiency.

Among other critically important provisions in this bill, my committee has jurisdiction over Department of Interior (DOI) and U.S. Forest Service (USFS) programs that administer the domestic energy and mineral programs for federal lands and the outer continental shelf.

Using FY 2005 budget estimates, the energy and mineral programs of the DOI cost around $850 million per year.

But these programs will generate about $10.1 billion for the U.S. taxpayer each year, primarily from energy development and production.

Outside of the Internal Revenue Service, these are the only programs that provide significant revenue to the feral treasury.

But generation of revenue is not the only benefit of domestic energy production on federal lands. Production of energy domestically keeps money at home, creates jobs and reduces our dependence on foreign energy imports.

Among other important issues, the provisions in the conference report before us today: encourage increased domestic production of renewable energy from resources like geothermal, wind, hydropower and biomass, to name but a few; encourage domestic production of traditional energy sources such as coal, oil and natural gas by streamlining the federal permitting process sand providing potential incentives for technically challenging oil and natural gas from the deep depths of the outer continental shelf; encourage domestic development of the more than 2 Trillion barrels of oil from oil shale in the Western U.S.; promote a ''good Samaritan'' pilot project to help clean-up the more than 57,000 ''orphan'' wells that

have become wards of the federal government; promote sequestration of carbon dioxide as a means of enhancing oil and natural gas production from old and existing wells; maximize federal coal production and returns to the U.S. treasury; seek to establish North American energy independence by launching a commission to review and make recommendations on how Canada, the U.S., and Mexico can coordinate their energy policies to reach energy independence within 20 years; seek extensive review of the impact and challenges to U.S. interests created by the Chinese government's aggressive pursuit of global energy assets; and promote tribal energy development through self-governance of energy resources in Indian Country.

The Energy Policy Act of 2005 is a good first step in the effort to lower energy prices and reduce our dependence on foreign energy. But there is no question that we must do more to increase domestic production. As demand across the globe continues to skyrocket, it is imperative for America to produce more American energy. Doing so will create jobs, grow our economy and strengthen national security.

Tapping the abundant energy resources we have in America will become more and more necessary as we go forward. All we need is the political will in Congress to let an American workforce get these supplies here at home.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to the energy conference report before us. While the reliability standards and efficiency incentives in this legislation are not without merit, the entire package is tragically little more than a case study in missed opportunities and misplaced priorities.

First, and most astonishingly, this bill does nothing to wean the United States from its dependence on foreign oil. In failing to make meaningful progress on energy independence, the conferees scrapped a measure designed to reduce our oil consumption by a million barrels a day by 2015 and refused to make long overdue improvements in our corporate average fuel economy, CAFE, standards for cars. The predictable result will be less security for the Nation and continued pricing pressure at the pump.

Second, rather than making robust investments in the renewable and advanced efficiency technologies of the future, this legislation lavishes billions of dollars on the polluting industries of the past. Particularly during this period of record profits, does anyone really believe taxpayers need to be giving oil and gas companies another tax break? The conferees' decision to abandon the renewable portfolio standard called for in the Senate bill is a serious mistake, and I regret that a forward-looking alternative called the New Apollo Energy Project I championed with Representatives JAY INSLEE and RUSH HOLT was blocked from receiving consideration on the House floor earlier this year.

Finally, this conference report turns back the clock on decades of hard-fought, bipartisan environmental protection. The Clean Water Act, Safe Drinking Water Act and National Environmental Protection Act are all undermined, while State authority over siting decisions for liquefied natural gas importation terminals is preempted. Additionally, the legislation abdicates all responsibility for the most looming ecological challenge of our time: climate change. Senate language calling for carbon caps to combat global warming was stripped from the final bill, and an amendment I offered with Representatives WAYNE GILCHREST and JOHN OLVER to take the modest step of establishing a national greenhouse gas registry was quashed in April by the House Rules Committee.

Mr. Speaker, this legislation goes further where it shouldn't—and not nearly far enough where it should. It is content to see the world through the rear view mirror of a parked SUV while the rest of the world is flying down the road in hybrids passing us by. At the dawn of the 21st century, the United States deserves an energy policy worthy of its people and of the historic leadership we have always provided on the world stage. This is not that energy policy. I urge my colleagues to oppose the conference report.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise to express my support for the Energy Policy Act of 2005.

H.R. 6 is a truly balanced bill that will ensure the infrastructure necessary to meet energy needs in the United States through future decades, reduce dependence on foreign sources of oil, making us safer at home, and create thousands of new jobs for American workers. This was accomplished, in large part, by the inclusion of several important energy tax incentives.

Along with investments in renewable and clean energy incentives and domestic oil and gas production, H.R. 6 makes a significant commitment to coal. As my colleagues know, coal produces 51 percent of our Nation's electricity and many experts estimate that number will grow in the coming years.

H.R. 6 includes a 7-year recovery period for new investments in pollution control facilities installed in coal-fired electric generation plants. The shorter recovery period will allow companies to make it easier to comply with new EPA regulations.

For the first time we are making a real commitment to investing in clean coal technologies. The bill provides more than $1.6 billion in tax credits to fund IGCC and advanced clean coal projects.

It is estimated that we have a 250-year supply of coal. H.R. 6 ensures that this source continues to be a part of our Nation's energy policy and today we make a real commitment to ensure that it is more efficient and cleaner.

I would like to personally thank my chairman, BILL THOMAS, and his staff for their hard work on the energy tax incentives package. Throughout the last 5 years, the Ways and Means Committee has been the genesis of many massive social and economic reforms including several important tax relief bills, a Medicare and prescription drug plan, and a critical trade agreement. H.R. 6, the Energy Policy Act of 2005, is yet another major accomplishment under Chairman THOMAS's leadership.

Mr. WALSH. Mr. Speaker, I rise today to express my support for H.R. 6, the Energy Policy Act of 2005 conference report. In particular, I want to thank the conferees for including a provision that will establish the National Priority Project Designation. This national award program, modeled after the Malcolm Baldridge Quality Award Act, would promote and recognize large sustainable design building and renewable energy projects. In April, I sponsored the National Priority Project proposal as an amendment to the Energy Policy Act, which the House adopted by voice vote. The Senate adopted a similar amendment, also by voice vote, to its version of energy legislation in June. The Solar Energy Industries Association and the American Wind Energy Association have both endorsed this legislation.

This proposal establishes four categories of designations: wind and biomass energy generation projects; solar photovoltaic and fuel cell energy generation projects; energy efficient building and renewable energy projects; and "first-in-class" projects. The legislation sets minimum renewable energy generation thresholds for wind, biomass, solar, fuel cell and building projects. Energy efficient and renewable energy building projects must meet additional criteria to be considered for designation, including: compliance with third-party certification standards; comprehensive integration of renewable energy and energy efficient features; and the use of at least 50 percent renewable energy overall.

The DestiNY USA project, located in my congressional district, will likely apply for consideration for designation under this program. DestiNY USA is designed as the largest fossil fuel free building project in the world, with plans to deploy up to 600 megawatts of renewable energy generation capacity. It will employ the entire spectrum of renewable energy generation sources, including solar, wind, biomass, geothermal and micro-hydroelectric. DestiNY is just one example of the type of innovative, high technology projects that could qualify for designation. By providing an additional incentive for creativity and a commitment to renewable energy, the National Priority Project designation will help meet the goal of assuring "secure, affordable and reliable energy."

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise in support of the conference report on H.R. 6, the Energy Policy Act. One of the provisions in this bill is something I've been working on for years and clarifies the depreciation period for natural gas gathering lines is appropriately 7 years. I appreciate Chairman THOMAS's work on this provision for the years he has been the Chairman of the committee.

Further, I am glad to see that the conferees on the tax title of the bill were able to reach a balance between incentives for production of oil and gas and other energy production with energy efficiency incentives and conservation incentives. I support this bill and commend the conferees on their hard work.

Mr. BLUNT. Mr. Speaker, after some late nights and a lot of hard work, I am pleased we have a conference report on the energy bill today. The House of Representatives has passed energy legislation five times, only to have the bills die. Keeping the lights on should not be a partisan issue. Filling up a gas tank should not be a partisan issue.

Today we are finally voting to send this comprehensive plan to the President's desk. With gas prices soaring, I want to thank Chairman JOE BARTON for his hard work on this much needed legislation and for working with me to include a provision in this bill to curb the production of boutique fuel blends and address this issue head-on.

The current gasoline supply includes specially formulated boutique fuels which are required by law in certain communities.

When supplies are limited, gas prices rise quickly—sometimes overnight. For example:

Missourians can fill their gas tanks up in Springfield and drive 3½ hours to St. Louis. When they get there, they'll be filling their tanks up with a completely different type of gasoline. But if St. Louis ever runs short on their boutique fuel, gas stations there can't sell what consumers could buy back in Springfield.

This conference report caps the number of these special fuel blends and allows communities faced with a shortage due to unforeseen circumstances, such as a refinery fire, a waiver to use conventional gasoline.

This plan relies on simple economics: If we create a larger market for a greater amount of gasoline, we'll help drive prices down.

This proposal moves the country one step closer to lowering the sky-high price of gas for consumers.

Mr. BARTON of Texas. Mr. Speaker, as Chairman of the Conference, I would like to clarify a point regarding section 1233, ''Native Load''. It is my understanding that section 1233 does not affect the Commission's authority under sections 205 and 206 of the Federal Power Act to ensure that rates are just and reasonable, and not unduly discriminatory or preferential.

REFUND AUTHORITY

As Chairman of the Conference, I would also like to clarify a point regarding section 1286, ''Refund Authority''. This section provides the Federal Energy Regulatory Commission with authority to order refunds from overcharges on sales by large municipal utilities.

I understand the phrase ''organized markets'', and possibly other related words following that phrase, may be ambiguous. I believe the FERC should carefully consider the purposes of this section when interpreting those words. That purpose is to protect all consumers from exorbitant electricity prices, regardless of whether the seller is a fully regulated public utility or, in the case of this provision, a publicly owned and only partially regulated utility. The impact and the injury from the exorbitant price is equally injurious and equally in need of redress.

Therefore, I urge the Commission to give the words in question real meaning and to note that the Congress could have chosen other words, such as auction market or ISO or RTO managed market, to convey a more narrow and specific scope.

CEILING FANS

As Chairman of the Conference, I want to address a drafting error in Section 135, ''Energy Conservation Standards for Additional Products.'' An incorrect section mistakenly included starts on page 101, line 14 and ends on page 102, line 4. Sentence (v)(l) was not agreed to and should be removed later in a technical correction. Also, the phrase ''Ceiling Fans'' should be removed where it appears in section (v).

The proper language starts on page 107, line 8 and goes through page 112, line 10. This section (ff) is correct.

Congressman NATHAN DEAL authored the original language, which did not receive consensus during negotiation of the conference report. Congressman DEAL worked with Members of the Conference, industry representatives, and various environmental and energy efficiency advocates come up with some compromise language. I want to thank Congressman NATHAN DEAL for his hard work on this issue, and for bringing the mistake to my attention. I will work to correct this later.

BOUTIQUE FUELS

As Chairman of the Conference, I want to clarify some points regarding Section 1541, ''Boutique Fuels'', This provision is an amendment to section 211(c)(4)(C) of the Clean Air Act to limit the number of boutique fuels.

First, it is my understanding that in section 1541 ethanol when blended into gasoline in a concentration of 20 percent by volume be considered a fuel additive.

Second, in implementing this new provision, the EPA must determine the total number of fuels approved under 211 (c)(4)(C) as of September 1, 2004 and publish such a list in the Federal Register. The plain meaning of this provision would be that fuels initially approved by the Environmental Protection Agency before this date would constitute the ''upper limit'' on the number of fuels that may be approved at any one time in the future under the provisions of this section.

Specifically, as long as a fuel was initially approved by the Environmental Protection Agency before September 1, 2004, the fuel may be sold and used pursuant to a State Implementation Plan and the provisions of 211 (c)(4)(C) as such provisions existed before the amendment of that section by the pending legislation. In addition, the amendments that we are enacting to section 211(c)(4)(C) do not require that a fuel actually be distributed or sold prior to September 1, 2004, only that the Administrator of the Environmental Protection Agency initially approved the fuel as meeting the requirements for a waiver prior to September 1, 2004.

This interpretation of section 1541 would also hold if the implementation date for the sale or distribution of any fuel previously approved by the Administrator prior to September 1, 2004 was later changed at any point in time. The amendments made today to section 211(c)(4)(C) would not prevent this sale or distribution from occurring nor impose any additional requirements or limitations on the implementation of matters related to the use of this previously approved fuel or a program providing for its use.

Finally, the changes to existing law regarding waivers for fuels approved as part of a State Implementation Plan only apply to those fuels which were not previously approved by the Administrator of the Environmental Protection Agency before September 1, 2004. Programs such as the Texas Low-Emission Diesel program are not affected by the provisions of section 1541 even though a later State Implementation Plan revision or action by the State or federal Environmental Protection Agency may have revised the beginning date of sale of the fuel or other matters related to the implementation of the fuel program.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am pleased that the House is finally considering the Energy bill Conference Report today. More importantly it is greatly improved.

I have had mixed feelings about the Energy bill. Members and staff on both sides of the aisle have worked very hard to improve it. This hard work has resulted in several key changes that will result in my approval of this Conference Report.

One important change is that clean air initiatives were added. My state of Texas ranks first in the nation in toxic manufacturing emissions, first in the number of environmental civil rights complaints, and second on the amount of ozone pollution exposure. The clean air provisions are very important to me and my constituents.

I am also pleased to know that provisions for drilling in the Arctic National Wildlife Refuge have been removed from the bill.

The MTBE issue is also important to me. It is good to know that the provisions granting retroactive liability protection for MTBE producers have been removed.

Although the Energy bill is not a perfect one, the compromise we are considering today is greatly improved.

Because of these changes, Mr. Speaker, I now support this legislation and urge my colleagues to support it also. No bill is perfect and certainly this one is not perfect but I appreciate the efforts made to improve it.

Mr. HONDA. Mr. Speaker, I rise today in opposition to the conference report on H.R. 6. President Bush and the Republican majority have pushed this legislation on the premise that we need it to solve our energy problems, that we need it to wean ourselves from our dependence on imported oil which poses a threat to our economic and national security.

Sadly, the bill we have before us today fails to do that. Today we import 58 percent of the oil we consume, and projections predict that we will have to import 68 percent to meet demand by 2025. Experts indicate that at best, this bill would only slightly slow that rate of growth of dependence, rather than actually decrease our dependence on imported oil.

We cannot continue to increase our consumption of fossil fuels. By definition, these fuels are finite in supply. They will run out some day, plain and simple. And as long as we continue to rely on them, we are going to be faced with an impending crisis.

The bill gives billions of dollars in tax breaks and subsidies to encourage oil and gas production, but these will not do much more than high gasoline and natural gas prices already do to stimulate domestic production of fossil fuels. The energy industry is already the most profitable industry in the nation, incentives should not be necessary.

This bill could have really done something to reduce our consumption of oil by increasing fuel economy standards for vehicles, but it fails to do so. Increasing standards is the single biggest step we could have taken to reduce our oil dependency.

This bill could have really done something to reduce our dependence on fossil fuels by including a renewable portfolio standard, which would have required the use of sustainable energy sources, but it fails to do so. Instead its subsidies and tax breaks encourage more of the same old thing—finite fossil fuels and nuclear power plants whose waste we do not know what to do with.

Instead of encouraging energy conservation, renewable energy use, and curbs on emissions that damage our environment, the bill creates new exemptions in some of our nation's bedrock environmental laws, like the Clean Water Act, the Safe Drinking Water Act and the National Environmental Policy Act.

The bill also repeals the Public Utility Holding Company Act, which was instituted to protect the interests of consumers. In the wake of Enron, this is the wrong direction to go. And the bill rejects the wishes of State officials by granting the Federal Energy Regulatory Commission new authority to approve the location of terminals to handle the imports of liquefied natural gas.

To solve our energy problems in the future and reduce our reliance on foreign sources of energy, we need a truly visionary energy policy that employs renewable energy sources and encourages energy efficiency and conservation. This bill does not provide that vision, and I urge my colleagues to oppose it.

Mr. RAHALL. Mr. Speaker, this is now the third Congress energy policy legislation has been under consideration. During the course of this period I have consistently opposed the House versions of this legislation. Today, however, I am pleased to be in the position of voting for the pending conference agreement. The fundamental reason for my being able to now support this legislation is because many of the most troubling provisions in the past House versions which caused my opposition are largely no longer present in the final product before us today.

I have been troubled in the past by the inclusion of provisions waiving the National Environmental Policy Act, the opening of the Arctic National Wildlife Refuge to development, inappropriate and unseemly taxpayer giveaways to Big Oil, as well as unwarranted liability relief to certain fuel manufacturers. I was not gullible enough to think that the conference would clean the slate entirely of giveaways to Big Oil, but aside from that issue, these provisions that I have long opposed are, for the most part, not present in the pending legislation.

In addition, I have opposed past versions of this legislation because they contained provisions which unfairly provided western coal produced on federal lands a competitive advantage over all other coal producing regions including my home State of West Virginia. Those provisions have been mitigated in the pending measure.

And finally, I have been opposed to past versions of this bill because they lacked visionary and significant incentives to burn coal more cleanly and to utilize coal in a more efficient manner. The pending measure finally contained incentives of that nature, which will allow us to employ coal as a means to help wean ourselves from foreign sources of energy.

This is not a perfect bill, by no means. It still contains royalty relief for large producers of oil and gas in the Gulf of Mexico. It also contains provisions which some believe can be a precursor to lifting the wildly popular moratoria on oil and gas drilling off portions of the American coastline. I do not support those measures. At the same time, when I examine the tax title, and find almost $3 billion worth of incentives to promote the commercial application of new coal burning technologies, I find that finally, finally, coal is being paid more than lip service in our national energy policy.

These incentives are extremely important. As I have often observed in the past, we as a Nation, have expended a great deal of money in developing clean coal technologies. Yet, the fact of the matter is that they have not been deployed in the commercial sense.

After many decades of this effort, today, only a single integrated gasification combined cycle coal plant exists owned and operated by Tampa Electric. The reason is simple. Advanced plants of this nature are much more expensive to construct and there is no incentive for the electric utility industry to build them. Hence, the pressing need for federal incentives, so that we can begin to achieve widespread commercial application of these technologies, have a cleaner environment, and reduce our dependency on oil and natural gas.

All in all, again, not a perfect bill but one which I believe will be of some assistance in expanding our national energy mix.

Mr. BACA. Mr. Speaker, I rise in support of the conference report for the Energy Bill.

Americans need an abundant supply of energy to maintain a high quality of life and sustain our economy.

This comprehensive bill helps provide for our Nation's energy needs by encouraging domestic energy production.

America has become too dependent on foreign oil, making our consumers subject to volatile prices and the whims of often hostile, antidemocratic leaders. We have seen the consequences as oil and gas prices continue to rise. The price of imported oil recently reached record levels of $60 a barrel. That is a full $10 more than six months ago and nearly $20 more than two years ago. I am well aware of the hardships this causes for consumers, workers and our economy.

In my district in California the cost of gasoline has risen to $2.89 a gallon. Many of my constituents commute to Los Angeles, which is 60 miles away. Many others are truckers who depend on stable gasoline prices to put food on the table. These hard-working people are affected daily by our country's dependence on foreign oil.

Nobody should make false promises that gas prices will immediately be lowered.

This bill is not a quick fix, but it includes important provisions to help meet our country's energy needs, while also promoting energy efficiency, conservation and diversification, including incentives for alternative sources like ethanol, solar and wind.

By decreasing our dependence on foreign oil and expanding production of alternative sources, we are not only protecting consumers and protecting our national security, but we are also protecting our economy by creating perhaps one million jobs.

Improving our Nation's energy efficiency and cost efficiency is a bipartisan issue.

I am pleased to support H.R. 2419 for the economic and national security of our country.

Mr. TOM DAVIS of Virginia. Mr. Speaker, Chairman BARTON, thank you for the way you managed this difficult process. Being an outside conferee on a bill this size can often be an exercise in futility. But throughout this Conference, you and your staff remained responsive and helpful. Also, I also want to commend all the conferees for working hard to listen to each other and compromise when appropriate.

There are two sections of this bill which I am particularly excited about from an acquisition policy point of view. First is the section authorizing the continued use of Energy Savings Performance Contracts—these contracts have, over recent years, provided agencies with an effective tool to rapidly improve the energy efficiency of their buildings without increasing costs to the taxpayer.

Some have suggested limitations to this program, but such limitations will translate into reductions in the energy efficiency of government facilities. In my opinion, that is heading in the wrong direction and I'm happy to see such limitations were not included in the final bill.

Second, this legislation authorizes the use of Other Transactions for the Department of Energy's critical research and development efforts. These arrangements support research and development without using standard procurement contracts, grants or cooperative agreements.

Other Transactions authority has been used successfully in the Department of Defense for years to great effect. I appreciate the Science Committee's willingness to work with me and the Senate to craft language that allows the use of this valuable tool where appropriate. It is a shame when the government is denied a technological advance simply because our standard acquisition policies are not suitable for the development of cutting edge solutions.

Finally, I want to note that the conference has decided to include a request for a report on China and the CNOOC offer to acquire Unocal. This report will be conducted simultaneously with the regular review conducted by the Committee on Foreign Investments in the United States. The report will essentially develop the same information required by the CFIUS review. In other words, the Conference has decided to duplicate the review process. The conference's time would be better spent studying our Nation and how we plan to secure our energy over the next 50 years instead of worrying about the actions of our most valuable trading partners. With this one exception, the Energy Policy Act is a step in the direction of answering those questions.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 6, the Energy Policy Act of 2005 conference report. If U.S. energy policy were the *Titanic*, Republicans would give a tax credit for bailing water rather than changing navigation techniques to avoid a future crisis. Fossil fuels are increasingly expensive, polluting, contribute to war and global unrest, and will run out within the next 50–100 years, and yet President Bush and Republicans in Congress want to ride the sinking ship of oil dependence to its disastrous conclusion.

This compromise between the House and Senate Republicans shows the good, the bad, and the ugly of politics.

Good: After four years getting nowhere with drilling in the Arctic National Wildlife Refuge and exempting manufacturers of MTBE from legal liability for groundwater contamination, the Republicans have finally relented and removed these provisions from the conference report.

Bad: Now that everyone isn't focused on these high-profile issues, there's a sinking realization that this bill does nothing to reduce our dependence on foreign oil and will actually raise, not lower, the price of gasoline, because it triples the use of ethanol. Ethanol is a Midwestern farm subsidy, pure and simple. It's expensive, it emits some air pollutants more than gasoline, and up to six times more energy is used to make ethanol than the finished fuel contains.

Ugly: The bill exempts oil and gas companies from the Clean Water Act, the Safe Drinking Water Act, and the National Environmental Policy Act. To speed up oil production, oil companies can now inject fluids laced with toxic chemicals into oil and gas wells that penetrate groundwater. According to the bill, the EPA no longer has any ability to regulate these activities or force oil companies to prevent contamination of drinking water supplies.

If you asked the American people how to create a secure energy future, they'd talk about solar and wind power, placing higher

emission standards on SUVs, and conservation, but the great minds in the Republican Party don't believe in these proven strategies any more than they believe in the science of global warming.

Since I know that Republicans don't like high gas prices, smog, asthma, or ruined wilderness any more than I do, I can only conclude that they are selling out the American people for their corporate contributors. I will have no part of it and I vote ''no'' on this shameful bill.

Mr. ENGEL. Mr. Speaker, the Washington Post today noted that the nicest thing that it could say about the comprehensive energy bill is that it could've been a lot worse. That's the sentiment that many of my colleagues and I feel today—that while clear improvements have been made in conference—a tribute to Chairman BARTON's leadership—that H.R. 6 essentially preserves the status quo.

There is no doubt that the underlying bill is a vast improvement on the bill we marked up this spring in committee and on the floor. Two of the most egregious provisions, liability protection for MTBE polluters and drilling in the pristine Arctic wilderness are out. We are also finally enacting electricity reliability standards and I was pleased to have worked with my colleagues Mr. TOWNS and Mr. FOSSELLA to preserve New York's high reliability standards strengthening the underlying electricity title. New York has unique needs that necessitate this provision including having a high concentration of load in a small geographic area. Additionally, nearly 40 percent of the State population lives in NYC and close to three-fourths work there and 3 million New Yorkers use the underground subway system every day. Finally, New York is home to the NYSE and other critical financial institutions. Although, we should have done this years ago in response to the rolling blackouts of 2003, I am proud to be a part of the inclusion of such an important policy development.

However, I am deeply disappointed that this bill neither reduces our dependence on oil nor addresses climate change. The Energy Information Agency has stated that under the Energy Policy Act, by 2025, U.S. oil consumption is projected to increase to 28.3 million barrels per day and our country would increase its imports of foreign oil by 85 percent. It even found that gasoline prices under the bill would increase more than if the bill was not enacted. What this country critically needs, but is not in this bill, is a policy to reduce our addiction to oil through the promotion of alternatives and clean renewables, improve automotive fuel efficiency, and reduce greenhouse gasses.

Further, it is a travesty that this bill will open up our coastlines and wildlands to destructive oil and gas activities and evade environmental and consumer protections. I wish the conferees had included more funding for smarter, cleaner, safer, and cheaper energy policy in this bill that puts innovation and technology to work. While I am pleased that the Energy Policy Act includes $5 billion in tax breaks and incentives for energy efficiency and renewable energy programs, the number pales in comparison with the $9 billion earmarked for oil, gas, electricity and coal. Even our esteemed U.S. Energy Secretary, Sam Bodman, opposed the inclusion of such measures, stating, ''these industries don't need incentives with oil and gas prices being what they are today.'' We must target scarce Federal dollars wisely.

Our energy policy is intricately tied to our national security and our economic well-being. We must be vigilant in opening dialogues between diverse groups of policy experts like the Set America Free Coalition and National Commission on Energy Policy as we continue to build and improve on current energy policies. As the co-chair of the Congressional Oil and National Security Caucus, I know we need to diversify our energy sources, reduce our dependence on unstable oil sheikdoms, and create skilled jobs while reducing energy costs. We must create policies that will protect the environment and our consumers. While there is improvement in this conference report, on balance, our goals cannot be achieved under this Energy Policy Act, and so regretfully I must vote against it.

Mr. ETHERIDGE. Mr. Speaker, I rise today in reluctant support of H.R. 6, the Energy Policy Act of 2005. While this bill still contains provisions that I oppose, it is a far better bill than the one's that I have voted against in the past.

Mr. Speaker, I am very disappointed that this bill contains a provision that will allow the Interior Department to conduct an inventory of oil and natural gas resources off the east coast of the United States, including my State of North Carolina, and other areas currently under a drilling moratorium. I do not think that this is a wise use of taxpayer dollars, considering the Administration's continued promise that these areas will never be drilled for oil. Let me state clearly that I continue my strong opposition to any effort to drill for oil off of the North Carolina coast.

This bill also repeals the 1935 Public Utility Holding Company Act, which was passed in the wake of the Depression to ensure that the public would not be taken advantage of by utility companies. We know this is still being done, we have heard with the stories such as Enron. This law has protected the rural rate payers in States like North Carolina, and I oppose its repeal.

Even in light of the negative aspects of this bill, I am voting for it because of the positive changes that have been included that will help put our country back on to the right track. This bill doubles the requirement for renewable fuels, and extends the tax credit for biodiesel. This will help our farmers and help us reduce our dependency on foreign oil. This bill also remove any legal waivers for companies that have poisoned our waters with MTBEs, and excludes the provision to allow drilling and development of the Arctic National Wildlife Refuge (ANWR), to preserve this national treasure for future generations. I would also add that I am pleased about the increases in tax incentives for renewable energy such as wind and solar power.

Mr. Speaker while this is not a perfect bill, it is a step in the right direction. And it deserves our support.

Ms. DEGETTE. Mr. Speaker, I rise to express my opposition to the comprehensive energy bill before us, a bill that purports to address the energy challenges facing this country, yet ignores the most fundamental issues and fails to set us on a path to a more sustainable future.

Despite the fact that the transportation sector is the biggest emitter of harmful pollutants into our air, this bill fails to increase the efficiency of our cars. The technology is there, the demand is there, but the will is not. Although the bill offers incentives for consumers to purchase hybrid vehicles, this country's broken fuel economy program prevents it from having an effect. When an auto maker sells more fuel efficient cars, they are then given flexibility to crank out more gas guzzlers, which boggles my mind.

The Energy Policy Act of 2005 also fails to require our utilities to derive even a small percentage of their power from renewable energy, as voters in Colorado overwhelmingly approved last year. Enactment of a national renewable portfolio standard would spur innovation in the marketplace, attract new capital investment, create jobs, and reduce pollution.

This legislation, which acknowledges that global warming is a problem, sets up yet another federal advisory committee to ''develop a national policy to address climate change.'' Maybe I am mistaken, but isn't that Congress' job? We had the opportunity in this bill to create a market-based system to curb greenhouse gas emissions that are warming our earth, polluting our skies, and endangering our national security by keeping us bound to foreign oil. Again, we had the opportunity, but with this bill, we are passing the buck for another Congress to deal with, when the problem is even more out of control.

This bill weakens some of our most basic environmental laws, such as the Clean Air Act, Clean Water Act, and the Safe Drinking Water Act. It presents some nice handouts to industry, such as billions in giveaways to oil companies that are already drowning in profits due to high oil prices, while the Nation is experiencing huge deficits and slashing education and health care programs.

This bill fails to recognize that high energy costs are a function of both supply and demand. While it is quite generous in increasing the production of fossil fuels, it does not even acknowledge the oil scarcity problem. Instead of drilling and more drilling, we should be helping to curb the Nation's appetite for this rapidly declining resource by encouraging the development of alternative technologies.

Mr. Speaker, there is no question that this bill is a marked improvement over previous iterations. I applaud Chairman BARTON for his devotion to ensuring an open, transparent process with full debate on the issues. He has great courtesy and respect for the deliberative process, and I thank him for that. The bill he has put forward takes steps towards greater energy efficiency and conservation, ensuring the reliability of the electricity grid, and providing customers with incentives to purchase vehicles powered by alternative fuels.

But the problems with this legislation far outweigh its benefits, and as such I am forced to oppose it. I wish this Congress had the courage to enact reforms that would set this country on a more sustainable energy future, but instead it seems content to stick with a status quo that emphasizes extraction over conservation, pork over investment, and development over efficiency. Americans deserve better.

Mr. LEVIN. Mr. Speaker, I rise in support of the conference agreement on the Energy Policy Act.

This day has certainly been a long time coming. The last major energy bill I was able to support was the National Energy Efficiency Act of 1992. Since that time, there has been a clear need for follow-up legislation to address the significant energy challenges facing the country, but Congress and the Bush administration have repeatedly dropped the ball.

Over the last 4 years, Congress has twice come close to approving irresponsible energy legislation that would have done significant harm to consumers, the environment, taxpayers, and plain common sense.

As others have noted, the bill before us today—is not perfect, but it is much improved. I am especially pleased that the conferees dropped the harmful provisions in the House-passed bill that sought to open the Arctic Refuge to drilling and shield the MTBE industry from liability for the environmental damage their product has caused. There are still a number of provisions in this package that I would change; in particular, I would drop the tax and royalty-relief incentives in the bill for oil and gas drilling. When the price of a barrel of oil is near an all-time high, such public subsidies are unneeded and unjustified.

I want to state clearly why this bill is worthy of passage today. Two summers ago, the United States and southern Canada experienced the worst power blackout in history that left more than 50 million people without electricity, including 2.3 million residents of Michigan. Two years later, Congress has done nothing to address the reliability of the electrical transmission system. Voluntary standards won't get the job done. We need clear, mandatory and enforceable rules for ensuring the reliability of the power grid. The bill before the House accomplishes that.

I also support the many provisions of this legislation that spur development and use of renewable sources of energy and encourage conservation and energy efficiency. I believe that consumers, the environment, and energy security will be well served by the enhanced tax credit for Americans to purchase hybrids and other alternative power vehicles. Looking to the future, this bill provides significant resources for the development of clean-burning hydrogen.

I know that many of my friends in the environmental community disagree with some of the provisions in this bill. In particular, I know there is concern over the incentives for nuclear energy. As one who has more often than not voted against nuclear power, I understand these concerns. The fundamental problem with nuclear energy is that we have not yet developed an acceptable way of dealing with nuclear waste. In all likelihood, it won't be sufficient to just bury the waste in a hole in the Nevada desert and hope it stays put for the next 20,000 years. A much better solution is to develop the technologies to safely recycle or permanently isolate the waste.

By the same token, I think most everyone now accepts that global warming is a serious problem that needs to be addressed. The scientific evidence on warming is overwhelming, and we can't just ignore it as the administration has. We know enough now to begin addressing the problem. Unlike coal and petroleum, nuclear power produces no greenhouse gases. Like it or not, nuclear power must continue to be part of the mix of solutions to address the global warming problem. There are other steps we need to take, and one essential step is finding a better solution to the waste problem.

Last but not least, this energy bill permanently bans new oil and gas drilling in the Great Lakes. The Lakes are our State's crown jewels, and the heart of Michigan's multi-billion-dollar tourist industry. They should not be put at risk just so energy companies can extract a few weeks' supply of oil.

On balance, this energy package is worthy of support, and I urge my colleagues to join me in voting for it.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6.

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

There was no objection.

The SPEAKER pro tempore. All time for debate on the conference report has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BARTON of Texas. 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, this 15-minute vote on adoption of the conference report on H.R. 6 will be followed by 5-minute votes on H. Res. 392 and H. Res. 396.

The vote was taken by electronic device, and there were—yeas 275, nays 156, not voting 3, as follows:

[Roll No. 445]

YEAS—275

Abercrombie
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carson
Carter
Chabot
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Cramer
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Evans
Everett
Ferguson
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meeks (NY)
Melancon
Mica
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ross
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (NM)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)

NAYS—156

Ackerman
Allen
Andrews
Baird
Baldwin
Bartlett (MD)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Bonner
Boyd
Bradley (NH)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Capps
Capuano
Cardin
Carnahan
Case
Castle
Chandler
Clay
Cleaver
Conyers
Cooper
Crenshaw
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Emanuel
Engel
Eshoo
Farr
Fattah
Feeney
Filner
Fitzpatrick (PA)
Flake
Foley
Frank (MA)
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Lewis (GA)
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Nadler
Neal (MA)
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Price (NC)
Putnam
Rangel
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schwartz (PA)
Serrano
Shaw
Shays
Sherman
Smith (NJ)
Smith (WA)
Solis
Stark
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Udall (CO)
Van Hollen

Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wu
Young (FL)

NOT VOTING—3

Brady (PA)
Payne
Schakowsky

□ 1310

Ms. SCHWARTZ of Pennsylvania, Ms. CORRINE BROWN of Florida, and Messrs. SERRANO, KIND, BARTLETT of Maryland, and DAVIS of Illinois changed their vote from ''yea'' to ''nay.''

Ms. HERSETH, Mr. GILCHREST, and Mr. SCOTT of Virginia changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of agreeing to the resolution, House Resolution 392, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 4, answered ''present'' 23, not voting 4, as follows:

[Roll No. 446]

YEAS—402

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Sullivan
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

Capuano
Cooper
Dingell
Stupak

ANSWERED ''PRESENT''—23

Akin
Barrett (SC)
Bartlett (MD)
Flake
Foxx
Franks (AZ)
Gohmert
Gutknecht
Hefley
Hensarling
Jones (NC)
King (IA)
Lungren, Daniel E.
Miller (FL)
Musgrave
Otter
Pence
Price (GA)
Ryan (WI)
Sodrel
Tancredo
Tanner
Westmoreland

NOT VOTING—4

Brady (PA)
Paul
Payne
Schakowsky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1318

Mr. POE changed his vote from ''present'' to ''yea.''

Mr. BARRETT of South Carolina changed his vote from ''yea'' to ''present.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2985, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 396, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 27, answered ''present'' 24, not voting 7, as follows:

[Roll No. 447]

YEAS—375

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom