the other side of the aisle decrying Democrats as somehow responsible for the problem of the current high energy prices.

The fact is our friends on the Republican side controlled everything, by and large, for the last 7 years. They passed an energy bill in 2005 which was a perfect energy bill for the 1950s.

Nothing that they are proposing in terms of draining America dry by opening up more drilling is going to make any difference for 8 to 20 years, according to all the experts, and oil companies already have 68 million acres available for exploration now that we're encouraging them to use.

It's interesting that after the Republicans blocked even a study of improved fuel efficiency standards for our vehicles, the Democrats for the first time in 30 years have improved those efficiency standards. We're stopping Government competition with the oil companies by suspending Federal purchase of oil for the Strategic Petroleum Reserve. We had to pass legislation to force the administration to do that.

Now, we're looking at squeezing speculators a little bit, and there are a range of choices to help commuters compete now.

It is time for us to talk honestly about the options and what's going to make a difference, not pretending that turning our energy future over to oil companies will make any difference in price or supply for years to come.

FLUOR'S IMPACT IN THE GREENVILLE COMMUNITY

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. INGLIS of South Carolina. Mr. Speaker, you know, there's plenty of economic bad news around, coupled here and there, and we've had our share of those in the upstate of South Carolina, but there's also some bright spots, and those are very much worth celebrating.

Fluor Corporation's employment in Greenville, South Carolina, has gone from 2,500 in 2003 to 5,400 today. An additional 3,200 project-based workers help in projects around Greenville. Fluor is currently looking for 2- to 300 engineers to come help with significant new projects that they've won all around the world.

In fact, their growth has been so significant they've been a major cause of the drop in the vacancy rate in class A office space in downtown Greenville, going from 24 percent down to 11.9 percent in the central business district.

That's impressive, Mr. Speaker. It's worth celebrating, and especially worth celebrating is the fact that Fluor will now be taking over the contract at the Savannah River Site, where for 50 years, we've been producing and storing tritium, a radioactive isotope of hydrogen that will give us the opportunity to learn how to store hydrogen and break through to a hydrogen economy.

THE ENERGY DEBATE

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, I actually think that we're at a refreshing point of clarity in the energy debate, because the one thing that we have learned is the only thing standing between the American people and lower energy prices at the pump is the Democrat-controlled Congress.

They've made their position very clear. It is drive less and pay more. Or, as we heard yesterday, drive small cars and wait for the wind. Or, the other suggestion we've heard is the Congress has done such a wonderful job running a railroad, now let's have Congress take over the energy industry and we can run that, too.

It's only been in the last 18 months that we have seen energy prices increase a dramatic 76 percent. At 9 percent approval rating, I don't think we're hearing a clamoring from the American people for Congress to take over and run anything.

The Republican Party now has become the party of the little guy. We want to open up energy exploration, permit expediting so that we can get this online. We don't have to wait 20 years. That's Congress that caused those barriers. Congress can unlock those barriers and bring clarity back to the issue.

□ 1045

ENERGY CRISIS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, here is the problem: When President Bush took over as President the price of a barrel of crude oil was $23. When the Democrats became the majority, the price of a barrel of crude oil was $58. Today, it's hovering around $140 per barrel of crude oil. All we're trying to do on this side is bring forth some solutions. We're doing that today with a discharge petition on one such technology, coal-to-liquid technologies, H.R. 2208. It's not my bill. It's my Democrat colleague, RICK BOUCHER's, bill.

The United States has the largest coal reserves in the world, 250 billion tons of recoverable coal. China has invested $24 billion in coal-to-liquid technologies. We, in the United States, have invested zero. The largest reserves, zero investments.

This is how it works: We operate a U.S. coal mine, U.S. jobs. We build a coal-to-liquid refinery, U.S. jobs. We have liquid fuel to compete with crude oil fuel, we pipe it in a pipeline, U.S. jobs. We go to our aviation industry with jet fuel. All these budget airlines are going broke because of high cost fuels. This is ''a'' solution, not one, but one of many.

PROVIDING FOR CONSIDERATION OF H.R. 5811, ELECTRONIC MESSAGE PRESERVATION ACT

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1318 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1318

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5811) to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5811 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Mr. WELCH of Vermont. I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1318 provides a closed rule for consideration of H.R. 5811, the Electronic Message Preservation Act. The resolution, as you know, provides 1 hour of debate controlled by the Committee on Oversight and Government Reform. The rule makes no amendments in order because no amendments were submitted for consideration.

H.R. 5811 is an important bill introduced by Chairman WAXMAN that modernizes the requirements of the Presidential Records Act and Federal Records Act to ensure that vital government records are preserved for historical posterity.

The Electronic Message Preservation Act will make certain that we retain important Presidential records by directing the Archivist to establish standards for the capture, management, and preservation of White House and Federal agency e-mails. The Archivist of the U.S. will set new standards for tracking Federal e-mail records and annually will certify whether the records management controls put in place by the President meet those standards and comply with the act.

The bill will protect American history so that we will not lose important records in an antiquated record system that exists now, but it will also guide and enforce document retention policies within the executive branch.

The bill is very necessary. Through its investigations, the Oversight and Government Reform Committee discovered that in one instance the current White House had lost hundreds of days of e-mail, and in other instances allowed numerous White House officials, including Senior Advisor Karl Rove, to use Republican National Committee e-mail accounts for government business—improper, obviously. E-mails sent by White House officials over these RNC accounts related to official government business, and potentially hundreds of thousands of these e-mails have been destroyed.

In addition, the White House did grossly mismanage its own e-mail records and ignored concerns that were raised not by Congress, but by the National Archives, about the way it was storing e-mails.

Further, the current print-and-file record retention systems are both unreliable and not in step with modern advances in technology. For example, when President Bush came into office, the White House had an automated system in place for archiving e-mails, but in 2002, the White House decided to abandon this archiving system and replace it with an ad hoc manual system, doing so in an electronic age. White House officials were warned by the technical staff of their own White House staff and by National Archives that this ad hoc manual system for managing e-mails presented an obvious threat and serious threat of losing records. And the White House's own technical expert said the system was, to use the word of that expert, ''primitive'' and carried a high risk that ''data would be lost.'' Yet, despite these warnings, the White House has still not put into place a reliable, up-to-date system for preserving e-mails.

This bill will change that. It will require the Archivist to establish specific standards for the management and preservation of electronic messages, including the capability to retrieve messages through electronic searches. These standards will help prevent a situation like what is happening under this administration. H.R. 5811 directs e-mail records to be stored electronically and removes ambiguity in the current law that was established before we even had e-mail.

The bill and the manager's amendment were approved by voice vote in the committee because it is timely and it's necessary. I urge the passage and a ''yes'' vote on the rule.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend, the gentleman from Vermont (Mr. WELCH), for the time; and I yield myself such time as I may consume.

During an interview last week, the distinguished majority leader, Mr. HOYER, said that he is opposed to a lame-duck session, and that he is committed to adjournment sine die by the previously announced date of September 26. If the majority decides to follow that commitment to adjourn the 110th Congress on September 26, then Congress has only 7 weeks of session left to complete its work for the year.

And so as Congress begins its last 7 weeks of work before recessing, what important pieces of legislation are at the top of the majority's priority list? Well, maybe it's passing the 12 appropriations bills before the end of the fiscal year, or maybe energy legislation to deal with the record gasoline prices consumers are paying each day. No, Mr. Speaker, they've decided that those problems can wait for another day, for another Congress. Instead, their legislative priorities are to designate a 600-mile historic trail and to require preservation of electronic records.

I spent most of last week meeting and speaking with constituents in my district about the issues that matter to them; and, Mr. Speaker, no one mentioned anything closely related to these two bills. These bills may be important in their own right, but there certainly are other issues that are much more pressing issues that we should be debating, that we should be dealing with.

When Americans are paying over $4 per gallon for gasoline, we should be working on legislation to lower gasoline, increasing domestic energy exploration, and reducing our reliance on unstable foreign energy. France produces approximately 80 percent of its electricity from nuclear power, and yet the United States has not built a new nuclear plant in about 30 years.

Why does the majority refuse to consider legislation to deal with our energy and other serious problems? According to an article published in the newspaper The Hill on Tuesday, the majority, and I quote, ''has scrubbed the floor schedule of the energy legislation that it vowed to tackle after the Fourth of July recess.''

Why doesn't the majority schedule energy legislation for debate? Maybe it's because they don't have a real plan. If you read the rest of The Hill article, you find out what a Democratic aid called the majority's plan: ''Right now, our strategy on gas prices is to drive small cars and wait for the wind.'' That's most unfortunate. That ''non-plan'' ignores the urgent call of Americans for Congress to pass serious energy legislation.

I know the majority will claim that they expect to take up energy legislation soon and the committees of jurisdiction are considering possible legislation, but they already pulled legislation they expected to consider after the July 4 recess, and we still have to consider 12 appropriations bills, housing legislation, the Medicare payment fix for physicians, an alternative minimum tax fix, and numerous conference reports. That doesn't leave much time for energy legislation. Maybe if the majority had different priorities, we would be considering energy legislation today instead of legislation designating a 600-mile historic trail and legislation requiring promulgation of regulations to preserve electronic records.

I wish to take this occasion to congratulate the majority on breaking their own record of most closed rules. The proposed rule we are considering now marks the 59th closed rule of this Congress, the most of any Congress in the history of the Nation. It didn't have to be that way.

Before the new majority took over control of the House they laid out their promises for a more civil, more open, and more transparent House in a document entitled ''The New Direction for America.'' The document provides clear guidelines for how legislation should move through the House. One of the promises made in the document is that ''bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternative, including a substitute,'' yet here we are with a closed process that doesn't allow Members from either party the ability to offer amendments.

The majority continues to break their promise on allowing an open, full, and fair debate and their promise to consider energy legislation after the July 4 recess. So much for their promises.

ENERGY BILL OUT OF GAS

(By Jared Allen and Mike Soraghan)

House Democrats are in a bind on the focal point of their energy plan.

Worried that a floor vote on any energy-related measure would trigger a Republican-forced vote on domestic drilling, the leadership has scrubbed the floor schedule of the energy legislation that it vowed to tackle after the Fourth of July recess.

Just before leaving for their districts, a number of House Democrats called a press conference to declare victory on a number of energy bills—including overwhelming passage of a bill to rein in excessive oil market speculation.

Democrats declared victory on a bill they failed to pass on the suspension calendar—their ''use it or lose it bill'' to force energy companies to either start drilling on their federally leased land or give it back—saying they had put 176 Republicans on record as siding with the oil companies over consumers.

And they vowed that the bill, the centerpiece of their energy message, would be back.

''We've taken some bold steps this week, and we're going to build on that [after recess] with the bills we take up,'' Democratic Caucus Vice Chairman John Larson (Conn.) said at the press conference.

But, as of Monday afternoon, neither ''use it or lose it'' nor any other energy measure had been scheduled for floor action this week.

Democrats said they were simply taking a different approach to passing their top energy-related priorities.

Nadeam Elshami, spokesman for House Speaker Nancy Pelosi (D–Calif.), said energy activity this week is taking place at the committee level, noting that there are four hearings planned on the issue of speculation in oil trading.

''Different members have different ideas,'' Elshami said. ''We'll bring forward the best piece of legislation based on the recommendations and hearings we are having this week.''

Republicans pounced, saying Democrats were backtracking after realizing they would be unable to defeat a Republican vote on increased domestic oil drilling in new areas.

''It's panic time for Democrats,'' said a senior Republican aide. ''They are on the wrong side of three-quarters of the American people who support increased production of American-made energy.''

While Democrats were in their districts advocating their plans to end gas price-gouging, rein in speculation, pass ''use it or lose it'' and even call for President Bush to release millions of barrels of crude oil from the Strategic Petroleum Reserve (SPR), Republicans were touting polls showing that a healthy majority of Americans now support increased domestic energy production.

That is proving to be a particular concern for Democrats in that any non-suspension-calendar energy vote would be subject to a Republican alternative, almost certainly calling for offshore and Arctic drilling, that would very likely pass.

''If we could send deepwater drilling over, it would pass the Senate,'' said a Republican leadership aide, highlighting just how much an energy vote could backfire on Democrats.

A senior Democratic leadership aide acknowledged this week that there are plenty of members of the majority caucus ''who want to drill and want to drill where Republicans want to drill.''

Even if Democratic leaders could beat back a GOP motion on drilling, the vote could be used as political ammunition against their vulnerable members this fall.

The Democratic setbacks come after they scored a political victory this spring when they overwhelmingly passed an SPR bill over initial White House objections. But Republicans now claim they have the upper hand, noting that Sen. John McCain (R–Ariz.) is citing drilling repeatedly on the campaign trail.

Further complicating matters for Democrats is the growing number of pro-drilling Democrats who are becoming increasingly worried that voters might throw them in with their anti-drilling leadership.

One pro-drilling Democrat predicted that the backlash against Congress for gas prices could rival the outrage voters felt about the Jack Abramoff lobbying scandal.

Another, Rep. Charlie Melancon (D–La.), is frustrated at not being listened to.

''My concern with my leadership is that they're not letting all the people in the room to present the facts,'' said Melancon, a proponent of more offshore drilling. ''Where are all the pro-oil legislators? I'm not in the room. I don't know who is. My feeling is we are not being all-inclusive to pass legislation that can get through the Senate and avoid a veto.''

For now, though, there will be no legislation to pass, as the only energy-related action this week will occur at the committee level.

Republicans may try to continue a strategy they demonstrated before recess by forcing drilling votes as energy amendments to bills being considered at the committee level, including appropriations bills.

And Republicans may go one step further by trying to get amendments added to the energy and water appropriations bill, a likely contender to see the floor this week.

''We're going to demand a pro-production energy vote before Congress goes home for the month of August,'' said House Republican Conference Chairman Adam Putnam (Fla.). ''We've tried to highlight efforts to solve America's energy problem a thousand ways to Sunday, and [Democrats] keep pulling them from committee, pulling them from the floor and kicking the can down the road.''

Exactly when Democrats will change their present course and bring an energy bill to the floor remains uncertain.

''Right now, our strategy on gas prices is 'Drive small cars and wait for the wind,' '' said a Democratic aide.

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

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we're talking about e-mails. We're talking about the rule on e-mails for Federal agencies, for the White House. But the truth is, the e-mails that keep coming in are desperate. What we saw in the last week were people running out of gas in greater numbers than ever before.

The Democratic Party, the once proud party, always talked in terms of helping the little guys. The little guys are suffering. The little guys are hurting. We're losing union jobs because our energy has gotten so expensive in this country and we're overtaxing some of the people providing the jobs.

□ 1100

Gas is going from $4 to $5, and this Congress could make a huge difference, and we're talking about e-mails. The e-mails say we need help, do something. And we can. And I know that we have some courageous Democratic friends across the aisle that want to do something and could do something, but the Democratic leadership seems vested in this idea that really we won't say it publicly but $20 a gallon for gas would be a good thing because people would quit driving and that would save the planet, not realizing when you tank an economy, people quit caring about the environment, as they should, because they're worried about having food, having shelter, taking care of their families. And we could help them if we bring the right bills to drill now, to mine what we have.

Those of us who believe in God have got to believe God is sitting there going, Look at what all I gave you in the way of natural resources. And yet the last bill to come out of our Natural Resources Committee this last month was to put our last best source of uranium off-limits for some made-up, contrived emergency that doesn't exist. I think the bill will end up being unconstitutional, but it still shows we're still putting our resources off-limits.

If you're worried about killing caribou, we have seen that when we put a warm pipeline out there in the middle of the Alaskan wilderness area, then the caribou thrive. They go mate around the pipeline. We're up over ten times the number of caribou we used to have. If you're worried about killing fish off the coast by drilling, we have seen in Texas it creates artificial reefs, and that's where people go fish now.

We can help the people and the environment if we will use what we have got because in the years to come, the archivists are going to come pull e-mails and see that the number one concern of people right now in this country was energy and all we wanted to talk about was e-mails and scenic trails when they haven't got gasoline to drive to those trails.

Let's help Americans where they need help. Let's do the right thing. Let's work on energy and producing what we have got.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I want to follow up with my colleague from Texas since we are talking about e-mails, and I, in essence, concur with him. The number one message we are getting back from our constituents is high energy prices. And when the historians go back to reclaim our files to write some analysis on what this Congress did at its hour of need and we make sure they can pull our e-mails, they are going to find us inundated with ''energy prices are too high,'' and then they're going to look at the record and ask, well, how did Congress respond? And for the first 18 months of this Congress, and we only have about half a year left, we have done nothing.

This is the problem: $23 a barrel when Bush came into office, $58 a barrel when the Democrats assumed the majority. I didn't check the market today yet. As of yesterday, it was $140 a barrel. What we are saying here is the trend line is bad, and what we are saying is the trend line is not sustainable

if we want a middle class in this country, if we want people in rural America to live in rural America.

In rural America I represent parts of 30 counties of Southern Illinois. We have to drive many miles to get to health care. We have to drive many miles to get to our primary schools, our secondary schools. We have to drive big trucks because we're hauling seed, we're hauling feed, we're hauling livestock. They're working trucks. They can't operate on an electric engine, a plug-in type of vehicle. Now, that may be good for some parts of the country. It's not good for rural Southern Illinois.

So here we are on the floor just back from a week at home, the 4th of July break, thinking that it's time to roll up our sleeves and work to help address the concerns because we know they are going to take a while to fix. It's not like we can snap our finger. A lot of times we get asked, what can we do immediately? What can we do immediately? One of the answers is to lower the Federal gas tax. That's something we can do immediately. What is another thing we can do immediately? Well, the public has to conserve. The individual has to do something immediately, and they're doing it. We are driving fewer miles today but we're paying more. Does that make sense? Drive less, pay more? That's as bad as drive small cars and wait for the wind. The other policy is drive less, pay more. That's not a good energy policy.

So we're ready to come back. We're ready to be open. We are ready to be accessible. Compromise on this floor. Bring some supply to the debate. Bring some efficiency. Bring some renewables. Let's strike an agreement.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. SHIMKUS. There is a great example of that, Mr. Speaker. My friend PETER ROSKAM from Chicago, he has a bill called the Vision Act, which uses the royalties of the Outer Continental Shelf, uses the Federal money and then plows it into renewables—solar, wind, electric—because it's all going to cost money.

So here's the problem. Here's the solution: The Outer Continental Shelf, coal to liquid, solar, wind, renewable fuels. All the above, that's our policy. American-made energy translates into American-made jobs, which lowers prices for everyone. And the point should be made. It's the middle class, the lower middle class who are exponentially harmed by higher energy prices. They can't afford the new technology. They can't afford the new cars. They have to buy the used car off the lot that gets poor gas mileage because they are trying to make ends meet.

We are on the right side of this issue.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. SHIMKUS. I thank my colleague.

Today, Mr. Speaker, another great opportunity, and I will mention it in 1 minute. The United States has the largest reserve of recoverable coal in the world. Why not take that coal, create United Mine Worker jobs recovering the coal, build a coal-to-liquid refinery, turn that into jet fuel, gasoline, diesel fuel, build it in the central part of the country where the coal fields are so it's not disrupted by the storms in the gulf coast, pump it to our airports so that they have a competitive product versus crude oil jet fuel so that we don't lose our budget airlines.

Four budget airlines have got bankrupt. Four budget airlines. That means ticket takers, stewardesses, pilots, baggage handlers now without a job. Why? High energy costs. And we come to the floor with a national historic trail and protecting e-mails and 15 suspension bills.

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

Mr. LINCOLN DIAZ-BALART of Florida. Again, I thank my friend from Vermont for his courtesy in yielding the time.

Mr. Speaker, Americans are now paying over $4 a gallon for gasoline; yet the majority fails to bring legislation to the floor to lower gas prices or decrease our dependence on foreign sources of energy. It is time for the House to debate ideas for lowering prices at the pump and addressing the skyrocketing cost of gasoline. So today I urge my colleagues to vote with me to defeat the previous question so this House can finally consider real solutions to rising energy costs. If the previous question is defeated, I will move to amend the rule to allow for consideration of H.R. 2208, the Coal-to-Liquid Fuel Act. This legislation would encourage the use of clean coal-to-liquid technology, authorizing the Secretary of Energy to enter into loan agreements with coal-to-liquid projects that produce innovative transportation fuel.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by voting ''no'' on the previous question, Members can take a stand against these high fuel prices and for doing something about them. I encourage a ''no'' vote on the previous question.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield myself the balance of my time, and I'm going to approach the podium to use some charts.

Mr. Speaker, this bill is about the preservation of electronic records. The debate has turned into a discussion of our energy policy. And there are two reasons why we would be discussing energy instead of the substance of the actual bill. One is that our friends on the other side don't have anything to say about the importance of the preservation of electronic records. Two is they want to use the opportunity of floor time to make a case, their case, about energy. I intend to respond to both of those issues.

First of all, I want to go back to what this legislation is about. It's about the preservation of the historical record for the American people. It's also about the preservation of the records of the administration so that in the future when any Congress wants to hold any President accountable, there will be documentation of what has happened in that administration.

It is extraordinarily important that this Congress restore its constitutional function of insisting on accountability for the American people. We have three branches of government, and one of them has been asleep for the 6 years going into the year 2006, and that was Congress, the legislative representative of the people of this country, who demand and are entitled to accountability. If you do not have the preservation of the records of their government—these are not records belonging to the President. They're not records that belong to the executive branch. It's not for them to decide ''yes'' or ''no'' that we will preserve these records. This is a right of the American people. It's their property. And what this electronic records preservation does is say that you cannot use the paper system that doesn't work in an electronic age in effect to conceal from the American people what you did. It is overdue. And to take this debate and inject into it another topic, as important as energy is, is to trivialize the fundamentally important responsibility that this Congress has to the American people to restore oversight and accountability.

This government has make enormous mistakes and justified them by concealing information from the American people. What do you need to know more than what happened in the pathway to the war in Iraq? If the truth had been out there for the American people and for many in this body to know what the President knew and when the President knew it, what the administration knew and when they knew it, we would not be in this catastrophe for the American people called the war in Iraq.

So this legislation that says that e-mail records are going to be restored and retained electronically is of profound constitutional importance to the continuation of Congress in its role as the overseer and protector of the American record and the American taxpayer. So on its merits, this legislation should be considered as of absolute

vital importance to the people of this country. And we have heard no objections, and, indeed, this legislation was passed by voice vote.

Now, since the issue was raised, since the debate on this profoundly important question of constitutional oversight has been hijacked to turn it into an energy debate where it really doesn't belong, I am nevertheless going to respond to the arguments.

□ 1115

You start by this proposition. Implicit in many of the arguments that my friends on the other side made was that those of us on the Democratic side somehow don't understand the pain that the American consumer is experiencing with these record high gas prices.

I have got to just speak about Vermont. What I hear about from Vermonters is fear. I've never heard this. And gas prices are tough. They are trying to figure out how to get from here to there and pay for it. They've got cars that they don't get great mileage. They are doubling up. They are doing what they can. But, bottom line, the thing they are terrified about and they have real anxiety is how are they going to heat their homes next year.

We have to heat our homes there. And, folks, when they see that gas delivery truck show up, and last year it was like $2.50 a gallon, it's going to be $5 a gallon next year, and these families don't have the money to pay $1,000, $1,500, $2,000 to fill up a tank. They don't know what they're going to do. And we are going to see Vermonters who are doubling up. Generations are going to be living together because they don't know how they are going to pay that bill.

So, believe me, there's not a single Member in this House, Republican or Democrat, who doesn't profoundly understand the impact that this is having on everyday people, on our small businesses, on our economy.

So we can go back and forth with the accusations and we can go back and forth with the slogans, or we can acknowledge the obvious. The obvious is we have to do everything that we can in the short term to try to bring relief at the pump, to try to bring pressure off the small business and the consumer. Anything in the short-term that we can do, we should do, and we should do it together. But we also have to move to a long-term energy policy that no longer allows oil to have an iron grip on our future. That is what Americans know.

Short-term, what are some of the things we can do? We have done them. We stopped filling up the Strategic Petroleum Reserve. It will reduce demand by 70,000 to 90,000 barrels a day. Second, we are considering legislation for the oil companies to use the leases they have, or lose them.

There's this debate about bringing production online. Obviously, supply is an issue here. In the world, we pump about 86 billion barrels a day. We consume about 87 billion barrels a day. But the fact is that the slogans that I am hearing about just opening up other offshore areas in ANWR totally ignores the current reality, and that is that the oil companies, that are very good at what they do, have leases, existing leases that they pay good money on, on 68 million acres of land. That land, their leases, their leases exceed by 2½ times the area of the State of Ohio, the Minority Leader BOEHNER's district; 2 times the State of Illinois; 2½ times the size of Pennsylvania. These are leases on Federal lands, onshore and offshore.

What are the oil companies doing? Not much. They are producing oil on a fraction of the leaseholds that they have.

Mr. SHIMKUS. Would the gentleman yield?

Mr. WELCH of Vermont. No, I won't.

In reality, if there was full production on all the areas under lease, it could produce 4.8 million barrels of oil a day.

Mr. SHIMKUS. Would the gentleman yield for debate on these lease issues?

Mr. WELCH of Vermont. I am going to take my time. Thank you.

Mr. SHIMKUS. So you don't want to debate the lease issue.

The SPEAKER pro tempore. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

That could produce 4.8 million barrels of oil a day. Yet the oil companies are not drilling where they have leases to do so. Instead, we are turning this argument into the prospect that we may be able to drill in the future on other places where there aren't leases, waiving away what will be the long-term problems of trying to make that come online, and the fact that it would probably save about a penny and a half a gallon in 10 to 20 years. That is not fair, direct honesty in the debate for the American people.

Mr. SHIMKUS. Would the gentleman yield to debate? You are talking about debate.

Mr. WELCH of Vermont. I thank the gentleman, but I intend to finish. I control the time.

Mr. SHIMKUS. So you don't want to debate the lease issue.

The SPEAKER pro tempore. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. So what do we have? We have a situation where the oil companies are not drilling where they can, and we are saying to them, Drill where you can. We also have a situation where the oil companies, the longer they wait, the more they make. If you're sitting on leases and oil in the ground, under the sea was $35 a barrel when you bid that lease, then it went to $75, then it went to $100, and now it's $140 a barrel, you're making money just having that in the bank. So the oil companies, the longer they wait, the more they make.

We know that oil company profits are exploding.

Mr. SHIMKUS. Would the gentleman debate the oil profits issue? Will you debate me on the energy debate?

The SPEAKER pro tempore. The gentleman from Illinois is not recognized. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

The oil companies have made $125 billion. Record profits again this year. How are they spending that money? Are they investing in refineries, are they investing it in renewable energy, are they investing in drilling rigs or offshore facilities to drill in those areas? No. They are buying back their stock.

The oil companies, energy producers, should be part of the solution, and they should be using the technical ability that they have, the extraordinary skills that they have and the extraordinary profits that they have to help us find a way to an energy independent future, and it's not happening.

We know that, bottom line, everything we can do short-term, we can do, but the idea that we can do instantly something is a stretch. But what we can do, we should do.

On speculation, we are considering legislation now, and as we speak, the Chair of the Agriculture Committee, Mr. PETERSON, is conducting 3 days of hearings to try to squeeze the speculator instead of having the speculators squeeze us; on not filling up the Strategic Petroleum Reserve and topping it off.

I am demanding of the oil companies that they start producing oil in those 68 million acres where they actually have leases and the right to be producing that oil. They could produce 4.8 million barrels of oil a day. Do you know what we produce domestically right now? Five million barrels of oil a day. It could lead to a doubling of the production.

So the fact is there are things that can be done that we are promoting that they be done aggressively. We are insisting that the oil companies be accountable to use and produce on the leases that they have, yet they refuse to do it. And we have been consistently and aggressively moving for a new energy policy that is going to create green jobs, that is going to give us much greater independence in foreign affairs, and is going to help us clean up our environment.

A confident nation is one that faces directly the problems that it has. And when it comes to the question of energy, what symbolized for me the energy policy that this country has had was a front page picture of the President of the United States, hand-in-hand with King Abdullah of Saudi Arabia as they were about to go into a meeting. In the custom of the Arab States, they walked into that holding

hands. The purpose of that meeting was for the President of the United States, the greatest country on Earth, to implore the King to increase production of oil.

You know what? A confident nation, a nation that takes on the challenge of solving its own problems, does not go hat in hand to others and ask them, who are not our friends, incidentally, to solve our problems. We take that challenge on ourselves. We take it on because it's our responsibility. We also take it on because we know that in the doing of it, we are going to create jobs, clean our environment, and give us much more latitude in foreign policy.

So this debate on energy, misplaced as it is in this matter of electronic records and restoring the responsibility of Congress to the American people to conduct oversight and to preserve a historical record, important as that is, the argument on energy, the question of energy is the profound question that this country faces economically for the next generation, and the challenge will be whether we are willing to face that squarely and take it upon ourselves to solve our problems, or we are going to continue to be dependent on oil companies that have not played on behalf of the American people and on foreign countries that are not our friends; Venezuela, Middle East States, Russia. We have to take on this challenge ourselves.

Mr. Speaker, I will just close by saying, going back to this bill, that it's an extraordinarily important bill, not just so that we can preserve records, but that we in Congress can restore confidence to the American people that we are a cop on the beat.

This bill makes significant and long overdue changes to document retention systems that were outdated and inefficient. The vast amount of government business that is currently conducted over e-mail requires that we update the law regulating record retention. Government e-mails should not be deleted or destroyed, as they are as important in revealing to the public and historians as paper documents, and we all know that.

Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1318 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2208) to provide for a standby loan program for certain coal-to-liquid projects. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and the chairman and ranking member of the Committee on Science and Technology; and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

RECORDED VOTE

Mr. WELCH of Vermont. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

PENSION PROTECTION TECHNICAL CORRECTIONS ACT OF 2008

Mr. POMEROY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6382) to make technical corrections related to the Pension Protection Act of 2006, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES TO ACTS.

(a) IN GENERAL.—This Act may be cited as the ''Pension Protection Technical Corrections Act of 2008''.

(b) REFERENCES TO ACTS.—For purposes of this Act:

(1) AMENDMENT OF 1986 CODE.—The term ''1986 Code'' means the Internal Revenue Code of 1986.

(2) AMENDMENT OF ERISA.—The term ''ERISA'' means the Employee Retirement Income Security Act of 1974.

(3) 2006 ACT.—The term ''2006 Act'' means the Pension Protection Act of 2006.

TITLE I—TECHNICAL CORRECTIONS RELATED TO THE PENSION PROTECTION ACT OF 2006

SEC. 101. AMENDMENTS RELATED TO TITLE I.

(a) AMENDMENTS RELATED TO SECTIONS 101 AND 111.—

(1) AMENDMENTS TO ERISA.—

(A) Clause (i) of section 302(c)(1)(A) of ERISA is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 302(c)(7) of ERISA is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 302(d)(1) of ERISA is amended by striking '', the valuation date,''.