

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 420, nays 1, not voting 10, as follows:

[Roll No. 342]
YEAS—420

Abercrombie DeGette Hyde
Ackerman Delahunt Insee
Aderholt DeLauro Isakson
Akin DeLay Israel
Allen DeMint Issa
Andrews Deutsch Istook
Armey Diaz-Balart Jackson (IL)
Baca Dicks Jackson-Lee
Bachus Dingell (TX)
Baird Doggett Jefferson
Baker Dooley Jenkins
Baldacci Doolittle John
Baldwin Doyle Johnson (CT)
Barcia Dreier Johnson (IL)
Barr Duncan Johnson, E. B.
Barrett Johnson, Sam
Bartlett Edwards Jones (OH)
Barton Ehlers Jones (NC)
Bass Ehrlich Kanjorski
Becerra Emerson Kaptur
Bentsen Engel Keller
Bereuter English Kelly
Berkley Eshoo Kennedy (MN)
Berman Etheridge Kennedy (RI)
Berry Evans Kerns
Biggart Everrett Kildee
Bilirakis Fattah Kind (WI)
Bishop Ferguson Kingston
Blagojevich Filner Kirk
Blumenauer Flake Kleczka
Blunt Fletcher Knollenberg
Boehlert Foley Kolbe
Boehner Forbes Kucinich
Bonilla Ford LaFalce
Bonior Fossella LaHood
Bono Frank Lampson
Borski Frelinghuysen Langevin
Boswell Frost Lantos
Boucher Gallegly Largent
Boyd Ganske Larsen (WA)
Brady (PA) Gekas Larson (CT)
Brady (TX) Gephardt Latham
Brown (FL) Gibbons LaTourette
Brown (OH) Gilchrest Leach
Brown (SC) Gillmor Levin
Bryant Gilman Lewis (CA)
Burr Gonzalez Lewis (GA)
Burton Goode Lewis (KY)
Buyer Goodlatte Linder
Callahan Gordon LoBiondo
Calvert Goss Lofgren
Camp Graham Lucas (KY)
Cannon Granger Lucas (OK)
Cantor Graves Luther
Capito Green (TX) Maloney (CT)
Capps Green (WI) Maloney (NY)
Capuano Greenwood
Cardin Grucci Manzuillo
Carson (IN) Gutierrez Markey
Carson (OK) Gutknecht Mascara
Castle Hall (OH) Matheson
Chabot Hall (TX) Matsui
Chambliss Hansen McCarthy (MO)
Clay Harman McCarthy (NY)
Clayton Hart McCollum
Clement Hastert McCrery
Clyburn Hastings (FL) McDermott
Coble Hastings (WA) McGovern
Collins Hayes McHugh
Combest Hayworth McInnis
Condit Hefley McIntyre
Cooksey Herger McKeon
Costello Hill McKinney
Cox Hilleary McKinney
Coyne Hilliard McNulty
Cramer Hinchey Meehan
Crane Hinojosa Meek (FL)
Crenshaw Hobson Meeks (NY)
Crowley Hoeffel Menendez
Cubin Hoekstra Mica
Culberson Holden Millender-
Cummins Holt McDonald
Cunningham Honda Miller (FL)
Davis (CA) Hooley Miller, Gary
Davis (FL) Horn Miller, George
Davis (IL) Hostettler Mink
Davis, Jo Ann Houghton Molohan
Davis, Tom Hoyer Moore
Deal Hulshof Moran (KS)
DeFazio Hunter Morella

Murtha Rogers (KY)
Myrick Rogers (MI)
Nadler Rohrabacher
Napolitano Ros-Lehtinen
Neal Ross
Nethercutt Rothman
Ney Roukema
Northup Roybal-Allard
Norwood Royce
Nussle Rush
Oberstar Ryan (WI)
Obey Ryan (KS)
Oliver Sabo
Ortiz Sanders
Osborne Sandlin
Ose Sawyer
Otter Schaffer
Owens Schakowsky
Oxley Schiff
Pallone Schrock
Pascarell Scott
Pastor Sensenbrenner
Paul Serrano
Payne Sessions
Pelosi Shadegg
Pence Shaw
Peterson (MN) Shays
Peterson (PA) Sherman
Phelps Sherwood
Pickering Shimkus
Pitts Shums
Platts Shuster
Pombo Simmons
Pomeroy Simpson
Portman Skeen
Price (NC) Skelton
Pryce (OH) Slaughter
Putnam Smith (MD)
Quinn Smith (NJ)
Radanovich Smith (TX)
Rahall Smith (WA)
Ramstad Snyder
Regula Souder
Rehberg Spratt
Reyes Stark
Reynolds Stearns
Riley Stenholm
Rivers Strickland
Rodriguez Stump
Roemer Stupak

Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Townes
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

United States air transportation system, and ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. SHIMKUS). Will the gentleman from Alaska withdraw his request momentarily?

Mr. YOUNG of Alaska. Momentarily I withdraw it, if the Speaker asks me to. You are the Speaker.

The SPEAKER pro tempore. The Chair is asking you to momentarily withdraw it.

Mr. YOUNG of Alaska. You have got that.

CONDEMNING PRICE GOUGING WITH RESPECT TO MOTOR FUELS FOLLOWING TERRORIST ACTS OF SEPTEMBER 11, 2001

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the resolution (H. Res. 238) condemning any price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. SAWYER. Mr. Speaker, reserving the right to object, I do not intend to object, but yield to the gentleman from Texas (Mr. BARTON) to explain his request.

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we also want to thank the gentleman from Michigan (Mr. DINGELL), the gentleman from Virginia (Mr. BOUCHER), and all of the other minority members of the Committee on Energy and Commerce for working with the majority on this resolution.

Mr. Speaker, this resolution puts the House on record in condemning any acts of price gouging in gasoline or other motor fuels occurring after Tuesday's tragic events. Since Tuesday, there have been widespread media reports about gas stations in some parts of the country jacking up gas prices to as much as \$6 per gallon, more than a 300 percent increase.

While America sat stunned and friends and relatives wondered about the well-being of their loved ones, while parts of the country struggled to evacuate government buildings and tourist attractions, while our Nation's emergency response crews mobilized, some vendors were trying to line their own pockets. If this activity is not illegal, it is certainly disgraceful.

This resolution, on a bipartisan fashion, condemns price gouging, wherever it exists. Although prices may have returned to normal, and in most cases prices never escalated, the fact is, the potential remains for consumer abuse. This type of behavior undermines consumer confidence and contributes to

NAYS—1

Lee

NOT VOTING—10

Ballenger King (NY) Saxton
Conyers Lipinski Wilson
Farr Petri
Kilpatrick Sanchez

□ 2317

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETRI. Mr. Speaker, on rollcall No. 342 I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER. Pursuant to the order of the House of earlier today, Senate Joint Resolution 23 is passed.

Without objection, a motion to reconsider Senate Joint Resolution 23 is laid on the table, and House Joint Resolution 64 is laid on the table.

There was no objection.

PRESERVING VIABILITY OF UNITED STATES AIR TRANSPORTATION SYSTEM

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 2891) to preserve the continued viability of the

public uncertainty during times of crisis, and must not be tolerated.

This resolution calls on State and Federal agencies to investigate allegations of price gouging and to prosecute to the fullest extent of the law any violations of the law. There has been no disruption in our Nation's fuel supply. Production is up, stocks are full, and distribution is operating at normal levels. There is no reason, I repeat, there is no reason to jack up prices. We will get through this crisis intact, and America will be stronger than ever.

Tuesday, September 11, was a day of decision. International terrorists decided to test America's will, and Americans decided to defeat them once and for all. This is not a time to let deceptive gasoline dealers double-deal the American people.

Mr. Speaker, I hope that we can pass this resolution by unanimous consent.

Mr. SAWYER. Mr. Speaker, further reserving the right to object, I yield to my friend, the gentleman from Louisiana (Mr. TAUZIN), the full committee chairman.

Mr. TAUZIN. Mr. Speaker, I thank my friend for yielding. Let me thank the chairman of the Subcommittee on Energy for the work on this bill. Most particularly let me thank the ranking member, the gentleman from Michigan (Mr. DINGELL), the staffs of our two committees, and all of you for the work you have done in bringing this bill to the floor.

The bottom line is this resolution condemns Americans taking advantage of other Americans in the middle of a crisis, when there is no need whatsoever to raise gasoline prices.

There is ample fuel out there for every American. This resolution condemns such taking advantage for greed purposes of other Americans in the middle of this crisis and calls for the Federal Trade Commission to commence an immediate investigation and for the prosecution under State law of those who may have violated the law.

Like all the things we have done this week in the middle of this crisis, this resolution represents incredible bipartisan effort. The drafting was done together, we bring it to the floor together, and we urge its immediate adoption.

Mr. SAWYER. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, let me thank the gentleman for yielding. Let me also recognize the chairman of the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. TAUZIN). I spoke to him numerous times this week.

I have heard about this from Members on the floor. The gentleman from Alabama indicated that in his district the gas prices went to over \$5 a gallon. The Midwest, Wisconsin and Milwaukee, has had problems throughout these last couple of years. Basically, it surrounds reformulated gas. We are

trying to work with EPA and correct some of that problem.

But then, lo and behold, we have the worst tragedy to beset this Nation on Tuesday; and operators in the city of Milwaukee, like some other unsatisfactory operators, have to raise the price of gas dramatically.

This does not resolve the problem, but I think it puts those types of characters on notice that Congress is not going to stand for it and the FTC should not stand for it. And I have a further caveat or addition to the resolution, and that is, the consumers in those areas should make note of those stations and boycott them. You run a couple of these buggers out of business and the problem is going to resolve itself.

Mr. SAWYER. Mr. Speaker, continuing to reserve the right to object, I yield further to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I hope we can pass this resolution by unanimous consent.

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 on H.Res. 238.

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

There was no objection.

Mr. SAWYER. Mr. Speaker, continuing my reservation of objection, I want to thank my good friend from Texas, the chairman of the subcommittee, for his efforts on this bipartisan resolution. The vast majority of the Nation's oil producers, refiners, distributors, and retailers reacted to Tuesday's horrendous events with the same outrage and with the same attention to patriotic duty, as the rest of the Nation did.

Unfortunately, a very small and clearly contemptible minority, including some in the Midwest, chose to exploit this tragedy for selfish end. This resolution not only condemns these actions and urges justice be brought to bear, but it isolates those gougers by showing where the American people and the industry stand on this matter.

Mr. Speaker, the minority fully concurs in the unanimous consent request made by the gentleman from Texas (Mr. BARTON.) I urge adoption of the resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 238

Whereas the retail price of motor fuels reportedly rose by as much as 300 percent in several locations in the United States during the hours and days after the terrorist acts of September 11, 2001;

Whereas reliable reports suggest that the inventory of motor fuels in the United States was adequate during that period;

Whereas no significant disruptions in the availability of motor fuels were reported as a result of the terrorist acts of September 11, 2001;

Whereas several of the Nation's oil companies pledged to hold their fuel prices steady during the period immediately following the terrorist acts;

Whereas the Organization of Petroleum Exporting Countries (OPEC) has announced that all of its member countries "remain committed to continuing their policy of strengthening market stability and ensuring that sufficient supplies are available to satisfy market needs" and "are prepared to use their spare capacity, if deemed necessary, to achieve those goals";

Whereas some vendors of motor fuels in the United States may have taken advantage of the uncertainty created by the terrorist acts of September 11, 2001, by knowingly charging in excess of a reasonable price for motor fuels, a practice commonly known as "price gouging"; and

Whereas price gouging is detrimental to consumer confidence and the economy of the United States, and was particularly detrimental during the hours and days after the terrorist acts of September 11, 2001: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns any price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001; and

(2) urges the appropriate Federal and State agencies to investigate any incidents of price gouging with respect to motor fuels during the hours and days after the terrorist acts of September 11, 2001, and to prosecute any violations of law discovered as a result of the investigations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRESERVING VIABILITY OF UNITED STATES AIR TRANSPORTATION SYSTEM

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 2891) to preserve the continued viability of the United States air transportation system, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. OBERSTAR. Mr. Speaker, reserving the right to object, I yield to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure for a brief explanation of the pending legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I thank my good friend, the ranking member on the committee, for yielding.

Mr. Speaker, on September 11, 2001, the FAA grounded every air carrier in this country within a 2-hour period. This is absolutely necessary for the safety and protection of our country and our people. Remember, September