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## House of Representatives

ENERGY POLICY ACT OF 2003—

(Continued)

□ 1630

Mr. DOYLE. Mr. Chairman, 39,700 of these people are directly employed by the industry.

Mr. Chairman, this is a bad amendment. Let us defeat it.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in strong support of this amendment. The National Academy of Sciences identified 13 readily-available technologies, each one of which would improve fuel economy from .5 percent to 12 percent. Three major automakers, GM, Ford and Toyota, have already announced plans to introduce vehicles that would get 35 to 40 miles per gallon within the next 2 years.

New technologies can improve fuel economy without reducing weight and size. It is irresponsible to pass a national energy policy that does not reduce the use of gasoline because 70 percent of the oil we use is to power our cars.

Mr. TAUZIN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Michigan (Mr. UPTON), the chairman of the Subcommittee on Telecommunications and the Internet.

Mr. UPTON. Mr. Chairman, I rise in opposition to this amendment. The answer to better fuel mileage is probably in a different fueled vehicle. It is called hydrogen fuel cell vehicles.

This morning I met GM officials who gave me their new brochures on these cars that they are going to be manufacturing. They have spent hundreds of millions of dollars to develop and finance the new hydrogen fuel cell vehicle.

Now, what this amendment would do you cannot create with just magic. You cannot say just "Poof, here it is. There you go." It would be nice to have a vehicle that delivered 40 or 50 miles per gallon. But to do that would take all of the engineering gusto away from developing what I think is the real answer, hydrogen fuel cell vehicles. It would take hundreds of millions of dollars out of that engineering cycle today and invest it into something else.

This is the answer. Let science prevail. Let science and the experts decide that this is the vehicle. Let them develop these types of vehicles, knowing that we are there, that we are going to have these cars in the showroom before too long. Let us not get off that track. Let us defeat this amendment. Let the research and development continue so that all of us will be able to drive one of these vehicles in the near future.

The CHAIRMAN pro tempore (Mr. BONILLA). The Committee will rise informally.

The SPEAKER pro tempore (Mr. BASS) assumed the chair.

### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1584. An act to implement effective measures to stop trade in conflict diamonds, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

### ENERGY POLICY ACT OF 2003

The Committee resumed its sitting. Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, two facts are on a collision course:

Fact one, the concentrations of carbon dioxide, a pollutant that causes global warming, is skyrocketing and will continue to do so as this graph indicates.

Fact two, to date, the U.S. Congress apparently believes that since the mid-1980s American technological genius has disappeared by its willful failure to use our smarts and our can-do efforts to improve fuel-technology efficiency. If we had simply continued on the path of improving the efficiency of our vehicles from the mid-1980s until now, we would have eliminated our need for 70 percent of the imported oil from the Mideast.

How can the U.S. Congress be so pessimistic to think that the people that gave us Microsoft, that gave us biotechnology, cannot improve the efficiency of our vehicles?

John Kennedy said we could go to the Moon in 10 years. We ought to be able to improve our fuel efficiency in the 10 months in this session.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Mr. Chairman, I thank the ranking member of our committee for yielding me time.

Mr. Chairman, we come from a big State that wants big trucks and big cars, and my concern about the Markey amendment, not that we would not like to have more fuel efficiency, but it actually treats our trucks even harsher than what the National Academy of Sciences says is reasonable. That is why I think we need to have more study on it. Let us make sure we have a plan that works, not only for some parts of our country, but the whole country.

The Markey amendment will restrict consumer choice, particularly for folks where I come from, who like to drive

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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trucks. But I do think we need to get better gas mileage; and hearing from some of the speakers in our committee, we are going to get better gas mileage, without the onerous provisions of the Markey amendment.

Again, this is much worse than what we considered in the last Congress, and that is why I think it should be voted down tonight.

Mr. TAUZIN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Chairman, in my Michigan district, the best workers in the world make the best autos in the world; but if this amendment passes, my district's economic vitality will become ancient history. By arbitrarily altering market forces in an already struggling economic sector, a new hike in CAFE standards will endanger the already far-too-tenuous jobs of our autoworkers, manufacturers, parts suppliers, and car dealers, and the livelihood of all our citizens.

During these difficult economic times, when both parties are striving to help American workers and their families, we must not subordinate science to speculation and in the process subject our auto industry, America's economic engine, to governmentally mandated extinction.

For the sake of American workers and their families, we must defeat this amendment.

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

Ms. ESHOO. Mr. Chairman, I thank the distinguished gentleman for his leadership on this issue of many, many years.

I have some prepared remarks, but since I do not have that much time, I am going to summarize. The people that are tuned in to this, that are listening to C-SPAN today, we have on the floor a national energy policy. What some of us are trying to do is to put the legislative vehicle into drive, to go forward into the future, instead of insisting on keeping the vehicle in reverse. What is at stake are fuel-efficiency standards for how much gasoline we use in this country.

If in fact we want to become less dependent on foreign oil, clean up our air, embrace the technologies that are already there on the shelf, then this amendment would absolutely slide through the House.

But regardless of who is here in a handful of years, this policy, I predict, will become the policy of our land, because America is always about the future and the best ideas, and not the past.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, last week, the National Highway Traffic Safety Administration announced the largest fuel

economy increase for light trucks in over 20 years. After studying the cost, safety, technological features, the effect on American jobs and other factors, the experts concluded that this increase represents the maximum feasibility level that manufacturers could possibly meet today.

Light trucks meet the demands of millions and millions of American families, small business, farmers, ranchers, and outdoor enthusiasts. In fact, last year, more consumers in Louisiana purchased light trucks than passenger cars; and this is true in more than 36 States in our Union.

The Boehlert-Markey amendment would force manufacturers to either stop making these vehicles or radically change them, including the safety features, on a product that millions of Americans want today.

I support the ongoing efforts to develop fuel-saving technology, but let us let consumer demand drive that market, and not unscientific Federal mandates.

I urge Members to vote "no" on the Markey-Boehlert amendment.

Mr. TAUZIN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from the great pickup truck State of Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I thank the gentleman for recognizing that not all of America is alike, like the proponents of this amendment think.

Listen to me very carefully. My district represents the distance of Washington, D.C. to Chicago. Nobody represents more people in this Congress than I do, 904,000 people, after reapportionment.

But we do not have subsidized mass transit like you do in Massachusetts. Oh, we have mass transit; that is two herd dogs in our truck instead of one. No, we do not have mass transit. What we have is a lot of people out on a lot of miles of highway, unsafe miles.

I think of all the things we have to do in a State like Montana, travel 10 miles just to get to our post office, travel 20 miles maybe to get to school or to buy groceries, sometimes drive 100 miles to get to a hospital.

No, this is a one-size-fits-all solution that I came to Washington, D.C. to fight. It is time that we look beyond the Potomac, that the sun does not rise and set just on this river out here. There is an expanse of America. We cannot have one-size-fits-all.

I went out and tried to buy a truck the other day, and they are getting so light that I cannot put feed in the back because they could not assure me that the frame would not bend; 2,000 pounds of feed, and I cannot get it in the back of my pickup because they are making them so light to try to meet the CAFE standards.

Vote against this amendment.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, the auto industry has claimed that if CAFE

standards are raised, they might have to stop making SUVs, yet their actions directly contradict these words.

As the gentleman from New York (Mr. BOEHLERT) indicated, recently, Ford, Toyota and GM all announced plans to introduce SUVs that travel over 35 miles per gallon over the next couple of years. Toyota has demonstrated with the Prius, which I drive, that hybrid technology works and consumers love it. Auto companies are showing that they have the technology to improve fuel economy without sacrificing safety.

I urge my colleagues to support the Boehlert-Markey amendment to improve fuel economy.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS), a distinguished member of the Committee on Energy and Commerce.

Mr. BASS. Mr. Chairman, I thank the chairman for yielding me time.

Mr. Chairman, I rise in opposition to the pending amendment, and I do so for three reasons.

First of all, the National Highway Traffic Safety Administration has promulgated reasonable standards which will take effect in 2005 to increase the efficiency of SUVs and light trucks.

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Secondly, this is no time, with a fragile economy, to be slapping an unreasonable Federal mandate on manufacturing. Manufacturing has been on the decline in this country now since the mid-1980s, and I think it is totally inappropriate to do that.

Thirdly, I hear from the proponents of this amendment that there are 13 or 12 readily available technologies that can be implemented without any difficulty or additional cost. My answer to that is, they will do it anyway. I have never heard of anybody promoting the sale of a vehicle because it consumes more energy. The fact is that the automobile companies want to make vehicles as efficient as they can possibly be, and they will do so and they will adopt these new efficiencies and they will do so under the rules that will be promulgated by the National Highway Traffic Safety Administration.

So I think what is going on now is reasonable, and I urge opposition of the pending amendment.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. BOEHLERT), the coauthor of the amendment with me.

Mr. BOEHLERT. Mr. Chairman, the opponents of this amendment are making up the arguments as they go along: Anything goes, no matter how outrageous or how wrong.

Safety is no compromise on safety necessary. That is not my opinion, that is the opinion of the National Academy of Science. We will not make cars lighter, we will make them smarter.

No job losses. That is as phony as a \$3 bill. Americans are not going to stop

buying cars, they are just going to buy cars that are more fuel efficient, and the consumer wins. That is common sense.

Twenty-five years ago the CAFE opponents said, if we have CAFE standards, all America will be driving compacts or subcompacts. Ten years later, that is absolutely ludicrous. There are more SUVs on the road than ever before.

We have 15 minutes to debate the most important safety-promoting amendment for the bill. This is not a debate, it is a sound bite.

Support BOEHLERT-MARKEY.

Mr. TAUZIN. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. BONILLA). The gentleman from Louisiana does have the right to close.

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

The CHAIRMAN pro tempore. At this point, the gentleman from Massachusetts is reserving and has the right to close, and the gentleman from Michigan (Mr. DINGELL) has the right to precede him and is reserving the balance of his time.

Mr. MARKEY. So the two opponents of the amendment are each able to speak before the proponent of the amendment at the conclusion of debate?

The CHAIRMAN. The final order of speakers will be, and I correct myself here, the gentleman from Michigan (Mr. DINGELL), the gentleman from Massachusetts (Mr. MARKEY), and the gentleman from Louisiana (Mr. TAUZIN).

Mr. DINGELL. Mr. Chairman, in order that I can give my full and undivided attention to the gentleman from Massachusetts (Mr. MARKEY), for whom I have immense respect even though he is dead wrong on this one, I yield myself 2 minutes to close.

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

Mr. DINGELL. Mr. Chairman, this wonderful amendment, it just does not work. Although I love my good friends, the authors of it, they are dead wrong. It is going to cost jobs. The UAW says so. It is going to hurt the auto industry. The auto industry says so. It is going to force every American to ride around in a mini-car. It is going to fix it so that SUVs and decent-sized pickup trucks are not going to be available to people. It is going to mean that the auto industry is going to have to produce larger vehicles, such as larger than light-duty trucks, for purposes that ranchers and farmers and businessmen will have need of. And it is going to require unsafe vehicles, or at least less safe vehicles to be available to the American motoring public.

The simple answer is, it is going to require almost exclusively the production of mini-cars. The result is going to be a significant loss of safety.

The thing that we must understand about this is that the law on CAFE is

now working. Automobiles and light pickup trucks and so forth are about twice as efficient as they were before we passed it. That has been an enormous advance of great benefit to the American people, and it has been something which has been of great help and done at great cost to the auto industry.

Something else that needs to be known: These cars are not manufactured on the basis of arithmetic averages. They are produced to meet CAFE standards on the basis of geometric or harmonic averages, which means that to produce one decent-sized car in which an individual or a company or a family may successfully and safely drive, the companies must produce many smaller cars.

So what are we looking at? We are looking at something which is going to adversely impact the American consumer with this amendment and also something which is going to adversely impact the auto industry.

Let me remind my colleagues that one job in seven in this country is an auto job, a supplier or a manufacturer. Look here, see where our people work and what this is going to do. There is no one in this country who is not dependent upon the automobile industry for a livelihood.

Mr. Chairman, let us have a responsible, sensible package of automobile fuel efficiency legislation. Let us not grasp at straws, and let us not push forward with legislation which, very frankly, although it sounds good, is wondrously mischievous and is going to not only hurt the country, the consumer, but also the auto industry and the auto workers.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining time.

In 1987, the fuel economy standard for the United States reached 27 miles per gallon. It had increased to that amount over a 10-year period because of an act of Congress. That act of Congress changed our relationship with imported oil so that it reduced dramatically our dependence upon imported oil.

Since that time, we have sequenced the human genome in medicine, revolutionizing that industry. We have deployed the Internet around the world, revolutionizing communications. We have changed our defense technology such that we could bring a country like Iraq to its knees within 3 weeks. But in fuel economy standards, we have gone backwards, back to 24 miles per gallon, increasing to 65 percent our dependence upon imported oil.

If we do not pass this amendment, we will have 70 and 75 and 80 percent dependence upon imported oil over the next generation.

This is the most important amendment we are going to consider today. I ask for an "aye" vote on the Boehlert-Markey amendment.

Mr. TAUZIN. Mr. Chairman, I yield myself the balance of the time.

It has been argued that the bill is silent on CAFE. Not so. The bill calls for

a study to actually replace CAFE, just as NHTSA is recommending that we study CAFE from top to bottom. Do we know why? Because it has awful, perverse effects.

One time GM came up with a new SUV that was much more fuel efficient than its old model, and it suffered, it got penalized under CAFE. Why? Because more Americans wanted that vehicle, and it upset their average. That is how perverse the system sometimes works. We call for revamping that system.

Secondly, last year we improved the CAFE standards for SUVs, an amendment that the gentleman from Michigan (Mr. DINGELL) and I took through the conference committee and has now been implemented into law. I think because it has been implemented, I am having a harder time getting the gentleman from Michigan (Mr. DINGELL) to support the rest of this bill, but it is well on its way to saving fuel for the American economy.

But the bill goes further. It provides \$1.7 billion for the hydrogen fuel car, for the FreedomCar initiative, for new hybrids and alternative fuels, and it provides for the implementation of the President's hydrogen car infrastructure, a dramatic improvement in fuel efficiency when the hydrogen fuel car hits the market.

The amendment gives us lighter cars and smaller cars and more traffic deaths. The bill takes us on the path to new fuels, new efficiencies, new technologies. Stick with the bill. Let us defeat this amendment.

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the Boehlert-Markey amendment.

If the U.S. auto industry believes it would suffer under increased fuel economy standards, what will be the effect on the U.S. auto industry when Americans import fuel efficient autos from foreign companies?

Because—with the rising cost of gas, the detrimental effect on our environment, and the strong desire of American consumers to be independent of foreign oil—we will be purchasing fuel efficient autos.

Mr. Chairman, we shouldn't fool ourselves. Americans will purchase fuel efficient cars . . . and we should set policy today so those cars will be American-made.

Mr. SHAYS. Mr. Chairman, I rise in strong support of the Boehlert-Markey Amendment to reduce our consumption of oil by increasing fuel economy standards for passenger cars and light trucks.

The United States cannot continue on a course of increased oil consumption with little to no regard for the implications it has on our environment, economy and national security.

There is no better time to focus on reducing our reliance on foreign oil than right now.

Increased fuel efficiency standards and tax incentives for conservation and renewable energy sources should be at the heart of our national energy policy in a post-September 11 world.

This amendment requires the Department of Transportation to issue rules to ensure the total amount of oil that cars and SUVs consume in 2010 will be 5 percent less than the

total amount they would otherwise consume if the average fuel economy standards were to remain at 2004 levels.

These savings could be achieved by increasing fuel economy standards to 30 miles per gallon.

Under this amendment, the Administrator of the National Highway Transportation Safety Administration will have maximum flexibility in how the standards are set.

The standard could be increased for cars or SUVs or only the heaviest trucks.

This is a common sense amendment which represents a modest step forward in our nation's efforts to become more energy efficient.

The Boehlert/Markey Amendment will help protect the environment, reduce our dependence on foreign oil and save drivers money at the pump.

Mr. Chairman, I agree with those who say "we cannot conserve our way out of this energy problem."

However, until we raise CAFE standards, we cannot honestly tell the American people this is a balanced energy plan.

It is absolutely imperative we are more efficient and make better use of God's precious resources.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this very sensible amendment and I commend my colleagues Mr. BOEHLERT and Mr. MARKEY for their persistence in pushing this issue forward year after year.

It shouldn't have to take years for Congress to act on improving fuel economy. With the average fuel economy of all new passenger vehicles at its lowest point since 1980 and with fuel consumption at its highest, there shouldn't be disagreement about the wisdom of improving CAFE standards.

Yet there is disagreement, and clearly we can't count on the Administration to make the right choice. The President's recent CAFE proposal for light trucks is actually less ambitious than voluntary measures announced earlier by General Motors and Ford.

And as much as I believe in the Administration's vision of a hydrogen future, I don't believe we should forgo making smart short-term choices. A recent study tells us that significantly increasing fuel economy standards now could save 25 times more oil than would be saved by waiting for fuel cell vehicles to become commercially available.

So Mr. Chairman, I believe we must abandon energy inefficiency and instead work to reduce U.S. dependence on foreign oil, cut back on air and carbon dioxide pollution, and save consumers money at the gas pump. The American people can benefit from improved CAFE standards.

Mr. WAXMAN. Mr. Chairman, I rise in support of the Boehlert-Markey amendment.

I strongly believe that we need to increase CAFE standards and that our country needs to be heading towards more fuel efficient vehicles. I will support this amendment and I urge all members to support it as well.

However, since it is clear that this amendment lacks the votes in the House to pass, I am particularly disappointed that the Republican leadership did not permit me to offer an amendment I had offered at Subcommittee and Committee that would address our oil dependence in another way.

My amendment would have allowed us to keep faith with our American troops by begin-

ning to address our nation's dependence on foreign oil.

My amendment would have directed the President to implement a plan to reduce U.S. demand for oil by 600,000 barrels per day. This is the average amount of oil we have imported every day from Iraq over the past five years. The President can rely on voluntary measures, regulations, or other means. The amendment does not provide any new authority for funding, but the President can come back to Congress to request that if he needs it. And the President need not meet the full target if he finds and certifies that there are no practical opportunities to further reduce the waste of oil.

In no way would my amendment have undone or precluded the many measures in this bill designed to boost domestic oil production. These measures include two separate federal grant programs for onshore and offshore production, as well as exemptions for oil and gas activities from the Safe Drinking Water Act and the Clean Water Act. And although I oppose it, the bill includes oil drilling in the Arctic National Wildlife Refuge, as well as numerous other provisions to encourage production on public lands.

Also, nothing in my amendment would have mandated or provided new authority for any increase in vehicle fuel economy standards.

Instead, my amendment would have attempted to eliminate the waste of oil in this country.

I'm not going to belabor statistics today. But there are three points I want to mention.

First, the United States holds 3 percent of the world's oil reserves, but we consume 25 percent of annual worldwide oil production.

Second, over the past five years, we have imported on average 600,000 barrels of oil per day from Saddam Hussein and Iraq.

This means that third, we have sent over \$5 billion per year to Saddam Hussein and Iraq. At least part of this money was used to purchase the weapons that are now firing at our troops.

I sought to offer my amendment because this legislative exercise is almost surreal. We are at war with Iraq, and millions of Americans believe that this war is about oil. We have a bill before us that reinforces this belief. In almost 400 pages, there is nothing that focuses on the easiest and most common-sense step we can take—eliminating the waste of oil in this country.

Now, let me be clear about what I would call for. By eliminating the waste of 600,000 barrels of oil per day, we're talking about a 2.5 percent reduction from projected demand. Let's think about how easy that would be to achieve.

For one thing, we could keep the tires on our vehicles properly inflated. This could save up to 200,000 barrels per day—one-third of the target. Upgrading air traffic management systems could save another 50,000 barrels a day, while reducing flight delays. Weatherizing homes heated with oil could save over 80,000 barrels/day. And perhaps each one of us could think about whether we really need to make that extra trip to the store. These are just a few of the many, many things we could do to reduce waste.

When Californians faced the energy crisis, the Governor called on them to reduce demand for electricity by 10 percent. They did it and averted further blackouts. I believe that if

the President called on Americans to support our troops by using oil wisely, Americans would respond enthusiastically.

So I want to ask my colleagues, is this modest savings really beyond our ability to achieve? Are we really so beholden to the oil industry that we are actually in favor of wasting oil?

My amendment would have asked us to make the smallest of sacrifices. And this is at a time when we are asking 250,000 of our servicemen and women to give, potentially, the very greatest sacrifice of all. When I offered this amendment at subcommittee markup, no Americans had died in Iraq. Now, sadly, over 100 Americans have sacrificed their lives in this war.

I know that every person in this room wants to do his or her part to keep faith with our brave troops. Our part, and our obligation, is to make sure that no American has to risk his or her life fighting needlessly for foreign oil.

Unfortunately, we will not even have the opportunity to debate and vote on my amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I rise today in support of the Markey-Boehlert amendment, which saves oil by increasing fuel economy standards for autos and light trucks. This amendment requires the Department of Transportation to promulgate rules to ensure that the total amount of oil cars and light trucks will consume in the year 2010 will be 5 percent less than the total amount they would otherwise consume if the average fuel economy standards were to remain at 2004 levels. Raising the standard will ensure that such technology will lead to an improvement in the overall fleet rather than simply offsetting other less fuel efficient vehicles. Increasing the standard will reduce the amount of oil the nation must now import.

According to the National Resources Defense Council (NRDC), by simply increasing average fuel efficiency on cars, SUVs, and light trucks from 24 to 39 miles per gallon over the next decade, we would save 51 billion barrels of oil—more than 15 times the likely yield from the Arctic. Plus you get oil savings as you ramp up to the full 40 mpg. Instead of investing in renewable energy sources and raising CAFE standards, the Bush Administration continues to increase our dependency on oil and ruin our environment. The environmental policies of the administration are detrimental to our environment, present and future, and they must be reversed.

The National Academy of Sciences said in its 2001 Effectiveness and Impact of Corporate Average Fuel Economy Standards report that "General economic conditions, and especially the globalization of the automobile industry, seem to have been far more important than fuel economy regulations in determining the profitability and employment shares of the domestic automakers and their competitors." They also stated that "it is technically feasible and potentially economical to improve fuel economy without reducing vehicle weight or size and, therefore, without significantly affecting the safety of motor vehicle travel."

The technology is there and it is about time we utilize it. Our children are looking to us to leave them with a safe and healthy environment and we need to start taking actions to meet this goal. I urge my colleagues to support the Markey-Boehlert amendment.

The CHAIRMAN pro tempore. All time for debate on the amendment offered by the gentleman from New York (Mr. BOEHLERT) has expired.

The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT).

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

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. BOEHLERT) will be postponed.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 2 printed in House report 108-69.

AMENDMENT NO. 2 OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DINGELL: Strike title VI of Division A and insert the following:

#### TITLE VI—ELECTRIC ENERGY

##### SEC. 601. FRAUDULENT OR MANIPULATIVE PRACTICES.

(a) UNLAWFUL ACTS.—It shall be unlawful for any entity, directly or indirectly, by the use of any means or instrumentality of interstate commerce or of the mails to use or employ, in the transmission of electric energy in interstate commerce, the sale of electric energy at wholesale in interstate commerce, the transportation of natural gas in interstate commerce, or the sale in interstate commerce of natural gas for resale for ultimate public consumption for domestic, commercial, industrial, or any other use, any fraudulent, manipulative, or deceptive device or contrivance in contravention of such rules and regulations as the Federal Energy Regulatory Commission may prescribe as necessary or appropriate in the public interest.

(b) APPLICATION OF FEDERAL POWER ACT TO THIS ACT.—The provisions of section 307 through 309 and 313 through 317 of the Federal Power Act shall apply to violations of section 101 of this Act in the same manner and to the same extent as such provisions apply to entities subject to Part II of the Federal Power Act.

##### SEC. 602. RULEMAKING ON EXEMPTIONS, WAIVERS, ETC. UNDER FEDERAL POWER ACT.

Part III of the Federal Power Act is amended by inserting the following new section after section 319 and by redesignating sections 320 and 321 as sections 321 and 322, respectively:

##### “SEC. 320. CRITERIA FOR CERTAIN EXEMPTIONS, WAIVERS, ETC.

“(a) RULE REQUIRED FOR CERTAIN WAIVERS, EXEMPTIONS, ETC.—Not later than 6 months after the enactment of this Act, the Commission shall promulgate a rule establishing specific criteria for providing an exemption, waiver, or other reduced or abbreviated form of compliance with the requirements of sections 204, 301, 304, and 305 (including any prospective blanket order). Such criteria shall be sufficient to insure that any such action taken by the Commission will be consistent with the purposes of such requirements and will otherwise protect the public interest.

“(b) MORATORIUM ON CERTAIN WAIVERS, EXEMPTIONS, ETC.—After the date of enactment

of this section, the Commission may not issue, adopt, order, approve, or promulgate any exemption, waiver, or other reduced or abbreviated form of compliance with the requirements of section 204, 301, 304, or 305 (including any prospective blanket order) until after the rule promulgated under subsection (a) has taken effect.

“(c) PREVIOUS FERC ACTION.—The Commission shall undertake a review, by rule or order, of each exemption, waiver, or other reduced or abbreviated form of compliance described in subsection (a) that was taken before the date of enactment of this section. No such action may continue in force and effect after the date 18 months after the date of enactment of this section unless the Commission finds that such action complies with the rule under subsection (a).

“(d) EXEMPTION UNDER 204(f) NOT APPLICABLE.—For purposes of this section, in applying section 204, the provisions of section 204(f) shall not apply.”.

##### SEC. 603. REPORTING REQUIREMENTS IN ELECTRIC POWER SALES AND TRANSMISSION.

(a) AUDIT TRAILS.—Section 304 of the Federal Power Act is amended by adding the following new subsection at the end thereof:

“(c)(1) The Commission shall, by rule or order, require each person or other entity engaged in the transmission of electric energy in interstate commerce or the sale of electric energy at wholesale in interstate commerce, and each broker, dealer, and power marketer involved in any such transmission or sale, to maintain, and periodically submit to the Commission, such records, in electronic form, of each transaction relating to such transmission or sale as may be necessary to determine whether any person has employed any fraudulent, manipulative, or deceptive device or contrivance in contravention of rules promulgated by the Commission.

“(2) Section 201(f) shall not limit the application of this subsection.”.

(b) NATURAL GAS.—Section 8 of the Natural Gas Act is amended by adding the following new subsection at the end thereof:

“(d) The Commission shall, by rule or order, require each person or other entity engaged in the transportation of natural gas in interstate commerce, or the sale in interstate commerce of natural gas for resale for ultimate public consumption for domestic, commercial, industrial, or any other use, and each broker, dealer, and power marketer involved in any such transportation or sale, to maintain, and periodically submit to the Commission, such records, in electronic form, of each transaction relating to such transmission or sale as may be necessary to determine whether any person has employed any fraudulent, manipulative, or deceptive device or contrivance in contravention of rules promulgated by the Commission.”.

##### SEC. 604. TRANSPARENCY.

(a) DEFINITION.—As used in this section the term “electric power or natural gas information processor” means any person engaged in the business of—

(1) collecting, processing, or preparing for distribution or publication, or assisting, participating in, or coordinating the distribution or publication of, information with respect to transactions in or quotations involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas, or

(2) distributing or publishing (whether by means of a ticker tape, a communications network, a terminal display device, or otherwise) on a current and continuing basis, information with respect to such transactions or quotations.

The term does not include any bona fide newspaper, news magazine, or business or financial publication of general and regular circulation, any self-regulatory organization, any bank, broker, dealer, building and loan, savings and loan, or homestead association, or cooperative bank, if such bank, broker, dealer, association, or cooperative bank would be deemed to be an electric power or natural gas information processor solely by reason of functions performed by such institutions as part of customary banking, brokerage, dealing, association, or cooperative bank activities, or any common carrier, as defined in section 3 of the Communications Act of 1934, subject to the jurisdiction of the Federal Communications Commission or a State commission, as defined in section 3 of that Act, unless the Commission determines that such carrier is engaged in the business of collecting, processing, or preparing for distribution or publication, information with respect to transactions in or quotations involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas.

(b) PROHIBITION.—No electric power or natural gas information processor may make use of the mails or any means or instrumentality of interstate commerce—

(1) to collect, process, distribute, publish, or prepare for distribution or publication any information with respect to quotations for, or transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas, or

(2) to assist, participate in, or coordinate the distribution or publication of such information in contravention of such rules and regulations as the Federal Energy Regulatory Commission shall prescribe as necessary or appropriate in the public interest to

(A) prevent the use, distribution, or publication of fraudulent, deceptive, or manipulative information with respect to quotations for and transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas;

(B) assure the prompt, accurate, reliable, and fair collection, processing, distribution, and publication of information with respect to quotations for and transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas, and the fairness and usefulness of the form and content of such information;

(C) assure that all such information processors may, for purposes of distribution and publication, obtain on fair and reasonable terms such information with respect to quotations for and transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas as is collected, processed, or prepared for distribution or publication by any exclusive processor of such information acting in such capacity;

(D) assure that, subject to such limitations as the Commission, by rule, may impose as necessary or appropriate for the maintenance of fair and orderly markets, all persons may obtain on terms which are not unreasonably discriminatory such information with respect to quotations for and transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas as is published or distributed by any electric power or natural gas information processor;

(E) assure that all electricity and natural gas electronic communication networks

transmit and direct orders for the purchase and sale of electricity or natural gas in a manner consistent with the establishment and operation of an efficient, fair, and orderly market system for electricity and natural gas; and

(F) assure equal regulation of all markets involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas and all persons effecting transactions involving the purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas.

(c) RELATED COMMODITIES.—For purposes of this section, the phrase “purchase or sale of electric power, natural gas, the transmission of electric energy, or the transportation of natural gas” includes the purchase or sale of any commodity (as defined in the Commodities Exchange Act) relating to any such purchase or sale if such commodity is excluded from regulation under the Commodities Exchange Act pursuant to section 2 of that Act.

(d) PROHIBITION.—No person who owns, controls, or is under the control or ownership of a public utility, a natural gas company, or a public utility holding company may own, control, or operate any electronic computer network or other multilateral trading facility utilized to trade electricity or natural gas.

#### SEC. 605. PENALTIES.

(a) CRIMINAL PENALTIES.—Section 316 of the Federal Power Act (16 U.S.C. 825o(c)) is amended as follows:

(1) By striking “\$5,000” in subsection (a) and inserting “\$5,000,000 for an individual and \$25,000,000 for any other defendant”

(2) By striking “\$500” in subsection (b) and inserting “\$1,000,000”.

(b) By striking subsection (c).

(b) CIVIL PENALTIES.—Section 316A of the Federal Power Act (16 U.S.C. 825o-1) is amended as follows:

(1) By striking “section 211, 212, 213, or 214” each place it appears and inserting “Part II”.

(2) By striking “\$10,000 for each day that such violation continues” and inserting “the greater of \$1,000,000 or three times the profit made or gain or loss avoided by reason of such violation”.

(3) By adding the following at the end thereof:

“(c) AUTHORITY OF A COURT TO PROHIBIT PERSONS FROM CERTAIN ACTIVITIES.—In any proceeding under this section, the court may censure, place limitations on the activities, functions, or operations of, suspend or revoke the ability of any entity (without regard to section 201(f)) to participate in the transmission of electric energy in interstate commerce or the sale of electric energy at wholesale in interstate commerce if it finds that such censure, placing of limitations, suspension, or revocation is in the public interest and that one or more of the following applies to such entity:

“(1) Such entity has willfully made or caused to be made in any application or report required to be filed with the Commission or with any other appropriate regulatory agency, or in any proceeding before the Commission, any statement which was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or has omitted to state in any such application or report any material fact which is required to be stated therein.

“(2) Such entity has been convicted of any felony or misdemeanor or of a substantially equivalent crime by a foreign court of competent jurisdiction which the court finds—

“(A) involves the purchase or sale of electricity, the taking of a false oath, the mak-

ing of a false report, bribery, perjury, burglary, any substantially equivalent activity however denominated by the laws of the relevant foreign government, or conspiracy to commit any such offense;

“(B) arises out of the conduct of the business of transmitting electric energy in interstate commerce or selling or purchasing electric energy at wholesale in interstate commerce;

“(C) involves the larceny, theft, robbery, extortion, forgery, counterfeiting, fraudulent concealment, embezzlement, fraudulent conversion, or misappropriation of funds, or securities, or substantially equivalent activity however denominated by the laws of the relevant foreign government; or

“(D) involves the violation of section 152, 1341, 1342, or 1343 or chapter 25 or 47 of title 18, United States Code, or a violation of a substantially equivalent foreign statute.

“(3) Such entity is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an investment adviser, underwriter, broker, dealer, municipal securities dealer, government securities broker, government securities dealer, transfer agent, foreign person performing a function substantially equivalent to any of the above, or entity or person required to be registered under the Commodity Exchange Act or any substantially equivalent foreign statute or regulation, or as an affiliated person or employee of any investment company, bank, insurance company, foreign entity substantially equivalent to any of the above, or entity or person required to be registered under the Commodity Exchange Act or any substantially equivalent foreign statute or regulation, or from engaging in or continuing any conduct or practice in connection with any such activity, or in connection with the purchase or sale of any security.

“(4) Such entity has willfully violated any provision of this Act.

“(5) Such entity has willfully aided, abetted, counseled, commanded, induced, or procured the violation by any other person of any provision of this Act, or has failed reasonably to supervise, with a view to preventing violations of the provisions of this Act, another person who commits such a violation, if such other person is subject to his supervision. For the purposes of this paragraph no person shall be deemed to have failed reasonably to supervise any other person, if—

“(A) there have been established procedures, and a system for applying such procedures, which would reasonably be expected to prevent and detect, insofar as practicable, any such violation by such other person, and

“(B) such person has reasonably discharged the duties and obligations incumbent upon him by reason of such procedures and system without reasonable cause to believe that such procedures and system were not being complied with.

“(6) Such entity has been found by a foreign financial or energy regulatory authority to have—

“(A) made or caused to be made in any application or report required to be filed with a foreign regulatory authority, or in any proceeding before a foreign financial or energy regulatory authority, any statement that was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or has omitted to state in any application or report to the foreign regulatory authority any material fact that is required to be stated therein;

“(B) violated any foreign statute or regulation regarding the transmission or sale of electricity or natural gas;

“(C) aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of any statutory provisions enacted by a foreign government, or rules or regulations thereunder, empowering a foreign regulatory authority regarding transactions in electricity or natural gas, or contracts of sale of electricity or natural gas, traded on or subject to the rules of a contract market or any board of trade, or has been found, by a foreign regulatory authority, to have failed reasonably to supervise, with a view to preventing violations of such statutory provisions, rules, and regulations, another person who commits such a violation, if such other person is subject to his supervision.

“(7) Such entity is subject to any final order of a State commission (or any agency or officer performing like functions), State authority that supervises or examines banks, savings associations, or credit unions, State insurance commission (or any agency or office performing like functions), an appropriate Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(q))), or the National Credit Union Administration, that—

“(A) bars such person from association with an entity regulated by such commission, authority, agency, or officer, or from engaging in the business of securities, insurance, banking, savings association activities, or credit union activities; or

“(B) constitutes a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct.

(8) Such entity is subject to statutory disqualification within the meaning of section 3(a)(39) of the Securities Exchange Act of 1934.”

(c) NATURAL GAS ACT PENALTIES.—Section 21 of the Natural Gas Act is amended by adding the following new subsection at the end thereof:

“(c) AUTHORITY OF A COURT TO PROHIBIT PERSONS FROM CERTAIN ACTIVITIES.—In any proceeding under this section, the court may censure, place limitations on the activities, functions, or operations of, suspend or revoke the ability of any entity (without regard to section 201(f)) to participate in the transportation of natural gas in interstate commerce, or the sale in interstate commerce of natural gas for resale for ultimate public consumption for domestic, commercial, industrial, or any other use if it finds that such censure, placing of limitations, suspension, or revocation is in the public interest and that one or more of the following applies to such entity:

“(1) Such entity has willfully made or caused to be made in any application or report required to be filed with the Commission or with any other appropriate regulatory agency, or in any proceeding before the Commission, any statement which was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or has omitted to state in any such application or report any material fact which is required to be stated therein.

“(2) Such entity has been convicted of any felony or misdemeanor or of a substantially equivalent crime by a foreign court of competent jurisdiction which the court finds—

“(A) involves the purchase or sale of natural gas, the taking of a false oath, the making of a false report, bribery, perjury, burglary, any substantially equivalent activity however denominated by the laws of the relevant foreign government, or conspiracy to commit any such offense;

“(B) arises out of the conduct of the business of transmitting natural gas in interstate commerce, or the selling in interstate

commerce of natural gas for resale for ultimate public consumption for domestic, commercial, industrial, or any other use;

“(C) involves the larceny, theft, robbery, extortion, forgery, counterfeiting, fraudulent concealment, embezzlement, fraudulent conversion, or misappropriation of funds, or securities, or substantially equivalent activity however denominated by the laws of the relevant foreign government; or

“(D) involves the violation of section 152, 1341, 1342, or 1343 or chapter 25 or 47 of title 18, United States Code, or a violation of a substantially equivalent foreign statute.

“(3) Such entity is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an investment adviser, underwriter, broker, dealer, municipal securities dealer, government securities broker, government securities dealer, transfer agent, foreign person performing a function substantially equivalent to any of the above, or entity or person required to be registered under the Commodity Exchange Act or any substantially equivalent foreign statute or regulation, or as an affiliated person or employee of any investment company, bank, insurance company, foreign entity substantially equivalent to any of the above, or entity or person required to be registered under the Commodity Exchange Act or any substantially equivalent foreign statute or regulation, or from engaging in or continuing any conduct or practice in connection with any such activity, or in connection with the purchase or sale of any security.

“(4) Such entity has willfully violated any provision of this Act.

“(5) Such entity has willfully aided, abetted, counseled, commanded, induced, or procured the violation by any other person of any provision of this Act, or has failed reasonably to supervise, with a view to preventing violations of the provisions of this Act, another person who commits such a violation, if such other person is subject to his supervision. For the purposes of this paragraph no person shall be deemed to have failed reasonably to supervise any other person, if—

“(A) there have been established procedures, and a system for applying such procedures, which would reasonably be expected to prevent and detect, insofar as practicable, any such violation by such other person, and

“(B) such person has reasonably discharged the duties and obligations incumbent upon him by reason of such procedures and system without reasonable cause to believe that such procedures and system were not being complied with.

“(6) Such entity has been found by a foreign financial or energy regulatory authority to have—

“(A) made or caused to be made in any application or report required to be filed with a foreign regulatory authority, or in any proceeding before a foreign financial or energy regulatory authority, any statement that was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or has omitted to state in any application or report to the foreign regulatory authority any material fact that is required to be stated therein;

“(B) violated any foreign statute or regulation regarding the transmission or sale of electricity or natural gas;

“(C) aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of any statutory provisions enacted by a foreign government, or rules or regulations thereunder, empowering a foreign regulatory authority regarding transactions in electricity or natural gas, or contracts of sale of electricity or

natural gas, traded on or subject to the rules of a contract market or any board of trade, or has been found, by a foreign regulatory authority, to have failed reasonably to supervise, with a view to preventing violations of such statutory provisions, rules, and regulations, another person who commits such a violation, if such other person is subject to his supervision.

“(7) Such entity is subject to any final order of a State commission (or any agency or officer performing like functions), State authority that supervises or examines banks, savings associations, or credit unions, State insurance commission (or any agency or office performing like functions), an appropriate Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(q))), or the National Credit Union Administration, that—

“(A) bars such person from association with an entity regulated by such commission, authority, agency, or officer, or from engaging in the business of securities, insurance, banking, savings association activities, or credit union activities; or

“(B) constitutes a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct.

“(8) Such entity is subject to statutory disqualification within the meaning of section 3(a)(39) of the Securities Exchange Act of 1934.”

#### SEC. 606. REVIEW OF PUHCA EXEMPTIONS.

Not later than 12 months after the enactment of this Act the Securities and Exchange Commission shall review each exemption granted to any person under section 3(a) of the Public Utility Holding Company Act of 1935 and shall review the action of persons operating pursuant to a claim of exempt status under section 3 to determine if such exemptions and claims are consistent with the requirements of such section 3(a) and whether or not such exemptions or claims of exemption should continue in force and effect.

#### SEC. 607. REVIEW OF ACCOUNTING FOR CONTRACTS INVOLVED IN ENERGY TRADING.

Not later than 12 months after the enactment of this Act, the Financial Accounting Standards Board shall submit to the Congress a report of the results of its review of accounting for contracts in energy trading and risk management activities. The review and report shall include, among other issues, the use of mark-to-market accounting and when gains and losses should be recognized, with a view toward improving the transparency of energy trading activities for the benefit of investors, consumers, and the integrity of these markets.

#### SEC. 608. PROTECTION OF FERC REGULATED SUBSIDIARIES.

Section 205 of the Federal Power Act is amended by adding after subsection (f) the following new subsection:

“(g) RULES AND PROCEDURES TO PROTECT CONSUMERS OF PUBLIC UTILITIES.—Not later than 9 months after the date of enactment of this Act, the Commission shall adopt rules and procedures for the protection of electric consumers from self-dealing, interaffiliate abuse, and other harmful actions taken by persons owning or controlling public utilities. Such rules shall ensure that no asset of a public utility company shall be used as collateral for indebtedness incurred by the holding company of, and any affiliate of, such public utility company, and no public utility shall acquire or own any securities of the holding company or other affiliates of the holding company unless the Commission has determined that such acquisition or ownership is consistent with the public interest and the protection of consumers of such public utility.”

#### SEC. 609. REFUNDS UNDER THE FEDERAL POWER ACT.

Section 206(b) of the Federal Power Act is amended as follows:

(1) By amending the first sentence to read as follows: “In any proceeding under this section, the refund effective date shall be the date of the filing of a complaint or the date of the Commission motion initiating the proceeding, except that in the case of a complaint with regard to market-based rates, the Commission may establish an earlier refund effective date.”

(2) By striking the second and third sentences.

(3) By striking out “the refund effective date or by” and “, whichever is earlier,” in the fifth sentence.

(4) In the seventh sentence by striking “through a date fifteen months after such refund effective date” and insert “and prior to the conclusion of the proceeding” and by striking the proviso.

#### SEC. 610. ACCOUNTS AND REPORTS.

Section 318 of the Federal Power Act is amended by adding the following at the end thereof: “This section shall not apply to sections 301 and 304 of this Act.”

#### SEC. 611. MARKET-BASED RATES.

Section 205 of the Federal Power Act is amended by adding the following new subsection at the end thereof:

“(g) For each public utility granted the authority by the Commission to sell electric energy at market-based rates, the Commission shall review the activities and characteristics of such utility not less frequently than annually to determine whether such rates are just and reasonable. Each such utility shall notify the Commission promptly of any change in the activities and characteristics relied upon by the Commission in granting such public utility the authority to sell electric energy at market-based rates. If the Commission finds that:

“(1) a rate charged by a public utility authorized to sell electric energy at market-based rates is unjust, unreasonable, unduly discriminatory or preferential,

“(2) the public utility has intentionally engaged in an activity that violates any other rule, tariff, or order of the Commission, or

“(3) any violation of section 101 of the Energy Markets Fraud Prevention and Consumer Protection Act of 2002,

the Commission shall issue an order immediately modifying or revoking the authority of that public utility to sell electric energy at market-based rates.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Michigan (Mr. DINGELL) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, my substitute amendment replaces the electricity provisions of H.R. 6. My amendment is supported by all of labor, by all of consumer groups, by the public power industry, and by a host of other consumer and business organizations.

This is the first time that the House of Representatives has considered changes to the Nation's energy laws since the Energy Policy Act of 1992. Given the volatility and market manipulation that occurred in California

and other West Coast markets during 2000 to 2001, and the real need for reform, I wish I could muster kinder words for this portion of the bill which the amendment changes.

Unfortunately, title VI underscores the continuing lack of consensus about the direction of the Nation's electric markets. In the rush to produce an electricity title, a strange, hybrid, amphibian monster has come forth. It has produced something which has neither competition nor market reform and, indeed, there is not mention of the word "competition" anywhere in the bill. Instead, title VI combines elements of industry deregulation with provisions favoring special interests. Sadly, neither of these has much to do with protecting consumers or investors in this critical industry.

Among its deficiencies, title VI repeals the Public Utility Holding Company Act of 1935. It ties Federal regulators' hands in reviewing unjust and unreasonable electricity contracts. It codifies into permanent law a patchwork of different transmission regimes, placing some lines under Federal jurisdiction and others under State jurisdiction. While the utility may tell us that this last provision takes care of things, do not believe it, because it is going to make a fine controversy, which will continue to plague us.

Just as important, the bill lacks fundamental reforms needed to prevent recurrence of the abuses which the Federal Energy Regulatory Commission uncovered at its recent western markets investigation, and proposes only limited and superficial market reforms.

It is both because of what the title does and what it does not do that I am offering this substitute amendment. My amendment takes a different tack, setting aside deregulation proposals like PUHCA repeal; and instead, provides for a number of common-sense reforms. By curbing fraud and manipulation, which is not done under the committee bill, my amendment will protect consumers and reassure Wall Street and small investors that the industry is again stable.

This amendment gives FERC broad authority to take action against fraud in both electricity and natural gas markets. The Commission's report recently found that some of the abuses in western markets during 2000 and 2001 were not even illegal. This bill would correct that.

The amendment also gives FERC the necessary tools in the form of audit trail authority and robust transparency requirements to detect and deter manipulation.

One disturbing aspect of the Enron scandal was the timing of the Securities and Exchange Commission's decision this year to revoke Enron's "exempt" status under PUHCA, under which they have committed all manner of outrage on consumers and investors alike.

My amendment would also reform FERC's market-based energy rate pol-

icy and permit refunds for electricity overcharges from the date it began, not just from the date upon which they were filed with the FERC.

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Finally, the substitute amendment increases civil and criminal penalties to the level of the Sarbanes-Oxley legislation enacted in the 107th Congress.

If my colleagues wish to vote for reform, this is the proposal. It is not one which is sought by the special interests; but it is one which is sought by consumers, investors, and others.

I urge my colleagues to vote for protection of consumers and investors and against future Enrons. In short, vote for the Dingell substitute amendment.

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

Mr. TAUZIN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, let me first applaud the intent of my friend, the gentleman from Michigan (Mr. DINGELL), in terms of trying to benefit consumers and prevent market manipulation. But if that is the intent, then I am afraid his amendment goes exactly the wrong direction. Here is why:

The issue is not whether FERC currently has the authority to deal with fraud, manipulation, and deception, or whether FERC is even using that authority. Clearly, the FERC has the authority and is using it now aggressively to crack down on market abuses.

The Federal Power Act requires FERC to ensure that all rates, terms, and conditions for wholesale power sales and for transmission services are in fact "just and reasonable and not unduly discriminatory." This empowers the FERC to prohibit fraud, manipulation, deception, other anticompetitive conduct that distorts the market or harms consumers.

I have heard a number of my Democratic colleagues cite the manipulative practices FERC has identified in the Western markets. I am aware of that; but that is only half the story. What has been overlooked is the fact that FERC has identified these things in the context of taking strong enforcement actions against them. FERC has found, for example, many of the practices to be unjust and unreasonable and is taking action.

A recent commission staff report identifies the following, among others. Let me list them: fraud, manipulation, deception, attempted manipulation, gaming, wash trades, withholding, price distortion, inflated pricing and bidding, violation of tariff antigaming provisions, market abuse, unjust enrichment, misreporting prices, providing false or misleading information, taking unfair advantage of market rules, and anomalous market behavior.

Not one of these anticompetitive practices is just and reasonable or beyond the FERC's authority to act right now. That is why FERC is taking action right now against them.

The issue is not whether H.R. 6 does enough to update the FERC's existing

authorities. It does. The electricity title of H.R. 6 enhances and modernizes FERC's penalty and enforcement powers in specific ways that FERC itself has requested.

FERC Chairman Pat Wood has testified that he needs market transparency authority and increased civil and criminal penalties for violation of the Federal Power Act's own rules and regulations.

The bill does both of these things and more: it adds transparency for both electricity and gas, and it dramatically increases the criminal and civil penalties. It makes needed adjustments in FERC's refund and investigative authorities.

But H.R. 6 does not stop with penalties and enforcement; the Dingell amendment does. The Dingell substitute strikes the entire electricity title.

So we should ask ourselves, what does the Dingell substitute do to promote investment in critical infrastructure or to increase our electric supply? The answer is zero.

What does it do to protect system reliability, which is essential for all customers? The answer again is zero. Or to promote new technologies for greater efficiency? Zero. Or to protect consumer privacy and prevent slamming and cramming of retail customers? Zero.

That is the electricity title the Dingell amendment would strip. That is the problem: it does nothing but impose a cumbersome new regulatory framework on top of FERC's already existing broad authorities under the Federal Power Act.

It is not clear how this new SEC-style framework would work in conjunction with the "just and reasonable" standard of the current law, nor is it clear how broadly this new framework would apply. It applies in the Dingell amendment to every entity.

Let me tell Members what I think that means. I think it means that it applies equally to every rural co-op, every municipal utility, and every Federal utility. So those concerned about rural co-ops, Federals, and munis, they ought to know this. When the Dingell amendment talks about any entity, it covers all of these entities.

Our bill, on the other hand, covers these entities in very limited, carefully defined ways, in open access, in refund authority. We exempt the smaller co-ops and munis under 4 million megawatts.

I find it very troubling, on the other hand, the Dingell substitute would inject FERC regulatory authority completely over these, possibly as FERC would interpret it, over all the co-ops and munis.

The electricity title of H.R. 6 goes to the heart of the matter. Without adequate investment in transmission and a diverse, reliable supply of electricity, the result would be a chronic failure of the Nation's electricity market and higher prices for consumers. Regulatory overkill is not the answer.

Enforcement, yes, is very important. Our electricity title addresses that. But the key to protecting consumers is to improve the operation of the competitive wholesale electricity markets and eliminate the transmission congestion and other factors that have allowed the manipulation to occur in the first place.

According to a 2002 Department of Energy study, competition in wholesale electricity markets reduces consumers' electricity bills by nearly \$13 billion annually. It is time now not to turn our backs on the wholesale competition; we have to look ahead.

Mr. Chairman, I hope we defeat this Dingell amendment which would strip out the incredibly good electricity title of this bill and simply add SEC over-regulatory burdens on a FERC that is absolutely empowered and can do its job today.

Mr. BOUCHER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, the majority is proposing the biggest change to our Nation's electricity laws since the 1930s. Unfortunately, they do this while ignoring the corporate abuses that we have seen over the last few years.

Let me tell the Members, those of us from California have seen these abuses in a major way. By some accounts, California has lost \$40 billion due to energy company manipulation and FERC inaction, and the State will never likely be made whole.

Deregulating the energy companies further when they have acted so irresponsibly in the past makes little sense to those of us in the West, and it is something the rest of the country ought not to invite upon their rate-payers. A national energy bill should ensure that what happened in California never happens again. This bill makes it more likely.

The energy companies argue that what happened in California and other States was simply an insufficient supply combined with a bad State law. Well, it was a bad State law, but they are not telling us the whole picture. We now have proof that companies intentionally mapped the electricity markets to increase prices.

The remedy for corporate fraud is vigorous government supervision. Lax regulation, which this bill would provide, can lead to rampant price-gouging, as California experienced during its crisis. But this bill moves towards deregulating the energy industry and does so without adding needed protections.

The substitute offered by my colleague and friend, the gentleman from Michigan (Mr. DINGELL), contains what is necessary to address the corporate abuses that have so harmed the Nation. This substitute will make it unlawful to engage in the types of fraudulent, manipulative, or deceptive acts that have hurt Western families. Then it gets tough on crime by upping the

criminal and civil penalties and providing treble damages.

Unlike the bill before us, these penalties will actually make it uneconomic for energy companies to manipulate the market in order to gouge consumers. The substitute will also require the Federal Energy Regulatory Commission to carefully review market-based rates annually to ensure that they are just and reasonable.

The gentleman from Louisiana (Mr. TAUZIN) said if Members are worried about all these other parts of the energy industry being regulated, they ought to oppose the Dingell amendment. What he does not point out is that only if they are committing fraud will they be covered under the Dingell amendment. We should support that.

Mr. Chairman, we should make it unprofitable to engage in the kind of fraud and manipulation of the markets that we have seen in California. Without the Dingell substitute, the bill before us invites more price-gouging, more deceptive practices, more fraud.

I urge support for the Dingell amendment.

Mr. TAUZIN. Mr. Chairman, I am honored to yield 3 minutes to the gentleman from Texas (Mr. BARTON), the distinguished chairman of the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce.

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

Mr. BARTON of Texas. Mr. Chairman, first I think we should point out that the Committee on Rules made in order the Dingell amendment as a substitute, as a substitute for the electricity title. We should commend our chairman on the Committee on Rules for doing that.

Having said that, this is not a substitute; this is an expansion of Federal authority over natural gas and electricity generators and transmitters anywhere in this country, regardless of their size, if it is deemed that they have directly or indirectly used any means that would employ any fraudulent, manipulative, or deceptive device or contrivance in contravention of such rules and regulations as the Federal Energy Regulatory Commission may prescribe as necessary or appropriate, any entity.

Now, the electricity title in the bill has bent over backwards to develop a compromise that protects States, protects small co-ops, protects small municipalities against FERC jurisdiction. The Dingell substitute right off the bat says "any entity."

It then goes further. Not only the FERC, but Federal courts, can prevent these entities from distributing or transmitting or generating electricity or natural gas.

Then it goes even further and says a foreign court, a foreign court, on page 11, I believe of the Dingell substitute, a foreign court: "such entity has been convicted of any felony or mis-

demeanor," misdemeanor, "or of a substantially equivalent crime by a foreign court of competent jurisdiction which the court finds."

I do not understand that. But if we read that literally, a U.S. energy supplier that tried to sell electricity in Iraq and was convicted in a Saddam Hussein court could be prohibited in the United States of America from transmitting or generating electricity or natural gas.

The Dingell substitute is silent on reliability. The Dingell substitute is silent on siting. The Dingell substitute is silent on the ability to create new grids around this country. It says nothing about RTO, Regional Transmission Organization policy.

It is not a substitute; it is an attempt to be punitive towards any entity in this country that is engaged in the generation and transmission of electricity or natural gas. It may be well intentioned, but it is totally misguided. I hope we will reject it out of hand.

Mr. BOUCHER. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, I have in my hand a letter from the National Rural Electric Cooperative Association. It will be useful information for my friends, the chairman of the subcommittee and the chairman of the committee.

It says,

Dear Representative DINGELL:

Electric cooperatives do not endorse the electricity title of H.R. 6. We have serious problems with the repeal of Public Utilities Holding Company Act (PUHCA), and with incentive rates and participant funded transmission.

H.R. 6 expands Federal Energy Regulatory Commission jurisdiction over electric cooperatives' transmission through the so-called "FERC Lite" provision. The Dingell amendment is more narrowly crafted and related to fraudulent, manipulative or deceptive practices.

For the information of my good friends on the other side of the aisle, the public power folks support our amendment, not the committee bill.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

I notice that the letter does not say they support the Dingell amendment; it just says it is narrowly crafted.

That is correct; It is narrowly crafted. It strips out the improvements and reforms in electricity.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Chairman, it is in our national interest to expand the grid.

If Members want to end market manipulation, oppose the Dingell amendment and expand the grid. If they want to protect critical infrastructure, expand the grid and oppose this amendment. If Members want to lower prices for consumers, oppose this amendment and help us expand the grid. If Members want to create jobs in America today, they have to oppose the Dingell

amendment because we have to expand the grid.

Expanding the grid is in the critical national interests of our Nation. I cannot believe that we would have an amendment, when we have energy security issues, and we would not work to expand the transmission grid in this country.

Mr. BOUCHER. Mr. Chairman, I yield myself 1 minute and 30 seconds.

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

Mr. BOUCHER. Mr. Chairman, I urge the adoption of the amendment of the gentleman from Michigan (Mr. DINGELL), which makes the changes that truly need to be made in the laws governing the electricity markets.

I commend the gentleman from Michigan (Mr. DINGELL) for his approach. His amendment is directed to the heart of today's problem, which is market manipulation and fraudulent conduct.

The amendment assures appropriate recordkeeping in electronic form of wholesale market transactions. It increases penalties for misconduct. It substantially improves the ability of the Federal Energy Regulatory Commission to monitor the gas and electricity markets and to act against those who engage in fraudulent and manipulative conduct.

Around these principles, broad agreement can be achieved. I urge the adoption of these provisions now. The other electricity provisions, which are contained in the committee's comprehensive bill, can and should be considered separately and at a later time.

□ 1715

The consensus to approve these broader measures has simply not been reached. And so, for today, I urge adoption of the Dingell amendment and deferring to a later time the other fundamental and controversial electricity market measures that are contained in the committee bill.

Mr. TAUZIN. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Nebraska (Mr. TERRY), a member of our committee.

Mr. TERRY. Mr. Chairman, I appreciate the gentleman yielding me time.

When I heard our ranking member, the gentleman from Michigan (Mr. DINGELL) talk about our rural co-ops, first of all, I heard from him a great deal when we passed this 2 years ago; but I have not heard from him, so it came as a surprise to me. But also I have in my hand a letter from the North American Electric Reliability Council, or NERC. Let me read a portion of that letter.

They, NERC, stand in strong opposition to the Dingell amendment which would strike several provisions. Because of several reasons that they state in this letter, they urge support for the electricity title of H.R. 6 and oppose the Dingell amendment.

Mr. Chairman, this is an important provision to support the bill, H.R. 6, as

it stands; and I just want to give a quick story about a company that used to be located in Omaha called Enron.

Enron was originally an Omaha company, and they defied and lied to everybody and then left town. But it is amazing when they defrauded their shareholders and consumers, what happened when that company was dissolved, a company called MidAmerica Energy was able to buy back the northern natural gas component of that. They were able to because PUHCA was not involved in the natural gas part of it, and they could buy it and bring those jobs back to Omaha. The same company, that would like to build power plants around, cannot because of PUHCA.

If we want to resolve this Nation's energy crisis, Mr. Chairman, we need to adopt the provisions in H.R. 6 and vote against the Dingell amendment.

Mr. Chairman, the letter from the North American Electric Reliability Council is as follows:

NORTH AMERICAN ELECTRIC  
RELIABILITY COUNCIL,  
Princeton, NJ, April 10, 2003.

Hon. W.J. TAUZIN,  
Chairman, House Committee on Energy and  
Commerce, Rayburn House Office Building,  
Washington, DC.

DEAR CHAIRMAN TAUZIN: On behalf of the North American Electric Reliability Council (NERC), I would like to express NERC's strong support for the reliability provisions in the electricity title of H.R. 6, and our strong opposition to the Dingell amendment, which would strike these provisions.

As you well know, the bulk power system is increasingly stressed. Today, there are no mandatory reliability rules enforceable against all users and operators of the bulk power grid. The reliability provisions in the electricity title of H.R. 6 would correct this situation. It is critical that this legislation be enacted as soon as possible to help ensure the reliability and security of the North American bulk power system. For this reason, we urge support for the electricity title of H.R. 6 and oppose the Dingell amendment to strike the reliability language from H.R. 6.

Sincerely,

MICHEHL R. GENT,  
President and CEO.

Mr. BOUCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, in our committee, we had a huge, successful string of hearings dealing with the Enron crisis and the aftermath of that set of scandals which rippled through the entire electricity and natural gas marketplace.

The Federal Energy Regulatory Commission, responding to our inquiries with regard to what they needed in order to deal with that crisis, said that there are seven deadly sins in this marketplace. Enron called them things like, Ricochet, Fat Boy, Death Star, Wheel Out, Get Shorty. The Federal Energy Regulatory Commission called them the seven deadly sins of Enron. And the seventh one, Round Tripping.

This legislation only bans one of the seven deadly sins of Enron, Round Tripping. That would be like saying,

well, we are outlawing sloth, but we are not going to do anything about pride, envy, gluttony, greed, lust, we will let them all stay on the books.

So what the Dingell language does is say that we give antifraud authority to the Federal Energy Regulatory Commission so they can go against each and every one of the seven deadly sins of Enron and all of those other companies that were engaging in systematic defrauding of American consumers and competitors of those companies across our country.

And, in addition, the Dingell language dramatically increases the penalties that the Federal Energy Regulatory Commission can impose upon these companies so that when they get caught, the punishment fits the crime.

The Dingell language mandates that electronic trails of all these documentations have to be kept. They cannot just put it on a piece of paper, written in pencil. That makes it almost impossible to reconstruct the trail of what they were doing in their efforts to defraud the American consumer and the other companies across the country, an electronic trail like we have at the Securities and Exchange Commission, or at the CFTC, at other trading entities for equity and futures and options all around the world, everywhere but in the electricity and natural gas on-line trading marketplace. There we are still using pencil and paper like it was the 1980s, ancient history in trading in the world, and we want to bring it forward.

The Dingell amendment does that, so that when they commit the crime, we will be able to identify it, the FERC will be able to trail it, stop it, and then the punishment under the Dingell amendment will fit what they did to the American consumer and public. I urge an "aye" vote.

Mr. Chairman, I rise in support of the Dingell substitute and ask unanimous consent to revise and extend my remarks.

If you are concerned at all about the threat of fraud and manipulation in electricity markets, you should vote for the Dingell Democratic substitute.

The Dingell substitute would add a basic antifraud provision to the Federal Power Act, giving the FERC the tools needed to bring enforcement actions using this antifraud authority, and impose tough civil and criminal penalties on those who violate the antifraud or other provisions of the Federal Power Act.

The first part of the amendment is a basic antifraud provision that uses language identical to that of the antifraud provisions of the Federal securities laws, which have been in place for the last 65 years. It creates a general antifraud prohibition intended to be broad in application, making it unlawful for any entity, directly or indirectly, by use of any means or instrumentality of interstate commerce, to use or employ any fraudulent, manipulative, or deceptive device or contrivance in connection with the purchase or sale of electricity or natural gas in contravention of such rules and regulations as the FERC shall prescribe.

In the Energy and Commerce Committee, we've heard testimony from the FERC about

what Chairman Pat Wood referred to as the "Seven Deadly Sins" of Enron's market manipulations—trading practices known as "Price Manipulation-Load Shift," "Export of California Power Ricochet" or "Megawatt Laundering," "Fat Boy or Incing Load", "Non-Firm Exports," "Death Star," "Wheel Out," "Get Shorty," and "Selling Non-Firm Energy as Firm Energy."

But the bill before us today prohibits only one of the Seven Deadly sins—Roundtripping.

That's like saying that we're outlawing sloth, but we're not going to do anything about pride, envy, gluttony, anger, greed, or lust!

The Dingell substitute would fix that. We shouldn't just be outlawing one of Enron's Seven Deadly Sins, we should be addressing them all.

FERC should not always have to fall back on its "Just and Reasonable" rate authority when it is confronted with fraudulent activities, and there should be a higher penalty available to FERC when a fraud or manipulation has occurred than merely ordering a refund of excessive charges. That is why this amendment is needed.

In addition, the substitute amendment gives the FERC the power to direct the establishment of electronic audit trails which are a fundamental feature of securities and commodities markets. By requiring market participants to make and keep time-stamped trading records in electronic form and to periodically provide them to the regulator, audit trails give FERC the ability to conduct market surveillance and to investigate suspicious and possibly fraudulent or manipulative trading activities. Such audit trails have been in place for many years in our stock and bond markets, and in our nation's futures markets.

The amendment also strengthens the civil and criminal penalties for violations of the Federal Power Act. The current penalties are absurdly low—\$5,000—which is chump change for one of these huge companies. The bill increases these penalties to up to \$1 million. That's an improvement, but it is not good enough. What we've done in the substitute is to increase the criminal penalties up to the levels the House Republicans pressed for when they added the Sensenbrenner amendment to the recently enacted Sarbanes-Oxley bill—up to \$5 million for individuals and \$25 million for companies. In addition, the penalties section also enhances the ability of the court to censure or place limitations on the activities of individuals found to have engaged in serious violations enumerated in the provision. This is drawn directly from section 15 of the Securities Exchange Act, and has been an important enforcement tool for the SEC for many, many years.

If we have learned anything over the course of the 3 years following the Enron scandal, and the subsequent revelations of widespread fraud and market manipulation in the Western electricity markets, it is that the perfect markets assumed by free market ideologues differ from the real markets observed by consumers.

In fact, the FERC staff has now issued two huge reports on their investigations into the Western electricity markets. What they found was a market that was rigged, transparency systems that could be gamed, and electricity and gas prices that were unjust and unreasonable.

But, the FERC staff report also shows the problem that FERC has from a regulatory and enforcement perspective is that the limitations

of current law force it to go after fraudulent companies or rigged electricity markets by prosecuting for filing violations, or commencing rate-making proceedings, when the real heart of the issue is fraud. The House Majority proposal responds to these findings only half-heartedly with a proposal so narrowly circumscribed as to miss most of the Enron-style shenanigans.

Chairman Wood expressed support for the antifraud provisions of the Dingell substitute when I offered them as an amendment and he and his staff have suggested changes to these sections that have been incorporated into the amendment the gentleman from Michigan is offering today. So if you are against fraud in our nation's market, if you want FERC to be able to take action against those who would manipulate these markets at the expense of consumers, you need to vote for the Dingell amendment today.

I urge adoption of the amendment.

Mr. TAUZIN. Mr. Chairman, how much time remains?

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Louisiana (Mr. TAUZIN) has 4½ minutes remaining. The gentleman from Virginia (Mr. BOUCHER) has 4 minutes remaining.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Mississippi (Mr. PICKERING), a member of the Committee on Energy and Commerce.

Mr. PICKERING. Mr. Chairman, I rise in opposition to the Dingell substitute.

First, H.R. 6 appropriately targets and creates, effectively, authority and punishment for those who engage in fraud and manipulation. We have already seen the FERC act aggressively to enforce any type of misconduct by those companies such as Enron in market manipulation and fraud. Just as we responded to other corporate scandals, we have in this act and in the FERC appropriated authority and action to punish wrong-doers. But what we do not want to do is to needlessly expand FERC authority to rural co-ops and communities, to give courts sweeping authority that is unnecessary, unwarranted and unwise and the way that we can target wrongdoing effectively, while not creating new bureaucracy and new sweeping court authority.

For that reason, for the rural co-ops and for the others that do not need to be necessarily targeted by the FERC jurisdiction, I oppose the Dingell substitution.

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

Ms. SOLIS. Mr. Chairman, I rise in proud support of the Dingell substitute, and I am especially supportive of the provision in the substitute that would prohibit fraudulent, manipulative, and deceptive acts in electric and natural gas markets.

These provisions will help prevent electricity problems like those that occurred in the great State of California, where it is clear that energy companies used fraudulent and deceptive plans to

inflate the market. And although our energy costs in the State of California are approximately \$6 billion annually, price gouging caused that amount to skyrocket to \$44 billion in 2000 and 2001. How absurd.

Let me state that people in California are paying the price. Many of our small businesses in the districts that we represent have gone bankrupt. In fact, our consumers were faced with electricity costs that rose up 300 percent in 4 short years. Today, consumers are still waiting for refunds and rebates and payments that they made as a result of the price gouging.

I would ask Members to please support this substitute amendment. It does the right thing for Californians, and it sets a course for the country.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, I first wanted to thank the committee chairman and the subcommittee chairman for working closely with me and the people I represent in a very rural part of Oregon to carefully craft this to take care of some very important needs of our rural electric co-ops, our munis and others.

The thing that concerns me is, if we go into conference with this title completely gone, then we have lost some of the guarantee that you and I have worked out to take care of some of the issues in the Northwest, and that is of deep concern.

The other thing is being a Westerner, I watched what happened in that market out there. And, yes, I am against fraud and I am against manipulation and all of that. I think our version of this bill brings out a pretty heavy sledgehammer. We do not need to bring out the MOAB and destroy the whole market.

I think what we can do here is, we are directing FERC carefully in what to do and giving them the guidance that they need to stop the manipulation and the round tripping in the market. And I believe what we are doing makes a lot of sense.

Mr. Chairman, I support the gentleman's version of this legislation, and I urge opposition to the Dingell amendment.

Mr. BOUCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of this proconsumer substitute offered by the distinguished ranking member. This important amendment will help protect consumers from price gouging, collusion, blackouts, and anticompetitive practices in the electric energy market.

This amendment preserves PUHCA, the Public Utility Holding Company. For the past 7 decades, PUHCA has helped prevent electric energy companies from ripping off consumers by manipulating the market. This is very important because energy is not just another commodity; it is a necessity, like

food and shelter. Consumers need to be protected from unfair business practices.

This amendment enhances FERC's antifraud authority, requires FERC to ensure that consumers are not charged exorbitant rates due to market manipulation. When they are overcharged, this amendment would guarantee a chance to recover meaningful refunds.

This amendment is supported by all of the major consumer organizations. Do not turn your back on your constituents. Vote for the Dingell amendment. It is a vote for consumers, not energy executives.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the gentleman from Telecom Gulch, California (Mr. ISSA), a distinguished member of our committee.

Mr. ISSA. Mr. Chairman, I have listened carefully to the statements of the supporters of this amendment and I apologize for having to say that I have never seen more profoundly misguided statements.

As a Californian, I am acutely aware of how we got into problems in California, how this bill, at least partially will get us out, and how the substitution would do nothing but leave us with the problem we are in.

There is no question, California's problems came from misguided laws that led to market manipulation, no question at all, companies took advantage of it. But also the Los Angeles Department of Water and Power took advantage of it, and at least this law as it is written will cause some control over that public power. Right now, we cannot get a penny back from the manipulation that went on with public power.

Additionally, there is no question in my mind that California will continue to have problems unless we have a functional transmission system. Today, we do not. Without the kind of reforms that this provides, we will not have it. Please vote down the substitution.

Mr. BOUCHER. Mr. Chairman, we have one additional speaker. I would like to ask the gentleman from Louisiana (Mr. TAUZIN) if he is prepared to close or if he has other speakers.

Mr. TAUZIN. Mr. Chairman, I have one additional speaker who will close, so I would ask the gentleman to use his time.

Mr. BOUCHER. Mr. Chairman, I yield the balance of our time to the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Chairman, with all respect for all of my colleagues, there are certain things that are very simple and very clear here.

The bill before us does not address the problem. It repeals PUHCA. It eliminates the merger protections. It has virtually no protections in it against fraud. It raises the bar significantly for FERC to modify contracts. And it fixes it so that you cannot get speedy refunds going back to the date that the wrongdoing occurred.

Now, what does the substitute do? It gives FERC broad antifraud authority in every part. And I would note that it is supported by both the public power people and by the co-ops. It directs FERC to establish audit trails that do other things, including requiring transparency of transactions and rate-making so as to more easily detect and deter wrongdoing.

□ 1730

It requires the SEC to review existing PUHCA exemptions to prevent future Enrons from obscuring its actions, and I would note that SEC and FERC have pointed out the huge number of improprieties associated with Enron.

It increases civil and criminal penalties, and it reforms FERC's authority to permit refunds of unjust and unreasonable market-based rates back to the date that they began.

If my colleagues represent any place West of the Continental Divide in the United States, they should support the amendment because the amendment is crafted to address the problems which we found in the different reviews which took place of the misbehavior of Enron and others in the electrical utility industry. I would note that the abuses there cost consumers billions, not millions, billions of dollars, and in almost every State West of the crest line of the Rocky Mountains, including California but also including Nevada and Utah and Washington and Oregon.

If my colleagues want to stop fraud, if they want to stop wrongdoing, if they want to protect consumers, if they want to protect the American investing public, if they want an honest rate-making system, vote for the amendment.

Mr. TAUZIN. Mr. Chairman, I yield the remaining time to the gentleman from Texas (Mr. BARTON), the chairman of the Subcommittee on Energy and the author of the electricity title, which would get stripped by the Dingell amendment. He will close on this dastardly amendment by the gentleman from Michigan (Mr. DINGELL).

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

Mr. BARTON of Texas. Mr. Chairman, the electricity title before us in the bill has 10 titles.

It has a title on transmission capacity. The Dingell substitute is silent.

It has a title on transmission operation. The Dingell substitute is silent.

It has a title on reliability. The Dingell substitute is silent.

It has a title on PUHCA. The gentleman from Michigan (Mr. DINGELL) does refer to PUHCA.

It has a title on PURPA. The Dingell substitute is silent.

It has a title on renewable energy. The Dingell substitute is silent. Renewable energy includes net metering, renewable energy production. The Dingell substitute is silent.

It has a title on market transparency, round trip trading prohibition

and enforcement. The gentleman from Michigan (Mr. DINGELL) does address market transparency and enforcement.

It has a title on consumer protection. The Dingell substitute is silent.

It has a title on merger review and reform and accountability. The Dingell substitute is silent.

It has a title on economic dispatch. The Dingell substitute is silent.

Mr. Chairman, the Dingell substitute is not a substitute. It may be well intentioned where it does address, but out of 10 titles, it addresses 1½ titles of the electricity title. We should reject it and adopt the compromise bipartisan electricity title that has been worked out over the last 4 years in subcommittee and full committee, and I would hope that we would reject the Dingell substitute.

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today to express concerns about provisions in Title 6 of H.R. 6 that I believe could have adverse consequences for rural electric cooperatives. Rural coops are critical to rural America.

I am concerned that H.R. 6, as it currently stands, could subject rural cooperatives to overly burdensome Federal regulations and add additional costs. Further, I believe we must build in sufficient guarantees to prevent market power abuses.

Having said that, I believe the Dingell substitute also goes too far in extending the reach of the Federal Energy Regulatory Commission (FERC) over rural coops and does not go far enough in addressing important issues like reliability and privacy protection that face our consumers today. For that reason, I will oppose the Dingell substitute.

Fortunately, this is the beginning rather than the end of the process. I strongly encourage Chairman BARTON and Chairman TAUZIN to change H.R. 6 in conference so electricity is made more affordable and reliable without harming the rural cooperatives that are the backbone of America's electric delivery system.

Mr. TAUZIN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). All time on the amendment offered by the gentleman from Michigan (Mr. DINGELL) has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

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

Mr. BOUCHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. DINGELL) will be postponed.

It is now in order to consider amendment No. 3 printed in House Report 108-69.

AMENDMENT NO. 3 OFFERED BY MRS. WILSON OF NEW MEXICO

Mrs. WILSON of New Mexico. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mrs. WILSON of New Mexico:

In division C, in section 30407(a), strike "and" after the semicolon at the end of paragraph (1), strike the period at the end of paragraph (2) and insert "; and", and add at the end the following:

(3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 2,000 acres on the Coastal Plain.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentlewoman from New Mexico (Mrs. WILSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

The amendment that we are considering places limits on oil exploration in the Alaska National Wildlife Refuge. I believe that it is possible to have a balanced, long-term energy plan for this country that includes both exploration for the energy we need and protection of the land that we love.

Mr. Chairman, in the course of the debate on these issues on what we should do with respect to Alaska, we kind of made a promise. The people who want to explore for oil in Alaska have said that they think it is possible to do this with no more than 2,000 acres of total surface disturbance. What this amendment does is take them at their word because all of us know that sometimes here in Washington people say things and then later on those promises are not kept. So we are going to write the promise into the law.

This amendment was approved in the comprehensive energy bill that was passed by this House in the last Congress, and it was approved in the amendment in exactly the same form as we are hearing it still today.

What is 2,000 acres? What are we really talking about here? Two thousand acres is about three square miles. It is a tiny part of the coastal plain of ANWR. To make this kind of real, I kind of think of it this way: if all of Alaska were a 2-hour movie, then ANWR, this section here, would be about 6 minutes and 24 seconds. The coastal plain area would be about 30 seconds and 2,000 acres would be the blink of an eye.

In order to explore for oil and reduce our dependence on foreign oil, I think it is possible to have this balance that allows surface disturbance in the blink of an eye. This bill requires that we use the best available technology. It favors things like ice roads rather than gravel roads, and by 2,000 total acres of surface disturbance, that includes everything: roads, pylons, pipelines, support structures, airfields, whatever it is. It is limited to no more than 2,000 acres.

I live in the most beautiful State in the Nation, and I know some people in

this room would disagree with that, but the Land of Enchantment is the third largest supplier of natural gas to this country and number six in oil production. We have some of the Nation's largest coal and uranium reserves. It is possible to explore for energy and to protect the land that we love. This amendment writes that into law.

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

The CHAIRMAN pro tempore. Does the gentleman from Massachusetts (Mr. MARKEY) claim the time in opposition?

Mr. MARKEY. Mr. Chairman, yes, I would like to claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman is recognized for 10 minutes.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from the State of Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding time to me, and I rise in strong opposition to the amendment.

We are talking here about a very small area, the coastal plain area; and as we can see, there is a lot of area, a huge area already available for leasing for oil and gas drilling. Most of that has not been explored.

I oppose the amendment because I believe this coastal plain ought to be preserved and protected against oil and gas drilling. The Reagan administration called that little coastal plain the biological heart of the refuge. Indeed, the best ecosystem at this temperature in this whole hemisphere exists on coastal plain. It is a remarkable area. But look what 2,000 acres of drilling does because that is what this amendment does; it restricts drilling to 2,000 acres.

Two thousand acres would allow eight Alpine-type fields, 19 satellite fields, 26 satellite fields of another type, two docks, so on and so forth. My colleagues, you can see how once we site those various fields and the roads and waterways and pipelines that have to connect them and the support system for all the people, we do make a huge impact on the coastal plain, and it will no longer be the pristine coastal plain it is today. That kind of impact will change the environment quite dramatically.

Second point, this is not an area rich in water. In fact, the U.S. Fish and Wildlife study describes this whole ANWR as a technically dry area, with less than 5 inches of precipitation each year. In addition, the coastal plain has few lakes. They are shallow and unevenly distributed.

One has to get water to build ice roads, and because the lakes are unevenly distributed and shallow, drilling pads would have to be sited all across the region due to the distribution of the water resources. Because the lakes are shallow, if the necessary amount of liquid is taken out from under the ice cap during the winter, and with five inches of precipitation annually, the

lakes will not be able to refill to a health level.

So one of the reasons drilling will be so environmentally devastating to this coastal plain is because it will destroy the water resources of the region and make them unable to support the ecosystem, that system so unique to this area, so valuable to our hemisphere, and such a remarkable natural resource that it deserves continued preservation.

Mrs. WILSON of New Mexico. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources.

Mr. POMBO. Mr. Chairman, I thank the gentlewoman for yielding me the time.

The entire area of the north slope of Alaska is nearly 100 million acres. It is nearly the size of California. Arctic National Wildlife Refuge is nearly 20 million acres. What this amendment does, I think, is responsibly goes in and narrows the scope of what we are looking at in the underlying bill by setting aside 2,000 acres.

The gentlewoman who just had the map down on the floor showed a map of it spread out, the 2,000 acres spread out, and I think it is quite amusing that it shows 28 airports on her map over that 2,000 acres.

I will just say that I support the gentlewoman's amendment. I think this is a responsible way of dealing with oil exploration in the north slope of Alaska along the coastal plain. I think this is a responsible way of looking at our future in dealing with today's demands.

I support the amendment, and I urge my colleagues to vote "yes" on the amendment.

Mr. MARKEY. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, when is 2,000 acres, not 2,000 acres? Well, it is when we are talking about the Wilson amendment. This amendment does not mandate that the 2,000 acres be contiguous or that we count roads necessary for production or the gravel mines necessary to build the roads and the pipelines necessary to move oil to market. It would only count when their support posts touch the ground. This is accounting that would make Arthur Andersen very proud.

I have a poster which shows my colleagues what proponents of this amendment want us to believe will happen in the Arctic refuge. Here is the red dot placed randomly on the 1002 area of the Arctic refuge, what we are all debating about. The dot is intended to mislead us into believing that its impact on the refuge would be very small. None of us, of course, knows exactly what the industry would do if we let them loose in the refuge because drilling and producing oil is a messy, inexact, unpredictable business. One thing we know for sure is that it would not look like a nice, neat, red dot on a white background.

The overlay is much more realistic in terms of what we can expect. This is taken from a 1987 environmental impact statement of the Department of the Interior, the same environmental impact statement the underlying bill says is good enough for starting a leasing program.

As we can see, it is not a red dot. It represents impacts estimated by the Department of the Interior spreading over 130,000 acres to 303,000 acres, one-fifth of the entire 1002 area, not a 2,000-acre dot.

This shows the pipelines needed to get the oil out of the refuge, the feeder lines to the wellheads and the impact area around the facilities.

The surface area is extensive and stretches across the entire refuge.

□ 1745

It shows oil extraction the way it appears when it is a serious mineral extraction exercise.

Now, just so the listening audience can have an idea as to how much 2,000 acres is, the entire New Jersey Turnpike, 12 lanes, going 100 miles through the entire State of New Jersey, is 1,800 acres. The entire New Jersey Turnpike. Put the entire New Jersey Turnpike, 12 lanes, across 100 miles of this Arctic Refuge. That will give my colleagues an idea of what 2,000 acres looks like. And lest anyone believe that is still a pristine area, they do not understand that oil and pristine wilderness do not go together.

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman from Massachusetts is clever and creative, but he is also misinforming the public. The amendment that I proposed includes all production facilities, all roads, all pipelines, all within the 2,000-acre area; and the map he displayed is far more than 2,000 acres in his red lines.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank my neighbor, the gentlewoman from New Mexico (Mrs. WILSON), for yielding me this time and allowing me to speak on this amendment.

Mr. Chairman, I rise in support of the Wilson amendment. I want to follow up on what my colleague from Massachusetts said. He is correct, drilling for oil is messy, inexact and unpredictable, but that is what our economy runs on. Maybe 20 or 50 years from now we will be able to have some other energy source, but for the foreseeable future we have to have hydrocarbons. That is why I appreciate the Wilson amendment, because it limits the production and the pipelines and everything else in ANWR to that 2,000 acres.

I have had the opportunity a couple of times to go to ANWR on the coastal plain to meet with the residents of Kaktovik. I found out something interesting the last few days when I have asked my colleagues, who went up there with the environmental commu-

nity. I asked them if they sat down with the native Alaskans, who want production in their community because they want the jobs. And they do not want it spoiled, they do not want oil running out on the ground or hurting their fisheries, but they want it because they know they can do it efficiently and they can do it clean and they also know that that it is good for the economy of our country.

My colleagues talk about what we import. Well, it is just strange to me that we close off ANWR, we close off California, and we close off Florida. The only place they want to drill is in Texas, and we are willing to do it to fuel our country.

Mr. MARKEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. GILCREST)

Mr. GILCREST. Mr. Chairman, I thank the gentleman for yielding me this time, and I appreciate the effort on the part of the gentlewoman from New Mexico to limit the impact on the Arctic slope in oil drilling. I am here to speak now on another perspective.

First of all, I think when we use this oil up, we will be more dependent on foreign oil. Once this is gone, a tiny fraction of the world's oil and when it is gone, we will be more dependent on oil from the Middle East and other places.

But I am speaking on behalf of the effects of the human environment here, and I want to quote an Arctic elder. "The land can tell us everything we want to know." We might think of an Eskimo saying that. "The only problem is that it does not have a voice. We cannot hear it. But the spirit of the land is always there."

Many parts of our country that depend on hunting and fishing also have agriculture and forestry. This is one of the few places on the planet where there is no agriculture, there is no forestry. The entire culture, nutritionally and economically, depends on whales, polar bears, seals, and caribou. They depend on what the pristine wilderness gives them. Even a 2,000-acre imprint would cause, because of the sound and because of the disturbance, the migration routes of all these things to change. This one 2,000 acres in this narrow area has a great impact, a difficult impact on the culture of this community.

So I am speaking on behalf of the culture of the northern Native Alaskans.

Mrs. WILSON of New Mexico. Mr. Chairman, may I inquire the time we have remaining?

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentlewoman from New Mexico (Mrs. WILSON) has 5 minutes remaining, and the gentleman from Massachusetts (Mr. MARKEY) has 4 minutes remaining and the right to close.

Mrs. WILSON of New Mexico. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, as a former member of the Presidential Oil Policy Commission and as the current chairman of the Subcommittee on Research of the Committee on Science, I am convinced we are going to solve this problem of energy dependence. Through scientific research, we are going to find more efficient, better uses, we are going to develop conservation, and we are going to develop alternative uses of energy. But in the meantime, we need the exploring of oil and getting some of those resources until we come up with those scientific advances. We need this opportunity.

Look, the people against this amendment are saying we are making ANWR better and so do not limit it to 2,000 acres. Let us make it better. Let us make the final decision on ANWR after we pass this amendment.

And with that, I would just say it is an area less than 2 miles square in the millions of acres that are now in ANWR.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, drilling in the Arctic Refuge solves none of our energy problems. Development will take a decade and cannot provide more than 2 percent of our oil need. Drilling in ANWR is bad energy policy, but it is terrible environmental policy. ANWR is a fragile ecosystem, and drilling in this environmentally sensitive area risks one of our national treasures.

We currently consume 25 percent of the world's oil, but only 2 percent of the world's oil reserves are located within the U.S. So we cannot drill our way out of dependence on foreign oil. ANWR is neither a short-term nor a long-term solution to our energy needs.

For the long haul, our national security and the security of our world depends on using less fossil fuel. We need a crash program of research and development for renewable and nonpolluting sources of energy, but the majority blocked such amendments. Instead, this bill gives us more of the same, billions of dollars in subsidies to the fossil fuel and nuclear industries and new threats to the environment.

I urge my colleagues to think: 2,000 acres is this amendment; 1,800 acres is the New Jersey Turnpike. I urge a "no" vote on the amendment.

Mrs. WILSON of New Mexico. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Arizona (Mr. RENZI), who has just returned from Alaska.

Mr. RENZI. Mr. Chairman, this weekend I was fortunate to visit the Eskimo village of Kaktovik. And though I have respect for the gentleman from Maryland, we did not eat whale meat or caribou, we ate turkey sandwiches.

There are plenty of people that have never been to that Eskimo village who

want to see the Eskimos in their igloos. They want them returned to the Ice Age. What the people want, the only people who live there, is they want safe, reasonable oil development. They want to see us and help us draw out those energy resources that are beneath their feet. We have taken the time to give them back their land, but we do not give them the opportunity to go after the resources that they need to sustain their economy.

We spoke to an 81-year-old elder up there who believes that the land was given to him by the Creator. It was given to him to use in harmony, in a holistic approach.

Mr. Chairman, what is so good about this legislation is that it requires the energy development companies to use the highest and best technology available to mankind. It requires that they not leave the environment scarred. It requires that fish and wildlife not be disturbed.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington State (Mr. INSLEE).

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

Mr. INSLEE. Mr. Chairman, I have been to Yellowstone, Glacier, and Mt. Rainier National Parks. And after being on the banks of the Aichilik River, right next to where they want to put this oil production facility, I can warrant there is no more beautiful biologically dynamic place, full of wonderful critters, grizzly, caribou, and ptarmigan, anywhere in America.

I think Americans think about the Arctic a little bit like they think about the Mona Lisa. It is beautiful, they will probably never get to see it in person, but they would not want to put a mustache on it, albeit just a small mustache. Americans do not believe a mustache belongs on the Mona Lisa, and an oil production facility does not belong in the Arctic Wildlife Refuge.

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself 30 seconds just to say that I agree with my colleague from Washington, it is a beautiful place which should be preserved, which is the nature of this amendment, to find the balance between exploration and preservation.

Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Chairman, I want to speak about another national wildlife reserve. It is not in the cold north of ANWR. It is not in the frozen tundra along an Arctic coast, which is already producing just a short distance away, in Prudhoe Bay, an amazing amount of resources for the good of our country. It is the national wildlife reserve located in deep south Louisiana. It is called Mandalay. It is beautiful.

And if my colleagues think there are any critters running around in the Arctic, or in the ANWR, they should come to Mandalay. It is so rich in wildlife,

with fish diversities of which one could never imagine. We call Louisiana "Sportsmen's Paradise," there is so much fish, so much wildlife there. In fact, when I came to Washington as a young freshman, I told the Department of the Interior they had to get the alligators off the endangered species list quick or put us on, one or the other.

We have alligators, fish, turtles, and every kind of wildlife a person can think of in Mandalay Wildlife Reserve. There are also 100 producing wells. Each one of those wells produces for the good of our country. It produces in an environmentally safe way. Royalties from that production goes back into protecting Mandalay and the 5 million acres in Louisiana that we protect as wildlife areas, including Mandalay. We do it in an environmentally sensitive way in the heart of a region that is so full of wildlife it cannot even compare to the Arctic and ANWR.

What the gentlewoman is attempting to do in this effort is to produce for the country's sake, so we do not have to depend upon people like Saddam for our oil. In the interest of helping this country, she is reducing the footprint to a mere 2,000 acres, which is a lot smaller than Mandalay, a mere 2,000 acres. She is going to reduce the footprint of this activity to an area so small it is almost unimaginably small; and then this country would be better off for it.

The gentlewoman's amendment needs to be adopted and we need to make sure this Nation takes advantage of this other national wildlife reserve.

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

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding me this time and also for his leadership.

I rise today in opposition to the Wilson amendment and in strong opposition to this energy bill. Our national security depends on energy security. We all know that. But instead of investing in the future by developing new, cleaner forms of energy, this bill tells us the answer to America's energy problems lies in the Arctic Refuge. Well, if we drain every drop of economically recoverable oil out of this wilderness, it will be consumed in 6 months. So that is hardly the answer.

We have all heard that drilling in ANWR will create thousands of new jobs. But investing in innovations and energy technology and improvements in energy efficiency could produce hundreds of thousands of new, good-paying jobs that are a lot closer to home for most of our constituents than the Arctic tundra.

The question of drilling in the Arctic is also a question of environmental justice and native rights. Many native tribes oppose drilling. They know this land is sacred and they know what drilling will do to it.

The Arctic Refuge is a fragile ecosystem. If we allow drilling, we will not be able to go back and make it whole.

This amendment opens the door to drilling and destruction that will expand far beyond 2,000 acres.

□ 1800

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself the balance of my time.

This amendment would limit the environmental impact on the Alaskan National Wildlife Refuge, and I think it is important to put in context how much it would. If the front page of a newspaper were the size of Alaska, 2,000 acres is less than one character on the page. That is a significant limitation. For some Members it is still not enough, but I believe it is possible to have balance.

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

Mr. MARKEY. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, I rise in opposition to this amendment. This is very clever, well crafted. It is designed to give people cover to say they oppose Arctic drilling when, in fact, they might not. Let us be clear: if Members oppose Arctic drilling, the vote that counts is voting "yes" on Markey-Johnson. That is the vote that matters substantively, and that is the vote that counts politically.

This amendment purports to protect the environment by limiting the impact of drilling to 2,000 acres throughout the Arctic refuge. Guess what, the drilling was already going to occur on a limited number of acres. This amendment does not change a thing. The fact is that 2,000 acres is a lot of territory in an area that is now undisturbed. What is worse, the impact of this drilling will be felt far beyond the borders of those 2,000 acres. We are talking about migratory wildlife, among other vulnerabilities. They do not notice artificial, man-made boundaries. So vote against this amendment which protects nothing. It will not protect ANWR, and it will not provide cover for those seeking to put a happy face on an environmentally devastating vote.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

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

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) will be postponed.

It is now in order to consider amendment No. 4 printed in House Report 108-69.

AMENDMENT NO. 4 OFFERED BY MR. PETERSON  
OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PENCE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. PETERSON of Pennsylvania:

In division C, at the end of section 30409 add the following:

(c) USE OF BONUS PAYMENTS FOR LOW-INCOME HOME ENERGY ASSISTANCE.—Amounts that are received by the United States as bonuses for leases under this title and deposited into the Treasury under subsection (a)(2) may be appropriated to the Secretary of the Health and Human Services, in addition to amounts otherwise available, to provide assistance under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Pennsylvania (Mr. PETERSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today with my colleague from Pennsylvania to offer an amendment that will provide additional energy assistance to low- and fixed-income individuals under the low-income assistance program, LIHEAP.

LIHEAP provides heating and cooling assistance to nearly 4 million households across the Nation. Unfortunately, LIHEAP is able to provide assistance to only about 15 percent of the 30 million households who are eligible. The amendment the gentlewoman from Pennsylvania (Ms. HART) and I are offering would authorize funds paid to the U.S. Treasury as bonuses for leases in the Arctic National Wildlife Refuge, ANWR, to be used for LIHEAP. The Congressional Budget Office estimates \$2.1 billion in revenues would be generated over a 5-year period from the bonuses.

Today we all know that energy prices are high due to a long, cold winter across much of the Nation. In Pennsylvania, it is still snowing today. Energy prices this winter compared to last year are 30 percent higher for natural gas, 60 percent higher for heating oil, 25 percent higher for propane, and 11 percent higher for electricity. I can testify to the long, cold winter in Pennsylvania and the great need for energy assistance.

The Pennsylvania LIHEAP program in fiscal year 2003 will serve over 300,000 households. The average household benefit is just over \$200. Without LIHEAP assistance, many of my constituents would have to make a choice between heating and eating.

The amendment before the House will provide much-needed energy assistance to low-income consumers. The amendment can provide an additional

average to \$400 million annually to LIHEAP. Dedicating funds to LIHEAP from the production of oil and gas from ANWR will help low-income consumers lower their energy burden. It is a sound public policy to dedicate funds generated from the hope of oil and gas production in Alaska to people in need of energy assistance across the country.

I urge my colleagues to have a heart and support the Peterson-Hart amendment.

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

Mr. MARKEY. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MARKEY) is recognized for 10 minutes.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I read the gentleman's amendment, it says that amounts that are received by the United States as bonuses for leases under this title and deposited with the Treasury "may be appropriated to HHS" to help fund the low-income assistance program.

If the gentleman would be willing to engage in a colloquy with me, it seems that it would be entirely discretionary as to whether or not the Committee on Appropriations actually uses the funds that would be raised in order to help the LIHEAP program; is that so?

Mr. PETERSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. We are not appropriating. We are authorizing over and above what has been authorized in the past. We are increasing the authorization. We cannot appropriate.

Mr. MARKEY. So as Members are voting, they are not voting for an actual appropriation for additional money for LIHEAP. As the gentleman knows, in past years the Congress has authorized fairly substantially high levels of funding for LIHEAP, and yet the Committee on Appropriations has never quite felt that they had to honor the authorization level. As a result, we have had some difficulty ensuring that the full funding for heating assistance is on the books.

Mr. PETERSON of Pennsylvania. Mr. Chairman, if the gentleman would continue to yield, when we authorize, we never can guarantee that it is going to be appropriated. It is a two-part process. I am a member of the Committee on Appropriations; and as a member of the HHS subcommittee, I intend to do my best to make this a reality, hopefully with the gentleman's help.

Mr. MARKEY. Mr. Chairman, my point is there is going to be a tremendous amount of budgetary pressure on Congress for the remainder of the year. The war in Iraq has yet to be completely paid for, the deficit continues to explode, and the Committee on Appropriations will know that language like this did pass; but my experience in

the past has been that they regard it with about as much weight as the piece of paper upon which it is printed. That is a sad experience for Members on authorizing committees. Has the gentleman had the same experience in the past with the Committee on Appropriations?

Mr. PETERSON of Pennsylvania. If the gentleman would continue to yield, yes, I have; but I think I am in a little better position in this situation. I know the gentleman from Ohio (Mr. REGULA) is very sensitive to this issue. We are not on the authorizing, but we are making a source of funding available to increase by this amount of money. That is our goal, and we are going to do our very best to make it happen.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Pennsylvania (Ms. HART).

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

Ms. HART. Mr. Chairman, I rise in support of the amendment. In fact, I would be surprised if any of my colleagues could in their right mind oppose it.

LIHEAP is a well-established program by the Federal Government, and it is one that anyone who lives in the North is familiar with. Low-income households spend more than 14 percent of their income, some as high as a third, on heating in the winter. Nonlow-income households, your average person, probably spends 5, or as low as 3, percent on heating.

It is important for us as Members of Congress to find ways to make sure that people are warm and comfortable in their homes in the winter. We have all heard of the scary and sad stories of a person who did not have heat and did not have the money to pay for it who froze during a very cold winter. The LIHEAP program has helped to try to prevent that, but almost two-thirds of those who qualify have not been able to access the program for one reason or another.

Part of the reason is money. We are here today, I with my colleague, the gentleman from Pennsylvania (Mr. PETERSON), to support additional funds being authorized for the LIHEAP program. It is very simple. We are going to help more people stay warm through these cold winters. The Federal Government gives States and other jurisdictions these annual grants to help low- and fixed-income people pay heating bills. It has worked well in Pennsylvania. We worked to increase the program while I was a State senator.

The most current Department of Health and Human Services report shows that nearly 4 million households across the Nation received winter assistance; 300,000 of them are in Pennsylvania. My colleagues and I have supported this program. We have sent a

letter to the President supporting this program. In January the White House announced additional funds for the program. What we are doing today is making sure those funds will be available.

Reports shows that energy prices this past year compared to the year before were 30 percent higher for natural gas, 60 percent higher for heating oil, 25 percent higher for propane, and 11 percent higher for electricity. It is clear that we need to find new sources to embellish the LIHEAP program and help families stay warm for the winter. This amendment authorizes more money to go into the LIHEAP program and keep more people warm. I urge Members to support it, and we will make sure that the money is there for next year's cold winter.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the good news about the bill itself is on a bipartisan basis, the legislation which we have before us actually does authorize \$3.4 billion for the LIHEAP program, which is great news. It is something that essentially reflects the bipartisan support which exists for this program on both sides of the aisle, and we do not really have a debate over that at all.

The amendment by the gentleman from Pennsylvania (Mr. PETERSON) asks the Committee on Appropriations to use this money that may be raised from leasing in the Arctic, but they do not have to abide by that, and that is the bottom line in terms of the bite that this amendment would have on anything that the appropriators would do.

It should be noted by Members that there is in fact no binding effect which the amendment would have in terms of increasing the actual appropriations that would be set aside for the low-income program. Unfortunately, over the years, the appropriators have always fallen far short of the dollar amount that our committee has authorized to be spent on the low-income program.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, the gentleman has a good point. We have a lot of work to do with the Committee on Appropriations. But if the appropriators were to find this new source of revenue, if this bill did pass and they found it and they appropriated money out of the royalty fund without us first having authorized it at our committee level, the gentleman from Massachusetts and I would be objecting to the appropriators authorizing on an appropriation bill. We would say in effect that we have not authorized it yet; they had better not spend it.

So this is an important first step, I would tell the gentleman. The gentleman is correct we would still need the appropriation later; but if we do not do the first step, they cannot do the second step.

Mr. MARKEY. Mr. Chairman, reclaiming my time, we already have in

the underlying bill authorized \$3.4 billion, and they can find it from wherever the revenues are that come in, including the revenues that might come in if there is ever any drilling up in the Arctic refuge; but they would not be constrained in terms of their ability to use it for these purposes, although the gentleman from Louisiana (Mr. TAUZIN) and I are lifelong authorizers, and so we understand the relationship that exists between what it is that we exhort that committee to do and what they ultimately reserve the right to put in place in an actual spending bill.

□ 1815

Mr. TAUZIN. Mr. Chairman, will the gentleman yield again?

Mr. MARKEY. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, my concern is that without this amendment, the reason why I think we ought to adopt it, is that there are laws on the books that provide for where royalty and bonus income goes, and without a provision that gives the appropriators a chance to say, no, this money can go to LIHEAP, in fact, on this date in the House Chamber the House authorized it; without that having been done, they may interpret the law to mean that they cannot use these moneys.

I would urge my friend to at least give them that option.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, one of the things I have noted since coming to Congress is that we have a tendency to boil these arguments down to money. How much money one has got in their portfolio, what their dividends look like at any given time. Sometimes we lose track of the fact that what really makes this country great is how we treat our most vulnerable, our children and our seniors. This is one of those issues, how we are treating people that do not have the ability to pay their heating bills.

I find it interesting that there would be an argument against something like this. I say to the gentleman from Massachusetts (Mr. MARKEY), trust me, you will feel the heat if we authorize this money, but we do not appropriate this money. If that money is sitting there, it will be spent on heating assistance. The difficulty is, in this country, that we do not have the ability to pay as many people as we want to.

This is a great amendment because it takes an energy bill that is necessary, that should have been passed many years ago, and applies some of the revenue to a need that exists in this country, and that is to help those less fortunate than others to pay their heating assistance.

And I thank the gentleman from Pennsylvania (Mr. PETERSON) and the gentlewoman from Pennsylvania (Ms. HART) for putting this amendment be-

fore us, and I hope that we can support it.

Mr. MARKEY. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

I rise to address this amendment, which seems to me to be a harmless amendment. It may result in applying some more money for LIHEAP. In fact, the word "may" is the key word in the amendment. So that is not a bad thing, except for the damage that might be done in the process.

There has been quite a bit of discussion today and there will be quite a bit more about how much petroleum would come from the Arctic Wildlife Refuge. It is not a lot. And also, though, a lot will be said about the damage that would be done in getting that oil.

We have heard some discussion about the footprint and just how small it will be. Let me just mention one thing that is often not considered that will explain how the footprint really is larger. Take, for example, the ice roads that would be built every winter to allow trucks to drive to and from the rigs. Their environmental impact is not only the effects on the ground, which I would say is considerable, but in the fresh water drawn from nearby lakes. In fact, there is not enough fresh water. The effect of drawing this water from the lakes in order to build the ice roads allegedly, purportedly, so as not to damage the environment, will leave these lakes in such a depleted situation that they will freeze all the way through and die.

So there is, indeed, this kind of footprint that extends beyond just the poured concrete area. So we may through this amendment get a little more money for LIHEAP, but it could be at great cost.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

This amendment is a Band-Aid. This amendment helps people who cannot afford to pay for energy, and there are a lot of them. This winter we have had spikes in prices because we do not have enough gas and we do not have enough oil; and when prices spike in this country, it hurts our country and it hurts the poorest of people who have to still drive a car, who have to still heat their homes.

This debate is about having adequate energy supplies to prevent spikes in prices, because I want to tell my colleagues, if we do not do that, we could double and triple LIHEAP next year and the year after and there will not be enough to help the poor who will need it. Because people will not be able to afford to heat their homes, our commercial businesses will not be able to afford to heat their places, and our industries will be going out of business because they will not be competitive.

This amendment just helps those for the moment, but if we do not fix the

main problem, we are going to really be in trouble.

Mr. Chairman, I yield as much time as he may consume to the gentleman from California (Mr. POMBO), chairman of the Committee on Resources.

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

I find it quite interesting, in listening to the debate on this particular amendment, if ANWR is approved, if oil and gas exploration is approved, there will be a substantial amount of money that comes in in the form of royalties and bonuses to the Federal Government. I think all of us agree that there are ways that we would like to spend this money.

The gentleman from Pennsylvania (Mr. PETERSON) came to me, and after discussing this in great detail, I agreed with this amendment because this is an energy bill. It is about a balanced energy policy for the future of this country. Part of that balance is in LIHEAP, and that is to provide for those who need the help. And the gentleman came to me and the gentlewoman from Pennsylvania (Ms. HART) came to me and said, this is what we ought to be doing with the money. I think this is extremely important.

But I also find it kind of ironic that those that represent the States that would benefit the most from LIHEAP have risen in opposition to this, because if this does go into effect and that money does come in, it is their constituents who stand to benefit the greatest from this amendment being in place. There are other places we could spend this money, and I would expect that they would rise in strong support of the gentleman from Pennsylvania's (Mr. PETERSON) amendment because their constituents benefit much more than mine do. But because it is an energy bill, because it is a balanced approach for the future of energy policy in this country, I believe that it is the right thing to do.

I support the gentleman's amendment. I urge my colleagues on the committee and my colleagues in the House to vote in favor of the Peterson-Hart amendment because it is the right thing to do at this time.

Mr. MARKEY. Mr. Chairman, may I ask how much time is remaining?

The CHAIRMAN pro tempore (Mr. PENCE). The gentleman from Massachusetts (Mr. MARKEY) has 2 minutes remaining. The gentleman from Pennsylvania (Mr. PETERSON) has 1½ minutes remaining.

Mr. MARKEY. And what is the order of close on this amendment?

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MARKEY) has the right to close.

Mr. MARKEY. Mr. Chairman, then I reserve that right to close. I am the remaining speaker.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

I will conclude by sharing that this amendment is important to the parts

of this country who have huge heating costs and cooling costs, to help those that are less fortunate than most of us, those that a big piece of their income goes to heat and cool their homes; and this takes a part of the bonuses and puts it in that fund. It has been argued that we do not appropriate, but we do not appropriate anything as an authorizer.

I happen to be an appropriator too, and I intend to do my very best. I will promise the gentleman from Massachusetts that I will do my very best to make sure this gets in the pipeline.

But I want to conclude with the following: The real problem of LIHEAP will only quadruple if we do not bring energy supplies available to this country. If we do not increase oil supplies, energy prices will spike. If we do not increase gas supplies, home heating and manufacturing costs will go out of sight. If we look at the charts, if we look at the graphs, our gas supplies are the lowest in this country they have ever been. Our prices at the moment are prices they do not want to fill with because it is over \$5 a 1,000.

We have an energy crunch in this country. We have a shortage of both gas and oil. We can import oil from unstable parts of the world, but we do not have the ability to do that with gas, and if we do not bring supplies out of places like ANWR and every place we can, if we do not open up lots of parts of this country that are locked up, I am going to tell my colleagues, people are not going to be able to afford to heat their homes, businesses are not going to be able to run efficiently and be competitive, and our economy will be in the tank.

We must pass a comprehensive energy bill.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

It seems to me that if there is a real concern about appropriating money up to the full \$3.4 billion level that is authorized in the underlying energy bill that is supported on a bipartisan basis here on the floor today, at least that part of the bill, then the best thing that we can do is to make it clear to the appropriators that each of us wants that level to be reached in the appropriations process.

The gentleman from Mississippi (Mr. PICKERING) and I are circulating a letter to Members to ensure that, not like last year where all the appropriators could find was \$1.8 billion, but this year they find \$3.4 billion so that the cold-weather States and those hot-weather States, whether it be Massachusetts or Mississippi, any other State in the Union, all are able to be fully funded under this low-income program. And I think that that is the only realistic way in which we are going to be able to ensure that we do take care of this problem. Because ultimately the appropriators are left to their own discretion in terms of how much money they want to appropriate for any program, and I am just afraid that with

the war in Iraq, with the looming budget deficits that are just skyrocketing, perhaps as high as \$500 billion this year, that this language just will not do the job in terms of getting them to take care of this very important program.

Mr. QUINN. Mr. Chairman, as many of you know, I have risen many times to speak here on the floor about the need to support and expand the LIHEAP program.

LIHEAP is a bipartisan issue, and always has been.

I am never surprised to see how my colleagues from both sides of the aisle jump at the opportunity to work together to protect and enhance LIHEAP funding.

Last year, LIHEAP served 4.4 million households.

However, since the year 2000, 2.66 million people have become unemployed, many of whom will seek assistance until they can find new jobs.

The economic downturn has left more households dependent upon energy assistance to ensure that their heating power remains connected.

LIHEAP funding allows for these economically strained people to focus on essential items.

In a time when state officials are forced to slash their budgets the responsibility falls to us to ensure that no family goes without heat when the winter hits.

Many of you have joined me over the past few years calling for increases in funding for the important program.

This amendment provides some direction and opportunity to find that funding.

We must take advantage of opportunities such as this one to identify sources of funding for the LIHEAP programs.

Mr. MARKEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 1 by the gentleman from New York (Mr. BOEHLERT), amendment No. 2 by the gentleman from Michigan (Mr. DINGELL), amendment No. 3 by the gentlewoman from New Mexico (Mrs. WILSON).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BOEHLERT

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from New York (Mr. BOEHLERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 268, not voting 4, as follows:

[Roll No. 132]

AYES—162

Abercrombie	Hefley	Neal (MA)
Ackerman	Hill	Oberstar
Allen	Hinchee	Obey
Andrews	Hoefel	Olver
Baird	Holt	Owens
Baldwin	Honda	Pallone
Ballance	Hooley (OR)	Pascrell
Bartlett (MD)	Insee	Payne
Becerra	Israel	Pelosi
Bereuter	Jackson (IL)	Platts
Berkley	Johnson (CT)	Price (NC)
Berman	Johnson (IL)	Ramstad
Bilirakis	Johnson, E. B.	Rangel
Bishop (NY)	Kaptur	Reynolds
Blumenauer	Kelly	Rothman
Boehlert	Kennedy (RI)	Roybal-Allard
Boyd	Kind	Ryan (OH)
Brown (OH)	King (NY)	Sabo
Capps	Kirk	Sanchez, Linda T.
Capuano	Klecza	Sanchez, Loretta T.
Cardin	Kucinich	Sanders
Cardoza	LaHood	Saxton
Case	Lampson	Schakowsky
Clay	Langevin	Schiff
Cooper	Lantos	Serrano
Davis (CA)	Larsen (WA)	Shays
Davis (FL)	Larson (CT)	Sherman
Davis (IL)	LaTourette	Slaughter
Davis, Tom	Leach	Smith (NJ)
DeFazio	Lee	Smith (WA)
DeGette	Lewis (GA)	Snyder
Delahunt	Lipinski	Solis
DeLauro	LoBiondo	Spratt
Dicks	Lofgren	Stark
Doggett	Lowe	Tauscher
Dooley (CA)	Lynch	Taylor (MS)
Ehlers	Maloney	Thompson (CA)
Emanuel	Markey	Tierney
Engel	Matsui	Udall (CO)
Eshoo	McCarthy (NY)	Udall (NM)
Etheridge	McCollum	Van Hollen
Evans	McDermott	Velazquez
Farr	McGovern	Waters
Fattah	McInnis	Watson
Filner	McNulty	Watt
Ford	Meehan	Waxman
Frank (MA)	Menendez	Weiner
Frelinghuysen	Michaud	Weldon (PA)
Gerlach	Millender-	Wexler
Gilchrest	McDonald	Woolsey
Greenwood	Miller (NC)	Wu
Grijalva	Miller, George	Wynn
Gutierrez	Moran (VA)	Young (FL)
Harman	Nadler	
Hastings (FL)	Napolitano	

NOES—268

Aderholt	Burns	Davis, Jo Ann
Akin	Burr	Deal (GA)
Alexander	Burton (IN)	DeLay
Baca	Buyer	DeMint
Bachus	Calvert	Deutsch
Baker	Camp	Diaz-Balart, L.
Ballenger	Cannon	Diaz-Balart, M.
Barrett (SC)	Cantor	Dingell
Barton (TX)	Capito	Doolittle
Bass	Carson (IN)	Doyle
Beauprez	Carson (OK)	Dreier
Bell	Carter	Duncan
Berry	Castle	Dunn
Biggert	Chabot	Edwards
Bishop (GA)	Chocola	Emerson
Bishop (UT)	Clyburn	English
Blackburn	Coble	Everett
Blunt	Cole	Feeney
Boehner	Collins	Ferguson
Bonilla	Combest	Flake
Bonner	Conyers	Fletcher
Bono	Costello	Foley
Boozman	Cox	Forbes
Boswell	Cramer	Fossella
Boucher	Crane	Franks (AZ)
Bradley (NH)	Crenshaw	Frost
Brady (PA)	Crowley	Gallegly
Brady (TX)	Cubin	Garrett (NJ)
Brown (SC)	Culberson	Gibbons
Brown, Corrine	Cummings	Gillmor
Brown-Waite,	Cunningham	Gingrey
Ginny	Davis (AL)	Gonzalez
Burgess	Davis (TN)	Goode

Goodlatte	Matheson	Ross
Gordon	McCotter	Royce
Goss	McCrery	Ruppersberger
Granger	McHugh	Rush
Graves	McIntyre	Ryan (WI)
Green (TX)	McKeon	Ryun (KS)
Green (WI)	Meek (FL)	Sandlin
Gutknecht	Meeks (NY)	Schrock
Hall	Mica	Scott (GA)
Harris	Miller (FL)	Scott (VA)
Hart	Miller (MI)	Sensenbrenner
Hastings (WA)	Miller, Gary	Sessions
Hayes	Mollohan	Shadegg
Hayworth	Moore	Shaw
Hensarling	Moran (KS)	Sherwood
Herger	Murphy	Shimkus
Hinojosa	Murtha	Shuster
Hobson	Musgrave	Simmons
Hoekstra	Myrick	Simpson
Holden	Nethercutt	Skelton
Hostettler	Ney	Smith (MI)
Hoyer	Northup	Smith (TX)
Hulshof	Norwood	Souder
Hunter	Nunes	Stearns
Hyde	Nussle	Stenholm
Isakson	Ortiz	Strickland
Issa	Osborne	Stupak
Istook	Ose	Sullivan
Jackson-Lee	Otter	Sweeney
(TX)	Oxley	Tancred
Janklow	Pastor	Tanner
Jefferson	Pearce	Tauzin
Jenkins	Pence	Taylor (NC)
John	Peterson (MN)	Terry
Johnson, Sam	Peterson (PA)	Thomas
Jones (NC)	Petri	Thompson (MS)
Jones (OH)	Pickering	Thornberry
Kanjorski	Pitts	Tiahrt
Keller	Pombo	Tiberi
Kennedy (MN)	Pomeroy	Toomey
Kildee	Porter	Turner
Kilpatrick	Portman	Turner (OH)
King (IA)	Portney (OH)	Turner (TX)
Kingston	Putnam	Upton
Kline	Quinn	Visclosky
Knollenberg	Radanovich	Vitter
Kolbe	Rahall	Walden (OR)
Latham	Regula	Walsh
Levin	Rehberg	Wamp
Lewis (CA)	Renzi	Weldon (FL)
Lewis (KY)	Reyes	Weller
Linder	Rodriguez	Whitfield
Lucas (KY)	Rogers (AL)	Wicker
Lucas (OK)	Rogers (KY)	Wilson (NM)
Majette	Rogers (MI)	Wilson (SC)
Manzullo	Rohrabacher	Wolf
Marshall	Ros-Lehtinen	Young (AK)

NOT VOTING—4

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PENCE) (during the vote). Members are reminded there are 2 minutes remaining on this vote.

□ 1847

Messrs. CULBERSON, SIMMONS, MEEKS of New York, BISHOP of Utah, EDWARDS, BACHUS, MEEK of Florida, THOMPSON of Mississippi, RUSH, KANJORSKI, and Mrs. MYRICK changed their vote from "aye" to "no." Mrs. KELLY, Mr. EVANS, and Ms. WATERS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT NO. 2 OFFERED BY MR. DINGELL

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 2 of-

ferred by the gentleman from Michigan (Mr. DINGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 237, not voting 4, as follows:

[Roll No. 133]

AYES—193

Abercrombie	Hastings (FL)	Oberstar
Ackerman	Hefley	Obey
Allen	Hill	Olver
Andrews	Hinchee	Owens
Baca	Hoefel	Pallone
Baird	Holt	Pascrell
Baldwin	Honda	Pastor
Ballance	Hooley (OR)	Payne
Becerra	Hoyer	Pelosi
Berkley	Hulshof	Peterson (MN)
Berman	Insee	Petri
Berry	Israel	Pomeroy
Bishop (NY)	Jackson (IL)	Price (NC)
Blackburn	Jackson-Lee	Rahall
Blumenauer	(TX)	Rangel
Boucher	Janklow	Reyes
Brady (PA)	Jenkins	Rodriguez
Brown (OH)	Johnson, E. B.	Ross
Brown, Corrine	Jones (OH)	Rothman
Capps	Kaptur	Roybal-Allard
Capuano	Kennedy (RI)	Ruppersberger
Cardin	Kildee	Rush
Cardoza	Kilpatrick	Ryan (OH)
Carson (IN)	Kind	Sabo
Carson (OK)	Klecza	Sanchez, Linda T.
Case	Kucinich	Sanchez, Loretta T.
Clay	Langevin	Sanders
Clyburn	Lantos	Saxton
Cole	Larsen (WA)	Schakowsky
Conyers	Larson (CT)	Schiff
Cooper	Leach	Scott (VA)
Costello	Lee	Sensenbrenner
Crowley	Levin	Serrano
Cummings	Lewis (GA)	Simpson
Davis (CA)	Lipinski	Shays
Davis (FL)	LoBiondo	Sherman
Davis (IL)	Lofgren	Skelton
Davis (TN)	Lowe	Slaughter
DeFazio	Lucas (KY)	Smith (NJ)
DeGette	Lucas (OK)	Smith (WA)
Delahunt	Lynch	Snyder
DeLauro	Maloney	Solis
Deutsch	Markey	Spratt
Dicks	Marshall	Stark
Dingell	Matheson	Strickland
Doggett	Matsui	Stupak
Duncan	McCarthy (NY)	Tanner
Emanuel	McCollum	Tauscher
Emerson	McDermott	Thompson (CA)
Engel	McGovern	Thompson (MS)
Eshoo	McIntyre	Tierney
Etheridge	McNulty	Udall (CO)
Evans	Meehan	Udall (NM)
Farr	Meek (FL)	Van Hollen
Fattah	Menendez	Velazquez
Filner	Michaud	Wamp
Ford	Millender-	Waters
Frank (MA)	McDonald	Watson
Gilchrest	Miller (NC)	Watt
Gonzalez	Miller, George	Waxman
Goode	Moran (KS)	Weiner
Gordon	Moran (VA)	Wexler
Graves	Nadler	Woolsey
Grijalva	Napolitano	Wu
Gutierrez	Neal (MA)	
Harman	Ney	

NOES—237

Aderholt	Barrett (SC)	Bereuter
Akin	Bartlett (MD)	Biggert
Alexander	Barton (TX)	Bilirakis
Bachus	Bass	Bishop (GA)
Baker	Beauprez	Bishop (UT)
Ballenger	Bell	Blunt

Boehlert Green (WI)  
 Boehner Greenwood  
 Bonilla Gutknecht  
 Bonner Hall  
 Bono Harris  
 Boozman Hart  
 Boswell Hastings (WA)  
 Boyd Hayes  
 Bradley (NH) Hayworth  
 Brady (TX) Hensarling  
 Brown (SC) Herger  
 Brown-Waite, Hinojosa  
     Ginny Hobson  
 Burgess Hoekstra  
 Burns Holden  
 Burr Hostettler  
 Burton (IN) Hunter  
 Buyer Hyde  
 Calvert Isakson  
 Camp Issa  
 Cannon Istook  
 Cantor Jefferson  
 Capito John  
 Carter Johnson (CT)  
 Castle Johnson (IL)  
 Chabot Johnson, Sam  
 Chocola Jones (NC)  
 Coble Kanjorski  
 Collins Keller  
 Combest Kelly  
 Cox Kennedy (MN)  
 Cramer King (IA)  
 Crane King (NY)  
 Crenshaw Kingston  
 Cubin Kirk  
 Culberson Kline  
 Cunningham Knollenberg  
 Davis (AL) Kolbe  
 Davis, Jo Ann LaHood  
 Davis, Tom Lampson  
 Deal (GA) Latham  
 DeLay LaTourette  
 DeMint Lewis (CA)  
 Diaz-Balart, L. Lewis (KY)  
 Diaz-Balart, M. Linder  
 Dooley (CA) Majette  
 Doolittle Manzullo  
 Doyle McCotter  
 Dreier McCrery  
 Dunn McHugh  
 Edwards McMinnis  
 Ehlers McKeon  
 English Meeks (NY)  
 Everett Mica  
 Feeney Miller (FL)  
 Ferguson Miller (MI)  
 Flake Miller, Gary  
 Fletcher Mollohan  
 Foley Moore  
 Forbes Murphy  
 Fossella Murtha  
 Franks (AZ) Musgrave  
 Frelinghuysen Myrick  
 Frost Nethercutt  
 Gallegly Northup  
 Garrett (NJ) Norwood  
 Gerlach Nunes  
 Gibbons Nussle  
 Gillmor Ortiz  
 Gingrey Osborne  
 Goodlatte Ose  
 Goss Otter  
 Granger Oxley  
 Green (TX) Pearce

NOT VOTING—4

Gephardt McCarthy (MO)  
 Houghton Paul

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised that there are 30 seconds remaining on this vote.

□ 1855

Mrs. BLACKBURN changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MRS. WILSON OF NEW MEXICO

The CHAIRMAN pro tempore. The pending business is the demand for a

recorded vote on amendment No. 3 offered by the gentlewoman from New Mexico (Mrs. WILSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 202, not voting 6, as follows:

[Roll No. 134]

AYES—226

Abercrombie Forbes  
 Aderholt Fossella  
 Baca Franks (AZ)  
 Bachus Gallegly  
 Baker Gibbons  
 Ballenger Gillmor  
 Barrett (SC) Gingrey  
 Barton (TX) Goode  
 Beauprez Goodlatte  
 Bereuter Goss  
 Berry Granger  
 Biggert Graves  
 Bilirakis Green (TX)  
 Bishop (GA) Green (WI)  
 Bishop (UT) Gutknecht  
 Blackburn Harris  
 Blunt Hart  
 Boehner Hastings (WA)  
 Bonilla Hayes  
 Bonner Hayworth  
 Bono Hefley  
 Boozman Hensarling  
 Boyd Hinojosa  
 Brady (PA) Hobson  
 Brady (TX) Hoekstra  
 Brown (SC) Hobson  
 Brown-Waite, Hulshof  
     Ginny Hunter  
 Burgess Hyde  
 Burr Isakson  
 Burton (IN) Issa  
 Buyer Istook  
 Calvert Janklow  
 Camp Jenkins  
 Cannon Johnson, Sam  
 Cantor Jones (NC)  
 Capito Kanjorski  
 Carson (OK) Keller  
 Carter Kelly  
 Chabot Kennedy (MN)  
 Chocola King (NY)  
 Coble Kingston  
 Cole Kline  
 Collins Knollenberg  
 Combest Kolbe  
 Cox LaHood  
 Cramer Latham  
 Crane LaTourette  
 Crenshaw Lewis (CA)  
 Cubin Lewis (KY)  
 Culberson Linder  
 Cunningham Lucas (KY)  
 Davis, Jo Ann Lucas (OK)  
 Davis, Tom Marshall  
 Deal (GA) McCotter  
 DeLay McCrery  
 DeMint McHugh  
 Diaz-Balart, L. McMinnis  
 Diaz-Balart, M. McKeon  
 Dooley (CA) Mica  
 Doolittle Miller (FL)  
 Dreier Miller (MI)  
 Dunn Miller, Gary  
 Edwards Mollohan  
 Ehlers Moran (KS)  
 Emerson Murphy  
 English Murtha  
 Everett Musgrave  
 Feeney Myrick  
 Flake Nethercutt  
 Fletcher Ney  
 Foley

Weldon (PA) Wilson (NM)  
 Weller Wilson (SC)  
 Whitfield Wolf

NOES—202

Ackerman Gutierrez  
 Akin Hall  
 Alexander Harman  
 Allen Hastings (FL)  
 Andrews Hill  
 Baird Hinchey  
 Baldwin Hoeffel  
 Ballance Holden  
 Bartlett (MD) Holt  
 Bass Honda  
 Becerra Hoolley (OR)  
 Bell Hostettler  
 Berkley Hoyer  
 Berman Insole  
 Bishop (NY) Israel  
 Blumenauer Jackson (IL)  
 Boehlert Jackson-Lee  
 Boswell (TX)  
 Boucher Jefferson  
 Bradley (NH) Johnson (CT)  
 Brown (OH) Johnson (IL)  
 Brown, Corrine Johnson, E. B.  
 Capps Jones (OH)  
 Capuano Kaptur  
 Cardin Kennedy (RI)  
 Cardoza Kildee  
 Carson (IN) Kilpatrick  
 Case Kind  
 Castle King (IA)  
 Clay Kirk  
 Clyburn Kleczka  
 Conyers Kucinich  
 Cooper Lampson  
 Costello Langevin  
 Crowley Lantos  
 Cummings Larsen (WA)  
 Davis (AL) Larson (CT)  
 Davis (CA) Leach  
 Davis (FL) Lee  
 Davis (IL) Levin  
 Davis (TN) Lewis (GA)  
 DeFazio Lipinski  
 DeGette LoBiondo  
 DeLauro Lofgren  
 Deutsch Lowey  
 Dicks Lynch  
 Dingell Majette  
 Doggett Maloney  
 Doyle Markey  
 Duncan Matheson  
 Emanuel Matsui  
 Engel McCarthy (NY)  
 Eshoo McCollum  
 Etheridge McDermott  
 Evans McGovern  
 Farr McIntyre  
 Fattah McNulty  
 Ferguson Meehan  
 Filner Meek (FL)  
 Frank (MA) Meeks (NY)  
 Frelinghuysen Menendez  
 Frost Michaud  
 Garrett (NJ) Millender-  
     McDonald  
 Gerlach Miller (NC)  
 Gilchrist Miller, George  
 Gonzalez Moore  
 Gordon Moran (VA)  
 Greenwood Nadler  
 Grijalva

NOT VOTING—6

Delahunt Gephardt  
 Ford Houghton  
 McCarthy (MO)  
 Paul

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PENCE) (during the reading). The Chair will remind Members that there are 2 minutes remaining in this vote.

□ 1902

Mr. PASTOR changed his vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FORD. Mr. Chairman, on rollcall No. 134, had I been present, I would have voted “no.”

The CHAIRMAN pro tempore (Mr. BEREUTER). It is now in order to consider amendment No. 5 printed in House Report 108-69.

AMENDMENT NO. 5 OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer amendment No. 5.

The CHAIRMAN pro tempore. The Clerk will designate amendment No. 5.

The text of amendment No. 5 is as follows:

Amendment No. 5 offered by Mr. MARKEY:  
In division C, strike title IV.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I ask unanimous consent to yield 5 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON) so she may control those 5 minutes.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Markey-Johnson amendment, which would protect the pristine area that was originally set aside by that radical Republican environmentalist, Dwight David Eisenhower. This amendment would protect ANWR by simply striking the sections of H.R. 6 that would open the area to drilling. It is that simple.

We can have lots of spirited debate about the science and impact of drilling and other essential matters related to this issue, but I will leave that to others. For me, this is an issue of fundamental principle: what right do we have as human beings, and what sense does it make as a Nation, to open a pristine area to oil drilling when we are not willing to take the simplest, easiest steps to conserve oil?

Raising CAFE standards would have been the only truly significant conservation measure in this bill. By doing so, more oil would be saved quicker than even the most optimistic projections of economically recoverable oil from ANWR. As a friend of mine likes to say, go figure.

Opening ANWR without any consideration of taking serious conservation steps is simply irresponsible. We are denying future generations a wilderness because we refuse to take painless steps to control our own generation's appetite for oil. I do not know when that kind of thinking became conservative, but I do know for eons that kind of gluttony has been considered wrong.

The proponents of drilling add insult to injury with their spurious argu-

ments in favor of drilling. It is only a few thousand acres, they say. That is like saying, do not worry, the tumor is only in your lungs. The drilling will have impacts that will affect wildlife throughout the area.

The proponents say the drilling in Prudhoe Bay has seen no ill environmental effects; but in reality, some of the largest environmental fines in history have been paid because of damage in the Prudhoe Bay and the open-for-business north slopes, \$22 million since 1999 alone.

Mr. POMBO. Mr. Chairman, I rise to claim time in opposition.

The CHAIRMAN pro tempore. The gentleman from California (Mr. POMBO) is recognized for the time in opposition.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), whose district ANWR is in.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman for yielding time to me. The gentleman from California (Mr. POMBO) is a great committee chairman.

One thing that bothers me the most, the gentleman from Massachusetts (Mr. MARKEY) has never been to ANWR, the gentlewoman from Connecticut (Mrs. JOHNSON) has never been to ANWR, the gentleman from New York (Mr. BOEHLERT) has never been to ANWR. They do not know what they are talking about, period. They are literally taking scripted messages from certain interest groups, that is all they are doing, and mimicking their words.

My people, my people the Kaktovik, they want this drilling. The Eskimos that live there want this drilling. They have seen what has happened in Prudhoe Bay, which has in fact increased the population of the caribou, increased the game population overall.

We can do this safely. To have people sit on this floor, because it is supposed to be the hall of the people, the Representatives of the people, to speak about something they know nothing about is, frankly, very disturbing to me.

I am one of these few people who understand one thing: this is a form of representative government. The gentleman from Massachusetts (Mr. MARKEY) did not go. He had an opportunity to go up and listen to the people, my people, many people who were guaranteed 92,000 acres by this body, and they had it for their social and economic well-being; and you are telling them they cannot in fact drill on their own land. Shame on you.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, I strongly support the Markey-Johnson amendment. In my view, the potential benefits to drilling in the Arctic National Wildlife Refuge are greatly outweighed by the loss.

The Congressional Budget Office estimates that only 2.5 billion barrels of oil are economically recoverable from the refuge. That is less than a fourth of what proponents of drilling claim, and about what the U.S. consumes in 4 months. It is not simply worth trading the possibility of 4 months of energy for the loss of crucial breeding and migratory habitat of more than 200 animal species and over 130 species of birds.

Nevertheless, this legislation allows drilling in the Arctic National Wildlife Refuge, which reflects an utter disregard for the preservation of America's last remaining untouched wilderness. To believe that we could drill in ANWR without causing irreversible environmental damage is foolish.

This bill contains no true environmental protections for the refuge, and this amendment would provide that environmental protection. I urge my colleagues to support it.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

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

Mr. REHBERG. Mr. Chairman, I was a staffer on the Committee on Resources 20 years ago when the distinguished gentleman from Massachusetts (Mr. MARKEY) was making the same tired arguments. Here we are 20 years later, still without an energy policy.

Over the course of those years, my colleague, the gentleman from Massachusetts, has yet to visit either ANWR. That is right, I said either ANWR. Why? Because there are really two ANWRs, the one the authors of this amendment like to talk about, and the one that is actually at issue when we talk about energy development.

To illustrate this, I would like to highlight the testimony of the mayor of the borough that includes ANWR, testimony that my friend, the gentleman from Massachusetts, would have heard if he had taken the time to go up to Alaska last Saturday, as we did.

Testifying as to the two ANWRs, the mayor said:

"The first ANWR is beautiful mountain scenery that seems to go on forever. It is a world of wildlife, a refuge from the noise and disruption of human community. You are here in the second ANWR. It is tundra, an old military site, and Eskimos who have lived and hunted and survived around here for thousands of years. You won't see this ANWR on Sierra Club posters. That is because it is not really a refuge, it is a land of many uses.

"This is Eskimo country. It has a thriving village whose residents work at local jobs and hunt for caribou, whales, and all the other animal species that have always sustained our people. The Sierra Club would probably be happier if they would stop hunting and fishing; but we would be happier if they would stop floating down all the

rivers in ANWR disrupting the wildlife that we depend on. But we can all get along if we acknowledge two ANWRs and allow both to exist.”

Mr. Chairman, that is the issue here. There are two ANWRs, the one the environmentalists like to raise money on, and the one that is part of a balanced energy plan that we are debating here today.

This amendment is intellectually dishonest. The sponsors speak of the first ANWR as justification for their amendment, yet ignore the fact that it really applies to the second ANWR. I would support it if it only applies to the first, but it does not.

I urge defeat of this amendment and urge my colleagues to take the mayor's advice and consider both ANWRs when casting their vote.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise in support of this amendment.

California is the most diversified, the biggest user of energy. Why did we get there? Because we said no to the oil companies, we said no to offshore drilling, we said no to more drilling, because we said yes to developing alternative energy. We developed alternative energy in wind and solar, in geothermal and biomass.

Guess what, we have private venture capital. We attracted America's brightest to develop alternative energy.

The only way we are going to solve our energy problems is to get off our addiction to oil. With the thinking on ANWR, they would drill right here in the Capitol if there was oil under this building.

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Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself 2¼ minutes.

Mr. Chairman, today's vote really is about our values, the ability to balance the value we place on critical environmental resources, unique ecosystems supporting literally hundreds of thousands of species of animals, birds and fishes, and the value we place on a little more oil. Choices must be made and there are good alternatives to the small amount of economically recoverable oil in the refuge. But there are no alternatives for those who depend on its ecosystem, nor for the refuge as a unique national natural resource.

Alternatives? You bet there are alternatives. In the Alaska National Petroleum Reserve area, there are over 50 million undeveloped acres available for oil drilling. There is a proposed notice of sale for 9.8 million acres in the Beaufort Sea. The State of Alaska is planning to hold annual lease sales covering 14.1 million acres of land. I could go on with a long list, but I do not have time.

In addition to all these undeveloped lands available for drilling in Alaska and that region, there are also alternative sources of energy. Fuel cells. There are new technologies that would

give us more miles per gallon. That are excellent alternatives to drilling in this pristine area. There are no alternatives to preserving the ecological vitality and integrity of this region.

In that area, can you imagine what it will take, the roads it will take, the drilling pads it will take to support drilling rigs weighing 2.2 million pounds? You cannot just build a little old road across a grass field. You have got to get tons and tons of gravel in there. You have got to get support for that level of equipment. These are big outfits. They take a lot of people to support. They take a lot of pipelines to deliver the oil. And, ironically, there is not enough available water in this area to feed the kind of road building that would be necessary.

So there is not even the infrastructure to make good on the promise of oil that those who would develop this area promise. Yet, taking that water will destroy the ecosystems dramatically across the board throughout the region.

So there can be no compromise. Oppose drilling in the ANWR.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Chairman, do not take the word of a Congressman who visited the North Slope for the last 3 days. Take the words of Herman Aishana, a whaling captain who serves on the Kaktovik City Council and is the former mayor. We have got Members of Congress calling this area a pristine untouched wilderness. His words, No matter how blind, no matter what anyone wants to call it, this country is hardly a wilderness and will never be a wilderness.

These people of Kaktovik have developed a relationship of trust of over 20 years with these energy companies. We take their land from them, we give it back to them as a gift. But we do not give them back the resources that they need to sustain themselves to build their economy. Do not lock up the people of Kaktovik. Do not lock them up on a reservation. Give them the resources that they need to sustain themselves.

Mr. MARKEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of this amendment, and in doing so, I would like to take a moment of personal privilege and speak about my father, Morris Udall, who served in this body for 30 years with many of us here today. And there have been suggestions in the Committee on Resources that Mo Udall, were he alive today, would vote against the Markey amendment. I would tell you that I believe he would vote for the amendment today.

In 1980, my father opposed drilling in the refuge. I believe he would oppose drilling today, but he would say the real issue is not the past. It is the future. He lived by the credo that we do not inherit the Earth from our parents, but we borrow it from our children. And he would say we are gambling with our children's inheritance.

The odds are not good and the stakes are too high. We should not gamble with the heart of the refuge for a few months of oil. We have better alternatives and we should leave our children with some choices about how they use their inheritance. That is why I urge a "yes" vote on Markey-Johnson.

Mr. Chairman, I strongly support this amendment.

On the question of whether to open the coastal plain, Congress is being asked to gamble on finding oil there. So, we first must decide what stakes we are willing to risk, and then weigh the odds.

The stakes are the coastal plain. The U.S. Fish and Wildlife Service says it "is critically important to the ecological integrity of the whole Arctic Refuge" which is "America's finest example of an intact, naturally functioning community of arctic/subarctic ecosystems."

What are the odds? Well, the best estimate is by the U.S. Geological Survey (USGS). In 1998 they estimated that if the price of oil drops to less than \$16 per barrel (as it did a few years ago) there would be no economically recoverable oil in the coastal plain. At \$24 per barrel, USGS estimated there is a 95 percent chance of finding 1.9 billion barrels of economically recoverable oil in the refuge's coastal plain and a 50 percent chance of finding 5.3 billion barrels.

But Americans use 19 million barrels of oil each day, or 7 billion barrels of oil per year. So, USGS is saying that at \$24 per barrel, there is a 50 percent chance of finding several months' supply of oil in the coastal plain.

There is one 100 percent sure bet—drilling will change everything on the coastal plain forever. It will never be wilderness again. We do not need to take that bet. There are less-sensitive places to drill—and even better alternatives, including conserving energy and more use of renewable resources.

For example, fuel-efficiency standards for new cars and light trucks could feasibly be raised to more than 40 miles per gallon by 2010. Experts estimate that alone would save 10 times as much oil as would likely be extracted from the Arctic refuge over the next 30 years.

In short, when it comes to drilling in the Arctic National Wildlife Refuge, I think that the stakes are too high and the odds are too long—especially since we have better options. So I do not support it.

For the benefit of our colleagues, I am attaching excerpts from an article in *Foreign Affairs* by two Coloradans—Amory R. Lovins and L. Hunter Lovins.

Founders and leaders of the Rocky Mountain Institute, they are recognized experts on energy issues.

The article, entitled "Fool's Gold in Alaska," clearly shows that drilling for oil on the coastal plain does not make sense in terms of economics, national security, or environmental protection. As they put it, "Drilling for refuge oil is a risk the nation should consider taking

only if no other choice is possible. But other choices abound.”

We should opt for those other choices by adopting this amendment.

Here are key excerpts from the article I mentioned:

[From Foreign Affairs, July/August 2001]

FOOL'S GOLD IN ALASKA

(By Amory B. Lovins and L. Hunter Lovins)

THE BOTTOM OF THE BARREL?

Oil prices have fluctuated randomly for well over a century. Heedless of this fact, oil's promoters are always offering opportunities that could make money—but on the flawed assumption that high prices will prevail.

Leading the field of these optimists are Alaskan politicians. Eager to keep funding their state's de facto negative income tax—oil provides 80 percent of the state's unrestricted general revenue—they have used every major rise in oil prices since 1973 to advocate drilling beneath federal lands on the coastal plain of the Arctic National Wildlife Refuge. Just as predictably, environmentalists counter that the refuge is the crown jewel of the American wilderness and home to the threatened indigenous Gwich'in people. As some see it, drilling could raise human rights issues under international law. Canada, which shares threatened wildlife, also opposes drilling.

Both sides of this debate have largely overlooked the central question: Does drilling for oil in the refuge's coastal plain make sense for economic and security reasons? After all, three imperatives should shape a national energy policy: economic vitality, secure supplies, and environmental quality. To merit serious consideration, a proposal must meet at least one of these goals.

Drilling proponents claim that prospecting for refuge oil will enhance the first two while not unduly harming the third. In fact, not only does refuge oil fail to meet any of the three goals, it could even compromise the first two.

First, the refuge is unlikely to hold economically recoverable oil. And even if it did, exploitation would only briefly reduce U.S. dependence on imported oil by just a few percentage points, starting in about a decade. Nor would the refuge yield significant natural gas. Despite some recent statements by the Bush administration, the North Slope's important natural-gas deposits are almost entirely outside the refuge. The gas-rich areas are already open to industry, and environmentalists would likely support a gas pipeline there, but its high cost—an estimated \$10 billion—would make it seem uneconomical.

Furthermore, those who suppose that any domestic oil is more secure than imported oil should remember that oil reserves almost anywhere else on earth are more accessible and more reliably deliverable than those above the Arctic Circle. Importing oil in tankers from the highly diversified world market is arguably better for energy security than delivering refuge oil to other U.S. states through one vulnerable conduit, the Trans-Alaska Pipeline System.

Increase energy productivity now delivers two-fifths of all U.S. energy services and is also the fastest-growing “source.” (Abroad, renewable energy supply is growing even faster; it is expected to generate 22 percent of the European Union's electricity by 2010.) Efficient energy use often yields after-tax returns of 100 to 200 percent on investment. Its frequent fringe benefits are even more valuable . . .

Efficiency also has major policy advantages. It is here and now, not a decade away. It improves the environment and protects the earth's climate. It is fully secure, already delivered to customers, and immune to foreign potentates and volatile markets. It is rapidly an equitably deployable in the market. It supports jobs all over the United States rather than few firms in one state.

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A BARREL SAVED, A BARREL EARNED

If oil were found and profitably extracted from the refuge, its expected peak output would equal for a few years about one percent of the world oil market. Senator Frank Murkowski (R-Alaska) has claimed that merely announcing refuge leasing would bring down world oil prices. Yet even a giant Alaskan discovery several times larger than the refuge would not stabilize world oil markets. Oil prices reached their all-time high, for example, just as such a huge field, in Alaska's Prudhoe Bay, neared its maximum output. Only energy efficiency can stabilize oil prices—as well as sink them. And only a tiny fraction of the vast untapped efficiency gains is needed to do so.

What could the refuge actually produce under optimal conditions? Starting about ten years from now, if oil prices did stay around \$22 per barrel, if Congress approved the project, and if the refuge yielded the USGS's mean estimate of about 3.2 billion barrels of profitable oil, the 30-year output would average a modest 292,000 barrels of crude oil a day. (This estimate also assumes that such oil would feed U.S. refineries rather than go to Asian markets, as some Alaskan oil did in 1996–2000.) Once refined, that amount would yield 156,000 barrels of gasoline per day—enough to run 2 percent of American cars and light trucks. That much gasoline could be saved if light vehicles became 0.4 mpg more efficient. Compare that feat to the one achieved in 1979–85, when new light vehicles on average gained 0.4 mpg every 5 months.

Equipping cars with replacement tires as efficient as the original ones would save consumers several “refuges” full of crude oil. Installing superinsulating windows could save even more oil and natural gas while making buildings more comfortable and cheaper to construct. A combination of all the main efficiency options available in 1989 could save today the equivalent of 54 “refuges”—but at a sixth of the cost. New technologies for saving energy are being found faster than the old ones are being used up—just like new technologies for finding and extracting oil, only faster. As gains in energy efficiency continue to outpace oil depletion, oil will probably become uncompetitive even at low prices before it becomes unavailable even at high prices. This is especially likely because the latest efficiency revolution squarely targets oil's main users and its dominant growth market—cars and light trucks—where gasoline savings magnify crude-oil savings by 85 percent.

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As long as the world runs largely on oil, economics dictates a logical priority for displacing it. Efficient use of oil wins hands down on cost, risk, and speed. Costlier options thus incur an opportunity cost. Buying costly refuge oil instead of cheap oil productivity is not simply a bad business decision; it worsens the oil-import problem. Each dollar spent on the costly option of refuge oil could have bought more of the cheap option of efficient use instead. Choosing the expensive option causes more oil to be used and imported than if consumers had bought the efficiency option first. The United States made exactly this mistake when it spent \$200

billion on unneeded (but officially encouraged) nuclear and coal plants in the 1970s and 1980s. The United States now imports oil, produces nuclear waste, and risks global climate instability partly because it bought those assets instead of buying far cheaper energy efficiency.

Drilling for refuge oil is a risk the nation should consider taking only if no other choice is possible. But other choices abound. If three or four percent of all U.S. cars were as efficient at today's popular hybrid models, they would save the equivalent of all the refuge's oil. In all, many tens of times more oil is available—sooner, more surely, and more cheaply—from proven energy efficiency. The cheaper, faster energy alternatives now succeeding in the marketplace are safe, clean, climate-friendly, and overwhelmingly supported by the public. Equally important, they remain profitable at any oil price. They offer economic, security, and environmental benefits rather than costs. If any oil is beneath the refuge, its greatest value just might be in holding up the ground beneath the people and animals that live there.

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

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. NUNES), a new member of the committee.

Mr. NUNES. Mr. Chairman, we had a great opportunity to go up and visit the people of Kaktovik this past week because I wanted to see the differences in the fairy tales that I have heard since I have been here in the United States Congress. And today I want to highlight some of those fairy tales that we have heard today.

We have heard about the Mona Lisa, that the Mona Lisa has a mustache. We have seen maps that have 28 airports on them. We have seen people hold up newspapers that compare the newspaper to the size of Alaska. We have talked about lakes disappearing because of ice roads. And now the biggest fairy tale of all is that we have an amendment offered by people, by Members of this body who have never been to this region, this beautiful region in the United States.

The energy bill that I will vote for tonight is a bill that is an environmentally sound policy that put in preservation 18,998,000 acres.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield the remainder of my time, 45 seconds, to the gentleman from Massachusetts (Mr. MARKEY) for purposes of control.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.  
Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from the State of California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me time. I thank the gentlewoman for offering this amendment along with the gentleman from Massachusetts (Mr. MARKEY).

I have been to Kaktovik. I have been to the North Slope. I have been to the mountains. I have been to the plains. I

have been there in the winter, I have been there in the spring, and I have been there in the summer. And, yes, it is a wilderness area. No, it does not have 200-foot-tall trees. No, it does not have lakes. It does not have a lot of attributes that we consider here in the lower 48, but it is pristine, and it is a wilderness, and it is worth saving.

And it is certainly worth saving when you consider how much energy, how much energy this Nation is prepared to waste under this legislation. If it is so valuable, why are we wasting it? Certainly you would not waste it to go in and invade this wilderness area for this purpose. It simply makes no sense at all.

I have talked to the natives up there. I have talked to the whaling captains. I have been all through their community, and I understand their desire. But this is a national asset. This is not to be determined by the whaling captains. This is not to be determined by the Congressperson from that district.

This is a national asset and it ought to be protected as such. We ought to understand that we do not have an energy policy that is worthy of this.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Chairman, the Mandalay National Wildlife Refuge in Louisiana is a national asset, too, but there are 100 producing wells on it. And the people of California and the people of Massachusetts benefit from the fact that we produce a hundred wells in the Mandalay National Wildlife Refuge, a refuge that is much more abundantly full of resources than ANWR.

What people forget is that inside ANWR, inside the area, 1002, that was designated for drilling, that is what 1002 is; out of this 19-million-acre ANWR, 1002 is the area we set aside for production. And inside it is 92,000 acres of private property. It belongs to the people who live there, and they cannot even produce their resources.

Now, I understand if California does not want to produce or Massachusetts does not want to produce. If they want to depend upon the Mandalay Wildlife Refuge in Louisiana for oil and gas, I can understand that. We make that deal. We produce in Louisiana. We do it in an environmentally sensitive way, and we produce oil and gas for the rest of the country. If we shut down tomorrow, the country is out 25 percent of its oil and 25 percent of its gas. What do you think Massachusetts and California will do then?

But the people of ANWR, 1002, the people who live on the 92,000 acres, want to produce their own private lands and you will not let them. Not government lands, their own private lands, and you will not let them; that is what this amendment does. It says to private property owners in America, the Native Alaskans who live on this private property, you cannot produce

your own property, you cannot produce resources for the rest of the country if you choose to do so.

Well, let me ask a simple question. Do you think the ANWR, the 1002 area where these people live, is any more precious than the Mandalay area in Louisiana? Do you think it deserves more attention, more protection, more sacred status than the Mandalay area, my district in Louisiana?

It does not. It does not. We produce in Louisiana. It is time for the rest of you to do the same thing.

The CHAIRMAN pro tempore. The Chair would state that the gentleman from Massachusetts (Mr. MARKEY) has 2 minutes remaining. The gentleman from California (Mr. POMBO) has 3 minutes remaining.

The gentleman from California has the right to close.

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

This is an issue about going to a pristine area in the Arctic and drilling in order to build a pipeline, in order to bring the oil down to California to put it in SUVs that get 12, 13 miles per gallon. The people who propounded this amendment just voted against an amendment that would have increased the fuel economy standards up to 30 miles per gallon for SUVs. Rather than do that, they say to future generations that they would prefer to desecrate this sacred refuge.

Now, I saw a Roll Call about a week ago and the Congressman from Montana's picture was in there. He was a staffer at the time. He had a beard. He had some glasses. He looked a lot younger. I did, too. People change, but there are certain things that should not change. The Arctic Refuge is one of those things. And I think, unless we have a compelling reason not to increase the fuel economy standards of SUVs that we have no right to first go to a pristine wilderness that should be preserved for the next generation.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON) and then we will close.

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

Mr. BARTON of Texas. Mr. Chairman, in Corsicana, Texas, there is the first commercial oil field of any size outside of the State of Pennsylvania. It is in my district. It began producing oil in the early 1900s. The old Mexia field, the Bryan College Station field, these are all fields that are either in my district or in my old congressional district. They have been producing oil for generations and generations.

In the Bryan College Station field, that field goes through the water table for Bryan College Station. Over 200 producing wells, no environmental problems.

Now, somehow it is okay to produce in those fields in my home State, but it is not okay to produce in ANWR where there are fewer people per square mile than there are various animals. And we

have shown in Prudhoe Bay that the animal habitat actually flourishes with oil production.

I cannot understand why we are opposed to producing between a million and a million and a half barrels a day for 30 years. I would hope we would oppose this amendment.

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MARKEY) has 1 minute remaining.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from the State of Colorado (Mr. UDALL).

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Mr. UDALL of Colorado. Mr. Chairman, I thank my friend from Massachusetts for yielding time to me.

This is about the future, but I think the past is instructive; and I ran across the following from a report in 1978.

The subcommittee, it says, has noted the eloquent statements of a number of prominent Alaskans about the idea of building a pipeline across the coastal plain, and the report quotes the senior Senator from Alaska who told the Council on Environmental Quality, some have appropriately compared the idea with slicing a razor blade across the face of the Mona Lisa.

I am not saying the Senator from Alaska would support this amendment. I am sure he would not, but in the spirit of what Teddy Roosevelt said when he saw the Grand Canyon, "This is God's handiwork; we cannot improve on it," let us let the wildlife refuge be. We cannot improve on it. Support the Markey-Johnson amendment.

Mr. POMBO. Mr. Chairman, I yield myself the remaining time.

This is a difficult amendment. It really is because much of what my colleagues on the left have to say about ANWR I agree with. It is a unique, beautiful area that should be preserved. I absolutely agree with them, and I do not think that that should be part of the debate.

When we look at the north slope of Alaska, an area that is nearly the size of California, nearly 100 million acres and we take ANWR out of that, it is an area that is nearly 20 million acres, about the size of South Carolina. What we are proposing is that we take a very small portion of that 100 million acres, the 20 million that is ANWR, 2,000 acres that would be set aside.

I have been up to the Arctic, and the gentleman from California (Mr. GEORGE MILLER) is right. He has been in the summer and he has been there in the winter, and so have I; and I can tell my colleagues that it is a fascinating place. In the summer it is fascinating, and in the winter it is darn cold; but it is just as fascinating.

I, quite frankly, love it up there. I think it is a beautiful place that deserves the protection of this House and of this Congress. If this amendment were to protect 18,998,000 acres of ANWR, we would have no debate. If this amendment said that we were going to turn most of it into a wilderness area that would be preserved forever, we would have no debate because

what my colleague is doing is he is presenting a false choice. He is telling us in this House and he is telling everybody in America we have to choose between a healthy economy and a healthy environment; we cannot have both. He is setting up a false choice.

I urge my colleagues to reject this amendment, to reject his false choice and support the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I support the Markey/Johnson amendment to prohibit drilling for oil in the Arctic National Wildlife Refuge. I come from Houston, TX, what has been called the energy capital of the world, and I appreciate that oil and fossil fuels deserve much credit for driving our economy and prosperity over the past centuries. I know that oil, and natural gas will continue to play a large role over the next century at meeting our energy needs. However, we all know that fossil fuels are not the wave of the new millennium. We are overly dependent on foreign sources of oil, bought from people that we would prefer not be reliant on.

Some of our colleagues have suggested that the best way to decrease our reliance on foreign oil, is to tap into oil in the Arctic National Wildlife Refuge. As it stands, H.R. 6 will allow such drilling. But that approach is poorly informed and short-sighted.

Our children, especially in inner cities like in my district of Houston, have an epidemic of asthma from breathing smog and polluted air. A better approach to decreasing our need for foreign oil, is to decrease our need for oil, in general. I am pleased with the work we have done in the Science Committee to improve R&D that will lead to the fuels of the future: solar, wind, hydro-, fusion, and hydrogen. Energy companies, like Shell Oil in my district, have realized that the future is not simply about oil. They have started to take advantage of their expertise in energy needs-assessment, production, and distribution, to find ways to make their companies leaders in the alternative and renewable energies market. Why does it sometimes seem that policy makers are more attached to oil, than oil companies are?

No matter how safe we try to be, shipping and pumping oil will occasionally lead to spills and leaks that can have detrimental effects on the environment. There are many areas of the country where oil drilling has been successfully and safely carried out for years. By coupling improved technology for exploring for sources in those regions, to better conservation efforts, we can provide for the needs of the future.

My colleague from Houston, NICK LAMPSON and I introduced a provision in the Science Committee markup last year that provided for an inventory of such safe U.S. oil resources. It will lead to a report by the Secretary of the Interior to the Congress as to the oil and natural gas reserves in waters off the coast of Louisiana and Texas. I am pleased to note that that provision has been expanded in H.R. 6 and will be a part of a comprehensive report on the status of U.S. oil reserves. No matter how we decide to manage our resources in the future, it is important that we take stock and are informed about our options.

Although there are some nations that we would prefer not to be forced to buy oil from, there are other allies overseas who deserve and could use the added revenue and sup-

port. For example, the African continent is thought to have large reserves of untapped oil. If there are environmentally sound means of retrieving that oil, in a way that would serve the people of the area—helping them get critical medical services, water, food, and homes—that would be a worthy pursuit.

What I am saying is that there are many sources both here and abroad, from which we can retrieve oil in a safe way, in order to serve our nation's energy needs during the transition to the fuels of the future. Pumping oil out of one of the most pristine and spectacular pieces of land in the world simply is not necessary.

No matter how large the "footprint" is, the fact is that the sight and sounds of drilling, and the pumping of oil through pipelines, and shipping threatens the vibrant ecosystem in the region and risks disaster. Some say that with new technology, probably, nothing will happen. To me that is like saying, "I am too lazy to insulate my house, so to pay my energy bills, I'll just cancel my children's health insurance plan for a while." Maybe the kids won't get sick, and you'll end up with a few extra dollars in your pocket. But, that does not make it a smart move.

What we would be doing by drilling in ANWR is similar—taking a grave risk with a fragile ecosystem, to provide maybe 6-months worth of oil, about 5 years from now. This is a natural treasure that belongs to our children. I, and the people in my district, who appreciate oil and the energy needs of America, do not feel it is right to take that risk.

I will vote for the Markey-Johnson amendment.

Ms. HARMAN. Mr. Chairman, is there someone here today who can tell me why it is worth destroying forever the remarkable Arctic National Wildlife Refuge for a few months' supply of oil—oil that is a decade away from recovery? Some 95 percent of Alaska's North Slope is already open to oil and gas exploitation.

Is there someone here today who can tell me why it is smarter for this country to exploit ANWR for a minuscule amount of oil than it is to increase CAFE standards and make all vehicles more fuel efficient? A small increase in fuel efficiency creates a large decrease in the amount of oil we import.

Is there anyone here today who can tell me why, at the same time it talks about hydrogen-powered automobiles and fuel cells, this administration is throwing its support behind the big automakers' lawsuit against California's clean car law?

Is there anyone here today who can tell me why it's better to drill in ANWR than it is for this country to promote and invest in clean energy-producing technologies and renewable sources of energy?

True national security is defined by more than staggering military superiority. Our standing in the world is measured by more than our muscle. A healthy planet, clean water and clean air go hand-in-hand with a healthy economy.

This country, the wealthiest and most powerful in history, can and must do more to set an example for the rest of the world. Protecting ANWR is a good start.

Ms. WOOLSEY. Mr. Chairman, Americans realize we should not risk 1.5 million acres of pristine wilderness for a meager, 6-month supply of oil that wouldn't even be available for 10 years.

My constituents in Marin and Sonoma counties are miles from the Arctic Refuge. But there are two easy reasons why we care about land in Alaska.

First, the people I represent believe strongly in respecting and preserving all the world's environment not just for today, but for generations to come.

Second, they know that once we start to let oil interests pilfer the environment in Alaska, the Bush administration and their oil buddies might see the California coast as next.

Mr. Chairman, if we open this door today, even a crack, it will be impossible to close. Oppose drilling in the Arctic Refuge.

Ms. MCCOLLUM. Mr. Chairman, I rise today to strongly oppose any attempt to open the Arctic National Wildlife Refuge to industrial development and encourage my colleagues to support the Markey-Johnson amendment to protect this unique ecosystem, which is unlike any other in the world.

It's outrageous that after 2 years we are here again debating whether to open America's last, untouched landscape. Having visited the refuge, I know firsthand how fragile it really is.

This area is already under stress: global warming is thawing the Refuge's tundra and nearby development pollutes the air.

Yet, this House is debating a bill that would permanently harm Alaska's coastal plain—an irreplaceable wilderness, a home to wildlife that sustains the culture and traditions of Alaska's native people—by allowing oil and natural gas development.

What we should be debating is how to achieve true energy independence. This bill does nothing more than continue our pattern of increasing oil imports and unchecked consumption.

Energy security and more jobs can be achieved if we invest in conservation and research the next generation of energy efficient appliances, homes and automobiles.

Developing homegrown, renewable fuels like ethanol and wind will also provide more long-term benefits for our environment, our economy and our workers.

It's time we end this debate, join with the majority of Americans and start prioritizing our energy future.

Even if we open the Arctic Refuge tomorrow, it won't produce a drop of oil for over a decade. Even then peak production is 20 years away.

We should not be shortsighted. Support the Markey-Johnson amendment today and oppose any attempts to open this fragile tundra to industrial development.

Mr. SHAYS. Mr. Chairman, I rise in strong support of the Markey-Johnson Amendment to protect the Alaska National Wildlife Refuge.

The coastal plain of ANWR is the last major part of the North Slope that has not been developed. Protecting and preserving our splendid natural resources is a patriotic and moral obligation.

In my judgment, it would be far better to develop prudent and lasting alternate fuel energies than to risk irreparable damage to the wilderness of one of North America's most beautiful frontiers. Efforts to drill in ANWR are ill-conceived and will ultimately do little to help achieve a long-term, sustainable, and comprehensive national energy policy.

Mr. Chairman, drilling in the Arctic Refuge is a quick fix, not a sustainable solution.

I urge my colleagues to vote "yes" on the Markey-Johnson amendment.

Mr. CROWLEY. Mr. Chairman, I rise in support of the Markey-Johnson amendment to protect the Arctic National Wildlife Refuge from being sacrificed to the harmful and reckless impact of drilling, logging, and development.

The Arctic Refuge provides a home to millions of animals and migratory birds; it provides subsistence to Native American people in Northeast Alaska; and it provides pristine wilderness for the generations of Americans after us.

Opening up the Arctic Refuge to oil drilling will not significantly reduce our oil imports—in fact, according to the Bush Department of Energy's on data, even when oil production hits its peak the Refuge oil would only reduce American oil imports by 2 percent.

Furthermore, even the oil industry acknowledges that it will take 10 years to develop and delivery oil from the Arctic Refuge.

The bottom line is that more oil production is not the answer to our energy needs—if we are going to address this issue honestly, then we must focus on developing renewable energy resources and energy efficient policies.

The CHAIRMAN pro tempore (Mr. BEREUTER). All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) will be postponed.

It is now in order to consider amendment No. 6 printed in House Report 108-69.

AMENDMENT NO. 6 OFFERED BY MR. VITTER

Mr. VITTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. VITTER:  
After the table of contents, insert the following new section:

**SEC. 2. ENERGY POLICY.**

It is the sense of the Congress that the United States should take all actions necessary in the areas of conservation, efficiency, alternative source, technology development, and domestic production to reduce the United States dependence on foreign energy sources from 58 percent to 45 percent by January 1, 2013.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Louisiana (Mr. VITTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Chairman, I yield myself such time as I may consume.

This amendment is very simple and straightforward. It stems from an alarming fact which is at the absolute heart of the need for this national energy policy, and what is that fact?

Last year, 58 percent of our oil resources consumed in the U.S. came from foreign sources. How has that changed over time? That is 20 points more than the level of the 1973 Arab oil embargo, and it is a full 10 points more than in 1991 when we fought the first Gulf War.

This amendment addresses that in a simple, straightforward way. It sets a policy. It declares a sense of the Congress that we will establish a specific goal of reducing that number to 45 percent by 2013, 10 years from now.

Again, this goes to the heart of our whole endeavor of creating a balanced national energy policy to achieve real energy independence and to reduce our dependence on foreign sources. We clearly need to explore all options available, conservation, efficiency, alternative sources, technology development, domestic production to achieve that independence; and this will help set an important benchmark to make us do that.

I want to thank the gentleman from Louisiana (Mr. TAUZIN) for his leadership in bringing up a well-balanced bill that addresses all of these options. This bill is the right energy policy and makes the right strides toward reducing that dependency on foreign sources in particular.

Briefly, why 45 percent? Because, number one, it would be significant. It would turn the corner because we are not only at 58 percent, but we are quickly increasing that number over time such that if we do not do something, we will be at two-thirds and over two-thirds in the very near future. Secondly, it is a realistic goal which is absolutely achievable.

Why do we not set this goal as a clear marker to turn the corner to reduce our dependence on foreign sources? Right now, just like the rest of our Nation's fuel, most of the fuel actually used by our military is from foreign sources. That is clearly not smart. That is clearly a danger that we can perceive in wartime, and it is a danger for our general economy even in peacetime.

I look forward to broad-based support of this amendment. I would note that it was included in the previous version of the energy bill which we passed through the House last year.

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

The CHAIRMAN pro tempore. Is there a Member that claims time in opposition?

The question is on the amendment offered by the gentleman from Louisiana (Mr. VITTER).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 7 printed in House Report 108-69.

AMENDMENT NO. 7 OFFERED BY MR. TOM DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. TOM DAVIS of Virginia:

Page 34, starting on line 12 (in section 11006(f)), strike "the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate" and insert "Congress".

Page 41, line 24 (in the matter proposed to be inserted by section 11010(a) as section 6005(c)(3) of the Solid Waste Disposal Act), strike "the Committee" and all the follows through "Representatives" on page 42, line 4, and insert "Congress".

Page 43, before line 5 (at the end of subtitle A of title I of division A), insert the following new section (and conform the table of contents accordingly):

**SEC. 11011. TELECOMMUTING STUDY.**

(a) STUDY REQUIRED.—The Secretary, in consultation with the Commission, the Director of the Office of Personnel Management, the Administrator of General Services, and the Administrator of NTIA, shall conduct a study of the energy conservation implications of the widespread adoption of telecommuting by Federal employees in the United States.

(b) REQUIRED SUBJECTS OF STUDY.—The study required by subsection (a) shall analyze the following subjects in relation to the energy saving potential of telecommuting by Federal employees:

(1) Reductions of energy use and energy costs in commuting and regular office heating, cooling, and other operations.

(2) Other energy reductions accomplished by telecommuting.

(3) Existing regulatory barriers that hamper telecommuting, including barriers to broadband telecommunications services deployment.

(4) Collateral benefits to the environment, family life, and other values.

(c) REPORT REQUIRED.—The Secretary shall submit to the President and the Congress a report on the study required by this section not later than 6 months after the date of the enactment of this Act. Such report shall include a description of the results of the analysis of each of the subject described in subsection (b).

(d) DEFINITIONS.—As used in this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) NTIA.—The term "NTIA" means the National Telecommunications and Information Administration of the Department of Commerce.

(4) TELECOMMUTING.—The term "telecommuting" means the performance of work functions using communications technologies, thereby eliminating or substantially reducing the need to commute to and from traditional worksites.

(5) FEDERAL EMPLOYEE.—The term "Federal employee" has the meaning provided the term "employee" by section 2105 of title 5, United States Code.

Page 182, after line 6 (at the end of subtitle D of title IV of division A), insert the following new section (and conform the table of contents accordingly):

**SEC. 15050. STUDY ON REDUCING PETROLEUM CONSUMPTION.**

(a) IN GENERAL.—The Administrator of General Services, in cooperation with the Secretary of Energy, shall conduct a study to consider the merits of establishing performance measures to guide the reduction of petroleum consumption by Federal fleets.

(b) MATTERS TO BE ADDRESSED.—The study shall assess the feasibility of performance measures—

(1) to enable agency and congressional decisionmakers to establish annual and long-term performance goals to define the level of petroleum consumption reduction to be achieved by Federal fleets;

(2) to improve the effectiveness and accountability of Federal efforts to reduce petroleum consumption and dependency;

(3) to enhance decisionmaking by providing objective information on achieving performance objectives; and

(4) to provide an alternative to the mandated alternative fueled vehicle requirements in section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

(c) REPORT.—Not later than 12 months after the date of enactment of this Act, the Administrator shall submit to the Committees on Environment and Public Works and Governmental Affairs of the Senate and the Committees on Energy and Commerce and Government Reform of the House of Representatives a report on the study.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Chairman, on March 20, the Committee on Government Reform reported out the Federal Government Energy Management Improvement Act, establishing energy efficiency standards and policies for Federal buildings and the Federal fleet of automobiles. The committee, which has primary jurisdiction over Federal procurement policy, Federal property management, including the management of buildings and vehicles and the Federal civil service, marked up this legislation dealing with these issues with the intention that it would be made a part of the comprehensive energy bill.

This amendment being offered by me and the gentleman from California (Mr. WAXMAN), my ranking member on the Committee on Government Reform, improves the comprehensive energy bill by harmonizing the provisions regarding Federal energy efficiency in H.R. 6 with the provisions reported out by the committee.

First of all, our amendment would add a study of the energy conservation implications of the widespread adoption of telecommuting by Federal employees in the United States as a way for the Federal Government to be a leader in energy conservation.

The second thing that our amendment would do is direct the General Services Administration, in cooperation with the Department of Energy, to consider the merits of establishing performance measures to guide the reduction of petroleum consumption by the Federal fleet.

Congress' role should be to decide where the Federal Government should be in terms of energy consumption in

any given year. Then we should give Federal managers as much flexibility as possible to achieve these expectations.

Unfortunately, Congress is too often in the business of dictating how agency managers should accomplish certain performance goals and how they should manage these operations. It is time for Congress to move away from micro-managing the executive branch, and this amendment is an attempt to do just that.

I urge adoption of this amendment.

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

The CHAIRMAN pro tempore. Does any Member claim time in opposition?

Mr. WAXMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though there is no opposition to the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank the gentleman from Virginia for his efforts on this energy bill. It has been a pleasure to work with him on these issues on a bipartisan, collegial basis. Together, we have attempted to seriously examine the Nation's energy policy and provide some commonsense changes that would improve Federal energy management.

The Committee on Government Reform is the committee of jurisdiction for Federal Government management and procurement, and the committee unanimously adopted a bill addressing energy-related Federal management and procurement issues.

In particular, the committee carefully examined the existing programs that are intended to encourage the Federal Government to use alternative fuel vehicles and reduce the use of gasoline. The committee found that the existing program does not work. Agencies are using taxpayers' money to buy vehicles that can run on alternative fuels, but then they are operating them on gasoline, defeating the whole purpose.

Thus, the committee unanimously adopted, and I want to underscore that, unanimously adopted provisions to address this problem by allowing agencies to acquire fuel-efficient hybrid electric vehicles and by creating an incentive for agencies to use alternative fuels.

We also worked out on a bipartisan basis a plan for increasing the use of clean, renewable energy by the Federal Government. Despite the committee's actions, the committee's provisions were not included in the base bill. The gentleman from Virginia (Mr. TOM DAVIS) and I filed these provisions as a floor amendment, but it was not made in order. The amendment that we are now debating contains only a few minor study provisions adopted by the Committee on Government Reform. In other words, this bill is so relentlessly and excusably pro-consumption, pro-

production, pro-exploitation of energy that we are not even allowed to debate bipartisan amendments that would modestly reduce Federal energy consumption.

As offensive as this is, this is only one of many egregious aspects of the procedure we are following today; and as bad as the process is, the substance of this bill is even worse.

□ 1945

Last Congress I opposed the energy bill because it provided massive subsidies for energy industries and forced our constituents to pay the tab. That bill was offered with a brazen disregard of taxpayers, consumers, the environment, and the real energy needs of this country.

Now, we have seen Enron fall, we have proof of rampant price gouging in the West, and we are in the midst of a war in Iraq. After all this, we are debating an energy bill that is even worse than the last one. I have to wonder if we are really capable of learning from experience.

Once again, this bill is a massive payback to oil and gas, coal, nuclear, and utility industries; and the subsidies in this energy bill are even more skewed toward the energy industry.

This bill is also so laden with environmental giveaways to energy industries. For example, oil and gas companies, such as Halliburton, will get exemptions from the Clean Water Act and the Safe Drinking Water Act. Taxpayers will pick up the cost of refineries' compliance with the Clean Air Act. States and the public will have less input on pipelines that will degrade our coasts. The bill rigs the hydroelectric dam relicensing process against Native Americans, fishermen, farmers, cities, and environmental advocates; and the bill tramples State authority to apply environmental protections in siting transmission lines.

This bill also ignores reality and our real energy needs. We have learned that energy companies have fraudulently price gouged families, yet this bill does not address fraudulent acts. We have learned that oil companies are responsible for polluting critically important sources of drinking water, yet this bill would protect them from the consequences of their actions.

We have learned that energy deregulation can lead to higher prices and declining service, yet this bill pushes deregulation forward, heedless of the risks. We have learned almost daily of new impacts from global warming as icebergs break free and habitats retreat, yet this bill pretends it is not happening.

We have learned that with only 3 percent of the world's oil reserves, the United States can never drill its way to independence from Middle Eastern oil, yet this bill does nothing to meaningfully address our dependence on that oil.

We must wake up. We are at war, and most people believe this war has something to do with oil. After all, Iraq is

the seventh largest oil-producing country, and Saddam's wealth and power come from oil. The weapons that are still killing our young men and women were purchased with oil revenues.

I filed a very simple common-sense amendment to begin to address our dependence on oil. It would direct the administration to reduce waste of oil by the amount that we are importing from Iraq each year. Who could support wasting oil? Well, apparently the majority in this body. They have just voted to drill in the Arctic National Wildlife Refuge, yet the House is not even allowed to debate a proposal to reduce oil waste. This is a bad process and a worse outcome.

As we wage this war in Iraq, we have been largely isolated because of our failed diplomatic efforts. This diplomatic failure did not happen overnight. The foundation was laid when the President rejected the global warming treaty, a priority for most of the world. Subsequent unilateral rejection of the treaty after that treaty, and other treaties after that, only helped to ensure international distrust of the United States.

I offered an amendment expressing the sense of Congress that the United States should reengage in international negotiations on global warming, not accept the Kyoto Protocol, just carry out the promise that President Bush made to pursue an alternative. This language was unanimously accepted yesterday by the Committee on Foreign Relations in the other body, the Senate, but the House does not have the chance to debate a single measure on global warming, even a consensus one with bipartisan support like I proposed.

It is time for us to admit that our foreign policies and our energy policies are not severable. We cannot set the Nation's energy course while ignoring interactions with the rest of the world. This legislation does not represent reality in America today, it represents only the reality of a lobbyist-filled reception room and smoky back rooms here in Washington, D.C.

I will be opposing this energy legislation. I hope other Members will join me in doing so as well. Perhaps if a majority of us reject the energy bill, we can get back to work on meeting the real needs of our country in dealing with trying to break away from our dependence on oil and other energy resources.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume, and I share my friend's regret that his amendment was not made in order. I testified for it at the Committee on Rules. But somewhere in that speech I think was endorsement of the pending amendment; am I correct?

Mr. WAXMAN. Mr. Chairman, will the gentleman yield?

Mr. TOM DAVIS of Virginia. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I certainly support the amendment that the

gentleman and I are being allowed to offer today, even though it is not what we voted out of committee. It is a study resolution. I do not think anybody can object, should object to it or would object to it.

But I wanted to use this opportunity, since I had some time on our side, to express my feelings about the whole energy bill and the process by which this bill is being rammed through the Congress.

Mr. TOM DAVIS of Virginia. Reclaiming my time, Mr. Chairman, I did not want the merits of the amendment to be lost.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I want to disassociate myself from any of the gentleman's comments except the part where he said he supports the amendment of the gentleman from Virginia, because I do too.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield back the balance of my time, and I ask for adoption of the amendment.

Mr. WAXMAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. BEREUTER). The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS).

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 108-69.

AMENDMENT NO. 8 OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. OBERSTAR:

Page 43, before line 5, insert the following:  
**SEC. 1101. USE OF PHOTOVOLTAIC ENERGY IN PUBLIC BUILDINGS.**

(a) IN GENERAL.—Subchapter VI of chapter 31 of title 40, United States Code, is amended by adding at the end the following:

**“§3177. Use of photovoltaic energy in public buildings**

“(a) PHOTOVOLTAIC ENERGY COMMERCIALIZATION PROGRAM.—

“(1) IN GENERAL.—The Administrator of General Services may establish a photovoltaic energy commercialization program for the procurement and installation of photovoltaic solar electric systems for electric production in new and existing public buildings.

“(2) PURPOSES.—The purposes of the program shall be to accomplish the following:

“(A) To accelerate the growth of a commercially viable photovoltaic industry to make this energy system available to the

general public as an option which can reduce the national consumption of fossil fuel.

“(B) To reduce the fossil fuel consumption and costs of the Federal Government.

“(C) To attain the goal of installing solar energy systems in 20,000 Federal buildings by 2010, as contained in the Federal Government's Million Solar Roof Initiative of 1997.

“(D) To stimulate the general use within the Federal Government of life-cycle costing and innovative procurement methods.

“(E) To develop program performance data to support policy decisions on future incentive programs with respect to energy.

“(3) ACQUISITION OF PHOTOVOLTAIC SOLAR ELECTRIC SYSTEMS.—

“(A) IN GENERAL.—The program shall provide for the acquisition of photovoltaic solar electric systems and associated storage capability for use in public buildings.

“(B) ACQUISITION LEVELS.—The acquisition of photovoltaic electric systems shall be at a level substantial enough to allow use of low-cost production techniques with at least 150 megawatts (peak) cumulative acquired during the 5 years of the program.

“(4) ADMINISTRATION.—The Administrator shall administer the program and shall—

“(A) prescribe such rules and regulations as may be appropriate to monitor and assess the performance and operation of photovoltaic solar electric systems installed pursuant to this subsection;

“(B) develop innovative procurement strategies for the acquisition of such systems; and

“(C) transmit to the Committee on Transportation and Infrastructure of the House of Representatives and to the Committee on Environment and Public Works of the Senate an annual report on the results of the program.

“(b) PHOTOVOLTAIC SYSTEMS EVALUATION PROGRAM.—

“(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Administrator, in consultation with the Secretary of Energy, shall establish a photovoltaic solar energy systems evaluation program to evaluate such photovoltaic solar energy systems as are required in public buildings.

“(2) PROGRAM REQUIREMENT.—In evaluating photovoltaic solar energy systems under the program, the Administrator shall ensure that such systems reflect the most advanced technology.

“(c) AUTHORIZATION OF APPROPRIATIONS.—

“(1) PHOTOVOLTAIC ENERGY COMMERCIALIZATION PROGRAM.—There is authorized to be appropriated to carry out subsection (a) \$210,000,000 for each of fiscal years 2004 through 2008. Such sums shall remain available until expended.

“(2) PHOTOVOLTAIC SYSTEMS EVALUATION PROGRAM.—There is authorized to be appropriated to carry out subsection (b) \$52,700,000 for each of fiscal years 2004 through 2008. Such sums shall remain available until expended.”

(b) CONFIRMING AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 3176 the following:

“3177. Use of photovoltaic energy in public buildings”.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment for myself and for the gentleman from the District of Columbia (Ms. NORTON). It is to put in place a program of retrofitting Federal Government buildings with photovoltaic cells to generate electricity to operate these Federal buildings.

From the experience that we have gained over previous years, we know that not only can we supply all the electricity for Federal Government office buildings with photovoltaic rays, but also produce extra electricity that can be sold into the power grid and return some investment back to the Federal Government.

This is not a new idea. It was one that I first offered, I would say to my good friend, the chairman of the committee, in 1979. It was enacted and it was put in place at a time when photoelectricity from photovoltaic cells was running about \$1.75 per kilowatt hour.

It is now down to 25 cents per kilowatt hour. With a huge cut in the program, it was literally terminated in the 1980s and into the 1990s. I think now is the time to, with further research, with more efficient cells, to get this program back on track and to save the government a huge amount of energy.

Now, the Federal Government spends \$8 billion a year on utility costs for the 500,000 Federal Government offices that it operates, and we could save a considerable amount of money by retrofitting Federal Government buildings with photovoltaic cells. I have proposed in this amendment \$263 million a year, subject to appropriations over 5 years. That is about equal to the amount we were investing in research and development on renewables in 1979. So this is not a great leap forward, but it is an important step forward.

I realize there may be some question about the total dollar amount per year, and that is a matter that can be subject to further discussion as the bill moves into conference. If the amendment would be acceptable here, perhaps some other number could be reached in conference, provided it is not a drastic reduction, but one that is a reasonable program.

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

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BARTON) is recognized for 10 minutes.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume, and I want to say to my good friend, the gentleman from Minnesota (Mr. OBERSTAR), that it is mild opposition. It is not head-in-the-sand opposition, but I have several questions and concerns. I am not going to ask for a rollcall vote. If it passes on a voice vote, we will work this out in conference. But I do want to point out some things.

The bill before us authorizes \$200 million a year for clean coal technology. Coal provides over 50 percent of our electricity. The Oberstar-Norton amendment provides \$262 million a year for solar voltaic energy, which produces about four-tenths of 1 percent of our energy. That seems to me to be a little bit of an imbalance.

On page 2 of the Oberstar amendment it says that the goal would be to install solar energy systems in 20,000 Federal buildings by the year 2010. That is an average of about 50 Federal buildings per congressional district. The only way we are really going to be able to do that is if we solar voltaic almost every post office in this country.

If we go down to the bottom of the page on page 2, it says the total amount of photovoltaic electric energy they hope to generate is 150 megawatt hours. Well, if we take the \$1.3 billion that it would authorize, and admittedly that is an authorization, but if we took that \$1.3 billion, divided it with 150 megawatts, which is the goal, that is a cost of about \$10 million per megawatt, \$10 million. Now, to put that in perspective, a base load coal plant, a base load natural gas plant, even a base load nuclear plant, we are talking \$500 per megawatt. So that we are putting a lot, a lot of money into admittedly a good program.

Solar voltaics is a good program, but as the gentleman indicated, right now the best technology generates photovoltaic energy electricity at about 25 cents a kilowatt. A base station natural gas combined cycle plant generates at about 2 cents per kilowatt. So there are a lot of problems with the specific language in this amendment, but its goal is honorable.

So I am going to work with the gentleman and the gentlewoman from the District of Columbia in conference, but I want the gentleman to know that there are some major, major problems with the specifics in this language. The goal is noble, but the implementation may be somewhat flawed.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT), who, I believe, wants to speak in support of the amendment.

Mr. BARTLETT of Maryland. Mr. Chairman, I thank the gentleman for yielding me this time.

The United States has 2 percent of the known reserves of oil in the world. We use 25 percent of the world's oil. We now import 57 percent of what we use compared with 37 percent in 1973, at the Arab oil embargo.

Now, I know that we do not get a lot of our electricity from oil, but energy is fungible and we really have to reduce our reliance on fossil fuels, or the future holds big, big problems for us. Just looking at oil, for instance, there is about 1,000 gigabarrels of oil remaining in the world. That sounds like a lot, a trillion barrels, but we use 20 million barrels a day. The rest of the world uses 60 million barrels a day. The arithmetic is not very tough. That is

about 40 years of known reserves of oil in the world.

Now, we will find more oil, there is no question about that. But there is also no question that we would like to use more oil, and so would those Third World nations who would like to industrialize their countries to do for their people what industrialization has done for our people. So we are going to be very lucky in the future if the additional oil we find matches the additional oil we would like to use.

So we have about 40 years of oil remaining in the world, and that is not forever. We really do need to reduce our dependence on fossil fuels and foreign oil, and this is a very good way.

I have a lot of personal experience with photovoltaics.

□ 2000

I have a vacation property that has 48 60-watt panels at 4kw inverters. It has been there for a number of years. It works flawlessly; and the more we use, the cheaper it will get. The further we go down the curve of pumping oil, the more expensive it will get. It will not be too many years before those curves cross. So this is a good start. It is something that we ought to do. The Federal Government needs to set the right example, and this is doing that. I certainly support the amendment.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, speaking in favor of the amendment, I think one of the reasons we have not moved forward on energy as much as we have is the vision of new technologies is difficult to visualize.

I want to show Members a home located in Loudoun County, Virginia, Hillsboro, Virginia. It is owned by Alden and Carol Hathaway. It was built for a total of \$365,000. It incorporates solar photovoltaic cells in the roof panels, in the shingles themselves. It has an in-ground heat pump, and it is a net zero energy-using home today in Loudoun County, Virginia. During the year, it is zero. It qualifies as a net zero use under energy qualifications, and that is happening today for essentially what it costs to build a house in Loudoun County today.

This is a real thing that is here. It is not some sort a figment of our wild imagination, and the reason this works is a phenomenon the gentleman from Minnesota (Mr. OBERSTAR) has used as the basis for that amendment, and this show the price of solar photovoltaic starting at about \$1 in 1980 per kilowatt, and has continued to decline in a radical reduction in cost down to about 20-25 cents per kilowatt at this time, which is exactly what the gentleman from Texas (Mr. BARTON) stated, and he is always right about these things. That is about where it is today.

But the thing that is important to note is this graph is going to keep going down; and the reason it is going to keep going down is the economies of

scale that allow us to produce units at a lesser price the more of them we make. So we should have confidence that if we increase the demand for photovoltaic cells, this price is going to continue to come down, and there will be more homes like the Hathaways' home in Virginia.

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

Mr. Chairman, my eyes are getting old and tired. I cannot read the chart of the gentleman from Washington (Mr. INSLEE) from here. At the end of the chart, what are the dollars per megawatt or cents per kilowatt price at the low end of the curve at the right on the photovoltaic?

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, this projection goes to 8 cents per kilowatt hour in this projection. This projection is a little less optimistic than the actual which the solar association predicts.

The solar industry believes that this rate of decrease will be relatively constant because what they explain, because of the economies of scale, largely the price of production is the issue and the cost of solar photovoltaic efficiency. Because when we ramp up our production facilities, we dramatically lessen our costs. I think every time we increase the photovoltaic number of cell units produced by a factor of 10, the price has gone down by a factor of almost 2. That has been relatively consistent.

So they are a little more optimistic than this chart. I think the other thing about photovoltaics, what I think the future is, these are not going to be enormous plants that cover Arizona, but they are going to be more discrete local plugged-in networks that the gentleman from Texas (Mr. BARTON) has shown leadership on to produce this back into the grid. I think we have good opportunities there.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, I could not read the chart; and I am a supporter of solar photovoltaics. I have some concerns about the goals and dollar amounts, but the concept I am very supportive of.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the consideration of the gentleman from Texas (Mr. BARTON). He has raised some legitimate concerns. I think we can resolve those as the bill goes forward.

Ms. NORTON. Mr. Chairman, over 25 years ago, in May 1977, Congressman OBERSTAR testified in front of the Public Buildings Subcommittee, chaired by former Congressman Norman Mineta, our current Secretary of Transportation, about the stark reality of our energy demands.

As everyone knows, a few years earlier, in 1973, the oil embargo had sent shock waves through the nation as energy prices soared. For the first time, with the exception of fuel rationing during World War II, America faced a serious shortage of energy. Long lines formed at the gas pumps and a national maximum speed limit was set at 55 m.p.h. President Nixon ordered the lights on our monuments and public buildings here in Washington turned off to save power and encourage the nation to cut back on its energy consumption. Then, in 1977 we staggered again under the natural gas fuel crisis.

In 1977 President Carter created the Department of Energy by combining the Energy Research and Development Administration (ERDA), the Federal Power Commission, the Federal Energy Administration, and several programs in the Department of Interior. At this time the Federal renewable energy program was enhanced to include basic and applied research and development, and encouraged partnerships with the private sector in demonstration projects.

In developing incentives for the renewable energy program the Federal Government stepped in and created market incentives through a series of residential and business tax credits. It is even more relevant now than it was in 1977 that the Federal Government stimulate not only basic and applied research in alternative energy systems but also encourage the production of such systems.

Encouraged by both the Carter Administration's and Congress's interest in renewable energy and convinced that solar energy provided numerous benefits and cost savings, in June 1977 Congressman OBERSTAR introduced H.R. 7629, a bill to provide for the procurement of advanced photovoltaic energy devices for use in government buildings. The bill became part of a larger bill to establish a comprehensive national energy policy, which became PL 95-619.

Most unfortunately, the Reagan Administration chose not to fund the bill, resulting in not only a lackluster renewable energy program but also a serious deterioration of national focus.

So now, more a quarter century later, we find ourselves still struggling to develop a comprehensive national energy policy. It is in this environment that I join with Ranking Member OBERSTAR to introduce this amendment to H.R. 6—The Energy Policy Act of 2003.

The purpose of the amendment is "to accelerate the growth of a commercially viable photovoltaic industry in order to make this energy system available to the general public. . . ." The Federal Government has used federal procurements as a method of "jump starting" a technology. Procurements for the Department of Defense helped develop integrated circuits. The General Services Administration, using its FTS 2000 telecommunications contract was also successful in promoting advancements and enhancements in telecommunications.

Because of the government's interest in the benefits of solar technology, solar systems are frequently incorporated into the operations of Federal buildings. Just across the Anacostia River, here in the Nation's Capitol, at the Suitland Federal Center the General Services Administration has installed a large PV system to supply electricity for the Federal center. During disaster relief solar power systems

step in quickly to supply efficient, easy to install, mobile power sources.

The amendment authorizes the Administrator of General Services Administration to establish a photovoltaic energy commercialization program for the purchase and installation of photovoltaic solar electric systems for electric production in new and existing Federal facilities. As I mentioned, the purpose of the program is to accelerate the growth of a commercially viable photovoltaic industry, to reduce the fuel consumption of the Federal Government, to stimulate general use within the Federal Government of life cycle costing, and to develop performance data to support policy decisions on future incentive programs.

This is an excellent amendment and I urge my colleagues to support it.

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

The CHAIRMAN pro tempore (Mr. SWEENEY). The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 9 printed in House Report 108-69.

AMENDMENT NO. 9 OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. BROWN of Ohio:

At the end of subtitle E of title II of division A, insert the following new section:

**SEC. 12405. GASOLINE AVAILABILITY STABILIZATION RESERVE.**

(a) ESTABLISHMENT.—

(1) AUTHORITY.—The Secretary shall establish a Gasoline Availability Stabilization Reserve (in this section referred to as the "GAS Reserve") system with a total capacity of 20,000,000 barrels of regular unleaded gasoline.

(2) RESERVE SITES.—Not later than 1 year after the date of enactment of this Act, the Secretary shall determine a site for one GAS Reserve each in the Northeast and Midwest regions of the United States, and one in California. Such reserve sites shall be operational within 2 years after the date of enactment of this Act. The Secretary may establish two additional GAS Reserve sites at locations selected by the Secretary.

(3) SECURITY.—In establishing the GAS Reserve under this section, the Secretary shall obtain the concurrence of the Secretary of Homeland Security with respect to physical design security and operational security.

(b) TRANSPORTATION PLAN.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to the Congress, the Secretary of Homeland Security, and the Governor of each State in which a reserve will be sited a plan for the transportation of the contents of the GAS Reserve under this section to consumers in the event of an emergency sale under subsection (d).

(c) FILL DATE.—The Secretary shall complete the process of filling the GAS Reserve under this section by March 1, 2006.

(d) EMERGENCY SALE AUTHORIZATION.—The Secretary shall sell gasoline from the GAS Reserve if—

(1) the Governor of a State transmits to the Secretary a written request for GAS Reserve emergency sales assistance which—

(A) cites a physical disruption in the system supplying gasoline to the Governor's State; and

(B) demonstrates to the satisfaction of the Secretary that such disruption is likely to result in price volatility for retail gasoline markets in the Governor's State; and

(2) the Secretary determines that—

(A) GAS Reserve emergency sales would mitigate gasoline price volatility in the Governor's State;

(B) GAS Reserve emergency sales would not have an adverse effect on the long-term economic viability of retail gasoline markets in the Governor's State and adjacent States;

(C) the physical disruption described in paragraph (1)(A) is likely to result in general economic disruption in the Governor's State and adjacent States; and

(D) GAS Reserve emergency sales would serve to stabilize gasoline prices, not suppress prices below long-term market trend levels.

(e) PROCEDURE.—

(1) SECRETARY'S RESPONSE.—The Secretary shall respond to a request transmitted under subsection (d)(1) within 10 days of receipt of a request by—

(A) approving the request;

(B) denying the request; or

(C) requesting additional supporting information.

(2) APPROVAL.—If the Secretary approves a request, the Secretary shall provide to the Governor a written notice of approval that includes—

(A) a description of the GAS Reserve emergency sale plan; and

(B) an explanation of the Secretary's decision.

(3) DENIAL.—If the Secretary denies a request, the Secretary shall provide to the Governor a written notice of denial that includes an explanation of the Secretary's decision.

(4) ADDITIONAL INFORMATION.—If the Secretary requests additional information and the Governor does not respond for a period of 10 days, the Governor's request shall be denied. If the Governor provides all requested additional information in timely manner, the Secretary shall approve or deny the request within 10 days after receipt of such information.

(f) MAINTENANCE TRANSACTIONS.—The Secretary is authorized to conduct purchases and sales of gasoline at wholesale for maintenance of the GAS Reserve system. In conducting maintenance transactions, the Secretary shall ensure that—

(1) the GAS Reserve is available to respond to emergencies during periods of the annual gasoline market cycle when the Secretary expects demand to be highest;

(2) the GAS Reserve does not contain gasoline for a period of time so long as to jeopardize its quality; and

(3) maintenance transactions are timed so as to minimize their impact on the retail price of gasoline.

(g) REPORTS.—Not later than November 1 of each year, the Secretary shall transmit to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a report on the GAS Reserve program, describing the physical status of GAS Reserve facilities, the program's financial outlook, and the disposition of any emergency sales request received and any emergency sales conducted since the last report, and recommending any additional appropriations or technical changes appropriate to improve the program's operation.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary for construction and operation of the GAS Reserve for fiscal years 2004 through 2009.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Ohio (Mr. BROWN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, Members all know that when our local news stations report that a pipeline has burst or refinery has caught fire, we need to get ready for angry constituent phone calls and letters about gas prices. It has become almost an article of faith in most of America that practically any problem with the gasoline distribution system will cause the retail price of gas to spike, often dramatically. We all know that price spikes follow supply disruptions, just as summer follows spring.

This first sequence of events is followed almost certainly by a second equally predictable series of events: We fire off letters to the EPA, the Department of Energy, the FTC, the American Petroleum Institute, anybody we can think of who might be able to help. And even their responses are fairly predictable. The Department of Energy assures us they are monitoring the situation closely. The EPA assures us environmental regulations do not account for the price spikes. The FTC assures us that a market without overt collusion must be working perfectly, and the API says everything would be okay if only Congress would repeal the Clean Air Act and let them drill for oil about anywhere, even under the Lincoln Memorial.

Any Members who have had this experience know how frustrating it is. Constituents face a real problem, the industry tells us it is our fault, the government agencies tell us either there is nothing wrong or there is nothing they can do about it.

My amendment gives us a chance to change all that. My amendment requires the Secretary of Energy to establish 3 to 5 gasoline availability stabilization reserves modeled after the Strategic Petroleum Reserve. The Midwest, Northeast and California would get a reserve, and the Secretary would be authorized to site two more reserves anywhere in the country.

The reserve size would be 20 million barrels total, about 2 percent of the SPR. That is only enough gasoline to keep the whole country running for a day or two, but it should be enough to help any one region blunt the price effects of a refinery fire or a pipeline outage.

And that is what this reserve is intended for, emergency price stabilization, not general price control. Before authorizing an emergency sale from the reserve, my amendment requires the Secretary receive a request from the Governor based on a disruption to the physical system supplying gasoline to that State. Even then it is not a rubber stamp.

The amendment requires the Secretary to evaluate the Governor's re-

quest and consider the potential effects of the reserve sale on the area's retail gasoline markets. Only then can the Secretary conduct an emergency sale from the reserve. Even when a sale is authorized, the amendment requires the Secretary to conduct the sale so as to stabilize, not suppress, gasoline prices.

My amendment requires that the reserve program not create the very price instability the reserve is intended to prevent. In conducting routine purchases and sales, the Secretary must minimize the effects of these maintenance sales on the gas market. The amendment is not about assigning blame. It does not say that gas price spikes are the fault of greedy corporate robber-barons or environmental zealots. The amendment is about helping to minimize the effects of the supply system glitches on American consumers.

The logic is not complicated. Tom Greene, the senior assistant attorney general in California has said, "Inventories have declined dramatically. One implication is that if there is a refinery fire or an outage, there simply is not a cushion to cover the outage, and so you see price spikes."

My amendment provides that cushion. It is not a new, radical idea. Congress has done it before. The Energy Conservation and Policy Act amendments of 1990 authorized the creation of regional reserves of refined petroleum products, including gasoline. Congress is not the only body that has seen the virtues of the gas reserve. The State of California is considering a state-run reserve. A report requested by the energy commission there suggested such a reserve might save California consumers a billion dollars in the wake of a supply problem. The Consumer Federation of America has recommended this idea for the Midwest.

I urge Members to vote in support of this consumer-friendly, economic growth protection amendment.

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

Mr. TAUZIN. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Louisiana (Mr. TAUZIN) is recognized for 10 minutes.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment proposes to establish a gasoline reserve, 20 million barrels. That is 840 million gallons of gasoline. With one site each in the Northeast, Midwest and California, there would be over 6 million barrels or nearly 280 million gallons of gasoline at each one of these three locations.

To put it in proper perspective, Port Mobil in New York, one of the largest in the world, has a storage capacity of only 2.5 million barrels. This amendment more than doubles it at each of three locations. A large gasoline storage tank can hold about 300,000 barrels. This amendment would require 22 such tanks at each location.

Gasoline, as we all know due to its extremely volatile nature, has to be stored above ground. Vaporization is a major problem. Gasoline is extremely flammable. It is explosive. I find it very ironic if a private company proposed to build one of these facilities anywhere with this kind of magnitude, every environmentalist in the country, every safety advocate in the country would be there to oppose it, and it would likely not get built. Here we propose for the government to do it.

Gasoline, worst of all, has a shelf life of 1 year or less. Now I want to put this in perspective so we all understand what I am talking about. Have Members ever tried to use the lawn mower with last year's gasoline in it? Have you ever tried to start it? Now try 840 million gallons of old gasoline in lawn mowers and cars all over America.

But the amendment says the Secretary of Energy is authorized to conduct purchase and sales of gasoline for maintenance purposes such as maintaining gasoline quality. So now let us talk about market manipulation. Here the government, the Secretary, is buying and selling 840 million gallons of gasoline in order to turn over the inventory on a 1-year cycle. That would disrupt markets in the private sector as they tried to anticipate the Federal buy-and-sale plan. This is just a ploy for the Federal Government to begin regulating gasoline prices. We have to understand it for what it is.

The amendment requires the storage of regular unleaded gasoline. Depending upon the time of the year, there are between 20 and 24 different types of regular unleaded gasoline blends at any one time in America. In the Northeast alone, there are five different types of regular unleaded gasoline. Would the reserve have winter grade or summer grade, in addition to the various blends? Members can see what I am getting to.

This is an extraordinarily complex market that is made even more extraordinary because the government requires all of these different blends, and now we are going to put the government in the business of creating massive storage tanks all over America, manipulating sales and purchases all over the place with all of these different blends to boot, and having to do it on a regular cycle because old gasoline will not start the lawn mower.

The enactment into law of this amendment would be a disaster. It would be a disaster to communities where the site is located, it would be a disaster for the gasoline markets that would be disrupted by government built-in manipulation, and it would be a disaster to the Federal Government for wasting rather precious tax dollars.

□ 2015

I urge my colleagues to defeat this amendment.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

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

I rise in support of the Brown GAS Reserves amendment.

Mr. Chairman, the bill before us today throws billions of taxpayer dollars at oil production. It undermines environmental protections for coastal States like my home State of Michigan, as well as Alaska's Arctic National Wildlife Refuge. All of this is done for the promise of oil that cannot possibly get to the market for several years.

Even if these measures do succeed in increasing America's supply of crude oil, they will do nothing, nothing, to require that America's oil companies supply regions like the Midwest. Michigan was hit hard in 2001 when pipeline outages cut into our region's gasoline supplies. Prices at the pump jumped through the roof, putting the squeeze on my constituents and putting the brakes on Michigan's economy. Again this year we have large and often overnight jumps in gas prices that are just simply outrageous and are creating distrust in our system of gasoline distribution in this country.

The problem is not that pipelines sometimes break down and refineries sometimes catch on fire. They happen; these are acts of God, and we cannot expect the industry to prevent every one of them. The problem, Mr. Chairman, is that oil companies do not keep enough gasoline reserves in our area to provide a cushion when accidents like this happen, and that is not just ancient history. Even as we debate this amendment today, my district is looking at another summer of driving without a safety net, without a cushion.

The Bush administration's Energy Information Administration reported just last week that gasoline "stocks are very low for this time of the year on the East Coast and in the Midwest." The gentleman from Ohio's (Mr. BROWN) amendment, the GAS Reserves amendment would provide that cushion, that safety net that we need in Michigan to mitigate the price effects of physical disruptions in our region's gasoline supply system. For my friends in the Midwest, the Northeast, and California, history has shown that they also need that cushion, that safety net that is provided by this amendment.

I hope that my colleagues will join me in voting to give the Federal Government the tools it needs to make a real difference in the most important day-to-day energy issue facing our constituents and our economy. I ask that you join me in supporting the Brown amendment.

Mr. TAUZIN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BARTON), the chairman of the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce.

Mr. BARTON of Texas. Mr. Chairman, first I want to thank the distinguished gentleman from Ohio (Mr.

BROWN) for graciously, and I mean this, providing us copies of the amendment. The majority staff had the odd page copies but not the even page copies. So we appreciate it. That shows how closely we had been tracking this. So I am glad we got the entire amendment, and I appreciate that.

The gentleman from Ohio has many good ideas on the Committee on Energy and Commerce, and we have worked together on many of those ideas. This is not one of them. It is an idea, but just to put this in perspective, we use every day in this country 12 million barrels of gasoline, 12 million barrels. That is what we use to keep our transportation system going.

The gentleman's amendment authorizes 20 million barrels; that is not even a 2-day supply. So even if this were implemented, it would be 1½ days' supply. So that is the first problem with it.

The second problem, the gentleman very graciously says we are going to put a reserve in the Northeast, put a reserve in the Midwest, put a reserve in California and in two other places. That is five places. Somebody is going to get left out. If we put one in the Northwest and in the Southeast, then the Southwest gets left out. If you put one in the Southwest and the Southeast, then the Northwest gets left out. So we have got a little bit of a problem there.

We have got a security problem. Do we really want to put a national gasoline reserve in place that is just an invitation for a terrorist target? We have got that problem.

Then we have got the problem of overflow. If we do not use the gasoline, it becomes stale. Again, we are only storing 1½ days' supply, but we are going to be continuously changing this gasoline to make sure that it is fresh in case it needs to be used. That would probably cost more in the acquisition costs. So all in all this is not an idea whose time has come.

The gentleman has other ideas that I would encourage him to pursue more vigorously, because even if this were to be implemented, I do not think it would have the intended effect.

So I hope we would oppose the gentleman's amendment and work with him on some of these other amendments. But I thank him again for giving us the copies of the pages we did not have.

Mr. BROWN of Ohio. Mr. Chairman, how much time is left?

The CHAIRMAN pro tempore (Mr. SWEENEY). The gentleman from Ohio has 3 minutes remaining. The gentleman from Louisiana has 3½ minutes remaining.

Mr. BROWN of Ohio. I would like to close.

The CHAIRMAN pro tempore. The gentleman from Louisiana, who objects to the amendment, has the right to close.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the kind words of the gentleman from Texas (Mr. BARTON). I am intrigued that the two speakers who are against this amendment, one says there is too much gas that we are putting aside and reserving and the other says there is not enough gas we are reserving.

On the second argument, one said there are too few places and then the other says there are too many places where we are putting reserves. I do not quite get which it is.

But I ask each of my colleagues to think about when they go home this weekend to go to their grocery store, go to their son's or daughter's school, go to a local gas station, stop any one of their constituents, ask her or ask him what energy issue affects them the most on a day-to-day basis. I doubt that they will talk about electric power transmission lines. I doubt that they will talk about reprocessing nuclear fuel. I doubt that they will talk about building oil rigs, where they locate them, where they drill.

I will bet their constituents, almost every one that they ask, would say that the single energy issue affecting their daily lives most is the volatility of retail gasoline prices. People invariably, inevitably, almost every week will call them on the phone and talk to them in the grocery store or whatever and say, why did gas prices spike so much? Why did they go up so quickly? What happened this weekend to cause these to go up?

The bill before us today does nothing, absolutely nothing to address that important issue. We are going to pass an energy bill tonight or tomorrow or a couple weeks from now when we come back, and we will have accomplished nothing, done nothing to address the issue of price spikes in gasoline at the pump.

This amendment is about States' rights. It is about local control. It is about empowering governors to protect consumers in their States. It is not about forcing governors or forcing States to do something. It gives a governor, it gives the Secretary of the Department, it gives all of them tools to deal with the issue of price volatility. This amendment is, I would emphasize, the only thing in the bill that provides immediate relief for the most obvious tangible energy issue affecting our constituents.

I invite my colleagues to join me in approving this bill by adopting the reserves amendment.

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

Mr. TAUZIN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Chairman, I too have a good friend from Ohio, but I would say the whole supply and demand equation still works. We are trying to get more supply through oil exploration. We have not built a new refinery in this country in 25, 30 years. Unfortunately, our bill does not help

ease some regulatory burdens or have incentives to create new refineries. That is how we would solve their problem.

I fly into St. Louis, Missouri and if we fill up with gasoline in St. Louis and I have to drive to Springfield, Illinois, I go through three different fuel blends. There are three different fuel blends. There is a different fuel blend for St. Louis. There is a different fuel blend for Metro East, and there is a different fuel blend for Springfield, Illinois. Mr. Chairman, which fuel blend are we going to use to store and how do we separate it?

The intent is good. This cannot be implemented in the country today. So I would ask for defeat of the Brown amendment.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Let me put this in perspective for the gentleman from Ohio (Mr. BROWN). The gentleman from Illinois (Mr. SHIMKUS) is correct. The last time America built a major refinery was in my district over a quarter of a century ago. Over a quarter of a century ago was the last time we licensed and built a major refinery in America. That is pretty sad. The result has been that our refinery is at 93 percent capacity right now.

They are making gasoline and fuel oil to heat our homes and jet fuel, as fast as they can make it; diesel fuel for our vehicles, as fast as they can make it. The result is we are importing more refined products now than ever. We are importing more refined jet fuel, gasoline, diesel, fuel oil, everything else because we have stopped building refineries in America. That is pretty sad.

On top of that, we have got a fuel blend requirement in our system that causes regions of the country to switch blends every now and then, winter grade, summer grade, different blends to meet air quality standards, the result of which if there is any breakdown in the system, we have got real problems. But building gasoline reserves and having the Federal Government intervene in those sales and marketing and circulating these sales every year is just going to make it worse, I promise.

I hate to pick on the post office, but if my colleagues think the government running the Postal System is a good idea, and delivering all the mail and the e-mails of America and running the Internet, for example, put them in the gasoline business and see what a mess we have got. This is not going to work. It is a terrible idea.

And, to boot, I can see what happens at the end of the year. We have got all these blends and all these products sitting in these tanks we have not been able to market, and all of a sudden we are going to have an old gasoline disposal bill and we are going to be fighting over whether to put it in Yucca Mountain or somewhere else.

I mean, I can see what happens at the end of this thing. It just does not work.

If my colleagues want a system that works, help us build a good energy pol-

icy that produces more in America, that builds a refinery every now and then when we need one, instead of not having one built in a quarter of a century. That will work.

I ask the Members to reject this amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

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

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BROWN) will be postponed.

It is now in order to consider No. 10 printed in House Report 108-69.

AMENDMENT NO. 10 OFFERED BY MR. UDALL OF NEW MEXICO

Mr. UDALL of New Mexico. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. UDALL of New Mexico:

Strike section 14029.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from New Mexico (Mr. UDALL) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

First of all, Mr. Chairman, I would like to thank the Committee on Rules for making this amendment in order.

This amendment is a simple amendment with a simple objective: striking section 14209 of the Energy Bill and to protect the health of thousands of residents of the and Navajo Nation.

Section 14209 provides a \$10 million subsidy over 3 years to promote a highly experimental technology where uranium is mined from groundwater. The problem is, the groundwater is a pure source of drinking water for a community of over 10,000 Navajo Indians. The Navajo community has suffered enough from the effects of uranium mining. Hundreds of families have lost their loved ones and breadwinners to the scourge of uranium mining.

During the 1940s through the 1970s, Navajo men mined uranium in dirty mines with high levels of radon. As a result, many contracted lung cancer. The Navajo Nation has seen an epidemic of lung cancer caused by uranium mining.

The people of the Navajo Nation and the residents of Crownpoint and Church Rock, do not want this mining to occur in their groundwater. They have suffered enough. They are fighting now against a company in court

that is attempting to mine, and they are in court right now.

Some of my colleagues have approached me and asked me to withdraw my amendment because they believe that New Mexico was excluded. This is not the case. If it were, I would be pleased that the drinking water and aquifer of my constituents would not be threatened.

As written, section 14029 does not preclude uranium mining in New Mexico or anywhere else for that matter.

□ 2030

The Congressional Research Service has advised me that, as written, 14029 would permit in situ leach mining in New Mexico.

Specifically, if a domestic uranium producer has produced uranium in any of the States listed, Colorado, Nebraska, Texas, Utah or Wyoming, and produced uranium in any other State, then that company is eligible for the grants created by this section. Then they are not precluded from doing this procedure anywhere that uranium is located.

More importantly though, this is not just about New Mexico. In my opinion, we should not be experimenting in communities' water anywhere. I am trying to protect everyone near uranium mines from having their water supplies polluted.

Mr. Chairman, my first and foremost concern in offering this amendment is protecting the health of thousands of Navajos who would be severely impacted by this mining. There are, however, other concerns. This proposed subsidy would also lead to even further unsound fiscal policy.

At a time of skyrocketing Federal deficits and an uncertain economic future, we should not be giving away \$30 million to the uranium industry. We have too many domestic priorities that are not being met because of policies like this subsidy. Taxpayers for Common Sense views this as an unfair and unwise corporate giveaway.

This is also about fairness. It is sadly ironic that we cannot find the financial resources required to fully fund the Radiation Exposure Compensation Act, or RECA, which was intended to clean up the mess left by the uranium industry; but we can find the resources for this \$30 million subsidy to pollute more water and potentially ruin the health of more citizens.

We do not need more of this type of uranium development. Promoting this type of development does not safely provide new energy sources. Instead, it increases the potential for drastically harming the environment and causing potential harm to thousands.

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

Mr. TAUZIN. Mr. Chairman, I rise in opposition to the amendment and claim the time in opposition.

The CHAIRMAN pro tempore (Mr. SWEENEY). The gentleman from Louisiana is recognized for 10 minutes.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment. I believe nuclear power is an essential source of electricity in the country. It provides about 20 percent of our power today. Nuclear generating capacity is critical to maintaining the diverse portfolio that everybody wants.

In order to have nuclear power, you have to have a reliable domestic source of nuclear fuel. Nuclear fuel is made of enriched uranium, which obviously comes from uranium ore, and which is mined from the Earth in several western States.

The Udall amendment seeks to strike section 14029 from the bill. That section authorizes \$10 million per year over 3 years for the Secretary of Energy to enter into cooperative, cost-shared agreements with domestic uranium miners to develop improved uranium mining technologies, including those that have minimal environmental impacts.

It also supports the development of the advanced low-cost environmental restoration technologies, to clean up uranium mines after they are closed. Why would anybody, including any nuclear activist, oppose technologies to clean up old mines?

I understand that many Members are against nuclear power; but the fact is that nuclear power will continue to grow in our country, and this amendment seeks to ensure that we develop advanced and environmentally sensitive uranium mining and restoration.

Mr. Chairman, I believe a vote for the Udall amendment to strike this section is essentially a vote against nuclear power, and a vote in favor of this amendment is also a vote against the development of environmentally responsible uranium mining and clean up technologies.

So I urge that we oppose this amendment.

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

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my distinguished friend, the chairman from Louisiana, makes the point that this is solely a responsible way to help the uranium mining industry.

I would point out to the gentleman that the uranium industry, since its beginning, has received \$60 billion in subsidies from the Federal Government. We have a serious glut in uranium right now, one, because of governmental policies, and, secondly, because our companies that operate here in the United States cannot compete internationally, and we have this huge glut of uranium on the market right now. So the solution that the gentleman and this bill come up with is to throw more money at an industry and prop it up and encourage that industry to go out and mine in situ in people's groundwater.

This is not the way to move. I do not think this is the kind of solution that would help my constituents, it does not help anybody's constituents who live near uranium mining, and I believe we ought to focus on what is going on here.

First of all, we are propping up an industry; secondly, we are damaging the groundwater of many people; thirdly, this just is not sound fiscal policy for our Nation.

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

Mr. TAUZIN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Chairman, I rise today to express my opposition to the Udall amendment to H.R. 6, which strikes section 14029 from the Energy Policy Act of 2003.

Let me say, one of the things that has been indicated in terms of the glut, and that is correct, but I want to indicate that the domestic uranium industry arose and expanded in response to government pleas that the private industry establish sufficient uranium to meet the American nuclear defense needs as well as the energy needs. However, in the 1990s the Russian Highly Enriched Uranium Agreement and the privatization of the U.S. Enrichment Corporation worked unintentionally to create an overwhelming glut.

Mr. Chairman, that is true, but that same glut caused the prices in the market to drop and the industry to have serious problems at below-production costs. The funding in section 14029 responds to the numerous obstacles stemming from these government actions which led to the drastic supply/demand imbalance that has occurred in the uranium industry that has left competitive domestic producers unable to survive.

That is why we need these resources, because at the present time the gentleman is correct, there is a glut. There is too much. That is why we need assistance and resources to help out.

Mr. Chairman, what these resources do basically is authorize funding for research at existing sites to make uranium recovery safer for people and the environment, and also to provide redress for impacted domestic uranium industries, by assessing the decontamination, by looking at the decommissioning, by reclamation and other environmental remedial costs. So when you look at what we are trying to do, it is basically trying to correct the situation we find ourselves in.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman from Texas for his comments on this issue. I consider him a good friend. But on this issue I think we have to disagree.

They say the uranium market is hurt because of governmental policies. The real facts are that the uranium industry cannot compete internationally.

Other countries, namely Canada, are able to produce at far lower prices than the United States. What we are doing here by including this subsidy is propping up a dying industry.

Yes, there is a glut in the current uranium market, also created by governmental policies; but why are we giving away taxpayer money to increase the supply even more? What happened to competition? My friends from the other side always talk about competition. This is not competition; this is growing more and more and more supply.

This is a very unwise section of this bill, and it should be stricken.

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

Mr. TAUZIN. Mr. Chairman, I am pleased to yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON) for purposes of a colloquy.

Mrs. WILSON of New Mexico. Mr. Chairman, the Committee on Energy and Commerce adopted an amendment that I offered in committee regarding research to reduce the impact of uranium mining on water. The amendment sought to make clear that this research would be restricted only to the States of Colorado, Nebraska, Texas, Utah or Wyoming; and no other States, including New Mexico, would be the location for this type of research.

Does the gentleman agree that is the intent of the language included in the bill today?

Mr. TAUZIN. Mr. Chairman, will the gentlewoman yield?

Mrs. WILSON of New Mexico. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, that is precisely the intent that was in fact discussed and acknowledged when we accepted the gentlewoman's amendment in full committee.

Mrs. WILSON of New Mexico. Mr. Chairman, reclaiming my time, some readers of the language are asking questions about the intent. Would the gentleman be willing to work in conference to make technical corrections to the language in order to make that intent perfectly clear?

Mr. TAUZIN. Mr. Chairman, if the gentlewoman will yield further, yes, I would.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentlewoman from New Mexico for her willingness to come to the floor and clarify the intent of the legislation. I appreciate her efforts on this issue. However, even if the language in the bill were in line with the intent, I still believe my amendment is necessary. This subsidy has dangerous implications for the entire Nation, not just my district.

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

Mr. TAUZIN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise tonight in opposition to the Udall amendment. The Udall amendment would strike from the energy bill all funding for research and development into environmentally sensitive uranium mining and reclamation technologies.

Uranium mining is necessary for the production of enriched uranium that is then necessary to create the fuel used in the production of nuclear power. Nuclear power must not be excluded from the Nation's long-term energy plan. It is now, more than ever, a national security issue. I think that we should invest in new technologies that can be used to extract uranium from the ground. Section 10429 creates a uranium mining research and development program to improve uranium mining technologies.

The main focus of section 10429 is to develop environmentally sensitive uranium mining technologies as well as new environmental clean-up technologies for closed uranium mines. That, Mr. Chairman, is responsible stewardship.

Nuclear power is here to stay, and we need to support a strong domestic uranium industry. This legislation does that, and it is environmentally sensible.

Mr. Chairman, the Udall amendment to strike this provision from the bill could simply be characterized as an anti-nuclear amendment. But we live in a unique time. We are at a point in our Nation's history where we cannot afford to turn our back on any reasonable power source to meet our Nation's energy needs.

Mr. Chairman, I am against the Udall amendment; and I encourage my colleagues to vote against it as well.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume to close debate on my side.

Mr. Chairman, this amendment can prevent potential damage from this provision that inflicts enormous, enormous, damage on the health of thousands of Native Americans. But this provision has implications far wider than just my district. It has implications in any district that has uranium and where uranium is mined.

The potential long-term damage this section could inflict on the environment is immeasurable. I ask my colleagues to take a close look at this and consider whether or not they might want this dangerous type of mining occurring in neighborhoods of their constituents.

I would also ask that they take a look at the fiscal responsibility here. This is an industry which has received \$60 billion in subsidies. This is an industry right now where there is a huge glut on the market of uranium, and we are talking once again about throwing \$30 million at the industry and propping it up. It does not make a lot of

sense, especially in this competitive environment.

I would urge my colleagues to look at the groups that are supporting my amendment. We have the Taxpayers for Common Sense, who believe that this is a very serious corporate giveaway. That is one end of the spectrum. And we have most major environmental groups that are supporting this amendment. The leaders of the Navajo Nation for the last two terms have supported this amendment and are against this type of mining on the Navajo Reservation.

□ 2045

The Navajos are the largest tribe in the Nation, and the Union of Concerned Scientists is against this amendment.

So with that, I would ask all of my colleagues to vote for the Udall amendment.

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

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment strikes money that is designed to help improve technologies for mining in an environmentally safe way. It strikes money that is designed to help improve technologies for cleaning up the uranium mines once they are shut down.

Now, if one is against nuclear energy and if one is against mining, why would one be against helping to make sure that technologies for mining were at least done in an environmentally sound way? Why would you be against mining to make sure that technologies were developed to clean up abandoned mines once they have finished their life cycle?

It seems to me that this kind of an amendment is just designed to say you are against nuclear energy, and I understand that, as some of my colleagues are.

Mr. UDALL of New Mexico. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from New Mexico.

Mr. UDALL of New Mexico. Mr. Chairman, the gentleman from Louisiana says that this is an amendment against the nuclear industry. I am not offering this with that motivation. This is an amendment to protect the environment, and it is to protect the taxpayers' pocketbook.

Mr. TAUZIN. Mr. Chairman, reclaiming my time, I accept my friend's explanation, but my point is, if we are talking about doing what we always do in government, and that is to assist technologies to help improve the environment in this case, to make sure that when mining occurs, it is done in an environmentally sensitive way; to make sure that when mines are closed, they are closed in an environmentally sensitive way, if that is what we are doing in this case, it seems to me whether you are pro- or antinuclear, one would be for doing this. I cannot imagine why one would be against doing this, unless one just does not like

nuclear energy, and I know a lot of people do not.

I accept the gentleman's statement that that is not why he is doing it; I just find it hard to believe that all of the groups the gentleman has aligned with him are not antinuclear activists, because I have seen the list.

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

The CHAIRMAN pro tempore (Mr. SWEENEY). The question is on the amendment offered by the gentleman from New Mexico (Mr. UDALL).

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

Mr. UDALL of New Mexico. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico (Mr. UDALL) will be postponed.

It is now in order to consider Amendment No. 11 printed in House report 108-69.

AMENDMENT NO. 11 OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. NADLER: In division A, section 14032, in the proposed section 307(d)—

(1) strike "and" at the end of paragraph (6);

(2) strike the period, close quotation mark, and period at the end of paragraph (7) and insert "; and"; and

(3) add at the end the following new paragraph:

"(8) accelerating the purchase of excess weapons grade plutonium and uranium from Russia to reduce the likelihood that such plutonium and uranium could be stolen or sold to terrorists."

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would add to the Highly Enriched Uranium Divergent Study Threat Report, already required by the bill, a new section mandating that the study examine the options of weapons accelerating the purchase of excess weapons grade plutonium and uranium from Russia to reduce the likelihood that such plutonium and uranium could be stolen or sold to terrorists.

The report already requires that seven items be considered by the Secretary, and this amendment would add an eighth item.

Mr. Chairman, the greatest threat the United States faces is that a terrorist group like al Qaeda may obtain nuclear weapons. Even a small nuclear bomb exploded in the United States would kill hundreds of thousands of

people and cause more than \$1 trillion in economic damage. The threat of nuclear proliferation is at the heart of our confrontations with Iraq and North Korea, yet we are not adequately addressing the most likely source of this threat.

It is relatively easy to make atomic bombs if you have weapons-grade material. Enough excess weapons-grade plutonium and uranium to build 20,000 nuclear bombs is stored in the former Soviet Union, in facilities of doubtful security, guarded by low-paid personnel who may be tempted by black-market cash. The possibility of al Qaeda or another such terrorist group buying or stealing enough for a few nuclear devices is disturbingly high.

The United States has agreed to buy or help convert the Russian nuclear materials into a nonthreatening form, but this will take decades, up to 30 years, in fact.

Now, I had originally wanted to offer an amendment that would add \$30 billion in funding to enable us to quickly purchase and secure all of the excess Russian plutonium and highly enriched uranium. That amendment was based on the recommendations of a report issued in January of 2001 by a commission headed by Howard Baker, Lloyd Cutler, Gary Hart, Sam Nunn, Susan Eisenhower, and Robert Hanfling. Their report, entitled "A Report Card on the Department of Energy's Nonproliferation Programs With Russia," should have served as a wake-up call to the Nation. Unfortunately, we are still asleep when it comes to this issue.

That report writes, "The most urgent unmet national security threat to the United States today is the danger that weapons of mass destruction or weapons of usable material in Russia could be stolen and sold to terrorists or hostile nations and used against American troops abroad or citizens at home. This threat is a clear and present danger to the international community as well as to American lives and liberties."

I agree. Unfortunately, my amendment, based on their recommendations, was not made in order. But this amendment, simply to study the pros and cons of accelerating the purchase of this dangerous nuclear material, may result in our taking real action a year or two from now.

We need to increase substantially the funding to purchase excess Russian plutonium so that we can immobilize it; to purchase the highly enriched Russian uranium in order to downblend it; and to make a series of improvements to the security of nuclear material while it is still in Russia, including training of operators and managers, computerizing inventory systems, and making upgrades to security during transport. At the very least, it is time for the Secretary of Energy to consider carefully proposals that would accelerate the purchase of this excess weapons-grade plutonium and uranium. Whatever it would cost would be a small price to pay to keep al Qaeda from obtaining nuclear bombs.

I hope my colleagues will support this amendment.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I want to thank the gentleman for yielding, and I want to announce that we support the gentleman's amendment.

And if I might have time of the gentleman to explain why, we think this amendment improves on the amendment that we supported in committee offered by the gentleman from Florida (Mr. DEUTSCH) earlier. The underlying provision requires the Department of Energy to provide Congress with a report of recommendations on how we can reduce the threat of theft or diversion of highly enriched uranium; and the Nadler amendment, as I understand it, requires the Secretary to include in this report any recommendations to accelerate the purchase of excess weapons-grade uranium and plutonium from Russia to reduce the likelihood of these materials being stolen or falling into the hands of terrorists.

My understanding is, the Department of Energy has already negotiated several agreements with Russia to purchase highly enriched uranium and weapons-grade plutonium, for that matter. This amendment would require the Department to study ways to build off those successful agreements, and determine whether accelerating the programs would be feasible.

The Subcommittee on Oversight of the Committee on Energy and Commerce has held numerous hearings to review physical security of nuclear power plants, security of Department of Energy facilities, and the risk of nuclear smuggling at our ports. The nuclear title, in fact, of our bill before us today has numerous provisions to improve the security of nuclear materials in our country.

The Nadler amendment, as I understand it, builds upon our strong efforts already in the bill to ensure that nuclear materials are protected and do not fall into the hands of terrorists. So I think the gentleman is doing this country and this Congress a favor with his amendment.

I rise in support of it, and I ask my colleagues to vote in favor of the provision.

Mr. NADLER. Mr. Chairman, reclaiming my time, I appreciate the support of the distinguished chairman.

The CHAIRMAN pro tempore. Does anyone rise in opposition to this amendment?

Mr. MARKEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN pro tempore. The gentleman's time has expired. The gentleman from New York must seek unanimous consent for additional time since his time has expired.

Mr. NADLER. Mr. Chairman, I ask unanimous consent for an additional 5 minutes, which I will not use.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARKEY. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Florida (Mr. DEUTSCH) and I introduced legislation to deal with the issue of highly enriched uranium that is of U.S. origin that should be secured no matter where it is, here or around the world, so that we can preclude that material's being used for nuclear weapons.

The gentleman from New York (Mr. NADLER) improves upon it. He wants it out of an even more dangerous area, and that is the former Soviet Union, all the loose nuclear material; and the opportunity that the United States has to play a lead role in taking that nuclear material, bringing it to the United States, getting it out of harm's way. And I am glad that the gentleman from Louisiana and the Republican leadership is accepting this amendment because, in the long run, there may be no more important amendment that we consider.

Mr. NADLER. Mr. Chairman, reclaiming my time, I thank the gentleman for his support. I thank the distinguished chairman for his support.

Mr. Chairman, knowing that I am ahead, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 12 printed in House report 108-69.

AMENDMENT NO. 12 OFFERED BY MR. REYNOLDS

Mr. REYNOLDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. REYNOLDS:

At the end of subtitle B of title IV of division A, insert the following new section:

**SEC. 14036. TRANSFER.**

Not later than December 31, 2003, the Secretary of Energy shall transmit to the Congress a plan for the transfer to the Secretary of title to, and full responsibility for the possession, transportation, disposal, stewardship, maintenance, and monitoring of, all facilities, property, and radioactive waste at the Western New York Service Center in West Valley, New York. The Secretary shall consult with the President of the New York State Energy Research and Development Authority in developing such plan.

The CHAIRMAN pro tempore. Pursuant to House Resolution 108-69, the gentleman from New York (Mr. REYNOLDS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. REYNOLDS).

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

Mr. REYNOLDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to open by noting that I am before my colleagues today not only on my behalf, but on behalf of my colleague and neighbor, the gentleman from New York (Mr. HOUGHTON). The gentleman from New York (Mr. HOUGHTON) had planned to offer this amendment on West Valley, which is in his district, but his mother, Laura Houghton, passed away yesterday at the age of 102 years. So he had to go to return to his district and he asked that I introduce this amendment on his behalf. And I am also joined by the gentleman from New York (Mr. QUINN), who is also a neighbor.

Mr. Chairman, this amendment addresses an issue that hits very close to home. The West Valley Nuclear Service Center in West Valley, New York, neighbors my hometown of Springville, New York, the very town where I grew up. The facility is the only commercial reprocessor of spent nuclear fuels in the United States. Although commercially operated in the late 1960s and early 1970s, the Federal Government provided all of the reprocessing technology, and the vast majority of reprocessed fuel came directly from the Federal Government's nuclear weapons reactors.

Over 20 years ago, at the direction of Congress and at the urging of the residents of western New York, New York State and the Department of Energy became partners to clean up this site. They were to work cooperatively in cleaning up the site and in deciding its future. New York State even agreed to pay for a portion of the cleanup. To this day, New York State is the only State to contribute to the cleanup of high-level nuclear waste. In fact, New York State has contributed over \$250 million to the waste cleanup since its inception.

The cleanup of this site has proceeded smoothly and safely for many years.

Over the past 3 years, the Department of Energy and New York State have been meeting to plan the future of the West Valley site after the bulk of high-level waste solidification is completed.

Unfortunately, this partnership has become strained in recent years, as the Department of Energy has distanced itself from their cleanup responsibilities. New York's repeated attempts to reach an agreement over the future of the site have been rejected or ignored.

□ 2100

Mr. Chairman, this amendment does not change existing law; rather, it directs the Department of Energy to once again work cooperatively with New York State at the West Valley site. The amendment provides guidance to the Department of Energy to develop a proposal for the future of the site and report that plan back to Congress.

Finally, the amendment seeks to ensure that the Department of Energy fully recognizes its responsibilities at the site for the vast amount of Federal high-level waste at the site and directs the Department of Energy to consult with New York State on this proposal.

Mr. Chairman, I urge my colleagues to support this amendment.

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

Mr. TAUZIN. Mr. Chairman, I claim the time in opposition, although I am going to speak in support.

The CHAIRMAN pro tempore (Mr. SWEENEY). Does any other Member claim the time in opposition?

Hearing none, without objection, the gentleman from Louisiana (Mr. TAUZIN) is recognized.

There was no objection.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment offered by the gentlemen from New York (Mr. HOUGHTON) and Mr. REYNOLDS), and I sympathize with our friend, who is going through a bad time.

Mr. Chairman, the amendment would require the Secretary of Energy to develop a plan to transfer to the DOE all clean-up responsibilities at the Western New York Service Center in western New York. The West Valley site was owned by the State of New York. The West Valley site was once a nuclear waste processing facility where DOE sent some of its spent nuclear fuel for processing.

In 1980, the Committee on Energy and Commerce helped pass the West Valley Demonstration Project Act. This act directed the Secretary of Energy to carry out a project to solidify and remove high-level radioactive waste from the West Valley site. Pursuant to that West Valley Demonstration Project Act, the State is required to pay a 10 percent share of the annual clean-up costs.

To date, the State has met this financial commitment. Over the past several years, DOE and the State of New York have attempted to negotiate a comprehensive agreement to resolve all remaining radioactive waste clean-up issues at the West Valley site. Regrettably, the parties, as the gentleman has indicated, have not yet come to agreement.

This amendment requires the Secretary to develop a plan to transfer clean-up responsibilities from the State of New York once and for all. In developing the plan, the DOE should consider any long-term stewardship issues, and DOE should work with the appropriate authorities in New York to determine what share of the total cleanup costs should be paid by the State.

This is an important issue to the committee. I hope this amendment will encourage the DOE and the State of New York to finalize a plan to address these important cleanup activities at West Valley.

So I rise, actually, in support of this amendment, Mr. Chairman. I encourage my colleagues to support it also.

Mr. REYNOLDS. Mr. Chairman, I thank the chairman for his support of this amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. QUINN), a neighbor of the gentleman from New York (Mr. HOUGHTON).

Mr. QUINN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to join the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from New York (Mr. REYNOLDS) in sending condolences to our neighbor and friend, the gentleman from New York (Mr. HOUGHTON), on his loss.

Over the past few years, all of the members of the western New York delegation, along with local leaders and members of the community and others, in an effort to see a resolution in the dispute between New York State and the Department of Energy, have all worked cooperatively together. The responsibility for long-term stewardship of this site and the transportation and removal of solidified waste must be established immediately. This amendment does just that.

The West Valley Demonstration Project was a creation of the Federal Government to deal with over 600,000 gallons of highly radioactive waste generated as a result of the nuclear fuel reprocessing effort, over two-thirds of which came from the Federal nuclear weapons facilities.

This amendment directs the Secretary of Energy to provide to Congress a plan to take over responsibility of this site. The Department of Energy and the State of New York have held talks for almost 4 years on this very issue, and these talks, as we have mentioned, have produced no results. Congress laid out the instructions in the 1980 West Valley Demonstration Project Act, and it is appropriate that we clarify today that the responsibility for the final phase of this project lies with the U.S. Department of Energy.

The western New York delegation has worked long and hard on this issue with the help of the West Valley Citizens Task Force, the Buffalo Niagara Partnership, local leaders, and the community at large. It is time for Congress to act and to move on this extraordinary undertaking and make it one step closer to completion.

Mr. TAUZIN. Mr. Chairman, I yield back the balance of my time.

Mr. REYNOLDS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. REYNOLDS).

The amendment was agreed to.

Mr. TAUZIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair,

Mr. SWEENEY, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, had come to no resolution thereon.

#### CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

Mr. NUSSLE submitted the following conference report and statement on the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013:

(See text of the conference report on H. Con. Res. 95 on page H3194).

#### ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 189 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

□ 2105

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with Mr. SWEENEY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, amendment No. 12 printed in House Report 108-69 offered by the gentleman from New York (Mr. REYNOLDS) had been disposed of.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 5 offered by the gentleman from Massachusetts (Mr. MARKEY); amendment No. 7 offered by the gentleman from Virginia (Mr. TOM DAVIS); amendment No. 9 offered by the gentleman from Ohio (Mr. BROWN); amendment No. 10 offered by the gentleman from New Mexico (Mr. UDALL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 5 OFFERED BY MR. MARKEY

The CHAIRMAN pro tempore. The pending business is the demand for a

recorded vote on amendment No. 5 offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 9, as follows:

[Roll No. 135]

AYES—197

Abercrombie	Gutiérrez	Napolitano
Ackerman	Harman	Neal (MA)
Allen	Hastings (FL)	Oberstar
Andrews	Hill	Obey
Baird	Hinchee	Olver
Baldwin	Hoeffel	Owens
Ballance	Holden	Pallone
Bartlett (MD)	Holt	Pascarell
Bass	Honda	Pastor
Becerra	Hooley (OR)	Payne
Bell	Hoyer	Pelosi
Berkley	Inslee	Petri
Berman	Israel	Pomeroy
Bishop (NY)	Jackson (IL)	Price (NC)
Blumenauer	Jackson-Lee	Rahall
Boehlert	(TX)	Ramstad
Boswell	Johnson (CT)	Rangel
Boucher	Johnson (IL)	Rothman
Bradley (NH)	Johnson, E. B.	Roybal-Allard
Brown (OH)	Jones (OH)	Ruppersberger
Brown, Corrine	Kaptur	Rush
Capps	Kelly	Ryan (OH)
Capuano	Kennedy (MN)	Sabo
Cardin	Kennedy (RI)	Sanchez, Linda
Carson (IN)	Kildee	T.
Case	Kilpatrick	Sanchez, Loretta
Castle	Kind	Sanders
Conyers	Kirk	Saxton
Cooper	Kleczka	Schakowsky
Costello	Kucinich	Schiff
Crowley	Lampson	Scott (GA)
Cummings	Langevin	Scott (VA)
Davis (AL)	Lantos	Sensenbrenner
Davis (CA)	Larsen (WA)	Serrano
Davis (FL)	Larson (CT)	Shays
Davis (IL)	Leach	Sherman
Davis, Tom	Lee	Simmons
DeFazio	Levin	Slaughter
DeGette	Lewis (GA)	Smith (NJ)
Delahunt	Lipinski	Smith (WA)
DeLauro	LoBiondo	Snyder
Deutsch	Lofgren	Solis
Dicks	Lowe	Spratt
Dingell	Lynch	Stark
Doggett	Majette	Strickland
Doyle	Maloney	Stupak
Dunn	Markey	Sweeney
Ehlers	Marshall	Tauscher
Emanuel	Matheson	Thompson (CA)
Engel	Matsui	Tierney
Eshoo	McCarthy (NY)	Towns
Etheridge	McCollum	Udall (CO)
Evans	McDermott	Udall (NM)
Farr	McGovern	Van Hollen
Fattah	McIntyre	Velazquez
Ferguson	McNulty	Vislosky
Filner	Meehan	Walsh
Ford	Meek (FL)	Waters
Frank (MA)	Meeks (NY)	Watson
Frelinghuysen	Menendez	Watt
Frost	Michaud	Waxman
Gerlach	Millender-	Weiner
Gilchrest	McDonald	Wexler
Gonzalez	Miller (NC)	Woolsey
Gordon	Miller, George	Wu
Greenwood	Moore	Wynn
Grijalva	Nadler	

NOES—228

Aderholt	Ballenger	Biggert
Akin	Barrett (SC)	Bilirakis
Alexander	Barton (TX)	Bishop (GA)
Baca	Beauprez	Bishop (UT)
Bachus	Bereuter	Blackburn
Baker	Berry	Blunt

Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Cardoza  
Carson (OK)  
Carter  
Chabot  
Chocola  
Clyburn  
Coble  
Cole  
Collins  
Cox  
Cramer  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis (TN)  
Davis, Jo Ann  
Deal (GA)  
DeLay  
DeMint  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dooley (CA)  
Doolittle  
Dreier  
Duncan  
Edwards  
Emerson  
English  
Everett  
Feeney  
Flake  
Fletcher  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gibbons  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)

NOT VOTING—9

Clay  
Combust  
Gephardt

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY)(during the vote). The Chair would remind Members there are less than 2 minutes remaining on this vote.

□ 2127

Messrs. TURNER of Ohio, GUT-KNECHT and MCKEON changed their vote from "aye" to "no."

Mr. DAVIS of Illinois changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MORAN of Virginia. Mr. Chairman, on rollcall No. 135, dealing with Ms. MARKEY'S

amendment to prevent drilling in ANWR, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. YOUNG of Alaska. Mr. Chairman, on rollcall No. 135 I was unavoidably detained and missed the vote by one minute. Had I been present, I would have voted "no."

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT NO. 7 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 7 offered by the gentleman from Virginia (Mr. TOM DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 10, not voting 9, as follows:

[Roll No. 136]

AYES—415

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine

Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslie  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee (TX)  
Janklow  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Gerlach  
Gibbons  
Gilchrist  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss

NOES—10

Culberson  
DeLay  
Flake  
Franks (AZ)

Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NOT VOTING—9

Clay  
Combust  
Gephardt

Houghton  
McCarthy (MO)  
Moran (VA)

Paul  
Simmons  
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY) (during the vote). The Chair will remind Members there are 2 minutes remaining.

□ 2135

Mr. SHADEGG and Mr. PENCE changed their vote from "aye" to "no." So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MORAN of Virginia. Mr. Chairman, on rollcall No. 136, the Davis amendment. I was unavoidably detained. Had I been present, I would have voted "ayes."

AMENDMENT NO. 9 OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 252, not voting 9, as follows:

[Roll No. 137]

AYES—173

Abercrombie	Deutsch	Kaptur
Ackerman	Dicks	Kennedy (RI)
Allen	Doggett	Kildee
Andrews	Dooley (CA)	Kilpatrick
Baca	Doyle	Kind
Baird	Emanuel	Klecza
Baldwin	Engel	Kucinich
Ballance	Eshoo	Langevin
Becerra	Etheridge	Lantos
Bell	Evans	Larson (CT)
Berkley	Farr	Lee
Berman	Fattah	Levin
Bishop (GA)	Filner	Lewis (GA)
Bishop (NY)	Ford	Lipinski
Blumenauer	Frank (MA)	Lofgren
Boswell	Frost	Lowe
Boucher	Green (TX)	Lucas (KY)
Brady (PA)	Green (WI)	Maloney
Brown (OH)	Grijalva	Markey
Brown, Corrine	Gutierrez	Marshall
Capps	Harman	Matsui
Capuano	Hastings (FL)	McCarthy (NY)
Cardoza	Hill	McCollum
Carson (IN)	Hinche	McDermott
Case	Hoefel	McGovern
Clyburn	Holden	McIntyre
Conyers	Holt	McNulty
Cooper	Honda	Meehan
Costello	Hookey (OR)	Meek (FL)
Crowley	Hoyer	Meeks (NY)
Cummings	Inslee	Menendez
Davis (AL)	Israel	Michaud
Davis (CA)	Jackson (IL)	Millender-
Davis (FL)	Jackson-Lee	McDonald
Davis (IL)	(TX)	Miller (NC)
DeFazio	Jefferson	Miller, George
DeGette	Johnson, E. B.	Moore
Delahunt	Jones (OH)	Moran (VA)
DeLauro	Kanjorski	Murtha

Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rodriguez  
Rothman  
Roybal-Allard

Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Sherman  
Slaughter  
Solis  
Stark  
Strickland  
Stupak  
Tauscher

NOES—252

Aderholt	Foley
Akin	Forbes
Alexander	Fossella
Bachus	Franks (AZ)
Baker	Frelinghuysen
Ballenger	Galleghy
Barrett (SC)	Garrett (NJ)
Bartlett (MD)	Gerlach
Barton (TX)	Gibbons
Bass	Gilchrest
Beauprez	Gillmor
Bereuter	Gingrey
Berry	Gonzalez
Biggart	Goode
Bilirakis	Goodlatte
Bishop (UT)	Gordon
Blackburn	Goss
Blunt	Granger
Boehlert	Graves
Boehner	Greenwood
Bonilla	Gutknecht
Bonner	Hall
Bono	Harris
Boozman	Hart
Boyd	Hastings (WA)
Bradley (NH)	Hayes
Brady (TX)	Hayworth
Brown (SC)	Hefley
Brown-Waite,	Hensarling
Ginny	Henger
Burgess	Hinojosa
Burns	Hobson
Burr	Hoekstra
Burton (IN)	Hostettler
Buyer	Hulshof
Calvert	Hunter
Camp	Hyde
Cannon	Isakson
Cantor	Issa
Capito	Istook
Cardin	Janklow
Carson (OK)	Jenkins
Castle	John
Chabot	Johnson (CT)
Chocola	Johnson (IL)
Coble	Johnson, Sam
Cole	Jones (NC)
Collins	Keller
Cox	Kelly
Cramer	Kennedy (MN)
Crane	King (IA)
Crenshaw	King (NY)
Cubin	Kingston
Culberson	Kirk
Cunningham	Kline
Davis (TN)	Knollenberg
Davis, Jo Ann	Kolbe
Davis, Tom	LaHood
Deal (GA)	Lampson
DeLay	Larsen (WA)
DeMint	Latham
Diaz-Balart, L.	LaTourette
Diaz-Balart, M.	Leach
Dingell	Lewis (CA)
Doolittle	Lewis (KY)
Dreier	Linder
Duncan	LoBiondo
Dunn	Lucas (OK)
Edwards	Lynch
Ehlers	Majette
Emerson	Manzullo
English	Matheson
Everett	McCotter
Feeney	McCrery
Ferguson	McHugh
Flake	McInnis
Fletcher	McKeon

Taylor (MS)  
Thompson (CA)  
Tiberi  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Visclosky  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Woolsey  
Wu  
Wynn

Terry  
Thomas  
Thompson (MS)  
Thornberry  
Tiahrt  
Toomey  
Turner (OH)  
Turner (TX)

Upton  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weller  
Whitfield

Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

NOT VOTING—9

Carter  
Clay  
Combust

Gephardt  
Houghton  
McCarthy (MO)

Paul  
Simmons  
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). The Chair will remind Members there are less than 2 minutes remaining in this vote.

□ 2144

Mr. SMITH of Michigan changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2145

AMENDMENT NO. 10 OFFERED BY MR. UDALL OF NEW MEXICO

The CHAIRMAN pro tempore (Mr. SWEENEY). The pending business is the demand for a recorded vote on amendment No. 10 offered by the gentleman from New Mexico (Mr. UDALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 231, not voting 10, as follows:

[Roll No. 138]

AYES—193

Abercrombie	Davis (CA)	Hoefel
Ackerman	Davis (FL)	Holden
Allen	Davis (IL)	Holt
Andrews	Davis (TN)	Honda
Baird	DeFazio	Hookey (OR)
Baldwin	DeGette	Hoyer
Ballance	Delahunt	Inslee
Becerra	DeLauro	Israel
Berkley	Deutsch	Jackson (IL)
Berman	Dicks	Jackson-Lee
Bishop (GA)	Dingell	(TX)
Bishop (NY)	Doggett	Jefferson
Blumenauer	Ehlers	Johnson (IL)
Boehlert	Emanuel	Johnson, E. B.
Boswell	Engel	Jones (OH)
Boucher	Eshoo	Kanjorski
Boyd	Etheridge	Kaptur
Brady (PA)	Evans	Kelly
Brown (OH)	Farr	Kennedy (RI)
Brown, Corrine	Fattah	Kildee
Capps	Filner	Kilpatrick
Capuano	Ford	Kind
Cardoza	Frank (MA)	Kirk
Carson (IN)	Frost	Klecza
Case	Gilchrest	Kucinich
Castle	Green (WI)	Langevin
Clyburn	Grijalva	Lantos
Conyers	Gutierrez	Larsen (WA)
Cooper	Hall	Larson (CT)
Costello	Harman	Leach
Crowley	Hastings (FL)	Lee
Cummings	Hefley	Levin
Davis (AL)	Hinche	Lewis (GA)
Davis (CA)	Hinojosa	Lipinski

LoBiondo	Obey	Slaughter
Lofgren	Olver	Smith (NJ)
Lowey	Owens	Smith (WA)
Lynch	Pallone	Snyder
Majette	Pastor	Solis
Maloney	Payne	Spratt
Markey	Pelosi	Stark
Marshall	Petri	Stearns
Matheson	Pomeroy	Tancredo
Matsui	Price (NC)	Tanner
McCarthy (NY)	Rahall	Tauscher
McCollum	Rangel	Taylor (MS)
McDermott	Renzi	Thompson (CA)
McGovern	Rothman	Thompson (MS)
McInnis	Roybal-Allard	Tierney
McIntyre	Ruppersberger	Towns
McNulty	Rush	Udall (CO)
Meehan	Ryan (OH)	Udall (NM)
Meek (FL)	Sabo	Van Hollen
Meeks (NY)	Sanchez, Linda	Velazquez
Menendez	T.	Visclosky
Michaud	Sanchez, Loretta	Waters
Millender-	Sanders	Watson
McDonald	Saxton	Watt
Miller (NC)	Schakowsky	Waxman
Miller, George	Schiff	Weiner
Moore	Scott (VA)	Wexler
Moran (VA)	Sensenbrenner	Serrano
Nadler	Serrano	Wilson (NM)
Napolitano	Shays	Woolsey
Neal (MA)	Sherman	Wu
Oberstar	Skelton	

NOES—231

Aderholt	Duncan	Lewis (KY)
Akin	Dunn	Linder
Alexander	Edwards	Lucas (KY)
Baca	Emerson	Lucas (OK)
Bachus	English	Manzullo
Baker	Everett	McCotter
Ballenger	Feeny	McCreary
Barrett (SC)	Ferguson	McHugh
Bartlett (MD)	Flake	McKeon
Barton (TX)	Fletcher	Mica
Bass	Foley	Miller (FL)
Beauprez	Forbes	Miller (MI)
Bell	Fossella	Miller, Gary
Bereuter	Franks (AZ)	Mollohan
Berry	Frelinghuysen	Moran (KS)
Biggert	Galleghy	Murphy
Billrakis	Garrett (NJ)	Murtha
Bishop (UT)	Gerlach	Musgrave
Blackburn	Gibbons	Myrick
Blunt	Gillmor	Nethercutt
Boehner	Gingrey	Ney
Bonilla	Gonzalez	Northup
Bonner	Goode	Norwood
Bono	Goodlatte	Nunes
Boozman	Gordon	Nussle
Bradley (NH)	Goss	Ortiz
Brady (TX)	Granger	Osborne
Brown (SC)	Graves	Ose
Brown-Waite,	Green (TX)	Otter
Ginny	Greenwood	Oxley
Burgess	Gutknecht	Pearce
Burns	Hart	Pence
Burr	Hastings (WA)	Peterson (MN)
Burton (IN)	Hayes	Peterson (PA)
Buyer	Hayworth	Pickering
Calvert	Hensarling	Pitts
Camp	Herger	Platts
Cannon	Hobson	Pombo
Cantor	Hoekstra	Porter
Capito	Hostettler	Portman
Carter	Hulshof	Pryce (OH)
Chabot	Hunter	Putnam
Chocola	Hyde	Quinn
Coble	Isakson	Radanovich
Cole	Issa	Ramstad
Collins	Istook	Regula
Cox	Janklow	Rehberg
Cramer	Jenkins	Reyes
Crane	John	Reynolds
Crenshaw	Johnson (CT)	Rodriguez
Cubin	Johnson, Sam	Rogers (AL)
Cummings	Jones (NC)	Rogers (KY)
Cunningham	Keller	Rogers (MI)
Davis (AL)	Kennedy (MN)	Rohrabacher
Davis, Jo Ann	King (IA)	Ros-Lehtinen
Davis, Tom	King (NY)	Ross
Deal (GA)	Kingston	Royce
DeLay	Kline	Ryan (WI)
DeMint	Knollenberg	Ryun (KS)
Diaz-Balart, L.	Kolbe	Sandlin
Diaz-Balart, M.	LaHood	Schrock
Dooley (CA)	Lampson	Scott (GA)
Doolittle	Latham	Sessions
Doyle	LaTourette	Shadegg
Dreier	Lewis (CA)	Shaw

Sherwood	Taylor (NC)	Wamp
Shimkus	Terry	Weldon (FL)
Shuster	Thomas	Weldon (PA)
Simpson	Thornberry	Weller
Smith (MI)	Tiahrt	Whitfield
Smith (TX)	Tiberi	Wicker
Souder	Toomey	Wilson (SC)
Stenholm	Turner (OH)	Wolf
Strickland	Turner (TX)	Wynn
Stupak	Upton	Young (AK)
Sullivan	Vitter	Young (FL)
Sweeney	Walden (OR)	
Tauzin	Walsh	

NOT VOTING—10

Clay	Hill	Paul
Combest	Houghton	Simmons
Gephardt	McCarthy (MO)	
Harris	Pascrell	

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). The Chair will remind Members there are less than 2 minutes remaining in this vote.

□ 2153

Mr. ROHRBACHER changed his vote from "aye" to "no."

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated against:

Ms. HARRIS. Mr. Chairman, on rollcall No. 138 I was unavoidable detained. Had I been present, I would have voted "no."

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 13 printed in House Report 108-69.

AMENDMENT NO. 13 OFFERED BY MR. BARRETT OF SOUTH CAROLINA

Mr. BARRETT of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. BARRETT of South Carolina:

At the end of subtitle B of title IV of division A, insert the following new section:

**SEC. 14036. STUDY TO DETERMINE FEASIBILITY OF DEVELOPING COMMERCIAL NUCLEAR ENERGY PRODUCTION FACILITIES AT EXISTING DEPARTMENT OF ENERGY SITES.**

(a) IN GENERAL.—The Secretary of Energy shall conduct a study to determine the feasibility of developing commercial nuclear energy production facilities at Department of Energy sites in existence on the date of the enactment of this Act, including—

(1) options for how and where nuclear power plants can be developed on existing Department of Energy sites;

(2) estimates on cost savings to the Federal Government that may be realized by locating new nuclear power plants on Federal sites;

(3) the feasibility of incorporating new technology into nuclear power plants located on Federal sites;

(4) potential improvements in the licensing and safety oversight procedures of nuclear power plants located on Federal sites;

(5) an assessment of the effects of nuclear waste management policies and projects as a result of locating nuclear power plants located on Federal sites; and

(6) any other factors that the Secretary believes would be relevant in making the determination.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subsection (a).

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from South Carolina (Mr. BARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise today and offer an amendment to H.R. 6, the Energy Policy Act of 2003. My amendment would require the Secretary of Energy to conduct a survey to determine the feasibility of developing commercial nuclear energy production facilities at the Department of Energy sites.

Mr. Chairman, this is identical to the language included in last year's budget, drafted by the gentleman from South Carolina (Mr. BROWN), which passed the House by a vote of 240 to 189, laying out the clear role that the U.S. Government should take to examine the Department of Energy sites and determine which are the best suited to enter into a public-private partnership with utility companies for construction and operation of new nuclear power production facilities.

I agree that we need to start now and take a bold step to help solve our growing energy crisis, and that is exactly what the administration's nuclear power 20-10 initiative is, a bold step. My amendment will only expand the options for this great initiative.

I urge my colleagues to vote "yes" on this amendment and help solve our energy crisis.

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

The CHAIRMAN pro tempore. Does any Member claim time in opposition to the amendment?

Mr. ALLEN. Mr. Chairman, I claim time in opposition.

The CHAIRMAN pro tempore. The gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Chairman, I yield myself such time as I may consume, and I rise to oppose the Barrett amendment.

Today is, in my opinion, the worst possible day to be considering this amendment. American troops are in Iraq, completing a war that was justified in part as necessary to prevent the proliferation of nuclear weapons. The Barrett amendment could facilitate the proliferation of nuclear weapons by blurring the long-standing, carefully drawn lines between civilian nuclear energy production and nuclear weapons production.

□ 2200

Since the dawn of the nuclear age, U.S. policies have drawn a bright line between civilian and military applications of nuclear power. There is a very good reason which remains valid today: we want to prevent legitimate civilian nuclear facilities from being used illicitly to produce nuclear weapons material.

Under U.S. leadership, international law requires separation of civilian and

military nuclear power. This obligation is part of the Nuclear Nonproliferation Treaty and is enforced by the International Atomic Energy Agency. This international law formed the basis for our finding Saddam Hussein in violation of nonnuclear pledges. This law is the way we hold Iran and North Korea accountable on nuclear weapons development.

We undermine our ability to prevent these nations from using peaceful nuclear reactors to make bombs if we pursue a policy that collocates civilian and military activities at the same site, as the Barrett amendment ultimately contemplates.

I am not aware of any recent congressional hearings held on this issue. This policy could have severe consequences for nuclear proliferation and should not be taken lightly. It should be reviewed by the relevant committees before being considered by the full House. I urge rejection of the Barrett proliferation amendment.

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

Mr. BARRETT of South Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, on behalf of myself and the gentleman from Louisiana (Mr. TAUZIN), the full committee chairman, we rise in strong support of the Barrett amendment. This amendment was included in the House-passed energy bill in the last Congress.

It would require the Secretary of Energy to study the feasibility of developing commercial nuclear energy production facilities at existing DOE sites. I and the gentleman from Louisiana (Chairman Tauzin) are strong advocates for nuclear power. The energy bill before us today includes a comprehensive 15-year reauthorization to the Price-Anderson Act, which would allow a new generation of nuclear power plants to be built in America.

We believe that the existing infrastructure in many Department of Energy sites may be ideal for the development of new nuclear power plants. In some cases, DOE sites have the space, the facilities, and the laboratory and engineering expertise and could be utilized to build a new plant. In any scenario where a new nuclear plant were to be built at a DOE site, we would expect that a substantial portion of the construction cost would be paid for by a commercial utility, which would greatly benefit from the DOE's infrastructure and expertise. We strongly support the amendment and urge Members to support it.

Mr. ALLEN. Mr. Chairman, I reserve the balance of my time.

Mr. BARRETT of South Carolina. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, it was a great honor for me to serve with the gentleman from South Carolina (Mr. BARRETT) in the

South Carolina General Assembly, and now I am honored to be serving with him in Congress.

I rise in support of the Barrett amendment to H.R. 6, which asks the Secretary of Energy to conduct a feasibility study to develop commercial nuclear energy facilities at Department of Energy sites. This is particularly important to the gentleman from South Carolina (Mr. BARRETT) and me because we both represent the Savannah River site in South Carolina.

Nuclear energy is our Nation's second largest source of power. Nuclear power plants have increased electricity production while reducing costs. In fact, these plants are so efficient that their production costs are among the lowest of any energy source.

This amendment was previously passed last year, and the initiator of that effort in a bipartisan effort was the gentleman from South Carolina (Mr. BROWN) of the first district of South Carolina. I urge Members to join me in supporting this amendment which will help solve our current energy crisis by producing more nuclear energy.

Mr. ALLEN. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in opposition to the amendment. The fundamental premise to this amendment is flawed. We have not successfully ordered a new nuclear reactor in this country for over 20 years. Why? Because Wall Street investment bankers have done the numbers and found that the life-cycle cost of a nuclear plant far exceeds the costs of a modern combined-cycle natural gas turbine, a coal plant, or even a wind generator. The free market has said no to new nuclear reactors, and the gentleman's amendment is an attempt to overturn the verdict of the free market with governmental intervention into private electricity generation markets.

I would suggest this is not the direction we should be moving in. We have deregulated electricity generation in many parts of the country. Why should we get the DOE into the business of generating electricity for the civilian power grid at a Federal facility?

This amendment is clearly bad energy policy, but it is also bad nuclear nonproliferation policy. This country has long had a strong policy of maintaining a clear distinction between the civilian and military uses of nuclear energy. Eight years ago, in 1995, the House voted to kill funding for the so-called "triple play" reactor being planned for the DOE Savannah River site. This reactor would have burned fuel fabricated from dismantled nuclear weapons, produced tritium for the existing nuclear weapons stockpile, and generated electricity for the civilian electricity grid. At that time, the House recognized the need to maintain the historic separation between atoms for peace and atoms for war. Now is not the time to reverse that policy.

We are nearing the end of a war whose principal objective has been to halt the proliferation of weapons of mass destruction, a war in which our Armed Forces destroyed bomb factories while leaving civilian power plants standing. Let us not undermine our credibility as a world leader on nonproliferation by moving towards blurring the distinction between civilian and military nuclear programs. To pass this amendment would be to breach the 57-year separation between atoms for peace and atoms for war. We cannot credibly preach nuclear temperance from a bar stool. If we are mixing our civilian and military nuclear programs in the United States, then the rest of the world will not pay much heed to our admonitions to refrain from using their civilian nuclear energy programs for military purposes. Please vote "no" on the Barrett amendment.

Mr. BARRETT of South Carolina. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in support of this amendment and commend the gentleman from South Carolina (Mr. BARRETT) for his insight and initiative on this issue.

I support this amendment for three simple reasons. First, America already depends on nuclear energy. Even though it has been 2 decades since we built a new facility, nuclear power provides over 20 percent of the electricity in this country and over 55 percent of the electricity in South Carolina.

The second reason is nuclear power saves money. It is less expensive than coal, less expensive than oil, and a third less than natural gas.

The third reason is nuclear energy is good for the environment. Because it burns no fuel and emits no pollution, it is good for our environment and good to preserve our quality of life all across the country. Again I thank the gentleman from South Carolina (Mr. BARRETT) and urge all of my colleagues to support this amendment.

Mr. ALLEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, it has been my understanding that when we look at the total cost of nuclear power, including dealing with the radioactive waste, we are not talking about a cheap source of power. We are talking about the most expensive source of power there is. I simply ask Members to think about North Korea. We want to make sure that North Korea does not use civilian reactors for military purposes. We should not be setting the example here doing what we are saying they should not do over there. This amendment should be rejected, and I urge Members to reject it.

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

Mr. BARRETT of South Carolina. Mr. Chairman, I yield myself the balance of my time.

In closing, in prepared remarks for the Global Nuclear Energy Summit on

February 14, Secretary Abraham wrote, "We cannot ignore either the benefits nor the significant challenges posed by nuclear power. I believe that the U.S. Government has a clear role to help remove the barriers and to expand the role for nuclear power in this country."

My amendment can only move the country forward when it comes to our energy needs, and I urge my colleagues to vote "yes" on the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina (Mr. BARRETT).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 14 printed in House Report 108-69.

AMENDMENT NO. 14 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. BLUMENAUER:

At the end of subtitle D of title V of division A, insert the following new section:

**SEC. 15050. CONSERVE BY BICYCLING PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term "program" means the Conserve by Bicycling Program established by subsection (b).

(2) SECRETARY.—The term "Secretary" means the Secretary of Transportation.

(b) ESTABLISHMENT.—There is established within the Department of Transportation a program to be known as the "Conserve by Bicycling Program".

(c) PROJECTS.—

(1) IN GENERAL.—In carrying out the program, the Secretary shall establish not more than 10 pilot projects that are—

(A) dispersed geographically throughout the United States; and

(B) designed to conserve energy resources by encouraging the use of bicycles in place of motor vehicles.

(2) REQUIREMENTS.—A pilot project described in paragraph (1) shall—

(A) use education and marketing to convert motor vehicle trips to bicycle trips;

(B) document project results and energy savings (in estimated units of energy conserved);

(C) facilitate partnerships among interested parties in at least 2 of the fields of—

- (i) transportation;
- (ii) law enforcement;
- (iii) education;
- (iv) public health;
- (v) environment; and
- (vi) energy;

(D) maximize bicycle facility investments;

(E) demonstrate methods that may be used in other regions of the United States; and

(F) facilitate the continuation of ongoing programs that are sustained by local resources.

(3) COST SHARING.—At least 20 percent of the cost of each pilot project described in paragraph (1) shall be provided from State or local sources.

(d) ENERGY AND BICYCLING RESEARCH STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall enter into a contract with

the National Academy of Sciences for, and the National Academy of Sciences shall conduct and submit to Congress a report on, a study on the feasibility of converting motor vehicle trips to bicycle trips.

(2) COMPONENTS.—The study shall—

(A) document the results or progress of the pilot projects under subsection (c);

(B) determine the type and duration of motor vehicle trips that people in the United States may feasibly make by bicycle, taking into consideration factors such as—

- (i) weather;
- (ii) land use and traffic patterns;
- (iii) the carrying capacity of bicycles; and
- (iv) bicycle infrastructure;

(C) determine any energy savings that would result from the conversion of motor vehicle trips to bicycle trips;

(D) include a cost-benefit analysis of bicycle infrastructure investments; and

(E) include a description of any factors that would encourage more motor vehicle trips to be replaced with bicycle trips.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$6,200,000, to remain available until expended, of which—

(1) \$5,150,000 shall be used to carry out pilot projects described in subsection (c);

(2) \$300,000 shall be used by the Secretary to coordinate, publicize, and disseminate the results of the program; and

(3) \$750,000 shall be used to carry out subsection (d).

The CHAIRMAN. Pursuant to House Resolution 189, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have had a range of interesting conversations in the course of debate so far this evening. I would like to advance something that is in the past an issue that we have had a lot of fun with. I am talking about cycling. We have organized a bicycle caucus of Members of Congress. We have had a lot of fun with some social events. Every Member I have met in Congress has some example where cycling has made a difference in their lives, but it is also serious business.

Mr. Chairman, we have an opportunity this evening to make an impact on millions of Americans who ride their bikes on a regular basis, or who might. Energy conservation does not have to be difficult. It can be as economic, healthy and environmentally friendly as a bike ride. Transportation is the number one use of energy in this country. Indeed, we use 10 percent of the world's supply of petroleum just to fuel our automobiles. The key is to give Americans more choices about how they move.

The bicycle is the most efficient form of urban transportation ever devised. America has over 100 million bicycles available to them. Unfortunately, too many of them spend time in garages, attics, and basements. At a time when we are concerned about the health of this country, and we have a terrific caucus that has been developed by our colleagues, the gentleman from Tennessee (Mr. WAMP) and the gentleman

from Colorado (Mr. UDALL), to zero in on fitness, cycling is a key way to improve cardiovascular health and deal with the number one problem today, obesity.

We are all concerned about congestion. Many of us live in Washington, D.C., a third to half of our time. This is the second most congested area in America. A bicycle uses approximately one-tenth of the space on the roads to drive, and less than that to park.

We are concerned about air pollution, and cycling simply does not contribute to air pollution. Nationally, we have less than 1 percent of our trips now that are using cycling, but we have watched dramatic increases in cycling since we have had the ISTEA legislation and TEA-21. We have spent over a billion dollars on cycling, and we have seen some dramatic improvements; but we do not know exactly what difference it has made.

This amendment would establish to conserve by bicycling a pilot program in the Department of Transportation, oversee up to 10 geographically dispersed pilot projects across the country designed to conserve energy resources, provide education and marketing tools to help people convert auto trips to cycling. It will encourage key partnerships between the stakeholders in transportation, law enforcement, education, public health, environment and energy.

We have seen these partnerships work across the country, not just in bicycle towns that we would expect where there are large campus compositions such as in Davis, Boulder, and Eugene, but in larger cities like Chicago, and dare I say, Portland, Oregon.

□ 2215

This amendment would authorize \$6.2 million for the pilot projects and the study to get the facts to formulate better policy. It is supported by a wide array of organizations: The League of American Cyclists; America Bikes; the Natural Resources Defense Council, Friends of the Earth; STPP, the Surface Transportation Policy Project; Smart Growth America; Bikes Belong. These are people who know that we can make real progress.

We have seen in Portland, Oregon, where the Members all know it rains all the time, that we have been able to more than double the national average of cycling. If we were able to have that level of participation across the country, we would save over two-thirds of a billion gallons of gasoline a year, over \$5 billion in transportation costs.

Mr. Chairman, there is no single solution to our country's energy problems, but there is no solution that has more potential for improving our quality of life, our environment, our health and our transportation system while saving energy. I strongly urge the body to adopt the Conserve by Bike Energy amendment.

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

The CHAIRMAN. Who claims time in opposition?

Mr. BARTON of Texas. Mr. Chairman, I am not in opposition. I seek time only for purposes of controlling the time on this side.

The CHAIRMAN. Without objection, the gentleman from Texas (Mr. BARTON) is recognized.

There was no objection.

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

We are probike, and we rise in full support of this amendment. It passed the House in essentially the same form last year in H.R. 4. House and Senate conferees, however, did not reach resolution on this issue or other vehicle and Energy Policy Act issues.

In assessing the program outlined by this amendment, both myself and the gentleman from Louisiana (Mr. TAUZIN), the full committee chairman, would note that the Federal Government has already made a very substantial investment in bicycling and walking. According to a 1999 Department of Transportation report, Federal spending on such activities rose from \$6 million in 1990 to \$238 million in 1997.

I myself ride my bicycle back and forth to work in my hometown of Ennis, Texas, both to my congressional office and my campaign office. I would consider doing so here in Washington if we had a safe bicycle path between Arlington, Virginia, where I live, and the Nation's Capital.

So we are in very strong support of the gentleman's amendment and hope that we can pass it by unanimous consent.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I rise in support of this amendment. It took me 5 years at one point in my life to try to help us in New York get some Federal funding to help us build some safe bikeways. We got that funding, and we have safe bikeways now in portions of New York, and people ride on them all of the time.

I see them in the rain. They even ride in the snow. But one of the joys I see is that I see people there, families, teaching their little ones how to ride a tricycle. Do the Members remember when they got on a bike and realized that they could actually ride a two-wheel bike? What a proud moment that is for children.

America likes to ride bikes and from the time we are young we get on these bikes and we ride. It is a terrific way of transportation. It is fun and it leads to a healthy life-style. Many gyms in America have set up spin classes, which is essentially bike riding, to help people stay fit.

We spend \$1.2 billion annually on bike-related facilities like bike paths and other things, but there are really no useful studies on the effect of bike use in the United States. Biking is used as a primary way or an alternate way

to get to work by many people around the world; unlike automobiles, a bike is emissions free and a healthy way to enjoy our beautiful country.

I urge my colleagues, Mr. Chairman, to support this amendment. I am glad it will be accepted by the committee.

Mr. BLUMENAUER. Mr. Chairman, I yield myself such time as I may consume.

I will quit while I am ahead. I appreciate the gentleman's kind words.

I do find it appalling that in our Nation's Capital, in surrounding environments which have potential for some of the most spectacular cycling anywhere in the country, that there are some areas where they are taking their life in their hands. We look forward in the reauthorization of the Surface Transportation Act to work with the gentleman and others to make sure that we have safe routes to school, to work; and I appreciate the gentleman's courtesy in support of this amendment.

Mr. BARTON of Texas. Mr. Chairman, we support it, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 15 printed in House report 108-69.

AMENDMENT NO. 15 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. RYAN of Wisconsin:

In Division A, in title VII, subtitle A, after section 17107, insert the following new section and make the necessary conforming changes in the table of contents:

**SEC. 17107A. REDUCING THE PROLIFERATION OF BOUTIQUE FUELS.**

(a) EPA APPROVAL OF STATE PLANS WITH BOUTIQUE FUELS.—Section 211(c)(4) of the Clean Air Act (42 U.S.C. 7545(c)(4)) is amended by adding the following at the end thereof:

“(D) In the case of gasoline, after the enactment of this subparagraph, the Administrator shall give a preference to the approval of implementation plan provisions described in subparagraph (C) if the control or prohibition in such provisions requires the use of either of the following:

“(i) Federal clean burning fuel meeting the requirements of subsection (p)(1).

“(ii) Low RVP gasoline meeting the requirements of subsection (p)(2).”

(b) PREFERRED GASOLINE OPTIONS.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by adding the following new subsection at the end thereof:

“(r) PREFERRED GASOLINE OPTIONS.—

“(1) FEDERAL CLEAN BURNING GASOLINE.—For purposes of this section, the term ‘Federal clean burning gasoline’ means reformulated gasoline as defined in subsection (k), the Reid Vapor Pressure of which is equal to 6.8 pounds per square inch (psi) for the high ozone season (as determined by the Administrator).

“(2) LOW RVP GASOLINE.—The Administrator shall promulgate regulations pro-

viding for a gasoline blend for the high ozone season (as determined by the Administrator) having a Reid Vapor Pressure of 7.8 pounds per square inch (psi).”

The CHAIRMAN. Pursuant to House Resolution 189, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is fairly straightforward, but it may take me a second to explain. In the 1990 Clean Air Act, what we did in that law was, if an area went out of ozone non-attainment compliance, if an area was too dirty in the air, among the things that were required in that area were new cleaner blends of gasoline. So what occurred in the 1990 Clean Air Act was a new system of fuels whereby the local area that went out of compliance could adopt its own blend of fuels, and so where in 1990 we had three different blends of gasoline in America, we now have 14 different blends of gasoline each with three grades, giving us 45, essentially, different blends of gasoline.

What this map right here shows is all the different boutique fuel requirements across America, and what is interesting about this is they are not fungible with one another. So, for example, the gas we burn in the Milwaukee and Chicago region cannot be used in any other part of the country and we in that area cannot use other blends in our part of the country. So if we have a pipeline break, if we have a refinery fire or something happens to disrupt the refinery and pipeline system which is running at 98 percent capacity today, we have a huge shock or drop in the supply of that blend of gasoline, and consequently, we have sharp price spikes.

So looking at today's system, we could conceivably drive in from Green Bay, Wisconsin, just down to St. Louis, Illinois, fill the gas tank with four different blends of gasoline, northern or conventional gas in Green Bay, northern reformulated gas or ethanol in Kenosha, a southern reformulated gas in Illinois, and a different reformulated gas in St. Louis.

This is where we are today. This is because of all the areas that are out of compliance with the Clean Air Act.

But looking at what is to come tomorrow in the Clean Air Act is this: Right now, 136 counties in America are out of compliance with the Clean Air Act, and because of that, have to have a blend of reformulated gas. It is these other blends I just showed the Members, Mr. Chairman. But what is going to happen, when next year we move from the 1-hour ozone standard to the 8-hour nonattainment standard, is another 155 counties will be automatically out of attainment. They will have to have new blends of gasoline.

So if we look at the map here, the blue areas on my map are the current

nonattainment areas. The red areas on the map, which is most of the densely populated parts of America east of the Mississippi, will also go into nonattainment next year. And what this is going to cause is the proliferation of more boutique fuels. According to the non-partisan Energy Information Association, this will bring our country from a boutique fuel system of 16 different boutique fuels to another 24 boutique fuels on top of that, giving us more than 100 different blends of gasoline.

So let me repeat that, Mr. Chairman. What we are going to, with the new 8-hour ozone attainment rules starting next year, is we are doubling the amount of areas in this country that will go out of attainment. We move from 16 different blends of gasoline to having another 24 different blends of gasoline on top of that system. That is where we are headed today.

It is an unsustainable position. And what happens is our supply of fuel gets tight. If the supply lines for any reason get disrupted, we have huge price spikes.

What my amendment does is very simple. It simply says for these new areas going into nonattainment, for the other areas who are already at nonattainment who want to change their gasoline, they now have a menu of two clean fuels that are preferred by Federal Government from which to choose, because, for now, what is going to happen when all these counties and all those States go into nonattainment, is up to them.

They are going to choose various different boutique fuels to meet their particular needs, and this proliferation of specific blends of gasoline will get out of control. We want to stop that from happening, and so we are simply offering a solution by having a Federal Government menu of two fuels for them to choose from before they try to go and have their other type of gasoline.

Mr. Chairman, we are going to have huge gasoline price spikes, as we have had in the upper Midwest lately, in the very near future if we do not fix this problem. The source of that problem is the proliferation of boutique gasoline fuels, and we have a solution in this amendment. It does not force the States to do it, it does not preempt States' rights. It simply says to the States, choose from this menu of clean fuels that the Federal Government offers before they want to go on their own and have a boutique fuel.

That is what this amendment does, Mr. Chairman.

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

The CHAIRMAN. Who claims time in opposition to the amendment?

Mr. ENGEL. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from New York (Mr. ENGEL) is recognized.

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment. Frankly, we have been spending

a good part of the day trying to figure out what this amendment does, and it is very difficult really to figure out. We have had a lot of people going over it, and there have been a lot of questions.

I regret that the amendment was not vetted or did not come up for a vote with the Committee on Energy and Commerce. We did this chapter in this bill until late in the evening, early morning last week, and this amendment did not come forward; and we believe that the amendment appears to have drafting problems. It is not clear what the ultimate impact will be of this amendment, although it is debatable whether or not the amendment will achieve its goal of reducing the boutique fuel problem.

I am very disappointed, as well, that this is the only amendment made in order by the Committee on Rules on the renewable fuels standard. We have had a number of amendments in the committee that we wanted to bring to this floor, but we were not able to do it because the Committee on Rules, the Republican-controlled Committee on Rules, refused to let us have these votes on the House floor.

So I believe we have missed a great opportunity to include a renewable portfolio standard that would require the use of renewable energy by utilities in this bill. One might think that that is because the Republican majority is against mandates, yet they do not appear to be so antimandate when it comes to the fuels we use in our cars.

The renewable fuels standard will force the United States to accept an ethanol mandate that is entirely without justification for an industry that is concentrated in relatively few hands, while providing liability relief for MTBE producers that knowingly produce a defective product, as well as liability relief for ethanol and ETBE which could be a source of future groundwater contamination without banning the MTBE.

Despite failing to provide MTBE, the bill provides MTBE manufacturers with \$750 million in transition assistance. This bill is antifree-market, antienvironmental in important respects, and makes relatively little common sense. It provides safe harbors and subsidies to those who create it or would worsen the MTBE problem and gives nothing back to those who suffer from its ill effects.

In this case, unfortunately, the legislative process has produced a bill, in my opinion, with almost nothing to recommend it save that it satisfies all of the competing claims of special interests: the MTBE makers, the oil companies, and the ethanol producers.

On Tuesday, the Energy Information Agency predicted that by the time ethanol was fully integrated in California, the price increase for reformulated gas would be 9 cents per gallon. For a State like New York, California, or Connecticut, which use a large amount of reformulated gasoline, this will represent an income shift of hundreds of

millions of dollars from our citizens' pockets to those in ethanol-producing States. Furthermore, when the EPA implements its new 8-hour ozone rule, 155 new counties will have to use reformulated gasoline.

I hope my colleagues who represent these counties know that the ethanol mandate will increase their constituents' gas prices. Ethanol will also make it tougher to meet our air quality standards. While the supporters love to tell us that ethanol reduces carbon monoxide, they fail to tell us that ethanol use results in higher nitrogen oxide emissions, which contribute to ozone. In fact, ethanol has to get a waiver from the Clean Air Act to be used in the summertime because of its ozone-forming qualities.

Ethanol proponents also claim that ethanol will reduce our demand for foreign oil, but a 2002 study published by the Encyclopedia of Physical Sciences and Technology concluded that it takes more energy to produce a gallon of ethanol than that gallon yields.

□ 2230

Additionally, since ethanol has less energy contents than conventional gasoline, it takes more ethanol blend gasoline to travel the same distance. On average, the loss is a 3 percent decrease in miles per gallon vehicle fuel economy. Thus, if Americans continue to drive the same number of miles under the ethanol mandate as they did without it, more oil will be needed to be imported to compensate for the lost fuel economy.

Although some argue ethanol use leads to greater energy independence, this is not the case. Fuel ethanol only accounts for about 1.2 percent of the gasoline consumption in the U.S. volume. Moreover, given that America's ethanol supply is heavily dependent on one crop, corn, any supply shortages or price increases relating to the crop could negatively affect the supply and cost of ethanol and, thus, gasoline. This happened when high corn prices caused by strong export demand in 1995 contributed to an 18 percent decline in ethanol production between 1995 and 1996. In other words, an ethanol mandate will increase our gasoline prices and harm our air and water quality.

Rather than allowing an amendment that would phase out MTBE over the next 4 years to come to the floor, we are debating an amendment that I believe does nothing to improve the RFS.

If we want to talk about clean fuels, why are we not debating the amendment I cosponsored with the gentleman from California (Mr. OSE) that would have allowed a credit against the ethanol mandate for any refiner that produces clean burning gasoline?

This is the direction our Nation's fuel policy should take. Instead of mandating inputs into gasoline, we should set high environmental standards and let oil refiners and automakers meet those standards.

While I applaud the intent of the Ryan amendment to reduce boutique

fuels, I do not believe this is the way to do it. The amendment could exacerbate, I believe, the boutique fuel problem because it merely expresses a "preference" for two types of fuels, but does not require refiners to use certain fuels. As a result, Wisconsin might adopt the gentleman from Wisconsin's preferred fuel, and Illinois might keep RFG. Such a standard will significantly constrain the refiner's ability to produce and supply two different fuels, clean burning gasoline and RFG.

EPA believes that the provision could act to slightly reduce the number of fuels. However, they believe more strongly that the removal of the oxygenate requirement will have a much greater effect on the boutique fuel problems than the Ryan amendment.

I also believe this amendment is unnecessary because the bill requires EPA to conduct a study of boutique fuels. This amendment would take effect before the study is completed.

This whole provision makes the phrase "politics makes strange bedfellows" truer than ever. The National Petrochemical and Refiners Association has worked with me in opposition to this amendment, believing that it will unnecessarily complicate the already complicated fuels requirement picture. NPRA believes that further action on boutique fuels should await the results of the study already called for by the bill.

Finally, I would like to mention that just a few hours ago I got this back from the New York State Department of Environmental Conservation, which opposes the amendment. This is what they say:

"However, if the stated intent is to reduce the number of boutique fuels by permitting States to select from only two when drafting the clean air State implementation plans, then New York State is opposed to this amendment and would encourage New York Members to vote against it. This requirement would tie the hands of State air regulators by requiring the clean air standards be met, but at the same time take away the tools needed to meet these standards."

Mr. Chairman, I urge my colleagues to vote against the amendment.

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

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think there is a misunderstanding by the gentleman from New York (Mr. ENGEL).

Number one, a lot of people are saying we need to study this some more and that there is a study in this bill. We have had a very exhaustive study, last year by its EPA, followed up by numerous studies by the EIA, along with the study from the Federal Trade Commission; so we have had a lot of studies on this. All of them conclude with, we have to get our hands around this boutique fuel problem and consolidate the amount of boutique fuels.

Now, how the amendment works is this: The preference will not exacer-

bate the boutique fuel problem; it will simply streamline the boutique fuels, so that States and counties who now have this ozone attainment standard they have to meet will go to the federally preferred fuel blends, instead of to different kinds of blends that are boutique and that exacerbate this problem.

The State of New York will not be affected by this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, our full committee chairman has been referred to on the floor this evening as the Energy Bunny. He certainly is that for his extreme support for the bill. We would have to refer to our gentleman from Wisconsin, the supporter of this amendment, as the Energy Badger, coming from the Badger State of Wisconsin, because he has badgered myself and the full committee chairman for the last 3 months in a very positive way on this amendment. So we do rise in support of the amendment.

We have one concern about it. The gentleman's amendment, as it is currently written, has a requirement for specific vapor pressures. The gentleman knows that when we get to conference, myself and the full committee chairman reserve the right to modify the technical side of this amendment to make sure that it is actually implementable in the marketplace.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I agree with the idea and the need to modify the revapor pressure levels. I do not think that in any way hurts the spirit or intent of this amendment.

The intent of this amendment is to first have States go to the preferred fuel and then have to prove that they cannot use that fuel and they have to go to some other kind of fuel, so that we bring them toward a preferred fuel. What that fuel is is clearly something we all should discuss, and there is not one great answer to that question.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, we understand that vulcanized fuels hurt consumers, and we support the gentleman's concept of going towards more uniform fuels that still meet the requirements of the Clean Air Act.

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am wondering if the gentleman would answer a couple of questions.

In view of what the chairman, the gentleman from Texas, just said, could the gentleman please tell me why you chose these numbers?

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, 6.8 and 7.8, those are from the EPA study conducted last year which recommended a three-fuel menu, 9.0 RVP, which is what we call conventional gas; 7.8 RVP, which is sort of a midlevel clean-burning gas that 20 percent of the country uses; and 6.8 RVP, which is reformulated gas. That is the revapor level equivalent of formulated gas. Those are recommended to us by the Environmental Protection Agency.

Mr. ENGEL. Mr. Chairman, I would ask the gentleman, there are many other fuel blends, are there not?

Mr. RYAN of Wisconsin. If the gentleman will yield further, there are 45 different fuel blends in existence today. According to the EIA, Energy Information Agency, there will be 69 different fuel blends with the new 8-hour ozone attainment if we do not do something to reduce the number of these blends.

Mr. ENGEL. Mr. Chairman, let me ask the gentleman also, the existing statutory standard for approval of a plan containing a gasoline requirement is that "other control measures are unreasonable or impractical." Would this amendment alter that standard in any way?

Mr. RYAN of Wisconsin. No, it still keeps the SIP process, the State Implementation Plan process. It simply says, we want you to go look at these blends. We prefer these blends. You can satisfy your SIP process with these blends, and if you cannot use these blends, you have to prove that you cannot use these blends and then prove that this will satisfy the Clean Air Act requirements, if you choose not to use these blends. These blends are already cleared under the Clean Air Act today.

Mr. ENGEL. Let me finally ask, can the gentleman explain, because I am still a bit confused, what the meaning of "preference" is and how it would be implemented by the EPA?

Mr. RYAN of Wisconsin. Because we did not want to preempt States' rights, because we did not want to force each locality as to what blend they would use, we wanted to make it so that they can have an easier path towards satisfying their Clean Air Act requirements by going to these blends first, knowing that they will satisfy the Clean Air Act if they adopt these blends. By having more and more areas adopt these blends, they will be in more supply, they will be cheaper in place, and there will be a greater incentive to adopt these standard blends from this Federal menu. But if they, for some reason, cannot do it, then they can go through the SIP process to get around it.

The CHAIRMAN. The time of the gentleman from New York has expired.

The gentleman from Wisconsin (Mr. RYAN) has 2½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I am proud to rise in support of the Ryan amendment.

In the debate today we are talking about meeting our Nation's energy challenges. We are talking about how we need to produce more. Some of us are talking about how we need to conserve more. But we cannot meet our energy needs if we do not also talk about how to distribute fuel and energy more effectively, more efficiently, and that is what this amendment is all about.

I do not believe that we can get our arms around the problem of price stability unless we begin to deal with the problem of boutique fuels. This amendment does not go as far as I know the author would like to go, as legislation that he and I have coauthored would go, but in terms of beginning to take us down the right path, I think it is an important step.

He would like to go further, I would certainly like to go further, but in terms of taking a first step on the issue of boutique fuels, I think it is a commendable first step. I congratulate the gentleman.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Chairman, I rise in support of this amendment, and along with chairman of the subcommittee, we are going to work to perfect it as we go to conference.

Let me point out that the problems Chicago and Milwaukee experience with boutique fuels could happen anywhere in America if you just had a few things happen simultaneously: a breakdown in a pipeline delivery of these boutique fuels; a problem of moving from one blend to another because you are going from winter to summer grade; a problem with just a little shortage, and all of a sudden the name-brand stations get their fuel and the independents do not, they start bidding against each other, and a small shortage exacerbates a rise in prices the likes of which drive consumers crazy.

That is the problem the gentleman from Wisconsin (Mr. RYAN) is going after, and while it is not yet perfect, I want him to know we are going to keep working with him until we get it perfect.

But he is on the right track. This is the right thing to do to streamline this process, isolate it, until we have fewer, not more, different blends and varieties of boutique fuels, and we will have a much better regional market to deal in.

Consumers benefit in the end as long as we do this in a way that keeps to the Clean Air Standards and requirements of the Clean Air Act.

Mr. Chairman, I congratulate the gentleman on his persistence, and we will keep working with him until we get the job done.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I just want to conclude by thanking the chairman for working with us. This is an issue that has plagued motorists in Wisconsin for a few years in a row. It is plaguing all motorists east of the Mississippi, and it is spreading to the rest of the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 16 printed in House Report 108-69.

AMENDMENT NO. 16 OFFERED BY MS. SCHAKOWSKY

Ms. SCHAKOWSKY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. SCHAKOWSKY:

In division B, at the end of title II, insert the following new section:

**SEC. 22003. SENSE OF CONGRESS.**

It is the sense of the Congress that—

(1) the Secretary of Energy should develop and implement more stringent procurement and inventory controls, including controls on the purchase card program, to prevent waste, fraud, and abuse of taxpayer funds by employees and contractors of the Department of Energy; and

(2) the Department's Inspector General should continue to closely review purchase card purchases and other procurement and inventory practices at the Department.

The CHAIRMAN. Pursuant to House Resolution 189, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment addresses a serious problem that exists at several U.S. Government agencies, including the Department of Energy. It seeks to put Congress on record in support of strengthened protections against waste, fraud and abuse of taxpayer funds at the Department of Energy.

The amendment expresses the sense of Congress that:

(1) the Secretary of Energy should develop and implement more stringent procurement and inventory controls, including controls on the purchase card program, to prevent waste, fraud and abuse of taxpayer funds by employees and contractors of the Department of Energy; and

(2) the Department's Inspector General should continue to closely review purchase card purchases and other procurement and inventory practices at the Department.

□ 2245

Since 1998, the Inspector General at the Department of Energy has conducted 20 reviews at 11 different sites. As a result of the reviews, it was found that the Department of Energy employees illegally misused government

purchase cards to acquire such unofficial items as home improvement products, hunting equipment, electronics, lawn equipment, and power tools, all for personal, not official, use.

The DOE Inspector General has also reported that Department of Energy employees have undertaken other complex and illegal schemes to acquire items for personal use, such as generating fraudulent invoices to mask making those purchases, providing kickbacks to suppliers who agreed to participate in quid pro quo schemes, circumventing Department policies and procedures by allowing employees to approve their own purchase card transactions, and acquiring goods for personal use that were delivered to nondepartment locations.

Such problems have led the General Accounting Office "to designate DOE contract management, defined broadly to include both contract administration and management of the projects, as a high-risk area for fraud, waste, abuse, and mismanagement."

The Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce held two hearings this year to review illegal procurement practices at the Los Alamos National Laboratories. Thanks to brave whistleblowers and the Inspector General, Los Alamos personnel were caught using thousands of taxpayer dollars to buy items like sunglasses, hunting knives and, get this, lock-picking sets, golf equipment, sleeping bags, and more. One employee even attempted to purchase a Ford Mustang using her Federal Government purchase card. Another employee used her government purchase card at local casinos.

While some of the more newsworthy examples are about the purchase card program, other problems exist with inventory and procurement control in general. The IG has also reported hundreds of thousands of dollars worth of "unlocated, lost, or stolen" items, including desktop computers, laptop computers, cameras, computer printers, radio transceivers, video recorders, and telephones.

These examples are just the tip of the iceberg.

Passage of this noncontroversial amendment will put us all on record in support of additional efforts to root out this kind of shameful abuse of taxpayer funds.

Mr. Chairman, I urge all Members to support the Schakowsky amendment.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Ms. SCHAKOWSKY. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I want to advise the gentlewoman that we support her amendment. In fact, as she well knows, the Subcommittee on Oversight and Investigations chaired by the gentleman from Pennsylvania (Mr. GREENWOOD) has done some extraordinary work and uncovered some massive and seriously disturbing problems with inventory management and

theft of government property at Los Alamos. The efforts of the gentleman from Pennsylvania (Mr. GREENWOOD) already demonstrate very clearly why this amendment is such a good idea.

Our oversight has revealed the troublesome story of looting and the Subcommittee on Oversight and Investigations has revealed what appears to be a lack of interest by senior laboratory managers to do anything about the theft and the fraud that is going on right under their noses.

What we found most astonishing about the theft and fraud is that it took place at such a vital facility. Los Alamos is a facility that our Nation trusts with some of our most sensitive information. So we reviewed this abuse of purchase cards and found that DOE has been quick to distribute purchase cards to employees and contract workers, but very slow to implement management procedures to monitor and control abuse and to cut down on fraud.

So, Mr. Chairman, the Schakowsky amendment is a clear sense of Congress that DOE should get its act together with respect to procurement and inventory control. I am pleased and proud to support her amendment.

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

Ms. JACKSON-LEE of Texas. Mr. Chairman, yes, although I am not in opposition.

The CHAIRMAN. Without objection, the gentlewoman from Texas will control the time in opposition.

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I claim the time in opposition, but I will not speak in opposition, and I yield myself such time as I may consume.

What I would like to indicate, Mr. Chairman, is that when we began this debate on H.R. 6, this energy bill, I thought it was best, or I thought it was what we wanted to do, was to make the energy policy of this Nation better, both the systems and agencies that are engaged, and the Schakowsky amendment speaks to that question. It probes the Department of Energy, and it seeks to clean out the Department of Energy. It provides them with a guide and a model by which to provide for their procurement and also this unique question of an individual employee procurement card system which means that employees can utilize an independent credit card and purchase items without any supervision.

I believe the ANWR amendment sought to improve the bill, and I believe the Dingell amendment sought to improve the bill. I believe the Udall amendment sought to improve the bill, as did the Waxman amendment; and clearly, I believe that the gentlewoman from Illinois speaks to an issue that is extremely important.

There is another amendment coming up by the gentleman from Oregon (Mr. Wu) that likewise will do the same. But I do want to implore the gentlewoman

from Illinois on the fact that we need to save taxpayers' dollars and, more importantly, design an energy policy that will be more efficient, effective, and utilized by all of America. The Department of Energy can stand a worthy review. This amendment will allow the Department to develop and implement more stringent inventory and procurement controls and particularly put the sunlight on this whole idea of a purchase card program.

I know that this is not the Department that purchased \$600 toilet seats, but I do believe that we can begin to look at the Department and make it a stronger Department by ensuring that we have an oversight that will be effective and helpful for all of us.

Mr. Chairman, I ask that my colleagues support the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. TAUZIN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) will be postponed.

It is now in order to consider amendment No. 17 printed in House Report 108-69.

AMENDMENT NO. 17 OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. WU:

In division B, title II, at the end insert the following new section:

**SEC. 22003. REPORT ON EQUAL EMPLOYMENT OPPORTUNITY PRACTICES.**

Not later than twelve months after the date of enactment of this Act, and biennially thereafter, the Secretary shall transmit to Congress a report on the equal employment opportunity practices at Department of Energy National laboratories. Such report shall include—

(1) a thorough review of each laboratory contractor's equal employment opportunity policies, including promotion to management and professional positions and pay raises;

(2) a statistical report on complaints and their disposition in the laboratories;

(3) a description of how equal employment opportunity practices at the laboratories are treated in the contract and in calculating award fees for each contractor;

(4) a summary of disciplinary actions and their disposition by either the Department or the relevant contractors for each laboratory;

(5) a summary of outreach efforts to attract women and minorities to the laboratories;

(6) a summary of efforts to retain women and minorities in the laboratories; and

(7) a summary of collaboration efforts with the Office of Federal Contract Compliance

Programs to improve equal employment opportunity practices at the laboratories.

The CHAIRMAN. Pursuant to House Resolution 189, the gentleman from Oregon (Mr. WU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I yield myself such time as I may consume. I understand that the chairman is accepting this amendment. I thank the chairman.

At this time I will include some documents for the RECORD, including a General Accounting Office report on the subject.

To be able to serve our nation's energy and military research needs, the Department of Energy's national labs need to attract the best and the brightest. However, there are signs that the labs are experiencing challenges in recruiting and retaining talented scientists.

Results from an internal DOE survey, conducted by the DOE National Ombudsman's Office, indicated that 80 percent of African Americans, 62 percent of Hispanic Americans, 26 percent of Caucasians, and 74 percent of Asian Pacific Americans working at DOE labs agreed that there is racial profiling at the lab.

According to an April 2002 GAO report, many professional lab employees have significant concerns about their workplace. They are concerned about (1) recruiting efforts, (2) pay, (3) promotion, and (4) lab work environment. The concerns are especially acute among the labs' minority and female employees.

Whether these are real or perceived sentiments, it is a serious national issue that such a high percentage of lab employees have concerns about their work environment. Should this trend continue, the labs could cease to be an attractive workplace for American scientists. As a nation, we cannot afford to lose our best asset, our human resources.

This amendment is simple, and non-controversial. It requires the Secretary of Energy to make a biennial report to Congress on DOE labs' EEO practices. This amendment's reporting requirements mirror the April 2002 GAO report's recommendations and I believe it would help safeguard our national security and help maintain America's scientific edge.

HIGHLIGHTS OF GAO REPORT ON WEAPONS LABS, MAY 20, 2002

Lab employee concerns concentrate in four areas. They are (1) recruiting, (2) pay, (3) promotion, and lab work environment.

GAO sampled Weapons Labs 1995 and 2000 data on staff composition.

Questions the GAO asked were: (1) describe the composition of weapons laboratory staff by race/ethnicity, gender, and job category in 1995 and 2000 to determine how the composition of laboratory staff has changed in the 5-year period; (2) determine whether there are statistically significant differences in selected personnel actions for managers and professionals when comparing minority men and women and White women with White men in fiscal years 1998 through 2000, the most current reliable data available at the time of the GAO data request; (3) describe EEO concerns raised by lab staff; (4) identify, if appropriate, opportunities for improving DOE's and the Office of Federal Contract Compliance Programs (OFCCP).

The three labs experienced some increases in their overall minority population. Lawrence Livermore is at 19 percent, Sandia at 24 percent, and Los Alamos at 34 percent.

For fiscal years 1998 through 2000, GAO found statistically significant differences in

certain personnel actions and not in others for minority men and women and White women in managerial and professional job categories compared with White men in these categories at the three laboratories. Most notably, with the exception of Asian men at Los Alamos and Sandia, and Hispanic men at Lawrence Livermore, the salaries for minority men and women and White women were lower than for White men.

GAO found statistically significant differences, with some exceptions, for disciplinary actions.

Minority staff attribute their low representation in certain jobs and management to recruiting strategies that do not extensively target colleges and universities with large minority populations.

Opportunities exist for DOE and OFCCP to work together to ensure that the labs meet EEO requirements. At the moment, DOE and OFCCP evaluations produced difference results. For example, in 1999, DOE rated Sandia as "outstanding" in human resources while the OFCCP cited Sandia for two affirmative action program violations. GAO recommends that the DOE and OFCCP coordinate their actions to support each other's efforts.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. WU. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I want to thank the gentleman for his cooperation with us. I appreciate his amendment. It is well written and well done. We support it, and I thank the gentleman for offering it.

Mr. HONDA. Mr. Chairman, In May of 2002, the General Accounting Office released a report that revealed an alarming disparity in salaries and rates of promotion between minorities when compared to which males in the same jobs at the Department of Energy's National Laboratories.

GAO found that salaries for minority men and women and white women were lower than for white men, with the exceptions of Asian-American men at Los Alamos and Sandia and Hispanic men at Lawrence Livermore.

Comparing men and women of the same race/ethnicity, GAO found that White, Asian, and Hispanic women earned less than their male counterparts.

The report also found that there are further areas for investigation. For example, with over 300 Asian-American professional staff at Lawrence Livermore, not one was promoted to a managerial position between 1998 and 2000.

When the report was released, I called for congressional hearings to determine the cause of these inequities so that we may remedy them to ensure that the Department of Energy can recruit and retain the highest quality ethnically diverse work force.

Unfortunately, the Science Committee took no action on this issue. The Wu/Johnson amendment would finally bring about some congressional action, by requiring the Secretary of Energy to report to Congress on DOE labs' equal employment opportunity practices in promotion, pay raise, discipline, and recruitment and retention efforts. I urge my colleagues to support the amendment.

Mrs. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today in favor of the Wu amendment. This is a simple, noncontroversial amendment that requires the Secretary of Energy to make a biennial report to Congress on DOE labs' EEO practices.

Why is such a requirement needed? This amendment's reporting requirements mirror the April 2002 GAO report's recommendations and I believe it would help safeguard our national security and help maintain America's scientific edge.

A Department of Energy internal survey demonstrates the sentiments of many minorities at the department. According to the survey, many minorities feel there are racial problems in this department.

In fact 80 percent of African Americans, 62 percent of Hispanic Americans, 26 percent of Caucasians, and 74 percent of Asian Pacific Americans working at DOE labs agreed that there is racial profiling at the labs.

Whether these are real or perceived sentiments, it is problematic that such a high percentage of lab employees have concerns about their work environment. Should this trend continue, the labs would cease to be an attractive workplace for American scientists. As a nation, we cannot afford to lose our best asset, our human resources.

This report also analyzed pay level, promotions, and management composition by race and gender at three DOE facilities: Lawrence Livermore, Los Alamos, and Sandia National Laboratories. While the GAO did not prove or disprove actual discrimination, it found statistical differences in the way that minorities and women were paid, promoted, or rewarded over a 5-year period from 1995-2000. According to the report, salaries for minorities and women at these DOE facilities lagged behind the salaries for white males.

There were also discrepancies in the promotion rate of some minority groups, including a failure to promote any of the 300 Asian-American staff members at the Lawrence Livermore facility during a 2-year period. In addition, white males were found to hold a greater percentage of managerial and professional jobs, 64 percent, than their representation in the work force, about 54 percent.

The results of this report painted a disturbing picture of inconsistency in the way minorities and women are treated in certain personnel action in the national laboratories.

I have long held the belief that America's work force—at all levels and in all sectors—should reflect the faces of this Nation. This report reveals that we have much work to do to encourage diversity and equality at our Nation's weapons facilities, and I hope that, by taking a closer look at how we are treating women and people of color in the workplace, we have taken a step in the right direction. I am encouraged that DOE has pledged to address the discrepancies raised by this report, and we in Congress will continue to monitor their actions and hold them accountable.

That is why this amendment is so important. It is vital that mechanisms be put in place to hold laboratories accountable to their promises to the workplace environment for minorities. The reports provided by this amendment would aid the Office of Federal Contract Compliance Programs at the U.S. Department of Labor and strengthen its oversight of DOE's hiring and recruitment practices. Without these safeguards, our national labs could become hotbeds that foster an atmosphere of pervasive mistrust and fear. And this is in no one's best interest.

Mr. WU. Mr. Chairman, I thank the gentleman from Louisiana (Mr. TAUZIN) for his cooperation, and I yield back the balance of my time.

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

The question is on the amendment offered by the gentleman from Oregon (Mr. WU).

The amendment was agreed to.

Mr. TAUZIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SWEENEY) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, had come to no resolution thereon.

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REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-72) on the resolution (H. Res. 191) waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013, which was referred to the House Calendar and ordered to be printed.

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REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-73) on the resolution (H. Res. 192) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

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WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 190 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 190

*Resolved*, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of April 10, 2003, providing for consideration or disposition of a conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 190 waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules against certain resolutions reported from the Committee on Rules. The waiver authorized by this resolution applies to any special rule reported on the legislative day of April 10, 2003, providing for the consideration of or disposition of a conference report to accompany the concurrent resolution, H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2004, and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.

Mr. Speaker, I would advise my colleagues that adoption of this resolution is made necessary because the work of the conferees on the budget resolution has taken longer than anticipated. Fortunately, however, the conference has now completed its work, and it is imperative that the House consider the proposed conference report on the budget before beginning its April district work period.

So accordingly, Mr. Speaker, I urge my colleagues to support H. Res. 190.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself 4 minutes. I thank the gentleman from Washington for yielding me this time.

Mr. Speaker, I rise to strongly oppose this undemocratic rule that will impose martial law on this House. Frankly, Mr. Speaker, this assault on regular order is appalling. The conference report was filed only a couple of hours ago, and here it is, hundreds of pages. Just a few minutes ago, the Committee on Rules met and reported the conference report to the floor.

I would only ask, have Members had the opportunity to read or review this

conference report? Were Members briefed on the details of this conference report? How about an outline? Have they read the summary? The answer, sadly, is no.

I would say to my friends on the other side of the aisle, this is not the renaming of a post office we are working on tonight. This is not a Sense of Congress resolution commending a football team. This is the budget of the United States. This is a big deal, and we owe it to the American people to treat it that way.

I know there are even Members on the other side of the aisle who have grave concerns about hundreds of billions of dollars in tax cuts for the wealthy during a time of war, recession, and deficits. These are important issues, and they deserve to be debated fully.

For anyone who may have questions about what exactly is going on here, let me try to explain.

The majority has brought a rule before the House that forces Members to consider the conference report on the budget resolution on the same day as the report is filed. In other words, if this unfair rule is approved, Members will be voting on the conference report without having any chance to read and study the language.

□ 2300

Now, my friends on the other side of the aisle will undoubtedly say, "This is basically the same budget we debated and voted on a few weeks ago. Trust us, you do not need to see all the details," they will tell us. I would only say to them that over the past few years I have seen too many bills rewritten behind closed doors, too many important issues decided by a handful of Members and their staffs, to take comfort in their assurances.

The Congressional Budget Act of 1974 mandates that a budget resolution be in place by April 15. Today is April 10. I would be delighted if someone could please tell me, what is the rush to complete the conference report tonight. We will be here in session tomorrow trying to finish the energy bill, as well as considering the conference report for the supplemental appropriations bill.

Why can we not wait at least 1 day before we consider this bill?

I would be more than happy to work through the weekend if necessary on a matter that is so important to our country's future. Even the distinguished Chair of the Committee on the Budget conceded during the Committee on Rules meeting just a few minutes ago that this process was indefensible.

Mr. Speaker, I fear that the leadership just wants to get this over with, to shove this mess through the House as quickly as possible before anyone has a chance to really study it.

If the majority has nothing to hide, then I urge every Member to oppose this rule. Let this House and the people we represent read the budget conference report. Let us study and under-

stand it. Let us fulfill our responsibilities as Members of Congress. Let us do the job we were elected to do.

I would urge my colleagues to oppose this undemocratic rule. I would say to my friends on the other side of the aisle, out of respect for this House, both Democrats and Republicans, and out of respect for the American people, vote "no" on this rule.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, we have before us a conference report, but everyone should understand there has been no conference in which the House or Senate Democrats have had any role or any part whatsoever.

This conference report comes to the floor in the same spirit, under a cram-down rule. Take it or leave it, here it is, a conference report that will spend \$2.2 trillion, one-fifth of our gross national product, which we have had less than 30 minutes to look over, 30 minutes to give the most cursory sort of examination to.

The rules of the House, Mr. Speaker, prohibit such unseemly haste when things are this important. The rules of the House require that a budget report of this kind lay over for at least 1 day before being called up. But our Republican colleagues, by this martial law rule, would take a chain saw to the rules of the House.

That is why this is called a martial law rule, it brooks no dissent. It mows right over the speed brakes we have set up to make sure that our decisions made here in the great House of Representatives of the United States are made carefully and deliberately and thoughtfully. This rule rips up those cautionary measures, those speed brakes, so that this budget resolution can be railroaded through this House.

Mr. Speaker, I choose my words carefully. That is what is happening here tonight in the cloak of darkness when this \$2.2 trillion budget resolution is being brought up. This resolution shows a disdain, indeed a contempt, for the process of deliberative government which we are all sworn to defend. It says, essentially, the majority has made up its mind; the minority should get out of the way.

There is a reason for this unseemly haste. It is not that we are about to go on the Easter vacation and do not have enough time to get it done tomorrow. No, that is not the reason we are pushing this thing, railroading this budget through the House.

The real reason is that it will not bear scrutiny. Republicans do not want a lengthy debate because it would reveal that this budget will raise the national debt by \$5 trillion, more than \$5 trillion over the next 10 years. That is right, this budget will raise the national debt from \$6 trillion to \$11 trillion over the next 10 years.

Everybody who votes for it should understand that this budget entails deficits of that size, debt accumulation

of that amount. It raises the national debt of the United States from just over \$5 trillion to over \$11 trillion over the next 10 years. Those are the plain consequences of it. That is the arithmetic of this budget resolution. There is no way around it. That is why it is being railroaded through here.

There is another reason, I think, that our colleagues on the other side do not want this budget debated. This budget is their economic policy. Their economic policy will not stand scrutiny. The economy is sagging, the number of jobs is decreasing, and rather than propose a budget that deals with these problems, they are bending the rules, they are distorting the process, they are doing whatever it takes to pass another round of tax cuts almost as large as the last round, which will go primarily to the wealthy and will drive deficits out of sight.

The objective is obvious: it is to pass this budget as quickly as possible and cut off debate before people realize the contents and, even worse, the consequences.

When they adopt a rule like this, Mr. Speaker, they diminish the minority and the role we play as the loyal minority, adversaries, ferreting out problems, thoughtfully going through major decisions like this. They diminish our role.

When they diminish my role and my colleagues' role, they do not diminish us or our party, but they diminish this great institution called the House of Representatives. They take that well, which should be a forum for ideas, a crucible where we grind out great policies for the good of this country, and they stifle debate, they cut off debate, they truncate debate.

When they do that, they do not just cut us off, they stifle this institution, this great institution. They violate the Constitution of the United States.

Mr. Speaker, this resolution should be defeated by every thoughtful, respectful Member who respects the prerogatives of this House. We should not be taking this matter up in such haste and we should not be taking it up without an opportunity to see it. We should not be rushing this through, railroading it through to passage. This is the wrong way to deal with a matter of such gravity, a budget that will spend \$2.2 trillion.

Some would say, spend it in such a fashion and provide for tax cuts that will leave us with deficits that are almost intractable for the foreseeable future, well into the future, and will accumulate nearly \$6 trillion of debt over the next 10 years.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the Committee on the Budget.

Mr. SCOTT of Virginia. Mr. Speaker, just about an hour before the Committee on Rules meeting, the Democratic side got one copy of the budget, so it is impossible to coherently discuss the budget. That is why this process is unfair.

Let us discuss the best way we can where we are and where we are going. This chart shows the deficit over the years showing Johnson, Nixon, Ford, Carter, Reagan. We went into a surplus under Clinton, and in 1 year under the Bush administration we are back into serious deficits. This does not include the war, so if Members actually wrote the amended numbers, it would be off the chart.

Let us see how we got in that mess. That is because we passed all these tax cuts. Who got them? The bottom 20 percent, 20 percent, the top 20 percent got the lion's share of the tax cuts. They call it a growth package. Give me a break. Private sector jobs created since World War II, we go over, administration by administration, the worst job creation since World War II, the worst economic growth in an administration, the worst economic growth since World War II. Do not tell me this is a growth package.

This has implications, because when we run up all that debt, we have to pay interest on the national debt. We are paying about \$4,500 a year for a family of four's proportionate share, \$4,500 interest on the national debt. That is going to go, under this budget, up to \$8,500 each and every year, interest on the national debt. So every time they cut another tax they have to pay interest, and this number is going up.

They are also cutting spending. Education, up about 12 percent every year, the last 5 years. They are cutting education. They say it is waste, fraud and abuse. We are budgeting. We have to have a line item. We are cutting, in this budget, school lunches, school lunches, student loans. They are cutting the line item that says school lunches, student loans, veterans' benefits. They are cutting those line items in the budget.

The fact of the matter is that this is an irresponsible budget. This is caused by the tax cuts, and this is a bad process. It is a bad budget.

This rule, which requires us to take this budget up tonight in the middle of the night, after virtually no notice, we have gotten the budget here in the middle of the night, it is an impossible process.

I would hope that Members would defeat this resolution and take the bill up tomorrow, where we can discuss it and point out even more problems with the budget.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would ask, does the gentleman from Washington (Mr. HASTINGS) have any speakers who want to defend this indefensible rule?

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

I think this is a very fair rule because, as I pointed out right from the start, we have to comply with the law which says we have to have a resolution passed by both bodies by April 15.

We all know that the Easter break we have is always a week before and a

week after Easter. I congratulate the conferees on both the House and Senate for getting a budget done this year.

I would remind the gentleman, if he recalls, last year we did not have a budget. We did have a budget in the House, we did not have a budget in the Senate. As a result, we had a very difficult time putting the appropriation bills together. So I think that the conferees have done an excellent job.

This rule simply provides for consideration of the budget today.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I take the gentleman's comments to mean that he does not have any other speakers.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. EMANUEL), a member of the committee.

Mr. EMANUEL. Mr. Speaker, Ronald Reagan once said: Facts are stubborn things. Since the economic management in the last 2 years, 2½ million Americans have lost their jobs; 5 million Americans are without health care who had health care before; \$1 trillion worth of corporate assets, small and large, have been foreclosed on; and 2 million Americans have walked out of the middle class to poverty. Those are the facts of the economic performance of the Republican administration and the Republican Congress.

Tomorrow, we are going to be asked to vote for reconstruction for Iraq. They will be provided funds for 20,000 units of housing in Iraq. Yet in this budget, in this economic plan for America's, there are only enough dollars for 5,000 units of housing.

There will be 13 million Iraqis who will get universal health care in tomorrow's vote. In this, not a single dollar for the working uninsured in America. Twenty-five thousand schools in Iraq will be rebuilt; not a single dollar to modernize a single American school will be provided for in this budget.

There are 12,500 schools in Iraq that will get basic books and supplies. In this budget, we are asking teachers to take it out of their wages here in America. Four million Iraqi children will be given early childhood education; yet this budget, this economic plan, calls for 28,000 children to be cut from Head Start.

There will be 3,000 roads paved, enough to reach from New York to California, in the budget for Iraq. This budget cuts \$6 billion from America's infrastructure.

A port in Iraq, the only deep port, will be rebuilt from beginning to end; yet this budget cuts 10 percent from our Corps of Engineers. Reconstruction for Iraq, rebuilding Iraq, we are asking our troops to come home to a diminished American dream, a smaller American dream.

We are providing for Iraq an economic plan that envisions a future. The future envisioned here in America is one with less education, one with less health care, one with less infrastructure, one with a less promising future.

When the fog of war is lifted, the facts on the ground will be 2½ million Americans without work, 5 million Americans without health care, \$1 trillion worth of foreclosed corporate assets, and 2 million more Americans who walked out of the middle class into poverty. Those are the facts of this economic performance and economic mismanagement.

We can do better. Our troops expect more. They are coming home to a smaller American dream, a diminished American future. We are talking about reconstruction for Iraq, yet this deconstructs America's future. We can do better.

This budget, this economic plan, has resulted in a diminished future for our children; yet, we are asking our people to finance a bigger, stronger, and a fairer future for Iraq.

There should not be that disconnect between Iraq's future and the one here in America.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

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

I wish to ask the gentleman from Washington if he might respond. I want to ask the gentleman a question regarding this resolution.

As I understand it, this is the martial rule, and this is necessary in order to bring up the budget resolution that just came out of the Committee on Rules.

I would ask the gentleman, is that correct?

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, this is a rule to allow for same-day consideration of the budget resolution when the conferees finish their conference, which they did today. There is a layover of time from the time the conference was done until they reported it in the House, so we complied with the House rules.

Mr. STENHOLM. That is the point I want to clarify, following House rules.

□ 2315

Does this resolution follow rule 26 by increasing the debt ceiling every year for the next 10 years?

Mr. HASTINGS of Washington. My understanding of the provision in the rules of the House means that an adoption of this budget this year will raise the debt ceiling, which, of course, we are running deficits because of the war effort and the downturn of the economy for this year.

Mr. STENHOLM. But not for 10 years?

Mr. HASTINGS of Washington. No. However, if our rules continue to have the provision that allows a budget vote to raise the debt, then we will take this up next year. But my understanding is this is for this year.

Mr. STENHOLM. So we are not exactly following House rules. Let me ask then, is it true that this resolution that will follow this same-day rule that will follow the other rule will increase our national debt by approximately \$900 billion in the next 12 months?

Mr. HASTINGS of Washington. That is correct.

Mr. STENHOLM. Nine hundred billion.

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

Mr. STENHOLM. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I believe the correct number is \$984 billion over the next 12 months. And under rule 27, if it applied, the debt increase would go up every year, staircase for the next 10 years, and the public debt subject to statutory limitation would increase from just over \$5 billion to a bit over \$11 trillion in 10 years, if the fiscal policies implemented by this rule are actually passed and carried out.

Mr. STENHOLM. Reclaiming my time, I see several Members on the floor, including the chairman of the Committee on the Budget.

I think it is very critical for all Members to understand, when you vote for this rule you are setting in motion the passage of a budget that no one on this side of the aisle has read and I doubt very many on that side has read, and we are going to borrow 984 billion additional dollars. That is on top of \$450 billion we have borrowed since we increased the debt ceiling 8 months ago. That is \$1.430 trillion.

Now, Mr. Speaker, I arrived in this body in 1979. In 1981 I watched our debt ceiling for our country increase through the \$1 trillion mark. We are about to borrow and spend \$1.400 trillion more than we have got, and we are going to do that within a period of 1 year following the economic game plan that we cannot get a majority on this side of the aisle to say is not working.

Now, I respect the right of the majority, and I respect all of my colleagues on this side of the aisle that for whatever reason find it impossible to change a plan that was put into effect last year. But I honestly do not understand when so many of you privately are concerned about this but publicly feel like, at 11:20 at night, you have got to have a martial rule, jam it through, pass it, which is every right of the majority to do; but when you do, you are going to be voting to increase the debt ceiling by \$1.400 trillion in less than a year's time.

Now, that used to bother folks on this side of the aisle and I used to vote with you. In fact, I have done it more times than I have the other way. But what has happened to you? Why is it tonight that you are not worried about borrowing and spending \$1.400 trillion in a 1-year period of time? September 11, 2001. Changed a lot of things. It should change the economic game plan that we are under; but if you are bound and determined to do it, be my guest.

But no one walk out of here tomorrow and complain that we could not do better. We could do better.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I thank my colleague, the gentleman from Massachusetts (Mr. MCGOVERN), for yielding me time.

Mr. Speaker, this is ridiculous. We are here tonight to consider one of the most important resolutions that we will take up this year in Congress, the budget. This is the blueprint for everything we do. And we do not even get a chance to read it before we vote on it.

As a member of the Committee on the Budget, I have spent a lot of time addressing the concerns on this budget, and we spent an entire day from early morning until early the next morning on the budget process looking at amendments. We knew what we were voting on. We had a chance to debate it. Yet, tonight when we are voting on final passage of the budget of the United States, members of the Committee on the Budget and Members of the House have not had a chance to see the product they are voting on. This process is wrong.

Members deserve a chance to review this document before voting on it. If leadership is determined to consider this resolution before the approaching recess, that is fine. Give us a day, give us a half a day, give us some time to see what is in this budget. I have a responsibility to my constituents just like everyone does to consider measures carefully, to know what is in that measure before we vote on it. Yet, I cannot thoughtfully consider this legislation because I have not had a chance to review it.

This is an awful process. I urge my colleagues to defeat the martial law rule so we can have adequate time to review this budget.

Mr. MCGOVERN. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Massachusetts (Mr. MCGOVERN) has 9 minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 28 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield 3 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, in listening to the debate of my good friend from Texas (Mr. STENHOLM), when he inquired why we were dealing under the martial law rules, why we could not have an extended period of time for debate to reasonably address this in front of the American people, the good news is that my constituents are still up because we are an hour behind Eastern standard time. Maybe they will be able to make some sense out of this debate calling for

martial law. Maybe they will understand that the reason why we are rushing is because there is some need to announce a big tax cut before April 15.

Let me tell you what Americans want. They do not want a tax cut. They want mutual sacrifice. While the young men and women are on the front lines sacrificing, we are presenting to them a Nation of deficits. We have got a reconciled tax cut of \$550 billion, an unreconciled of \$675 billion, making the total \$1.225 trillion. We are spending billions of dollars for reconstruction of Iraq by ourselves with nobody else helping us. We are building thousands of schools in Iraq. We are taking thousands of American children off of Head Start. We are, in fact, losing 2.6 million private sector jobs. We have got so many people unemployed for 6 months that they are not even on the unemployment list and 4.6 trillion in loss in stock market wealth.

Where is the mutual sacrifice that this Nation is used to participating in in time of war? How can my friends in good conscience shackle us with \$1.225 trillion in tax cuts and provide us with a 2.6 or \$2 trillion deficit over a 10-year period when we just had a \$5.6 trillion surplus just about 2 years ago?

I will tell you how they can do it. By passing this martial law in the dark of night, believing no one will see it, and then being able to announce around April 15 that you are going to get a tax cut.

I can tell you that my constituents and most Americans want investment in American jobs, want children to have Head Start, want the children's health insurance program to still be active, want to restore wealth to the stock market, and want to make sure that we do not have deficit spending.

Now, frankly, I believe that investing in Americans' interests may require some deficit spending, but this is an outrage. And this kind of tax cut is simply without substantiation. I would hope that we could go back to the table and begin to look at creating jobs, begin to look at investing in America, and responding to our young men and women when they come home that they will have institutions of higher learning, their families will be taken care of, and we will invest in them so they will be the best and the brightest of this new America.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. None of us are ecstatic about the fact that we are here, but we have a requirement that we complete this budget process. We have spent a great deal of time on it already this year. We have had a full and very vigorous debate on the budget, and we had a very close vote that took

place here. And now we have gone through the conference process.

So as I listen to people say that they have had no chance to look at this whatsoever, it is very clear the Committee on the Budget did its job. And the conferees met, and they have come forward with this report.

Now, one of the things that we just discussed upstairs in the Committee on Rules is that, whether you like it or not, it is often a prerequisite to actually meet deadlines if we are going to get things done and have deadlines set. And everyone is enthused about the prospect of meeting our deadline to have this done by the 15th of April. Everyone is enthused about the prospect of our adjourning for the district work period that is upon us. And we want to deal with a couple of things.

We want to deal right now with completion of this budget conference report; and we also, when we pass another rule, look forward tomorrow to consideration before we leave of the supplemental appropriations bill which will pay for the war effort.

Now, I see my good friend from Texas (Mr. STENHOLM) here with whom I am very pleased to work on a wide range of issues, and we have just been working upstairs. And I wanted to clarify one issue, and that is rule XXVII clause 2 makes it very clear that there is not a 10-year requirement, but when specificity is designed as is outlined in this measure, a 1-year debt ceiling increase is in fact allowed under the rules of the House.

Now, let me say, Mr. Speaker, that we are all continually concerned about an increase in the national debt. We are concerned about increases in spending. And I think my friend was very correct in raising the fact that things changed on September 11 of 2001. And while he talked about the fact that he believed that the overall program for economic growth should change because of what took place on September 11 of 2001, we have found that it is absolutely essential for us to deal with things that did change on September 11.

We embarked on that day on a war on terrorism which has cost us over \$100 billion just for the war on terrorism itself. We know that with the war that is, actually, we hope very much, coming to an end right now, that we will be able to realize what we have spent. Tomorrow we will be dealing with the spending of \$74.7 billion, and so it is true that things have changed. But we feel very strongly that the most important thing for us to do is to put into place an economic growth plan that will generate the kind of revenues that we need to pay for the war on terrorism, to pay for this \$74.7 billion in supplemental appropriations that will be necessary to deal with the expenses dealing with the war in Iraq in which we have all strongly supported our troops in a bipartisan way on that and had a great celebration of that today here in Statuary Hall.

So, Mr. Speaker, our plan is to try and get the economy growing. We all realize that during the 1990s, the latter part of the 1990s, we saw a strong, bold, dynamic economy. We saw rates of growth at 6 percent and even beyond that. We have seen this diminution, the flow of revenues to the Treasury, not only because of increases in spending, not only because of the war on terrorism, not only because of the war that we are dealing with in Iraq, but because we have seen a slowing in our economy.

We happen to believe that reducing the tax burden on working Americans, putting into place plans to have growth-oriented tax cuts will, in fact, generate the kind of revenues that we need to deal with this. And so I would say to my friends who are now talking about a level of fiscal irresponsibility, that what we are trying to do is we are trying to get the economy growing.

□ 2330

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding to me.

I think repetition is often relevant in this body; but when the gentleman talks about how we needed tax cuts, a significant amount, to get the economy growing, did he give the exact same speech that he gave in 2001 when we were told that large tax cuts would stimulate the economy?

Mr. DREIER. Reclaiming my time, Mr. Speaker, I am happy to say that virtually every economist, virtually every economist has acknowledged that had we not put into place the tax cuts, the economic growth plan that we did in 2001, that the slowing in the economy would have been even greater than what we have suffered in the past and the recession which began as we all know during the last two quarters of the year 2000 was, in fact, during those two quarters in 2001, in a position where we were in economic recession, but it is clear that the plan that we had did, in fact, diminish the slow down that we witnessed.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will continue to yield?

Mr. DREIER. I am happy to yield to my friend.

Mr. FRANK of Massachusetts. Mr. Speaker, I know as you get old your memory goes, but I do not remember hearing that this is new. I remember rehearing that this will get the economy going. I do not remember the defense of the 2001 tax cut being this will prevent the economy from slowing down so rapidly. There was no acknowledgment that there was going to be a slow down; and I asked people to go back to 2001, and we heard in 2001 these same arguments.

Mr. DREIER. Reclaiming my time, Mr. Speaker, the gentleman said that

repetition is sometimes good, and so I guess I repeat once again.

He talked about the fact that we put into place what we considered to be an economic growth plan in 2001, and that economic growth plan was put into place before September 11, 2001. So I am repeating again what I said earlier, we have had to expend \$100 billion-plus in the war on terrorism, and we know that September 11 played a big role in creating an economic slow down; and we also know that the cost of the war, which we have just gone through, has also played a role in slowing the economy, with increased oil prices and a wide range of other concerns.

We know that as we look at the challenge, Mr. Speaker, of trying to get this economy growing, doing things like reducing the top rate on capital gains for new investment, which is a measure that I have been pushing for a while, which would take the top rate and cut it from 20 down to 10 percent for new investment, if there were a 1-year holding period. I have talked to a wide ring of economists, Democrats and Republicans, and they believe that that would provide an incentive for new investment and could play a role in getting the economy growing.

So, Mr. Speaker, my point is that we need to have growth-oriented tax cuts. Our goal is to do just that, so that we will have the revenues that we need so that we will not have a further debt burden, so that we will not have the kinds of deficits that unfortunately we are going to have to deal with because of these economic challenges that we face for a while.

Mr. STENHOLM. Mr. Speaker, would the gentleman yield?

Mr. DREIER. Let me just say that I know that there is time on the other side of the aisle. I have enjoyed having this exchange with my colleagues and appreciate my friend for yielding me the time.

Mr. MCGOVERN. Mr. Speaker, we do not have a lot of time. I would have appreciated the distinguished chairman yielding to the gentleman from Texas (Mr. STENHOLM).

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. DREIER) does not have the floor.

The gentleman from Washington (Mr. HASTINGS) is recognized.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding time to me, and I would be happy to yield to my friend from Texas.

Mr. STENHOLM. Mr. Speaker, I thank my friend for yielding to me, and I think the spirit of the debate, and precisely what you have been arguing is why I so strongly oppose what you are about to do tonight because the very economic game plan that you

have once again articulated by your own scorekeepers, if it works exactly like you have got it planned, if all of the things happen that you believe will happen with it, we are going to owe almost \$13 trillion at the end of the 10 years. We are going to owe another \$3 trillion almost at the end of 5 years if we do it just like you are doing it.

That is why some of us are asking you respectfully, take a look at that rhetoric that you have been repeating since 2001 that you do again tonight. I know you believe it sincerely. I do not question that, but how can you continue to make that argument when the result of it in the budget that we are passing, we are going to have to borrow another trillion dollars almost in the next 12 months, and even if it works exactly like you have articulated so well, as you can do, tonight, we are still going to be borrowing that amount of money?

Mr. DREIER. Reclaiming my time, Mr. Speaker, I simply say that we believe that we have the potential to get back, if we can unleash this economy to the kind of bold, dynamic economic growth that we saw in the latter part of the 1990s, if we do that, if we do that, I am convinced that we will have a level of revenues that outpaces even the kinds of projections that are included in this budgeting process itself.

So I thank my friend. We have shared interests here. We have shared goals. I believe that Democrats and Republicans alike very sincerely want us to get this economy growing so that we can have the revenues that we need to balance the budget and to deal with our priorities. Along with homeland security, along with the war that we have dealt with in Iraq, we can deal with education, transportation, health care, a wide range of other concerns that are out there; and I thank my friend for his thoughts.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask all Members, in the spirit of debate on this rule, to only address the Chair during the course of being yielded time by either the gentleman from Massachusetts (Mr. MCGOVERN) or the gentleman from Washington (Mr. HASTINGS).

Mr. MCGOVERN. Mr. Speaker, I want to thank the distinguished chairman of the Committee on Rules for agreeing to that dialogue.

Mr. Speaker, I yield 30 seconds to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, for the record and for clarity, we only got this document minutes before coming to the floor. It is hundreds of pages long; but if you turn to about page 70, you will see just for clarity our debt limit now is \$6.4 trillion. Vote for this resolution and you will raise that to 7.384 trillion, 984 billion in 1 year. Over the next 10 years, the deficits entailed by this budget resolution will require the debt ceiling to be raised to \$12.040 trillion. Those are your numbers in your

resolution, and that is what you will be voting for if you vote to adopt this budget resolution.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER).

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

Mr. TANNER. Mr. Speaker, it is almost midnight here on the east coast, and I hope that whoever is up and watching will understand what I am about to say.

What we are witnessing here tonight is the largest, long-term, structural tax increase on the American people in the history of this Republic because every year we borrow money, we have to pay interest on it, a tax on the American people, the Blue Dogs call the debt tax, that cannot be repealed.

Mr. Speaker, you have heard under their budget resolution, if it works like they say, we are going to incur \$1.2 trillion in additional debt in the next 12 months, in addition to what we have already done and seen the last eight. Mr. Speaker, at 4 percent interest that is \$40 billion a year that the American taxpayers have to pay every year.

This is the largest, long-term structural tax increase in the history of this Republic, and nobody can doubt that. At 5 percent, it is over \$50 billion a year in perpetuity.

If that is not bad enough, Mr. Speaker, what really is happening here is we have sent young men and women from this Nation to die for other people in the Middle East; and Mr. Speaker, what we are doing is saying we are going to take a tax cut while they go over there and die, and we are going to send the bill for this war and we are borrowing the money to fund and borrowing the money for the tax cut, we are going to send the bill to these young men and women in uniform, the only people who are being asked to sacrifice anything at all in this war, send it to them and their children; some of whom do not have a daddy now because they are dead in Iraq.

Mr. Speaker, where is the honor? Where is the sacrifice? Where is the honor of this House when we try to do something like this? That is exactly what is going on tonight.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, the gentleman is correct, there is no honor in this. Think about what you are doing tonight. Your majority leader said, and I will read quickly, Between now and the next Presidential election, through the end of the fiscal year 1996, the public debt will increase by almost \$1.3 trillion. During President Reagan's first term, the debt ceiling was increased from \$935 billion to \$1.8 trillion. That is an increase of \$889 billion. It took us over 200 years to get to \$1 trillion in debt, over 200 years, and in the last 10 years we have gone to over \$4 trillion of debt.

All of that so-called stimulus package is deficit spending. None of that spending, none of it is paid for. All of it borrows money to pay for it. That is part of why we are raising the debt ceiling.

He was speaking in opposition to the kind of action you are taking tonight and then the gentleman from Indiana (Mr. BURTON) said this, "We need to do other things to balance the budget. Let us do it. But first and foremost, we have to shoot straight with the American people, and hiding things like this debt ceiling increase is not the way to do that."

How many of you campaigned and said you were against raising the debt limit? How many of you campaigned on the fact that you were going to balance the budget? I voted for the balanced budget amendment. I believe in balancing the budget; and very frankly, under the Clinton administration, we took the Reagan-Bush deficits into surplus for the first time for 4 years in a row, the first time in 80 years.

Do you have no honor? Are you not ashamed of the hypocrisy that this budget resolution that you bring before us represents? Is there no honor in this House? Is there no fiscal integrity? Is there no concern for generations yet unborn who, as the gentleman from Tennessee says, will have to pay this bill and the young men and women we have in Iraq today will have to return here to pay the bill? Can we not stand up as Americans, proud of our country, proud of our objectives and say to them, we will pay as you fight, and together, we will win this battle for a better America?

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. SHERMAN).

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

I have been trying to figure out this process because normally an organization that works only 2 days a week should be able to get its work done without working till 3 in the morning, and so if the House was run competently we would not be here till 3 in the morning. So I thought it might be incompetence, and then I realized, this is chicanery masquerading as incompetence.

The reason we are here late at night is because what we are doing would not stand the light of day. We are creating a system where our friends on the other side of this building can say they are only voting for a \$350 billion tax cut. We over here can say it is a \$550 billion tax cut, but ultimately, the resolution tells us that we are on our way to a \$1.2 trillion tax cut.

The plan is simple. They will pass the most obnoxious provisions of their \$350 billion tax cut over there. It will go to conference. It will come back as 550. It will be passed on both sides by their majority vote, and that will be the portion of the tax cut loaded exclusively to the most wealthy.

Then, having cut the taxes in an unbalanced way, then another tax bill

will be prepared, including the least egregious provisions, and they will be packaged in such a way that they can pass without a filibuster on the other side. If only the light of day would shine and the country knew what we were doing.

The SPEAKER pro tempore. All time controlled by the gentleman from Massachusetts (Mr. MCGOVERN) has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the remaining time.

This is a rule that allows us to consider the budget resolution that we have to get out by law so we can plan for the appropriation process, which I know will be difficult. So I urge my colleagues to support this resolution that allows us to consider a rule and ultimately the budget resolution.

□ 2345

Mr. HASTINGS of Washington. Mr. Speaker, 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. The question is on the resolution.

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

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 203, not voting 8, as follows:

[Roll No. 139]

YEAS—223

Aderholt	Carter	Garrett (NJ)
Akin	Castle	Gerlach
Bachus	Chabot	Gibbons
Baker	Chocola	Gilchrest
Ballenger	Coble	Gillmor
Barrett (SC)	Cole	Gingrey
Bartlett (MD)	Collins	Goode
Barton (TX)	Cox	Goodlatte
Bass	Crane	Goss
Beauprez	Crenshaw	Granger
Bereuter	Cubin	Graves
Biggett	Culberson	Green (WI)
Bilirakis	Cunningham	Greenwood
Bishop (UT)	Davis, Jo Ann	Gutknecht
Blackburn	Davis, Tom	Harris
Blunt	Deal (GA)	Hart
Boehler	DeLay	Hastings (WA)
Boehner	DeMint	Hayes
Bonilla	Diaz-Balart, L.	Hayworth
Bonner	Diaz-Balart, M.	Hefley
Bono	Doolittle	Hensarling
Boozman	Dreier	Hergert
Bradley (NH)	Dunn	Hobson
Brady (TX)	Ehlers	Hoekstra
Brown (SC)	Emerson	Hostettler
Brown-Waite,	English	Hulshof
Ginny	Everett	Hunter
Burgess	Feeney	Isakson
Burns	Ferguson	Issa
Burr	Flake	Istook
Burton (IN)	Fletcher	Janklow
Buyer	Foley	Jenkins
Calvert	Forbes	Johnson (CT)
Camp	Fossella	Johnson (IL)
Cannon	Franks (AZ)	Johnson, Sam
Cantor	Frelinghuysen	Jones (NC)
Capito	Gallegly	Keller

Kelly	Osborne	Sherwood
Kennedy (MN)	Ose	Shimkus
King (IA)	Otter	Shuster
King (NY)	Oxley	Simmons
Kingston	Pearce	Simpson
Kirk	Pence	Smith (MI)
Kline	Peterson (PA)	Smith (NJ)
Knollenberg	Petri	Smith (TX)
Kolbe	Pickering	Souder
LaHood	Pitts	Stearns
Latham	Platts	Sullivan
LaTourette	Pombo	Sweeney
Leach	Porter	Tancredo
Lewis (CA)	Portman	Tauzin
Lewis (KY)	Pryce (OH)	Taylor (NC)
Linder	Putnam	Terry
LoBiondo	Quinn	Thomas
Lucas (OK)	Radanovich	Thornberry
Manzullo	Ramstad	Tiahrt
McCotter	Regula	Tiberi
McCrery	Rehberg	Toomey
McHugh	Renzi	Turner (OH)
McInnis	Reynolds	Upton
McKeon	Rogers (AL)	Vitter
Mica	Rogers (KY)	Walden (OR)
Miller (FL)	Rogers (MI)	Walsh
Miller (MI)	Rohrabacher	Wamp
Miller, Gary	Ros-Lehtinen	Weldon (FL)
Moran (KS)	Royce	Weldo (PA)
Murphy	Ryan (WI)	Weller
Musgrave	Ryun (KS)	Whitfield
Myrick	Saxton	Wicker
Nethercutt	Schrock	Wilson (NM)
Ney	Sensenbrenner	Wilson (SC)
Northup	Sessions	Wolf
Norwood	Shadegg	Young (AK)
Nunes	Shaw	Young (FL)
Nussle	Shays	

NAYS—203

Abercrombie	Fattah	McCollum
Ackerman	Filner	McDermott
Alexander	Ford	McGovern
Allen	Frank (MA)	McIntyre
Andrews	Frost	McNulty
Baca	Gonzalez	Meehan
Baird	Gordon	Meek (FL)
Baldwin	Green (TX)	Meeks (NY)
Ballance	Grijalva	Menendez
Becerra	Gutierrez	Michaud
Bell	Hall	Millender-
Berkley	Harman	McDonald
Berman	Hastings (FL)	Miller (NC)
Berry	Hill	Miller, George
Bishop (GA)	Hinchee	Mollohan
Bishop (NY)	Hinojosa	Moore
Blumenauer	Hoeffel	Moran (VA)
Boswell	Holden	Murtha
Boyd	Holt	Nadler
Brady (PA)	Honda	Napolitano
Brown (OH)	Hoolley (OR)	Neal (MA)
Brown, Corrine	Hoyer	Oberstar
Capps	Inlee	Obey
Capuano	Israel	Olver
Cardin	Jackson (IL)	Ortiz
Cardoza	Jackson-Lee	Owens
Carson (IN)	(TX)	Pallone
Carson (OK)	Jefferson	Pascarell
Case	John	Pastor
Clay	Johnson, E. B.	Payne
Clyburn	Jones (OH)	Pelosi
Conyers	Kanjorski	Peterson (MN)
Cooper	Kaptur	Pomeroy
Costello	Kennedy (RI)	Price (NC)
Cramer	Kildee	Rahall
Crowley	Kilpatrick	Rangel
Cummings	Kind	Reyes
Davis (AL)	Kleczka	Rodriguez
Davis (CA)	Kucinich	Ross
Davis (FL)	Lampson	Rothman
Davis (IL)	Langevin	Roybal-Allard
Davis (TN)	Lantos	Ruppersberger
DeFazio	Larsen (WA)	Rush
DeGette	Larson (CT)	Ryan (OH)
Delahunt	Lee	Sabo
DeLauro	Levin	Sanchez, Linda
Deutsch	Lewis (GA)	T.
Dicks	Lipinski	Sanchez, Loretta
Dingell	Lofgren	Sanders
Doggett	Lowey	Sandlin
Dooley (CA)	Lucas (KY)	Schakowsky
Doyle	Lynch	Schiff
Edwards	Majette	Scott (GA)
Emanuel	Maloney	Scott (VA)
Engel	Markey	Serrano
Eshoo	Marshall	Sherman
Etheridge	Matheson	Skelton
Evans	Matsui	Slaughter
Farr	McCarthy (NY)	Smith (WA)

Snyder	Thompson (CA)	Waters
Solis	Thompson (MS)	Watson
Spratt	Tierney	Watt
Stark	Towns	Waxman
Stenholm	Turner (TX)	Weiner
Strickland	Udall (CO)	Wexler
Stupak	Udall (NM)	Woolsey
Tanner	Van Hollen	Wu
Tauscher	Velazquez	Wynn
Taylor (MS)	Visclosky	

## NOT VOTING—8

Boucher	Gephardt	McCarthy (MO)
Combest	Houghton	Paul
Duncan	Hyde	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair would advise all Members there are 2 minutes, approximately, remaining in this vote.

□ 0004

Messrs. RODRIGUEZ, PASCRELL and HALL changed their vote from "yea" to "nay."

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.

CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 191 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 191

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The conference report shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 191 waives all points of order against the conference report to accompany H. Con. Res. 95 and against its consideration. The rule also provides that the conference report shall be considered as

read. Finally, the rule provides 1 hour of debate in the House to be equally divided and controlled by the chairman and ranking minority member on the Committee on the Budget.

Mr. Speaker, the conference report we will shortly be asked to consider is absolutely essential to our efforts to stimulate economic growth and to simplify and reform our Federal tax system.

The agreement would produce steadily declining deficits, and would achieve a balanced budget by the year 2012. In addition, this agreement provides for the total supplemental appropriation necessary to fund the war in Iraq, and provides separate \$400 billion reserve funds in the House and Senate for Medicare reform, including prescription drug coverage.

On taxes, the budget conference report provides for total tax relief of \$1.226 trillion during the years 2003 to 2013. For fiscal year 2004, the conference agreement provides for discretionary spending of \$400 billion for defense and nondefense discretionary spending of \$384.4 billion. The budget also includes \$26.7 billion for the Department of Homeland Security, a 35 percent increase over the current fiscal year, and provides additional homeland security-related funds for the Departments of Defense, Justice and Health and Human Services.

Of special note is a provision in the budget establishing a \$5.6 billion reserve fund over a 10-year period for Bioshield, which will help protect the public from emerging threats of chemical, biological, or radiological agents. Finally, Mr. Speaker, I am pleased that the budget agreement directs all congressional committees to identify existing waste, fraud and abuse and report back to the Committee on the Budget, with an accompanying report by the nonpartisan General Accounting Office.

Mr. Speaker, we learned the hard way last year the consequences of proceeding with the appropriation process without a budget agreed upon by both Houses of Congress. It is a lesson that I believe once learned should never be repeated. We simply must complete our work in a responsible fashion. The American people expect and deserve no less. Accordingly, I urge my colleagues to adopt this rule and support the conference report on the budget for fiscal year 2004.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, since this mammoth budget was made available to Members of this House only a couple of hours ago, it is difficult to know exactly what goodies and gimmicks are hidden inside of it.

We know enough, however, to know that this Republican budget is bad for the economy, bad for American working families, and bad for the future of our country. In other words, we know

enough to vote "no." I have to give the majority credit, though; they have brought the term "creative accounting" to new heights. Never before have I seen a "unified" budget conference report with two different budgets in it. I guess this is what they mean by "new math."

Under this model of budgetary mischief, the House tax cut costs \$550 billion, while the Senate tax cut costs \$350 billion. It is extraordinary, it is dishonest, and it is shameful.

Why is the Republican majority trying to get away with this trick? Because despite all of their rhetoric last year, they cannot get their own membership to agree to a single tax cut figure. They are stymied by a few Members of the other body who believe that maybe, just maybe, it is not such a great idea to spend over half a trillion dollars in tax cuts for the wealthy while the deficits explodes, while we are fighting a war overseas with unknown costs, while the baby boom generation nears retirement, while millions of seniors cannot afford their prescription drugs, and while our States are facing their worst fiscal agencies, their priorities are crystal clear. Instead of deficit reduction, economic stimulus, and adequate funding for things like homeland security, health care, veterans, education and environmental cleanup, the Republicans prefer tax cuts for millionaires. No wonder they do not want Members to read this budget.

Now tomorrow, Mr. Speaker, we are told that we will vote on the supplemental. That bill contains nearly \$2 billion to help rebuild Iraq. What is striking to many people is that Congress seems to understand, rightly, in my view, that health care is important for the people of Iraq, that education is important for the people of Iraq, that rebuilding roads and bridges is important for the people of Iraq. But when we look at this budget, it is clear that the majority does not understand that health care or education or transportation is important for the people of the United States, the people who are actually paying for the war.

Those people, the American people, they deserve a budget that reflects their priorities, not the priorities of a wealthy few. They deserve a budget that actually pays for its tax cuts, not one that uses so-called dynamic scoring to claim that one minus one equals three. They deserve a budget that is fiscally responsible, that does not leave future generations crushed by even more debt. They deserve a budget that helps make college more affordable, that helps pay for prescription drugs, that strengthens homeland security, and keeps our promises to our veterans.

In short, Mr. Speaker, the American people deserve a lot better than this. Mr. Speaker, I urge my colleagues to vote "no" on this rule and to vote "no" on the Republican budget.

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

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, let me put this budget in context. Two years ago we all hailed a projected \$5.6 trillion surplus, and our colleagues on the other side of the aisle bet the budget on that surplus, that blue-sky forecast.

Two years later when the Office of Management and Budget sent us the budget for the next year, they acknowledged that was a vastly overstated estimate and that the surplus between 2002 and 2011 correctly estimated, accounting for the economy as we now see it, it is not \$5.6 trillion, it is, according to the Office of Management and Budget, \$2.4 trillion, and all of that has been committed.

□ 0015

Now, there is a serious consequence that flows from that finding. It is simply this: Everything that is done in the way of tax reduction or spending increases over and above current services goes straight to the bottom line. There is no surplus anymore to mitigate or cushion it. It goes straight to the bottom line and adds to the deficit.

Knowing this, knowing this, what do our Republican colleagues do? They call for \$1.2 trillion in additional tax reduction, plus some big increases in defense and international affairs. What is the result? The result is that this year the deficit will be \$347 billion. We will set a record. Back out Social Security, and the deficit is \$512 billion.

Next year, in 2004, as a result of the policy choices about to be made in this budget resolution, the deficit will go to \$385 billion. On-budget, excluding Social Security, it will be \$558 billion.

Over the next 10 years, let me say it again, and, let me remind everybody, I am reading straight from your script, this is your budget, these are your numbers, over the next 10 years we will accumulate on-budget deficits of \$4,006,130,000,000, your number.

The national debt, which today is \$6.4 trillion, will increase over the next year by \$984 billion. If you vote for this budget resolution, that is a direct consequence of it, using your arithmetic. Over the next 10 years, listen to this, the national debt ceiling will have to go to \$12,040,000,000,000; from \$6.4 trillion to 12,040,000,000,000 as a direct consequence of this budget resolution, according to your numbers.

You say we can grow out of it. We have to get this economy on its feet. Goodness knows, I agree, this wobbly economy needs help. But let me tell you, the underlying forecast upon which these numbers are based assumes that the economy will grow at 3.6 percent next year, real growth over and above inflation, and 3.2 percent over the next 10 years.

You have held out the prospect of dynamic scoring, saying these tax cuts

could boost the economy and sort of replenish the revenues that they will be otherwise cutting out of the Treasury. CBO undertook to dynamically underscore the budget, and, guess what? Using nine economic models, in five out of nine, the deficit actually increases as a result of these tax cuts.

You say we have got to have spending cuts. Well, you have got them in this bill. This resolution would take domestic discretionary spending down by \$168 billion below current services over the next 10 years. As for the other spending cuts, if that is what you say the prescription is and ought to be, where are they? Why not put them in your budget resolution?

What we have got here is a recipe for disaster, and I cannot overemphasize the results of this budget resolution using your own numbers. It takes us down a path of endless deficits and deeper and deeper into debt, so deep that this problem becomes almost intractable.

For those of us who were here in the 1980s and knew how long and hard and difficult it was to turn the budget around and put it into surplus again, we have an awfully forlorn, sinking feeling as we look at this budget, because we do not think, if you pass this budget resolution tonight, that we will be able to turn it around for a long time to come.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, as Thomas Jefferson notes in Jefferson's Manual, "The minority in any legislative body looks to the rules of that body as its best and often only defense against the potential tyranny of the majority."

Tonight, Republicans have corrupted this House with a process that in the darkness of night raises the national debt to nearly \$12 trillion, ensures that every American family ends up with a debt tax of over \$8,000, has a budget that bleeds red as far as the eye can see, and that budget that began bleeding red well before September 11, and ensures that their tax dollars go not to invest in our people and health care and education and taking care of our veterans, but, no, goes to pay interest on this debt that you continue to raise. That is the real waste, fraud and abuse that you should be talking about.

Imagine deciding on \$2.2 trillion, when Members have been given only an hour before debate begins. Only in Washington would Republicans say to American families that this is prudent. What American family makes major financial decisions in their life in the middle of the night at midnight when their whole future is at stake?

This corrupt process that will cut \$6.2 billion in veterans' health care over the next 10 years, is there no shame, as we have men and women halfway

around the world fighting for us and for democracy, that in this hallowed hall of democracy a system is so corrupt that we are going to make major decisions about each and every American family for the rest of their lives.

Vote no against the rule. It is ultimately the opportunity to preserve America's future and the intergenerational responsibility that this Republican majority has forfeited for the next generation.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, this budget conference report is the most fiscally irresponsible budget ever proposed to this House. When the Bush administration came into office, there was a projected \$5.6 trillion 10 year surplus. Under this budget conference report, the country will pile up \$12 trillion in debt over the next decade.

We are doing it at the very time that we know that the next generation is going to be saddled with all of this mounting debt, because most of us are members of the baby-boom generation. We start retiring in 2008. We are going to double the number of people on the Social Security and Medicare trust funds, and yet we are going to borrow trillions of dollars from those trust funds to pay for these tax cuts.

This will be the third budget built on economic policies that have not worked since President Bush took office. All you have offered is tax cuts and promises of economic growth. But instead of growth, 2.6 million private sector jobs have been lost between President Bush's election and today, and, by your own estimate, this plan will generate over the next year only half the number of jobs that have been lost in just the last 2 months.

The market value of stocks has fallen by \$5 trillion since President Bush took office and you started these budget plans. Consumer confidence has dropped to its lowest level in 9 years.

Now, in contrast, the House Democratic budget protected key services from cuts, we made focused investments in health care and other priorities and we boosted economic growth with an effective, fiscally responsible stimulus plan. We would have created six times the number of jobs that are contained in this plan, six times, when the country most needs those new jobs. We achieved budget balance within this decade. There was \$1.3 trillion less accumulated debt.

In contrast, to pay for these oversized tax cuts, the Republican conference report runs deeper deficits, cuts key services to the people who are neediest, fails to make adequate investments in this Nation's priorities and omits any effective economic stimulus plan.

Vote against this embarrassment; if not for the sake of this body, do it for

the sake of your kids who are going to be stuck with the bill for it.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, every Republican in this House who votes on this bill tonight will have voted for the largest deficit in American history. Every Republican voting for this will have supported the largest single year deficit in American history, larger than every year during World War I, during World War II, the Great Depression and all other wars this country has fought.

I will be honest, if I had a budget proposal this fiscally irresponsible, this dangerous to America's future, I would want it to pass at 1 or 2 o'clock in the morning as well.

To be fair, I will admit with my Republican colleagues that I agree when they say this is a growth plan. It will grow the national debt ceiling by nearly \$1 trillion in 1 year. Once the economy finally gets a little bit back on its feet, it will grow interest rates. Costs for buying a new home will go up, costs for buying new cars will go up and costs for our farmers and ranchers trying to save the family farm will go up because of their deficit spending. As we all know and as Alan Greenspan has confirmed, this will drive up interest rates.

And, yes, this is a growth plan. It will grow the debt tax on my two little children and their generation to a point where their future will be burdened severely by that level of taxation.

Now, where I disagree with their assertion that this is a growth plan is in terms of economic growth. The Congressional Budget Office, in a report organized by one of President Bush's former top economic advisers in the White House, recently said this growth plan will not have any appreciable economic growth, and actually it could slow down economic growth.

I hope, Mr. Speaker, that this is not the kind of democracy our country plans to implement in the Nation of Iraq. At 1 o'clock in the morning we will be voting on a plan that nobody knows about that will harm our children with the largest deficit in the history of America. Vote no.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am struck by the unwillingness on the Republican side to speak out on this. I will give them credit; they know indefensibility when they have promulgated it, and this is indefensible.

For a while they were complaining that last year the parties were unable to produce a budget, so they have over-compensated. They have produced 2

budgets. Because this is 2 budgets where it counts. This is a budget for the House and a budget for the Senate, all in one.

Why do we have it here? We have it here to accommodate a large number of Republican Members in both bodies who want to say one thing in public and vote another way.

This budget has to be explained. The key part of the budget, a lot of it is purely notional, but the key part is the reconciliation instructions. It has, bizarrely, for the first time in history, contradictory reconciliation instructions for the House and the Senate. The House is reconciled to \$550 billion in tax cuts. Now, in the Senate they are only reconciled to \$350 billion. That is a critical difference, because that means you do not need 60 votes when you reconcile it in the Senate; that means you can do it with 51 votes.

The problem is that there are Senators who have said loudly, passionately, we will not vote for a tax cut of more than \$350 billion. But we had a problem here in the House. I am told we had 29 Members who said they would not vote for less than \$750 billion, and 15 that said they would not vote for more than \$350 billion. That is 44 Members taking an irreconcilable position. Well, how do you get there? Thirty-five of them did not mean it, and this budget allows them to back away.

In particular what it does is this: This budget, by that dual reconciliation, allows the Senators to claim that they are only voting for \$350 billion.

□ 0030

But the Senate Parliamentarian has ruled that if a conference report goes back at more than \$350 billion; namely, \$550 billion, that will not be subject to the filibuster. In other words, the sole purpose of this dual reconciliation gimmick is to allow some Senators to pretend to be firmly committed to a \$350 billion figure and vote for a bill that they know will allow them to facilitate \$550 billion.

I am reminded here of one of the great figures from literature, Big Daddy, from "Cat on a Hot Tin Roof," because he would have hated this budget. My colleagues will remember how much he hated mendacity. And this is a monument to mendacity. This enables mendacity. The sole purpose of this is to allow Senators to claim they are for \$350 billion, but vote for something that they know will accommodate \$550 billion.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind all Members that it is not appropriate to characterize the actions or inactions of Members of the other body.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Is it appropriate for the Senators to lie by voting for this budget?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry and is not in order.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, my Republican colleagues have to go back home now to their districts and pass the commonsense test. They have to explain to their constituents how it is that they passed a \$2.2 trillion budget that will increase the deficit in the next 10 years by \$4 trillion; and they did it without sufficient time to even read it, they did it with inconsistent and dishonest manipulation of numbers, and they have to explain that to their constituents. The Democrats will not have to, because we will say we voted "no." We will pass the commonsense test, and those who vote "yes" will fail the commonsense test.

My colleagues on the other side will also have to explain this: for the last several years they promised on television, in their mailers, in their speeches on this floor that they would put Social Security and Medicare in a lockbox. But when they talk about the deficit and they talk about their balanced budget, the fact is, you have raided the lockbox, you have broken your promises, you have broken your faith with the American people, and you will have to explain that. We will not, because we will vote "no" on this budget.

And those of you from States like Washington and Iowa and Wisconsin and Oregon who suffer from unequal and unfair imbalances in Medicare payments, you will have to explain to your constituents why this budget does nothing to correct the unjust and imbalanced Medicare payment structure.

In Washington State, 50 percent of physicians will not accept new Medicare patients. This week, I have had physicians in my office saying, I cannot afford to treat Medicare patients because the compensate rates in Washington are too low. We have an opportunity to fix that. This budget does not fix it, and you will have to explain that to your constituents over the next 2 weeks.

I would give one bit of counsel to those who vote "yes" on this budget resolution. Cancel all town halls. Those who vote "no," I encourage you to have many town halls, and let the American people see just what this Congress is up to. It is not pretty.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, when I came here 20 years ago, I was told that this was the greatest deliberative body in this world; and here we are discussing this huge budget and what the

majority does is to reserve the balance of its time. Where is their argument? Where is their response? My Republican colleagues sit there like people of stone.

So let me sum up what the facts are as I see them. Here is what the Republicans are saying in their budget resolution. I have heard the gentleman from California say, get back to the growth of the late 1990s. They are doing it by adopting policies exactly the opposite of the 1990s. What my colleagues are saying is, if the hole is deep, dig it deeper. My colleagues try to show much in tax cuts, and now they are going to do it again. They have gone from a projected surplus, as we have said so many times, of \$5.6 trillion to \$2 trillion in deficits these next 10 years. What my Republican colleagues are saying is, when in debt, mortgage more and more.

My colleagues say they are meeting a deadline. They are doing it, I think, clearly by dealing death to fiscal responsibility. But I want to say in a few words, this is worse than fiscal irresponsibility. I say to my colleagues, this is fiscal madness.

Mr. MCGOVERN. Mr. Speaker, may I inquire of the gentleman from Washington how many speakers he has.

Mr. HASTINGS of Washington. Mr. Speaker, I am prepared to yield back if the gentleman from Massachusetts is.

Mr. MCGOVERN. No. We have every second claimed.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise in strong opposition to this unfair rule. Once again, the Republican Party is slamming their agenda through this Congress with little debate late at night.

Mr. Speaker, you can tell something about a country's priorities by how they spend their budget. As we can see from the Republican Party's budget, they do not see children, the poor, the hard-working people of this country, minorities, health care, education, or veterans as important. To begin with, our Nation's veterans, on the same day that this House voted to commend our troops in Iraq, the Republican leadership pushed through a budget that cut the VA budget by \$30 billion.

Who else is the victim of this Republican budget?

This administration's tax-cutting plans have ruined our economy and have helped push African American unemployment up by 10.5 percent, and our country's poverty rate has gone up while the median income has gone down.

This budget is also bad for public housing. HUD is slated for a huge cut, including plans to slash section 8 vouchers that help millions of low-income residents to pay their rent. They plan to zero out HOPE VI. This list goes on and on and on.

I want to conclude by adding that it should not be a surprise to anyone that this administration has not fully funded election reform. Their proposal falls nearly \$1 billion short from the amount authorized in the Help America Vote Act. In the end, the Republican Party does not want election reform. They are just fine with the 2000 election results since they came out on top, even though they did it by stealing with the help of colleagues from Florida. Wake up, America. Wake up. It does matter who is in charge.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, is anybody watching this evening? Is anyone watching? Talk about pulling a fast one on the American people in the dead of night. The Republicans are railroading their budget through the House late in the evening after denying Members a chance to closely review this budget.

What we know is that they lied to our veterans; they are cutting their health care and benefits. They lied to our constituents who are out of work due to no fault of their own. They will not be getting any additional assistance in this budget. They have lied to our children. This budget will saddle them with trillions of dollars in new debt for their future. And they do this in the dark of night, hoping that no one is watching.

They forget that 2.6 million new unemployed Americans know the true effects of this Republican economic plan, because they are watching this evening. They forget the 2 million Americans who are added to the rank of the newly poor were amongst the middle class just 2½ years ago. They know the true effects of this Republican economic plan because they are watching.

They forget the 800,000 veterans who were told that we could not afford their health care costs anymore and, all the while, this Congress can provide a massive dividend tax cut to the wealthiest and the richest in this country. They know the true effects of the Republican economic plan, because they are watching. They think the American people do not see this. But do not be fooled, they do, because they are watching. And they know the economic ruin the Republicans have caused this country in just 2½ short years.

Vote for our veterans, vote for our future, vote to keep our promises and be fiscally responsible. Vote against this Republican sham of a budget; and remember, the American people are watching.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, since you are on the floor, do you think it is a coincidence that no one is in the press gallery when you bring this bill up? Because I do not.

Those of you of my Republican friends, and I do consider you my

friends, who ran on the basis of a balanced budget, if you vote for this budget, you lied.

Two years ago you came to the floor and said there was a surplus. We owed the Social Security trust fund over \$1 trillion at that time. We owed our own Federal Government employees' retirement system over \$500 billion at that time. We owed the Medicare trust fund over \$200 billion at that time. And with a perfectly straight face you looked the American people in the eye and you talked about surpluses as far as the eye could see, and it was all a lie. I regret that I did not say it sooner.

So tonight I am going to give you one last chance to do the right thing. The guy sitting over there, the gentleman from Illinois (Mr. HASTERT), when he was just a Member he used to come to the floor and wax eloquently on the need for a balanced budget amendment. You have been Speaker now for 1,550 days, plus or minus; and yet you have never scheduled a vote on a balanced budget amendment, because you know it gets in the way of your tax cuts.

We are voting tonight to add another \$800 billion, that is a thousand times a thousand times a thousand times a thousand times 800, in new debt in just 1 year, because you know your budget plan does not work.

So for just once, be honest with the American people. Quit lying to them, because you are lying to my kids; and I cannot tell you how mad that makes me. It is okay to lie to me, but do not lie to my kids. Do not lie to those kids in Bethesda tonight at Walter Reed; do not bring them cookies tomorrow and tell them how much you love them and you respect what they have done for our country, and then stick them with \$800 billion worth of new debt in 1 year. Because you begged for the privilege of running this country, but you do not want to pay the bills of running this country. You ought to be ashamed. I want to tell you, I am ashamed of you.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, since 1980, over and over again, the Republicans have come to this House and this Congress and this Nation and promised that if we just cut taxes some more, everything will be wonderful.

Inscribed on the walls of the first floor of this wonderful building is a saying from Patrick Henry. It says: "I have but one lamp by which my feet are guided. That is the lamp of experience."

Experience tells us that this maddening, crazy, lunatic economic plan that we are being presented with tonight on this floor leads us down the path to enormous debt. And that is all it gets us. And we know that.

Mr. Speaker, I would associate myself with the remarks of the gentleman from Mississippi (Mr. TAYLOR). Where I come from, we teach our children that one can go to the bad place for lying

just like you can for stealing. Let us not steal the future from our children and grandchildren.

Mr. MCGOVERN. Mr. Speaker, I yield the remaining 2 minutes of our time to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip.

□ 0045

Mr. HOYER. Mr. Speaker, no poor Republican member of the Committee on Rules who was given this assignment has risen to defend this rule. Certainly the chairman of the Committee on the Budget has not.

This started out as a House joint concurrent resolution. "Concurrent" meant that it would be agreed upon by both sides. They have dropped the "current" and it is now just a "con," a con on the American people, a con on this institution.

Tonight, they sound the death knell for the policy of fiscal discipline, and are poised to drive our Nation into spiralling and historic debt. They put us on the path to increased debt by more than \$5.5 trillion, and then to \$12 trillion.

Here is the real kicker: There will be no debate on this stealth action and there will be no vote; there will only be a swelling sea of debt that promises to drown our future prosperity.

Yes, it is a con job. Let us remember the unequivocal words of the majority leader, the gentleman from Texas (Mr. DELAY), which still reverberate throughout this Chamber. Ten years and 12 days ago, here is what he said: "Here we are being asked to raise the debt ceiling so this government can go on borrowing money to take care of its spending habits. I think that is outrageous," said the gentleman from Texas (Mr. DELAY). "I hope the Members of this House will vote against raising the debt ceiling," said the gentleman from Texas, "and I hope the American people will contact the Members of this House, Mr. Speaker, and urge them to vote against raising the debt ceiling."

Where is the gentleman from Texas (Mr. DELAY)? Where is he when we raise the debt by \$860 billion this year and \$5 trillion over the next 10? Where is the gentleman from Texas (Mr. DELAY)?

They claim this is an economic growth package. They claimed it in 2001. We lost 2.6 million private-sector jobs, 4 million more Americans without health care, real business investment has fallen by 5.7 percent, and 2 million Americans have moved from middle class to poverty. Where is the gentleman from Texas (Mr. DELAY)?

Have the integrity to stand up and vote for America's children and America's future. Vote down this rule. Vote down this budget.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair would remind all Members that their remarks should be directed to the Chair and not to other Members of the body.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind my colleagues, this is a rule to consider a conference report on the budget. This is a very difficult budget because we are in a war.

I might add, Mr. Speaker, that this is the first budget conference report in 2 years, because last year we did not have a budget because the other body did not adopt a budget; and we had to go through this process and ended up with an omnibus, which I think made everybody unhappy.

But we have completed our work this year. We are supposed to have a budget this time of the year. We knew we were going to break around Easter. The Committee on the Budget chairman, the gentleman from Iowa (Mr. NUSSLE), has done a terrific job. I commend him for the job that he has done. I think we will have a debate on the content of the budget when we adopt this rule so we can take up the conference report.

Mr. Speaker, 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. The question is on the resolution.

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

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 221, nays 202, not voting 11, as follows:

[Roll No. 140]

YEAS—221

Aderholt  
Akin  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bereuter  
Biggart  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehlert  
Bonilla  
Bonner  
Bono  
Boozman  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon

Cantor  
Capito  
Carter  
Castle  
Chabot  
Chocola  
Coble  
Cole  
Collins  
Cox  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
DeMint  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Emerson  
English  
Everett  
Feeney  
Ferguson  
Flake  
Fletcher

Foley  
Forbes  
Fossella  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (WI)  
Greenwood  
Gutknecht  
Hall  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hostettler  
Hulshof  
Hunter

Isakson  
Issa  
Istook  
Janklow  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Keller  
Kelly  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Latham  
LaTourette  
Leach  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Manzullo  
McCotter  
McCrery  
McHugh  
McInnis  
McKeon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Musgrave

Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Osborne  
Ose  
Otter  
Oxley  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Ramstad  
Regula  
Rehberg  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryan (WI)  
Ryun (KS)  
Saxton  
Schrock  
Sensenbrenner

Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Sullivan  
Sweeney  
Tancredo  
Tauzin  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Upton  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (AK)

NAYS—202

Abercrombie  
Ackerman  
Alexander  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Ballance  
Becerra  
Bell  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Case  
Clay  
Clyburn  
Conyers  
Cooper  
Costello  
Cramer  
Crowley  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
DeLauro  
Deutsch  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doyle  
Edwards  
Emanuel  
Engel  
Eshoo  
Etheridge

Evans  
Farr  
Fattah  
Filner  
Ford  
Frank (MA)  
Frost  
Gonzalez  
Gordon  
Green (TX)  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hill  
Hinchee  
Hinojosa  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hoyer  
Insee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
Kleccka  
Kucinich  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Markey  
Marshall

Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Millender-  
McDonald  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)

Serrano	Tanner	Visclosky
Sherman	Tauscher	Waters
Skelton	Taylor (MS)	Watson
Slaughter	Thompson (CA)	Watt
Smith (WA)	Thompson (MS)	Waxman
Snyder	Tierney	Weiner
Solis	Towns	Wexler
Spratt	Turner (TX)	Woolsey
Stark	Udall (CO)	Wu
Stenholm	Udall (NM)	Wynn
Strickland	Van Hollen	
Stupak	Velazquez	

NOT VOTING—11

Boehner	Houghton	Paul
Combust	Hyde	Radanovich
Delahunt	Lewis (CA)	Young (FL)
Gephardt	McCarthy (MO)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). The Chair would advise all Members there are 2 minutes left in this vote.

□ 0106

Mr. BELL and Ms. MCCOLLUM changed their vote from “yea” to “nay.”

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.

Mr. NUSSLE. Mr. Speaker, pursuant to House Resolution 191, I call up the conference report on the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 191, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

GENERAL LEAVE

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 95, the conference report considered this evening.

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

There was no objection.

Mr. NUSSLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conference report maintains the three principles of the budget resolution that was passed by the House of Representatives a few weeks back. We set forth three important principles that we felt were important as we considered the priorities for our Nation.

Number one was protecting America. We felt that that was a nonnegotiable item both in terms of homeland secu-

rity and national defense. We felt that, as we considered the budget for next year, we needed to ensure that the President's requests were met in order to not only protect our country at home, but also deal with challenges abroad.

At the time we wrote the budget, we were not even sure exactly how the war against terrorism might be proceeding, let alone, at that time, the potential war against Iraq.

Tonight, we stand at the possible threshold of a victory that we all celebrate and honor. We appreciate the service of our troops. But as we discuss the budget, we know that we need resources in order to fuel their force and their might around the world. This budget accomplishes that feat.

The second principle was to strengthen the economy and great jobs. And I know there will be differences of opinion on this issue. Mr. Speaker, on the second principle of strengthening the economy and creating jobs, there is a difference of opinion, and that is very clear, between the minority and the majority.

What we believe our budget accomplishes is an economic growth package, yes, smaller than the one that was originally written. We definitely get the entire growth package within this negotiation that the President requested. Probably nobody in this budget got everything they wanted, I can attest to that, but I can tell you that it sets up a debate and a process for us to consider some important legislation on growth, on tax simplification, on tax reform, to get the economy going and growing again.

Now, we know from hearings and testimony of some very important and learned economists, including Alan Greenspan, it is going to take a little bit of push and shove from a fiscal standpoint in order to get the economy growing again. We accommodate this in the budget with an instruction to write a tax bill at \$550 billion over the next 10 years.

But do not kid anybody. Within the scope of the tax bills that have been passed for this country in the past, this is not a large tax bill. And we will discuss the specific policy at another time when the Committee on Ways and Means, following that instruction, brings the tax bill forward.

The third important principle that we sought to achieve was fiscal responsibility, and in this regard what we tried to do is do two things. One is limit spending. The original bill, as Members will remember, that passed the House had what I would call some pretty bold attempts to not just go after the Committee on Appropriations and the appropriations bills that are on the floor for the next, hopefully, 3 months, 4 months, both in terms of the initial consideration, as well as their conference reports that we will haggle over, an amendment here and an amendment there, for a million here and a million there; and, yes, all of

that does add up, while two-thirds of the budget in entitlement spending goes unchecked, unreformed, undiscussed in many respects, and, in fact, in many respects just added onto.

We set up a process. That process has been rejected. That is fine. We live to fight another day. But within this budget that we say is for fiscal responsibility, we need to start that process. It is not just the duty of the Committee on Appropriations to look for savings within the budget.

Friends from all of the authorizing committees, it is all of our duties to look for savings; waste, fraud and abuse are certainly part of it, but reforms to ensure that these entitlement programs work in the most beneficial and efficient way for the people that they are intended for.

□ 0115

While no one can come to the floor tonight, although I heard during the rule debate quite a discussion about cuts here and cuts there, I do not know what you are discussing because there are no cuts in this budget when it comes to those mandatory programs; but we do set up a process to get the committees of jurisdiction to begin looking for that waste, fraud and abuse and to report back to the Committee on the Budget their findings.

We also within here limit the growth of spending overall. Spending over the last 5 years in particular since we reached balance has been explosive, and even with that explosive spending, which has been added into the baseline, there are people who come here tonight who are suggesting we are not spending enough, and in fact, we may never ever spend enough.

In fact, the letters to the Committee on Appropriations are already piling up for requests for additional spending. There were amendments in our committee, and there will be amendments in more committees for more and more and more spending. You may not do that and come to the floor here tonight and tell us that it is wrong for us to increase the debt ceiling.

PARLIAMENTARY INQUIRY

Mr. BERRY. Mr. Speaker, parliamentary inquiry. I believe the Chair has directed speaker after speaker this evening that we should address the Chair. I do not believe this is the way this is being done, Mr. Speaker.

The SPEAKER pro tempore (Mr. LATOURETTE). All Members should direct their remarks to the Chair. The Chair thanks the gentleman for his observation.

Mr. NUSSLE. Mr. Speaker, Member after Member has come to the floor, Mr. Speaker, and told us about the debt and explained to us how the debt is going to increase under just the Republican version of the budget. Let us take a look at the Democrat version of the budget.

Yes, it is true we increase the debt at a time when we are at war, at a time

when we are at an economic disadvantage, at a time when we have had a national emergency. Do we ask to increase the debt? Yes, we do. We ask to increase the debt a little over \$880 billion. Shocking amount of money, is it not?

How much does the Democrats bill ask us, Mr. Speaker, to increase the debt? About the same amount of money. Oh, that is, of course, not going to be discussed here tonight because, of course, they only want to focus on the Republican plan.

Well, we have got a plan and it is a good plan, and it deals with the priorities of America, protecting America, being fiscally responsible and getting the economy going again in creating jobs. But do not come to the floor and tell us about our big debt increase when you ask for more money, when your letters pile up at the Committee on Appropriations, and when your alternative Democrat plan raised the debt ceiling as well.

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

Mr. SPRATT. Mr. Speaker, I yield myself such time as I may consume.

Let me make it clear to the gentleman, my good friend, the chairman of the committee, in the budget resolution we presented to the House, at the end of the year 2013, which is the last year in the 10-year time frame, our budget produced \$1.3 trillion less debt than theirs, \$1.3 trillion less debt. We laid it before the House. We got to a balanced budget, a unified balance in 2010. You do not get to one in this budget until 2012, and then it is only \$9 billion. Any kind of turbulence in the economy would undo that.

There is a drastic difference between the two, and that is one of the reasons we were proud to present our budget resolution, to show there is an alternative.

This is not a necessary course of action. This is self-inflicted pain by your insistence on doing \$1.2 trillion in additional tax cuts when there is no more surplus and that automatically increases the debt by \$1.2 trillion.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this does not belong on the House floor tonight. This budget belongs on "Laugh In." This is not a budget. It is two-headed tax cuts. It is a two-headed flim flam.

The economy is in crisis. The economy has lost 70,000 jobs per month every month of the Bush Presidency, and the Republican Congress tonight abdicates its responsibility to lead.

A few years ago, the Committee on the Budget Chair came to this House floor with a bag on his head. If I brought this budget to the floor tonight, I would ask where is that bag when I really need it?

This budget is a disgrace to this institution. It fails its responsibilities to this institution, to the country, and to every person who is out of a job looking for economic leadership to put this country back together again.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, it is approximately 1:20 a.m. in the morning here on the east coast; and pinch me if I am dreaming, but the Republican majority is about to pass a budget resolution that calls for an increase in our national debt by \$984 billion in this next fiscal year and close to \$6 trillion over the next 10 years, and this is using their own numbers. That is using their own scorekeepers.

This budget is disastrous for our economic future, but do not believe me. Believe a few reputable souls, namely, Bob Kerry, Sam Nunn, Pete Peterson, Bob Ruben, Warren Rudman and Paul Volker who wrote yesterday together, "Congress cannot simply conclude that deficits don't matter. They raise interest rates higher than they would be otherwise. They raise interest payments on the national debt. They reduce the fiscal flexibility to deal with unexpected developments. If we forget these economic consequences we risk creating an insupportable tax burden for the next generation."

Mr. Speaker, I am the father of two little boys. I did not come to this Congress to leave a tremendous legacy of debt for them and their generation. This is morally irresponsible. I encourage my colleagues to vote "no."

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding to me.

After all the words that have been spoken tonight about this budget, it really comes down to one fundamental issue: Do we want to lay on our children a higher national debt carried by our country or do we want a responsible budget? This budget authorizes immediately \$984 billion, nearly \$1 trillion in higher borrowing authority. You have got to figure something is wrong with the plan if right out of the gate you have got to borrow \$1 trillion to make it work; but that is just a start because over the next 10 years the borrowing doubles, nearly doubling the national debt, just before the baby boomers move into retirement drawing on Social Security, drawing on Medicare.

There is not a family we represent who prepares for retirement by roaring up the debt on their credit cards, blowing everything they have got, just letting the kids provide. So what in the world are we doing tonight, representing all the Nation's families to put our Nation on exactly that course? Growing the dough, borrowing the money, letting our kids straighten this out?

This is wrong. We must reject this totally fiscally irresponsible approach to our national budget.

Mr. SPRATT. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Speaker, a close read of this conference report provides for transportation infrastructure programs, little more than the status quo, \$41.7 billion for the coming fiscal year. If that is what the majority is presenting to us, this report does nothing to begin to address the needs of highway and transit systems at a time when we have huge unmet safety and security needs, congestion is crippling our city, the economy has lost 2.5 million jobs.

On a closer reading, though, there is a curious anomaly in the budget resolution's contingency procedure for surface transportation. Section 411 of this conference report provides contract authority for TEA-21 reauthorization for each of fiscal years 2004 through 2009. For amounts above the levels specified for those years, Congress must pass legislation to increase receipts to the highway trust fund such as increasing the purchasing power of the user fee.

If we pass such a highway user fee increase, the Committee on the Budget chairman, according to the language I have read, may increase the budget allocation to our committee. However, under the conference report before us, the chairman can increase that allocation only for years 2004 through 2008. No increase for 2009, even if we increase the user fee to provide for that additional infrastructure investment. That means you get no benefit from the increase in funding that our committee might enact.

I do not think that that is what the Republican majority intended, Mr. Speaker; and I hope you are not going to vote for it.

Mr. NUSSLE. Mr. Speaker, I yield myself 15 seconds to just be able to respond and say we increase the transportation fund \$30 billion. I cannot believe that the gentleman would suggest that that is a paltry sum, number one; and, number two, you better get with the other communicators, I would suggest, Mr. Speaker, because they are talking about not increasing the debt. Spending more money, seems to me we have got to increase that debt.

Mr. SPRATT. Mr. Speaker, this is why legislation of this consequence should not be brought up at 1:30 in the morning with no prior notice.

I yield 2 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, no matter which way we voted on the war resolution, I think we all come together hoping that we have a package for those heroic people that fought the war in the Middle East, and that when they come home that we will be able to treat them as heroes and have a veterans package for them.

One would think, however, since we have not the slightest clue of how long

the occupation is going to take, where we will have to go next in the region, what the total price is going to be to have democracy installed in Iraq, that before we even think about borrowing money and having a tax cut, that we would wait and see in a rational way what would be the cost to the United States of America.

It is true we have no friends to go to to help pay for the cost of the war, and we do not even know how long this is going to continue, notwithstanding the fact that we call a victory; but I think that in the short run what we are talking about is that the majority in this House really does not want to see this great Republic provide any public service.

They have advocated eliminating corporate taxes altogether. They have advocated letting Medicare just turn softly, slowly in the wind. They have advocated privatizing Social Security; and at the end of the day, they will tell you that these would be the responsibilities of the State and local government. But ask the Governors and ask those in the States how they treated them in this budget. Ask the local community, the firemen and the policemen how are they treated.

They will do anything and say anything in order to say at the end of the day nobody pays taxes except the working people. They fight our wars, they pay our taxes; but the wealthy at the end of the day are the recipients. Is this what we call shared sacrifice? I think not.

Mr. NUSSLE. Mr. Speaker, I yield myself 10 seconds to just say the gentleman from New York has not referenced one provision within our budget.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Committee on Veterans Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding time to me.

First of all, I want to take a moment to thank the gentleman from Iowa (Mr. NUSSLE) and all those Members who supported our efforts to provide higher funding for veterans benefits and services. It is important to note that the Nussle budget reflects an agreement on veterans spending that was reached before the House voted on the budget last March 21.

Chairman NUSSLE honored his commitment, and he delivered. The budget includes new budget authority for veterans in fiscal year 2004 of \$63.8 billion, a \$6.2 billion increase in budget authority over 2003. Of that, \$3.4 billion, or 12.9 percent, will be devoted to discretionary spending, the bulk of which is for medical care.

It is important to note that every penny of that increase is justified by the compelling needs, the medical needs of our veterans.

□ 0130

I would point out to my friend that, in a hearing I chaired earlier this year,

Dr. Robert Roswell, who is the Under Secretary for Health, testified that we needed about 13 percent to take care of our core veteran population. This budget hits that number right on the mark. My colleagues can laugh all they want. It hits it right on the mark.

I am also happy to point out that this budget, pursuant to the agreement before we voted on March 21, requires no cuts whatsoever in mandatory spending. Let me just remind my colleagues that the budget offered by my good friend and colleague, the gentleman from South Carolina (Mr. SPRATT) was \$1.6 billion less in budget authority than the budget being presented on this floor today.

So when I hear about veterans, I have been on that committee for 23 years, and this budget is good for veterans. And I would hope that Members would look at this and stop the rhetoric that is distortion and misrepresentation.

Mr. SPRATT. Mr. Speaker, I yield myself such time as I may consume to respond to the gentleman.

First of all, when the budget resolution before us now left the committee, it provided for \$30 billion in Veterans Administration cuts, as the gentleman well knows.

Let me have the time.

Thirty billion dollars. It was reduced to \$28 billion when it left the floor. When it comes out of conference and comes to us tonight, it is \$6.2 billion less than current services over the next 10 years. And I say to the gentleman from New Jersey that this is \$8.2 billion lower than the amount that our budget resolution provided when we had it on the floor and offered it as an alternative, \$8.2 billion lower in this resolution today, and \$6.2 billion below current services. This is a cut.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Mr. Speaker, this is the dirty secret that Republicans do not want to admit. We did not control spending. That is Chairman NUSSLE, some 15 days ago. The Committee on the Budget says Republicans believe repaying the debt is the right thing to do. It says, in its report dated March 13, 2001, it is wrong for this generation to saddle future generations with debt.

It has taken them some less than 2 years to change that view and proceed to create gargantuan debt. And my colleagues, we considered this budget some days ago, and the sun did not set for six times until they came to this floor and for 40 minutes railed against the gentleman's motion to instruct, the motion of the gentleman from South Carolina (Mr. SPRATT). For 40 minutes the Republicans railed against it, and then they voted for it.

They voted for it because they knew the cuts that were proposed in that budget were not sustainable, were not supportable. Yet they all voted for it and they flip-flopped 6 days later. How short a memory my colleagues have.

My Republican colleagues say they are against debt. The chairman of the Committee on the Budget has gotten up on this floor time after time and said, we need to eliminate waste, fraud and abuse. Let me just say that the waste is the time and the paper we have used to consider this resolution, which sadly simply reflects a deep division within the Republican Party reflected by this fiscal irresponsibility.

This budget will not be followed. Hear me. My colleagues will not follow it any more than they followed the budget that the gentleman from Iowa (Mr. NUSSLE) offered last year and for which my colleagues voted last year. It was never adopted. Eleven appropriation bills sat in our committee. Why? Because Republicans could not get the votes on their side of the floor to pass them, consistent with their budget, because they were not real.

The fraud is on the American people. The fraud is on the young people of America. The fraud is on the veterans, I say to my friend from New Jersey. The fraud is in the rhetoric that Republicans have used seeking support from their constituents seeking fiscal responsibility.

And the abuse, my friends, of the fraud, waste and abuse, the abuse is the abuse of process which the consideration tonight of this budget with just hours' notice reflects. Yes, there is fraud, waste and abuse, and it is within this budget. Reject it. We can do better. We should do better. We must do better.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in strong opposition to this fiscally irresponsible conference report. I believe in tax relief for all Americans, and I supported the President's tax relief package, but this budget comes to us late this evening and it contains a 10-year \$1.2 trillion tax cut that we simply cannot afford.

It is particularly disturbing because of the war in Iraq, the global war on terror, and in the midst of a full-blown recession, all of which have very serious consequences on the financial solvency of our Nation for the next generation. This budget adds gasoline to the fiscal fire that is burning out of control with no end in sight.

Do not take my word for it, because more than 400 economists concur that this budget stifles economic growth and will cause greater deficits, increase job losses, and will make a harsh, harsh climate for businesses.

I strongly urge my colleagues to stand up for Americans and for our children who are sure to pay the tab laid before us this evening. Vote "no" on this conference report. Vote for something that is fiscally responsible, not this irresponsible garbage.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), a member of the committee.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, the budget that we have before us today is one that we should all be proud of. What we are doing is, we are keeping our promise on education aid. Education aid is up, over 6 percent over the 2003 level. Pell Grants are up 12 percent.

And, Mr. Speaker, particularly in my district, where I have a large number of veterans, it is very important that the veterans understand that we are \$6.2 billion over the fiscal year 2003 figures. That is a 10.7 percent increase. And in discretionary spending, which is health care, where there is a long wait in my State on Priority 8, where veterans are having to wait up to 18 months for service; we are increasing that amount by 12.9 percent.

We are keeping our promise on education. We are able to provide the veterans benefits that are necessary, and we also are making sure that the uninsured at least have a start and a chance at having some insurance.

Children's health care, which is very important in every single State, whether it is called SCHIP in some States, or we called it KidCare, it is up by \$14 billion, a 9 percent increase.

Sure, we had to postpone when we balanced the budget to 9 years, but we are at war, we have a downturn in the economy, and this budget answers what I believe the majority of the constituents in the State of Florida absolutely need. What it does is it also protects Medicare and puts additional funding into Medicare of 7.7 percent more.

That is a responsible budget, and that is one that I can go home very proudly and tell people that these are the figures that we have in our budget while still insisting that every agency go after fraud, waste and abuse. That is responsibility, my colleagues.

Mr. SPRATT. Mr. Speaker, I yield myself such time as I may consume to respond that if my colleague will read closely, she will see that there is a function called function 920, and in it she will see \$128 billion in undistributed cuts. So all of these adds, all of these gains she is talking about, could very well be wiped out, and probably will be, once those cuts are distributed.

Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, on the very day that our young men and women in uniform saw the fruits of their sacrifices in the faces of cheering Iraqis, the majority party in this Congress will vote to saddle their generation with \$4 trillion in debt. Tonight, my colleagues will charge these young patriots with the burden of paying for the war they so willingly and valiantly fought.

While America's finest risk their lives and sacrifice for our country, the Republican leadership tells the rest of America, your contribution to the call of duty will be to get \$700 billion in tax cuts that will be paid for by the gen-

eration of young soldiers who fight in Iraq tonight.

Never in the history of this Nation have we been at war and refused to ask every American to join in the sacrifice. Instead, our Republican majority turns a blind eye to the \$25 trillion unfunded liability in Social Security and Medicare, they turn a blind eye to future national and homeland security needs of this Nation, they weaken our ability to respond to future threats by disarming our fiscal strength, and they rush headlong down the path of higher interest rates, dwindling national savings, and burdensome debt.

Cast a vote tonight for the generation that has made us proud in Iraq today. Vote "no" on the Republican budget.

Mr. NUSSLE. Mr. Speaker, I yield myself 15 seconds just to say that if our budget is so irresponsible, why is it that the budget that the gentleman supported, the very distinguished gentleman who is a member of, I believe, the Blue Dog coalition, why did he support a budget that increased the national debt by almost a similar amount? I would suggest that he needs to look at his own budget before criticizing the budget in the conference report.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, this is the most irresponsible budget in our Nation's history. It adds almost \$6 trillion to the public debt, with \$1.2 trillion in tax cuts for the wealthiest Americans. It will do serious, long-term damage to our economy, compromising our ability to address the most serious challenges facing us.

For the third year running, the Republicans are proposing a budget that lays the groundwork for increasing the deficit while again failing to stimulate the economy. Time and again, Republican budgets offer tax cuts and promise economic growth, yet all we have to show for it is a net loss of 2.6 million jobs, a stock market that has fallen by \$4.6 trillion, and consumer confidence that has dropped to its lowest level in nearly a decade.

A responsible budget provides hope, it lifts people up, it gives us a blueprint for our future, a view of our government's priorities. But this budget lets the people of this country down. The Republican leadership puts massive tax cuts ahead of the interests of the American people. This budget does not reflect our values, our priorities as a Nation, a Nation at war.

The Republicans pay for these tax cuts on the backs of disabled veterans, college students and children. It places massive unfunded mandates on our States at a time when our States are facing the worst fiscal crisis since World War II. This budget flies in the face of all that we believe, all that we ought to be dealing with as a Nation because budgets are about choices.

I believe that the current budget resolution does not deal with the issues

that are a priority in this country. This Republican budget reflects the wrong values and the wrong priorities for America, and I urge my colleagues to vote against it.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FEENEY).

□ 0145

Mr. FEENEY. Mr. Speaker, I rise to congratulate the Committee on the Budget and the chairman for the fine work they have done during admittedly very difficult times, internationally and at home.

I must admit, I have spent the last 3 hours listening to some great debates, but I do not know exactly where they are coming from. I feel like I am getting economics lessons from the same folks that taught geography to the Flat Earth Society.

What I am hearing from the same folks is the same philosophy that for 3 or 4 decades now has taken the position that we can spend, spend, spend our way out of trouble, is that we ought to somehow shrink a deficit that has been created largely over 30 or 40 years of spending.

The truth of the matter is that there are two approaches being taken here tonight. One side is advocating that we can spend our way out of trouble. The other side is advocating that we can grow our way out of trouble. The economic stimulus package that we are talking about, in the Kennedyesque style of the early sixties and the Reaganesque style of the 1980s is such that it will produce the same amount of growth that those great Presidents produced when they took the position that we can grow our way out of tough economic times.

I would remind Members from both sides of the aisle that in the aftermath of the victory in World War II, we had deficits that were much higher as a percentage of gross domestic product. We are now winning the war. As Prime Minister Thatcher said, Reagan won the Cold War without firing a shot. Yes, we had deficits, but after that, because of the low marginal tax rates, we had the highest period of sustained economic growth in history. Yes, we are winning the war on terror; we are winning the war on Iraq; and with Members' help, we can win the war to stimulate our economy by supporting this budget.

Mr. SPRATT. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. STENHOLM) so he can set the record straight with respect to the Blue Dog budget, and I do not have enough time to correct all of that economic fiction.

Mr. STENHOLM. Mr. Speaker, I wish we could avoid speaking untruths on this floor.

As the gentleman from Iowa (Mr. NUSSLE) knows, the Blue Dog budget balanced without using Social Security in 2013. The budget you have on the floor tonight will not balance without

using Social Security by 2013. You will not come within \$300 billion.

And to the last speaker from Florida, you cannot borrow and spend your way to prosperity, either. That rhetoric, that dog, will not hunt. You are going to borrow \$984 billion. Under your budget, you are going to borrow more money in the last year than we borrowed in the first 205 years of this country. We cannot borrow and spend our way to prosperity, either.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). The Chair reminds all Members that remarks are to be directed to the Chair and not to other Members in the Chamber.

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

Mr. Speaker, just to respond to the gentleman from Texas (Mr. STENHOLM), 2013, that seems like a long way away. Let us talk about next year and what the Blue Dog budget does next year. It increases the debt limit. That is interesting. There are lots of complaints about raising the debt limit; but both of the alternatives provided by the other party raise the debt limit in 2004. Spend a lot of money, even had a tax cut. All of these complaints seem to be very curious when they come to the floor and are complaining about raising the debt today. The debt limit increase was almost identical to the conference report that we are providing here tonight.

So it is fine that you can come here and wax philosophical about what is going to happen in 2013, but what happens next year, let us focus on that is what I would suggest. The two budgets that were presented by a majority of caucus from the Democratic side increased the debt limit. In addition, to that we have heard time and time again here tonight how we are not spending enough. I will guarantee Members that as we get into the appropriation season, we will hear speech after speech after speech telling us how we are not spending money for this and how we are not spending enough money for that, and how we have not made it a priority here and how we have not made it a priority there. And I would say to the whip who came and quoted me and said I had a dirty little secret about the Republican Party and the fact that we like to spend, I will tell Members, it is not a secret that the Democrats like to spend.

Mr. SPRATT. Mr. Speaker, I yield 30 seconds to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise in opposition to this budget. This budget severely underfunds education and shortchanges our Nation's children. Here we are 2 years after Members from both sides of the aisle pledged to leave no child behind, and yet we are considering a budget that cuts billions from the No Child Left Behind Act. Instead, this budget produces huge deficits for our children to pay off, yet fails to provide them with the

resources they need to drive the economy of tomorrow. This budget is not what our children need. This budget is not what America needs. I urge Members to vote "no."

Mr. SPRATT. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, this budget resolution is designed to enrich the rich at the expense of economic growth for all Americans. It means larger budget deficits, higher interest rates, larger trade deficits. It will take capital away from business investment while underinvesting in education and infrastructure.

Senate tax cut, \$350 billion. House tax cut, \$550 billion. Ultimate tax cut, \$1.2 trillion. Knowing you can pass the entire cost to future generations, priceless.

Allowing corporations to escape American taxes just by renting a hotel room in the Bahamas, \$4 billion. Cutting veterans benefits, \$6 billion. Cutting education, law enforcement, et cetera, \$168 billion. Setting up a \$1.2 trillion tax cut while allowing Senators to pretend it is only \$350 billion, priceless. Republicanism, and get the new Deficit Express Card with the \$12 billion credit limit.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that it is not appropriate to characterize the other body.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, we know that you know that this is not a budget you can be proud of because if you were proud of this budget, you would not be bringing it up between 1 and 2 a.m. in the morning when most of the American public is asleep.

I do not think that you are going to share with your children or grandchildren what you have done to them, creating \$12 trillion of debt that they will have to pay back. You are not going to share with them the fact that you and your generation are going to be retiring, most Members over the next decade, doubling the number of people on the Social Security and Medicare rolls, at just the time when you are borrowing trillions of dollars from those trust funds in order to reward yourself and your supporters, your political supporters with deep tax cuts.

Here you tell us that there is a war on so we need to do this. There is not one dime in this budget for the war in Iraq, not one dime. Members know that is in the 2003 supplemental. That is not in this budget. This is a budget that needs to be defeated. Do it for our children.

Mr. NUSSLE. Mr. Speaker, I yield 15 seconds to myself.

Mr. Speaker, the war supplemental is in the budget that we are presenting.

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

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, over in Iraq the Air Force is preparing to deploy its newest bomb, the MOAB, the mother of all bombs, if needed, against the remaining Republican Guards.

Meanwhile, back in Washington, the House of Representatives Republican guard is now deploying its very own legislative MOAB, the mother of all budgets; and it is a mother. This Republican legislative MOAB blows a huge crater into our economy, irresponsibly piling up \$1 trillion of new debt, increasing the debt limit by \$860 billion.

The Republicans say Osama ate our budget homework. Saddam ate our surplus; it is not our fault. But it is our fault. I would say to those Members who would vote for this budget, they have the freedom to choose whether or not to cut taxes for the richest in our country at a time of war and national emergency, and they have made their decision to drop this legislative MOAB into the middle of our economy, and the collateral damage will hit the poorest in our society.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask Members on both sides of the aisle to respect the gavel and only speak for the time yielded to them by the managers of the bill.

Mr. NUSSLE. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH) and hope he can set the record straight.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding me this time, and I always appreciate the chance to come to the well of the House.

I listened with interest to the gentleman from Massachusetts (Mr. MARKEY). What passes for wit in the early morning on the east coast of the United States, and I know perhaps given the deliberations some are giddy, but I would just remind us that rhetorical flourishes about Saddam eating homework or Osama eating homework are not funny; they are tragic. Mr. Speaker, we are a Nation at war, we are a Nation at war, and to have this type of disrespect brought into this debate speaks volumes on the nature of the opposition this evening.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM) to straighten out the Blue Dog budget.

Mr. STENHOLM. Mr. Speaker, I would appreciate if the gentleman from Iowa (Mr. NUSSLE) would listen, and if the gentleman disagrees, to disagree with me again. If the gentleman looks at the Blue Dog budget, we would have \$1.8 trillion less deficit over 10 years and \$120 billion less deficit next year.

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

Mr. STENHOLM. I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Speaker, how much do you increase the debt limit for next year?

Mr. STENHOLM. The debt limit for next year, everybody increases the debt limit for next year. The reason we do it is because the budget you voted in place in 2001 and 2002 has dug us this hole. We are suggesting in the Blue Dog budget to stop digging the hole deeper. We have got to stop digging the hole deeper. You want to keep digging it deeper and deeper and deeper, but you misrepresent totally the Blue Dogs because we do not spend one dime more than you propose spending in your budget tonight. We also have \$1.8 trillion less debt over the 10 years, and \$120 billion next year. That is not small potatoes.

□ 0200

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I thought about characterizing the Republican budget as a bad budget, but that is not really right, because it is not a budget, it is a "fudget." It fudges cuts in veterans affairs, it fudges the tax cut you cannot reconcile yourself to, and it fudges the biggest deficit in American history.

I thought about characterizing it as a budget fit for the Titanic, because we do have a disaster in the economy, a surplus turned into a deficit, the largest unemployment for years. But it is really not a Titanic budget, because the captain of the Titanic only rammed the iceberg once. You want to do these tax cuts twice in the hopes the iceberg will sink.

You made a mistake. You ought to face it. Let us defeat this budget.

Mr. NUSSLE. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), the distinguished vice chairman of the Committee on the Budget.

Mr. SHAYS. Mr. Speaker, in my 28 years experience being in politics, I do know that speaking at 2 in the morning is not wise, and I usually avoid doing that. It took me awhile to figure that out, because I always made enemies when I spoke late at night.

As I was listening to the dialogue of my colleagues discussing the rule, I heard a lot of passion, I heard a lot of anger. The difference is we actually have to pass a budget and you do not.

The best example to me is you are talking about your budget, the Blue Dog budget, that did not even get close to a majority of votes and did not even get all the votes on your side of the aisle. We can only afford to lose 11 votes on our side of the aisle, because we know that there is not one, Mr. Speaker, on that side of the aisle that will help us pass a budget. And that is the challenge.

When we passed our budget out of the Committee on the Budget, which I was

proud of, and balanced the budget in 7 years, the amendments to that budget in that committee debate added up to \$983 billion over the next 10 years.

We never had a debate with President Clinton where he said we spent too much. The only way we could get out of town was we had to spend more. That is a fact.

The problem is, even tonight, my colleagues, seriously, think about this: You say we are cutting. Only in Washington when you spend 9 percent more, or \$14.6 billion more, would people call it a cut. That is what we add in Medicaid. Only in Washington when you spend \$17.8 billion more, or 7.2 percent, would people call it a cut. Only in Washington when you spend \$5.4 billion more in transportation, or an 8.4 percent increase, would people call it a cut. Only in Washington when you spend \$6.2 billion more for veterans, a 10.7 percent increase, would people call it a cut.

So, Mr. Speaker, I know that you all do not like this budget, but I also know if you were in the majority, you would not be able to pass a budget, sadly. On this side of the aisle we have come together, we have done our best, and I am proud of it. And we scored our tax package. We have a tax package that we would, if we could, pass a \$627 billion tax cut. We put it under reconciliation at \$550. So there is \$77 billion that is not going to be under reconciliation.

This is a good budget. It is a budget we know we can pass, and we are going to do it.

Mr. SPRATT. Mr. Speaker, I yield myself 3½ minutes.

Mr. Speaker, let me respond to my good friend the gentleman from Connecticut (Mr. SHAYS) by saying in 1990 when we did the budget summit with President Bush and passed it, do you recall who put the votes on the board to pass that? It was not your side. In the second vote, only 80 Republicans voted for President Bush's budget summit agreement. That laid the foundation for what happened in the 1990s.

In 1993 we put every vote on the board by one to pass the Clinton budget, and every year thereafter the budget deficit declined for 8 straight years, to the point where in 2000 the budget was in surplus by \$236 billion.

We also came together in a bipartisan way on the balanced budget agreement of 1997, with President Clinton solidly supporting it. It never would have worked otherwise. So three times with tough votes we belied up to this problem.

And we took the deficit of \$290 billion the last full fiscal year of the Bush administration and turned it into a surplus of \$236 billion. I would say to the gentleman from Connecticut (Mr. SHAYS), we put the votes on the board to make that happen. That is a fact, an undisputable fiscal fact.

Let me in closing say how far we have come in the wrong direction in the last 2 years. We have got a chance

tonight to turn this ship around by voting down this budget resolution.

Two years ago we were talking about paying off all the debt held by the public by the year 2008. Now we have raised the debt ceiling, with the passage of this resolution, twice since then. Vote for this resolution and you will vote to raise the debt ceiling \$984 billion, and, between now and 2013, to raise the debt ceiling to \$12,040,000,000,000. That is a fact that comes from your numbers. That is how far we have come, and that is where we are headed, unless you make a decision tonight to take a different course.

I would plead with you. I will say it again and again and again, what we are seeing here are decisions about to be made that will be awfully difficult to undo. Your own numbers forewarn you. They tell the tale. Your on-budget deficit will not get below \$300 billion. It is as high as \$500 billion. You accumulate \$5 trillion to \$6 trillion in debt and add it to the national debt over the next 10 years.

These are not my concoctions or fabrications. These are your own numbers that tell the tale of what is about to happen.

Two years ago you took a blue sky estimate and bet the budget on it. It turned out wrong. Unfortunately, you are not chastened by that experience. But I am willing to say you made a mistake, an honest mistake. But now you cannot claim that this is an honest mistake, because OMB and CBO both told you there is no more surplus, so any tax cut you pass tonight, and you are going for another \$1.2 trillion, will go straight to the bottom line. It will add to the deficit.

Two years ago it was possibly negligence. Tonight, if you pass this budget resolution, it is willful, wanton and intentional. You are adding to the deficit by direct policy choice. This is your fiscal policy that leads us to the disastrous consequences that are set forth on page two of your tables and charts.

\$12 trillion in national debt is where we are headed if we adopt this resolution tonight. Your numbers.

Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI), our minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me time, and I invite all of my colleagues to recognize the extraordinary leadership of the gentleman from South Carolina (Mr. SPRATT) for presenting a budget to this House that is a statement of our national values. I thank the gentleman.

Mr. Speaker, earlier today we gathered in Statuary Hall to honor our men and women in uniform and their families. In doing so, we were reminded of our own mission, to build a future for our country worthy of their sacrifice, to build a future for their children and all children worthy of those children.

To build a future worthy of them, we need a budget which is a statement of

our national values. Instead, tonight we have a budget before us which is a national disgrace.

We need a budget resolution which is a blueprint for investing in our children and for job creation. Instead, we have a road map to economic disaster. Instead of investing in our children, we are making them indebted. We are mortgaging their futures for a tax break which benefits those who need it least, the wealthiest in our country.

It is no wonder that the Republicans want to bring this budget to the floor in the dark of night. It is 2 o'clock in the morning, just 11 o'clock in California, so hopefully people there will hear about this budget, that the Republicans do not want the American people to know.

They do not want them to know, for example, that while we honor our men and women in uniform, we are also tonight cutting their benefits by \$6.2 billion. They do not want the American people to see their charts, which will show, as the gentleman from South Carolina (Mr. SPRATT) indicated, that by the year 2013 they will double the national debt to \$12 trillion.

This is at a time where the Bush economic failed policies have taken us to consumer confidence being very low, retail sales moving at the lowest rate in a decade, and factory orders and manufacturing are down. The economic indicators are dismal. And the reaction of the Republicans? They offer more of their warmed-over stew: Tax cuts which benefit the wealthy.

Under President Bush, our country has lost 2.5 million jobs, the worst record of job creation since the depression. Under President Clinton, 22 million jobs were created, largely because of the sound fiscal policy that the gentleman from South Carolina (Mr. SPRATT) referenced in the budget vote that only Democrats supported.

This Republican plan will cause more job loss. Job loss for American workers to give tax breaks to America's wealthiest. It simply is not fair.

Not only is the Republican budget not fair, it is fiscally irresponsible. I ask you, my colleagues, where have all the budget deficit hawks gone? I ask the gentleman from Florida (Mr. YOUNG), are they an endangered species? It seems they are. The tax cuts in this budget, again, will double the national debt in the life of this budget to \$12 trillion.

It bears repetition. How old will your children be in 10 years? Do you want to weigh their futures down with huge debt?

The interest on the debt alone in the life of this budget, the interest on the debt alone in the out years will exceed all discretionary domestic spending. We will pay more interest on the debt to pay for this reckless tax cut than we will spend on investing in education, than we will invest in protecting the environment, transportation, infrastructure, which grows our economy and protects our environment, and

housing. The list goes on and on. Head Start, investments in our children, all of that investment will be exceeded by interest on the national debt. What a tragedy.

Those big deficits will raise interest rates and have a negative impact on our economy. The President's and the Republican's tax plan irresponsibly piles up debt and makes a bad economy worse. But do not take my word for it. Federal Reserve Chairman Alan Greenspan has said recently that there is no question that as deficits go up, contrary to what has been said, it does affect long-term interest rates. It does have a negative impact on the economy. The Congressional Budget Office just last week said the overall macroeconomic effect of the proposals in the President's budget is not obvious.

□ 0215

The office went on to say that the downturn in investment that will result from this plan will be a drag on the economy.

More than 400 economists, including 10 Nobel Laureates said, "Passing these tax cuts will worsen the long term budget outlook, adding to the Nation's projected chronic deficits."

Finally, the report by the Committee for Economic Development, a blue-ribbon organization of corporate CEOs stated, "The budget deficits, the President's plan, would be akin to 'arsenic poisoning' for the economy." A vote for this budget is a vote for arsenic poisoning for the economy.

If that would not be enough, just yesterday, the IMF sharply rebuked the Bush and Republican budget proposal. And they said, "Suppose for a moment we were talking about a developing country with a gaping trade deficit year after year as far as the eye can see, a budget spinning from black into red, open-ended security costs, and an exchange rate that has been inflated by capital inflows. With all of that, the IMF said, I think it is fair to say we would be pretty concerned if it were a developing nation."

"The United States," it went on to say, "isn't a developing country but, nonetheless, for the global economy, the Bush tax cut is poor policy and ill-timed. Whether we are talking about job creation for America's families or lifting up the global economy, this is a very bad idea."

Mr. Speaker, I urge my colleagues to reject the Republican's reckless, irresponsible budget, which explodes the deficit, does not create jobs, and dishonors our commitment to our children. Do the right thing. Vote no, no, no on the arsenic poisoning of our economy, the Republican budget.

The SPEAKER pro tempore (Mr. LATOURETTE). All time controlled by the gentleman from South Carolina (Mr. SPRATT) has expired.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Speaker, I yield the balance of our time to our very dis-

tinguished Speaker of the House, the gentleman from Illinois (Mr. HASTERT).

Mr. HASTERT. Mr. Speaker, it has been an incredible debate. I sat and listened to the debate on both of the rules and then on the substance here, the substance of this budget debate tonight. I guess maybe the same IMF to whom we provide the funds that they can go and provide capital throughout the world may be critical of us, I do not know. And possibly, the gloom and doom that we heard here tonight, if we set that as our philosophy and what this Congress can achieve and what this country would achieve, we probably would not be able to achieve very much.

But I taught economics for a number of years, 16 years; and we taught about projections and how the economists put formulas together and how you can look out into the future. But not many of those projections can really look out into the future. I would say if you try to say what is going to happen in this country 10 years from now with the economy, it probably would go up and down and right to left three or four times before we ever get to that future.

What is important is now. And I have heard a lot of rhetoric tonight. But I know what this budget does. It lays down the blueprint for the future of this country this year. This Congress, who is charged with doing the things that our people, the people who elect us, our constituents want us to do, they want us to stimulate this economy. They want us to see this economy getting going again. We lost \$250 billion in revenue last year, just in losses in capital gains. Now, we want to say the markets are not important, but the markets are important. We need to have stimulus. We need to have it going.

But I will tell my colleagues, in my district, we do not have a lot of markets, we have a lot of small business people. They provide 80 percent of the jobs in my district. That is fairly representative. Unless you are in the cities, that is fairly representative of around this country. Small business people say that they want to make an investment. They want to have some expensing. They want to have a job creation package that gets something done. And we can only do that, and we will have that debate on how that is put together, but we can only do that if we pass a budget to get the key in the door and open it up so that this Congress can do something.

I have great respect for the gentleman from Minnesota. He talked about a road program. But I say to my colleagues, we can only get a highway bill and work on an infrastructure if we pass this budget.

Tonight we debated an energy policy. This country needs an energy policy and how it gets put together, we will have that debate on it. But we will not have an energy policy unless we pass this budget.

There are 13 appropriations bills. We passed a budget last year. Our friends

in the Senate did not pass it, and we were talking about oranges and apples and we could not get the appropriation process done until February. We need to pass a budget; the Senate needs to pass a budget; we need to get the appropriation process done. We need to talk about education. We need to talk about health care. We cannot do it unless we pass this budget.

So I say to my colleagues, it is late. We have had a lot of debate. It is time to get to work. I will make a prediction. We will have a lot of people vote against it, and we will have a few more vote for it. Let us get to it.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered.

There was no objection.

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

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 211, not voting 8, as follows:

[Roll No. 141]

YEAS—216

Aderholt	Ehlers	Latham
Akin	Emerson	LaTourette
Bachus	English	Leach
Baker	Everett	Lewis (CA)
Ballenger	Feeney	Lewis (KY)
Barrett (SC)	Ferguson	Linder
Bartlett (MD)	Flake	LoBiondo
Barton (TX)	Fletcher	Lucas (OK)
Bass	Foley	Manzullo
Beauprez	Forbes	McCotter
Bereuter	Fossella	McCreary
Biggert	Frelinghuysen	McHugh
Bilirakis	Galleghy	McInnis
Bishop (UT)	Gerlach	McKeon
Blackburn	Gibbons	Mica
Blunt	Gilchrest	Miller (FL)
Boehrlert	Gillmor	Miller (MI)
Bonilla	Gingrey	Miller, Gary
Bonner	Goode	Murphy
Bono	Goodlatte	Musgrave
Boozman	Goss	Myrick
Bradley (NH)	Granger	Nethercutt
Brady (TX)	Graves	Ney
Brown (SC)	Green (WI)	Northup
Brown-Waite,	Greenwood	Norwood
Ginny	Gutknecht	Nunes
Burgess	Harris	Nussle
Burns	Hart	Osborne
Burr	Hastert	Ose
Burton (IN)	Hastings (WA)	Otter
Buyer	Hayes	Oxley
Calvert	Hayworth	Pearce
Camp	Hensarling	Pence
Cannon	Herger	Peterson (PA)
Cantor	Hobson	Petri
Capito	Hoekstra	Pickering
Carter	Hulshof	Pitts
Chabot	Hunter	Pombo
Chocola	Hyde	Porter
Coble	Isakson	Portman
Cole	Issa	Pryce (OH)
Collins	Istook	Putnam
Cox	Janklow	Quinn
Crane	Jenkins	Radanovich
Crenshaw	Johnson (CT)	Ramstad
Cubin	Johnson (IL)	Regula
Culberson	Johnson, Sam	Rehberg
Cunningham	Jones (NC)	Renzi
Davis, Jo Ann	Keller	Reynolds
Davis, Tom	Kelly	Rogers (AL)
Deal (GA)	Kennedy (MN)	Rogers (KY)
DeLay	King (IA)	Rogers (MI)
DeMint	King (NY)	Rohrabacher
Diaz-Balart, L.	Kingston	Ros-Lehtinen
Diaz-Balart, M.	Kirk	Royce
Doolittle	Kline	Ryan (WI)
Dreier	Knollenberg	Ryun (KS)
Duncan	Kolbe	Saxton
Dunn	LaHood	Schrock

Sensenbrenner	Stearns	Vitter
Sessions	Sullivan	Walden (OR)
Shadegg	Sweeney	Walsh
Shaw	Tancredo	Wamp
Shays	Tauzin	Weldon (FL)
Sherwood	Taylor (NC)	Weller
Shimkus	Terry	Whitfield
Shuster	Thomas	Wicker
Simmons	Thornberry	Wilson (NM)
Simpson	Tiahrt	Wilson (SC)
Smith (MI)	Tiberi	Wolf
Smith (NJ)	Toomey	Young (AK)
Smith (TX)	Turner (OH)	
Souder	Upton	

NAYS—211

Abercrombie	Gutierrez	Napolitano
Ackerman	Hall	Neal (MA)
Alexander	Harman	Oberstar
Allen	Hastings (FL)	Obeys
Andrews	Hefley	Olver
Baca	Hill	Ortiz
Baird	Hinchev	Owens
Baldwin	Hinojosa	Pallone
Ballance	Hoeffel	Pascrell
Becerra	Holden	Pastor
Bell	Holt	Payne
Berkley	Honda	Pelosi
Berman	Hooley (OR)	Peterson (MN)
Berry	Hostettler	Platts
Bishop (GA)	Hoyer	Pomeroy
Bishop (NY)	Inslee	Price (NC)
Blumenauer	Israel	Rahall
Boswell	Jackson (IL)	Rangel
Boucher	Jackson-Lee	Reyes
Boyd	(TX)	Rodriguez
Brady (PA)	Jefferson	Ross
Brown (OH)	John	Rothman
Brown, Corrine	Johnson, E. B.	Roybal-Allard
Capps	Jones (OH)	Ruppersberger
Capuano	Kanjorski	Rush
Cardin	Kaptur	Ryan (OH)
Cardoza	Kennedy (RI)	Sabo
Carson (IN)	Kildee	Sanchez, Linda
Carson (OK)	Kilpatrick	T.
Case	Kind	Sanchez, Loretta
Castle	Kleczka	Sanders
Clay	Kucinich	Sandlin
Clyburn	Lampson	Schakowsky
Conyers	Langevin	Schiff
Cooper	Lantos	Scott (GA)
Costello	Larsen (WA)	Scott (VA)
Cramer	Larson (CT)	Serrano
Crowley	Lee	Sherman
Cummings	Levin	Skelton
Davis (AL)	Lewis (GA)	Slaughter
Davis (CA)	Lipinski	Smith (WA)
Davis (FL)	Lofgren	Snyder
Davis (IL)	Lowe	Solis
Davis (TN)	Lucas (KY)	Spratt
DeFazio	Lynch	Stark
DeGette	Majette	Stenholm
DeLahunt	Maloney	Strickland
DeLauro	Markey	Stupak
Deutsch	Marshall	Tanner
Dicks	Matheson	Tauscher
Dingell	Matsui	Taylor (MS)
Doggett	McCarthy (NY)	Thompson (CA)
Dooley (CA)	McCollum	Thompson (MS)
Doyle	McDermott	Tierney
Edwards	McGovern	Towns
Emanuel	McIntyre	Turner (TX)
Engel	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Van Hollen
Evans	Meeke (NY)	Velazquez
Farr	Menendez	Visclosky
Fattah	Michaud	Waters
Filner	Millender-	Watson
Ford	McDonald	Watt
Frank (MA)	Miller (NC)	Waxman
Franks (AZ)	Miller, George	Weiner
Frost	Mollohan	Wexler
Garrett (NJ)	Moore	Woolsey
Gonzalez	Moran (KS)	Wu
Gordon	Moran (VA)	Wynn
Green (TX)	Murtha	
Grijalva	Nadler	

NOT VOTING—8

Boehner	Houghton	Weldon (PA)
Combest	McCarthy (MO)	Young (FL)
Gephardt	Paul	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). The Chair will advise Members there are 2 minutes remaining in this vote.

□ 0239

So the conference report was agreed to.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 953

Mr. KENNEDY of Rhode Island. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Washington (Mr. HASTINGS) as a cosponsor of H.R. 953, the Paul Wellstone Mental Health Equitable Treatment Act.

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

There was no objection.

THANKING HOUSE AND COMMITTEE STAFF FOR HARD WORK ON HOUSE CONCURRENT RESOLUTION 95

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

Mr. NUSSLE. Mr. Speaker, there are obviously a number of people who have toiled here late tonight. We want to thank the House staff that have stayed with us here this evening, and the reporters and the Clerk's office. We appreciate their hard work and sticking with us through these things.

I would like to thank my staff of the Committee on the Budget on the majority side. Rich Meade is my chief of staff, and we have a number of very professional people who got us to this point in time.

The Members get to make the speeches and to cast the votes, but the staff do the hard work in getting us here. In both the House and in the other body, we have had a great working relationship with those professional staffs. We want to thank them and congratulate them for a job well done.

□ 0245

I would also like to thank the members of my committee who worked hard on this, as well as the members of my committee on the opposite side of the aisle.

I have no better competitor in this process and no one that I respect more than the gentleman from South Carolina (Mr. SPRATT); and while we have to differ so on substance tonight, we do share a love for the process and enjoyment in working through these issues even though we do not always get our way in the final analysis. But I want to congratulate the gentleman for his work. As I say, there is no one who knows this process and this budget issue better than my friend and colleague, the gentleman from South Carolina (Mr. SPRATT).

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

Mr. NUSSLE. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding, and I would say that on both sides of the aisle the staff are the unseen players in this process. They make an enormous effort, and we have a good working relationship on this committee, which we prize because we have mutual respect.

I would like to pay tribute to my staff who put a herculean effort to get this budget resolution on the floor through all the processes it has to go.

First, to my very able and loyal and energetic chief of staff, Tom Kahn; to Joe Minarik, who is our chief economist and is widely experienced; to Jim Klumpner, who is also an excellent economist on our staff; to Sheila McDowell; to Kimberly Overbeek, who is super with the numbers; to Andrea Weathers; to Linda Bywaters; to Arthur Burris, who is indefatigable; to Sarah Abernathy; and to Pepper Santalucia. I am looking at Antonio Santalucia and Pepper would not come to me. To some new additions to our staff: Mike McCord, who does defense work; Jennifer Friedman, who came over from OMB; Diana Meredith and Andy Smalian, a great group of people, a great team effort and very professional staff.

And last but not least, Lisa Venus, who has been with us for several years who is assistant counsel and a very, very able staff member who was here on the floor with us tonight.

Mr. Speaker, I appreciate the chairman allowing me the opportunity to pay tribute to my staff and to the effort they put in to making the budget process work this year.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 31. Concurrent resolution expressing the outrage of Congress at the treatment of certain American prisoners of war by the Government of Iraq; to the Committee on International Relations.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 273. An act to provide for the eradication and control of nutria in Maryland and Louisiana.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 380. An act to amend chapter 83 of title 5, United States Code, to reform the funding of benefits under the Civil Service Retirement System for employees of the United States Postal Service, and for other purposes.

#### ADJOURNMENT

Mr. NUSSLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 48 minutes a.m.), the House adjourned until today, Friday, April 11, 2003, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1753. A letter from the Under Secretary, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan for FY 2004 along with revisions to the FY 03 Annual Materials Plan and AMPs for the succeeding four years, FY 05-08, pursuant to 50 U.S.C. 98h-5; to the Committee on Armed Services.

1754. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's FY 2004 Summary of Amounts Report for Cooperative Threat Reduction (CTR) Programs in the former Soviet Union; to the Committee on Armed Services.

1755. A letter from the Under Secretary, Department of Defense, transmitting the Department's report entitled, "Distribution of DoD Depot Maintenance Workloads Fiscal Years 2001 and 2002"; to the Committee on Armed Services.

1756. A letter from the Assistant Secretary, Department of Defense, transmitting a report prescribed in Section 709 of the National Defense Authorization Act for Fiscal Year 2003; to the Committee on Armed Services.

1757. A letter from the Alternate Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule — TRICARE Program; Eligibility and Payment Procedures for Civilian Health and Medical Program of the Uniformed Services Beneficiaries Age 65 and Over (RIN: 0720-AA66) received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1758. A letter from the President and Chairman, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Kingdom of the Netherlands pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1759. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's interim report entitled, "Interim Evaluation Report: Congressionally Mandated Evaluation of the State Children's Health Insurance Program, pursuant to Public Law 105-33, section 4901 (111 Stat. 567); to the Committee on Energy and Commerce.

1760. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, State of West Virginia; Control of Emissions from Commercial and Industrial Solid Waste Incinerator Units [WV059-6027a; FRL-7479-9] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1761. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plan for Designated Facilities and Pollutants: Florida [FL-094-200316a; FRL-7481-8] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1762. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Emissions From New Nonroad Diesel Engines: Amendments to the Nonroad Engine Definition [AMS-FRL-7482-1] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1763. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Nebraska: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7480-9] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1764. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-7479-1] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1765. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tennessee: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7478-5] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1766. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Text: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-7482-3] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1767. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Utah: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7480-6] received April 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1768. A letter from the Legal Advisor, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2, 73, 74, 80, 90, and 97 of the Commission's Rules to Implement Decisions from World Radiocommunication Conferences Concerning Frequency Bands Below 28000 kHz [ET Docket No. 02-16] received April 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1769. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting the Department's report entitled, "Imposition of Foreign Policy Controls on Specially Designated Global Terrorists"; to the Committee on International Relations.

1770. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting the Department's report entitled, "Expansion of Foreign Policy-Based Controls on Explosives Detection Equipment"; to the Committee on International Relations.

1771. A letter from the Staff Director, Commission On Civil Rights, transmitting the Commission's FY 2002 Government Performance and Results Act Report; to the Committee on Government Reform.

1772. A letter from the Secretary, Department of Labor, transmitting the FY 2002 Annual Report on Performance and Accountability; to the Committee on Government Reform.

1773. A letter from the Secretary, Department of State, transmitting the Department's Performance and Accountability Report for FY 2002; to the Committee on Government Reform.

1774. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Administration, transmitting the Administration's final rule — Federal Acquisition Circular 2001-13; Introduction — received April 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1775. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [AL-072-FOR] received April 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1776. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's biennial federal assistance report; to the Committee on Resources.

1777. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Tampa Bay, Port of Tampa, Port of Saint Petersburg, Port Manatee, Rattlesnake, Old Port Tampa, Big Bend, Weedon Island, and Crystal River, FL [COTP Tampa-03-006] (RIN: 1625-AA00) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1778. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Coronado Beach Bridge (SR 44), Intracoastal Waterway, New Smyrna Beach, Florida [CGD7-02-077] (RIN: 1625-AA09) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1779. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01-03-024] received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1780. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operations Regulation; Nanticoke River, Seafood, DE [CGD05-02-020] (RIN: 1625-AA09) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1781. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area, Safety and Security Zones; Long Island Sound Marine Inspection and Captain of the Port Zone [CGD01-01-187] (RIN: 2115-AA00, AA11) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1782. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Kill Van Kull Channel, Newark Bay Channel, South Elizabeth Channel, Elizabeth Channel, Port Newark Channel and New Jersey Pierhead Channel, New York and New Jersey [CGD01-03-017] (RIN: 1625-AA11) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1783. A letter from the Chairman, Office of the General Counsel, Surface Transportation

Board, transmitting the Board's final rule — Procedures to Expedite Resolution of Rail Rate Challenges to be Considered Under the Stand-Alone Cost Methodology (STB Ex Parte No. 638) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1784. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements (Announcement 2003-19) received April 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1785. A letter from the Regulations Officer, SSA, Social Security Administration, transmitting the Administration's final rule — Federal Old-Age, Survivors and Disability Insurance; Repeal of the Facility-of-Payment Provision [Regulation No. 4] (RIN: 0960-AE02) received April 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1786. A letter from the Under Secretary, Department of Defense, transmitting the Department's plan to implement legislation concerning the transfer of Montgomery GI Bill entitlements to family members, pursuant to 38 U.S.C. 3020 Public Law 107—107, section 654; jointly to the Committees on Armed Services and Veterans' Affairs.

1787. A letter from the Assistant Secretary, Department of Defense, transmitting a report on Outreach to Gulf War Veterans Calendar Year 2002; jointly to the Committees on Armed Services and Veterans' Affairs.

1788. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's seventh report describing the administration of the Montgomery GI Bill educational assistance program; jointly to the Committees on Armed Services and Veterans' Affairs.

1789. A letter from the Secretaries, Departments of Defense and Veterans Affairs, transmitting a report on the implementation of the health resources sharing portion of the Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act, pursuant to 38 U.S.C. 8111(f); jointly to the Committees on Armed Services and Veterans' Affairs.

1790. A letter from the Chief Counsel for Advocacy, Small Business Administration, transmitting the Administration's annual report of the Chief Counsel for Advocacy on Implementation of the Regulatory Flexibility Act, Fiscal Year 2002, pursuant to 5 U.S.C. 612(a); jointly to the Committees on the Judiciary and Small Business.

1791. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Evaluation Results for Two Demonstrations: The Social Health Maintenance Organization (S/HMO) II Demonstration and the End-Stage Renal Disease (ESRD) Managed Care Demonstration," pursuant to Public Law 98—369, section 2355(d)(1) and (2); jointly to the Committees on Ways and Means and Energy and Commerce.

1792. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Improvements to the MedicareChoice Appeal and Grievance Procedures [CMS-4024-FC] (RIN: 0938-AK48) received April 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. NUSSLE: Committee of Conference. Conference report on House Concurrent Resolution 95. Resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013 (Rept. 108-71). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 191. Resolution waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013 (Rept. 108-72). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 192. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 108-73). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. VISCLOSKEY (for himself, Mr. LOBIONDO, Mr. MCINTYRE, Mr. GRIJALVA, Mr. HOLDEN, Mr. BISHOP of New York, Mr. FORD, Ms. HOOLEY of Oregon, Mr. LARSON of Connecticut, Ms. HARMAN, Mr. KILDEE, Mrs. MALONEY, Mr. MCDERMOTT, Mr. SERRANO, Mr. MCNULTY, Mr. MENENDEZ, Mr. MORAN of Virginia, Ms. BALDWIN, Mr. FRANK of Massachusetts, Mr. KENNEDY of Rhode Island, and Mr. KANJORSKI):

H.R. 1708. A bill to extend the authorization of the Bulletproof Vest Partnership Grant Program; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. ROHRABACHER, Mr. WAXMAN, and Mr. DINGELL):

H.R. 1709. A bill to restore standards to protect the privacy of individually identifiable health information that were weakened by the August 2002 modifications, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself and Mr. NEAL of Massachusetts):

H.R. 1710. A bill to amend title XVIII of the Social Security Act to restore the full market basket percentage increase applied to payments to hospitals for inpatient hospital services furnished to Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Mr. LOBIONDO, Mr. DEFAZIO, and Mr. QUINN):

H.R. 1711. A bill to amend title 49, United States Code, to ensure that functions relating to the air traffic control system are carried out directly by the United States Government; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Mr. FILNER, Mr. MICHAUD, and Ms. HOOLEY of Oregon):

H.R. 1712. A bill to amend the Small Business Act to establish a development program for small business concerns owned and controlled by qualified service-disabled veterans, to reauthorize the programs of the National Veterans Business Development Corporation, to establish a Government-wide procurement goal for small business concerns owned and controlled by veterans, and for other purposes; to the Committee on Small Business.

By Mr. EVANS (for himself, Mr. DINGELL, Mr. FILNER, Ms. CORRINE BROWN of Florida, Mr. RODRIGUEZ, Mr. STRICKLAND, Mrs. DAVIS of California, Mr. RYAN of Ohio, Mr. WEINER, Mr. MCINTYRE, Mr. BROWN of Ohio, Mr. SERRANO, Mr. FROST, and Mr. SANDERS):

H.R. 1713. A bill to amend title 38, United States Code, to improve benefits under the Montgomery GI Bill by establishing an enhanced educational assistance program, by increasing the amount of basic educational assistance, by repealing the requirement for reduction in pay for participation in the program, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:

H.R. 1714. A bill to amend the Immigration and Nationality Act relating to naturalization through service in the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H.R. 1715. A bill to amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover from third parties costs of medical care furnished to veterans and other persons by the Department; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, and Mr. MICHAUD):

H.R. 1716. A bill to amend title 38, United States Code, to improve educational assistance programs of the Department of Veterans Affairs for apprenticeship or other on-job training, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mr. ROHRBACHER, Ms. WOOLSEY, Mr. FRANK of Massachusetts, Ms. LEE, Mr. HONDA, Mr. MCDERMOTT, Mr. CASE, Mr. SANDERS, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. BERMAN, Mr. LANTOS, Mr. WEXLER, Mrs. TAUSCHER, Mr. HINCHEY, Mr. STARK, Mr. DEFazio, Ms. SCHAKOWSKY, Mr. PAUL, Mrs. CAPPS, Mr. NADLER, Ms. ESHOO, Ms. LINDA T. SANCHEZ of California, Ms. ROYBAL-ALLARD, Ms. WATSON, Mr. FILNER, and Mr. SCHIFF):

H.R. 1717. A bill to amend the Controlled Substances Act to provide an affirmative defense for the medical use of marijuana in accordance with the laws of the various States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 1718. A bill to amend title 38, United States Code, to repeal the four-year terms specified by law for certain officials of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WELDON of Pennsylvania (for himself, Mr. EDWARDS, Mr. MCHUGH, Mr. SPRATT, Mr. SOUDER, Mrs. TAUSCHER, Mr. SHAYS, Mr. ORTIZ, Mr. LEACH, Ms. CORRINE BROWN of Florida, Mr. HASTINGS of Florida, Mr. WILSON of South Carolina, Mr. BEREUTER, Mr. REYES, Mr. CRAMER, Mr. ABERCROMBIE, Mr. TAYLOR of North Carolina, Mr. SMITH of Michigan, Mr. BARTLETT of Maryland, Mr. STEARNS, Mr. HOYER, Mr. SHERWOOD, Mr. COX, and Mr. FARR):

H.R. 1719. A bill to promote enhanced non-proliferation cooperation between the United States and the Russian Federation and foster various other actions that will increase the national security of the United States, and for other purposes; to the Committee on International Relations.

By Mr. SIMMONS (for himself and Mr. SMITH of New Jersey):

H.R. 1720. A bill to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, establishing, and updating patient care facilities at Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself, Mr. PORTMAN, Mr. LIPINSKI, Mr. GREENWOOD, Mr. CROWLEY, Mrs. JOHNSON of Connecticut, Mr. ACEVEDO-VILA, Mr. EHLERS, Mr. HASTINGS of Florida, Ms. BORDALLO, and Mr. BLUMENAUER):

H.R. 1721. A bill to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; to the Committee on International Relations.

By Mr. HINOJOSA (for himself and Mr. DAVIS of Alabama):

H.R. 1722. A bill to promote the development of affordable, quality rental housing in rural areas for low-income households; to the Committee on Financial Services.

By Mr. ACEVEDO-VILA (for himself, Mr. RAHALL, Mr. GRIJALVA, Mr. PALLONE, Mr. CASE, Mr. RODRIGUEZ, Mr. GUTIERREZ, Mr. REYES, Mr. RANGEL, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. PAYNE, Mr. UDALL of Colorado, Mr. BECERRA, and Mrs. NAPOLITANO):

H.R. 1723. A bill to designate certain National Forest System lands in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Resources.

By Mr. ALEXANDER (for himself, Mr. FROST, Mr. BAKER, Mr. PLATTS, Mr. EVANS, Mr. RYAN of Ohio, Mr. BALLANCE, Mr. ROSS, and Mr. JOHN):

H.R. 1724. A bill to require institutions of higher education to make full refunds of tuitions and fees paid by members of the Armed Forces and National Guard called to active duty or active service during a war or national emergency; to the Committee on Education and the Workforce.

By Mr. BARTLETT of Maryland (for himself, Mr. GOODE, Mr. SMITH of Michigan, Mr. HOEKSTRA, Mr. TOOMEY, Mr. JONES of North Carolina, Mr. FLAKE, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. GARRETT of New Jersey, Mr. PETRI, Mr. CHABOT, Mr. PITTS, Mr. SHADEGG, Mr.

HEFLEY, Mr. KINGSTON, Mrs. MUSGRAVE, Mr. FRANKS of Arizona, Mr. CHOCOLA, and Mr. HAYES):

H.R. 1725. A bill to change the deadline for income tax returns for calendar year taxpayers from the 15th of April to the first Monday in November; to the Committee on Ways and Means.

By Mr. BROWN of South Carolina (for himself, Mr. ANDREWS, Mr. BARTLETT of Maryland, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mr. FILNER, Mr. FROST, Mr. GILLMOR, Mr. HEFLEY, Mr. LAHOOD, Ms. LEE, Mr. MCINTYRE, Mr. MILLER of Florida, Mr. MORAN of Virginia, Mr. PAUL, Mr. REYES, Mr. SANDLIN, and Mr. WILSON of South Carolina):

H.R. 1726. A bill to amend title 10, United States Code, to repeal the offset from surviving spouse annuities under the military Survivor Benefit Plan for amounts paid by the Secretary of Veterans Affairs as dependency and indemnity compensation; to the Committee on Armed Services.

By Mr. CAMP (for himself and Mr. SANDLIN):

H.R. 1727. A bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 1728. A bill to amend title 37, United States Code, to ensure equal treatment for members of reserve components who perform inactive-duty training in determining their entitlement for aviation incentive pay and hazardous duty pay; to the Committee on Armed Services.

By Ms. CARSON of Indiana (for herself, Ms. NORTON, Mr. SANDERS, Mr. PLATTS, Mr. PETERSON of Minnesota, Mr. LIPINSKI, and Ms. JACKSON-LEE of Texas):

H.R. 1729. A bill to amend the Fair Credit Reporting Act to require consumer reporting agencies to notify consumers when negative information is added to the consumer's file at such agency, and for other purposes; to the Committee on Financial Services.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. DINGELL, Mr. ROGERS of Michigan, Mr. STRICKLAND, Mr. GERLACH, Mr. KILDEE, Mr. BUYER, Mr. LEVIN, Mr. EHLERS, Mr. HOLDEN, Mr. SMITH of Michigan, Mr. KANJORSKI, Mr. CAMP, Mr. BEREUTER, Mr. STUPAK, and Ms. SOLIS):

H.R. 1730. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTER (for himself and Mr. SCHIFF):

H.R. 1731. A bill to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTER (for himself and Mr. EDWARDS):

H.R. 1732. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes; to the Committee on Resources.

By Mr. CROWLEY (for himself, Mr. ALLEN, Ms. KAPTUR, Mr. KILDEE, Mr. SANDERS, Mr. McNULTY, and Mr. FROST):

H.R. 1733. A bill to amend XVIII and XIX of the Social Security Act to provide for a voluntary Medicare prescription medicine benefit, to provide greater access to affordable pharmaceuticals, to provide for substantial reductions in the cost of prescription drugs made available to Medicare beneficiaries, to

amend the Internal Revenue Code of 1986 to disallow deductions for direct-to-consumer advertisement of prescription drugs, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals and preserving access to safe affordable Canadian medicines, to amend the Federal Election Campaign Act of 1971 to prohibit campaign contributions by chief executive officers of pharmaceutical companies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Veterans' Affairs, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM (for himself, Mrs. JOHNSON of Connecticut, Mr. HOLDEN, Mr. WILSON of South Carolina, Ms. KILPATRICK, Mr. FOSSELLA, Mr. MCINTYRE, Mr. SESSIONS, Mr. WYNN, Mr. ROGERS of Michigan, Mr. MORAN of Virginia, Mr. ISSA, Mr. MCNULTY, Mr. FRELINGHUYSEN, Mr. ISAKSON, Mr. WATT, Mr. McDERMOTT, Mr. WHITFIELD, Mr. HOEFFEL, Mr. KING of New York, Mrs. MUSGRAVE, Mr. LOBIONDO, Mr. WELDON of Pennsylvania, Mr. HOLT, Mr. OWENS, Mr. MENENDEZ, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FOLEY, Mr. MCCOTTER, Mr. PLATTS, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. PALLONE, Mr. DEAL of Georgia, Mr. FORD, Mr. NEY, Mrs. DAVIS of California, Mr. SAXTON, Mr. RANGEL, and Mr. STEARNS):

H.R. 1734. A bill to amend the Public Health Service Act to establish an Office of Men's Health; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Mr. THOMPSON of California, Ms. CORRINE BROWN of Florida, Mr. EVANS, Mr. REYES, and Mr. MCGOVERN):

H.R. 1735. A bill to amend title 38, United States Code, to increase the maximum amount of a home loan guarantee available to a veteran; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Illinois (for himself, Mr. BURR, Mr. SHUMKUS, and Mr. RUSH):

H.R. 1736. A bill to amend title XIX of the Social Security Act to include primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease as medical assistance under the Medicaid Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DOOLEY of California (for himself, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LARSON of Connecticut, Mr. DAVIS of Alabama, Mr. LARSEN of Washington, and Mr. STENHOLM):

H.R. 1737. A bill to provide for the fair and efficient judicial consideration of personal injury and wrongful death claims arising out of asbestos exposure, to ensure that individuals who suffer harm, now or in the future, from illnesses caused by exposure to asbestos receive compensation for their injuries, and for other purposes; to the Committee on the Judiciary.

By Mr. EMANUEL (for himself, Mr. DEFAZIO, Ms. DELAURO, Mr. DELAHUNT, Mr. RYAN of Ohio, Mr. FORD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. LIPINSKI, Mr. HINCHEY, Mr. LARSON of Connecticut, Mr. DAVIS of Alabama, Mr. WEXLER, Mrs. MALONEY, Mr. MCGOVERN, Mr. ETHERIDGE, Ms. LEE, Mr.

HASTINGS of Florida, Mr. ALLEN, Ms. SLAUGHTER, Mr. GRIJALVA, Mrs. CHRISTENSEN, Ms. LINDA T. SANCHEZ of California, Mr. SERRANO, Ms. WOOLSEY, Ms. SCHAKOWSKY, and Mr. BELL):

H.R. 1738. A bill to require payments to State and local governments for infrastructure and social services needs in the same amount as the amount of relief and reconstruction funds provided to Iraq; to the Committee on Government Reform.

By Mr. GREENWOOD (for himself, Mr. RANGEL, Mr. MCCRERY, Mr. CRANE, and Mr. GUTIERREZ):

H.R. 1739. A bill to amend title XVIII of the Social Security Act to increase payments under the Medicare Program to Puerto Rico hospitals; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. RODRIGUEZ, Mr. BELL, Mr. LAMPSON, Mr. HINOJOSA, Mr. EDWARDS, Mr. ORTIZ, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. SANDLIN, Mr. CULBERSON, Mr. HALL, Mr. FROST, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. BONILLA, Mr. DELAY, Mr. STENHOLM, Mr. PAUL, Mr. BURGESS, Ms. GRANGER, Mr. HENSARLING, Mr. CARTER, Mr. THORBERRY, Mr. REYES, Mr. TURNER of Texas, Mr. BARTON of Texas, Mr. BRADY of Texas, Mr. SMITH of Texas, and Mr. COMBEST):

H.R. 1740. A bill to designate the facility of the United States Postal Service located at 1502 East Kiest Boulevard in Dallas, Texas, as the "Dr. Caesar A.W. Clark, Sr. Post Office Building"; to the Committee on Government Reform.

By Mr. JONES of North Carolina (for himself, Mr. MURTHA, Mr. HOUGHTON, Mr. GILCHREST, Mr. KLINE, Mr. JANKLOW, Mr. GUTKNECHT, Mr. HUNTER, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. KINGSTON, Mr. RAMSTAD, Mr. HAYWORTH, Mrs. MILLER of Michigan, Mr. WILSON of South Carolina, Mr. HEFLEY, Mr. HAYES, Mr. ABERCROMBIE, Mr. NORWOOD, Mr. WELDON of Pennsylvania, Mr. SAXTON, Mr. BARTLETT of Maryland, Mr. HOSTETTLER, Mr. AKIN, Mrs. WILSON of New Mexico, Mr. MILLER of Florida, Mr. WHITFIELD, Mr. COBLE, Mr. MEEHAN, Mr. MCINTYRE, Mr. FEENEY, Mr. GINGREY, Mr. GOODE, Mr. GIBBONS, Mr. LOBIONDO, Mr. ROHRBACHER, Mr. HOEFFEL, Mr. ISRAEL, Mr. ORTIZ, Mrs. TAUSCHER, and Mr. REYES):

H.R. 1741. A bill to redesignate the position of the Secretary of the Navy as the Secretary of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. KLECZKA (for himself, Mr. HERGER, Mr. BACA, Ms. BALDWIN, Mr. CALVERT, Mrs. CAPITO, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DOGGETT, Mr. DOOLITTLE, Mr. EVANS, Mr. FARR, Mr. FROST, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. LAMPSON, Mr. LANTOS, Mr. LEWIS of California, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. OBEY, Mr. PAUL, Mr. PETRI, Mr. POMBO, Mr. RAHALL, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. THOMPSON of California, Mr. TURNER of Texas, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WU):

H.R. 1742. A bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage bond financ-

ing, and for other purposes; to the Committee on Ways and Means.

By Mr. LEACH (for himself and Mr. LATHAM):

H.R. 1743. A bill to allow applications for the preferred provider organization (PPO) demonstration project under the MedicareChoice program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself and Mr. CASTLE):

H.R. 1744. A bill to amend title XIX of the Social Security Act to revise and simplify the transitional medical assistance (TMA) program; to the Committee on Energy and Commerce.

By Mr. LOBIONDO:

H.R. 1745. A bill to express the sense of the Congress that funding should be made available from the Highway Trust Fund to encourage States to require law enforcement officers to impound motor vehicles of those charged with driving while intoxicated, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. LOWEY (for herself, Mrs. MYRICK, Ms. NORTON, Mr. LYNCH, Mr. KILDEE, Mrs. MCCARTHY of New York, Mr. MCNULTY, Ms. WOOLSEY, Mr. BROWN of Ohio, Mr. MCINTYRE, Mr. GUTIERREZ, Mr. HOLDEN, Mr. FRANK of Massachusetts, Mr. WILSON of South Carolina, Mr. FROST, Mr. WOLF, Mr. MCHUGH, Mr. TIERNEY, Mr. HOLT, Mr. McDERMOTT, Mr. RODRIGUEZ, Ms. BORDALLO, Mr. GREEN of Texas, Mr. BAKER, Mr. SENSENBRENNER, Mr. GORDON, Ms. BERKLEY, Mr. ROTHMAN, Mr. DAVIS of Illinois, Mr. BERMAN, Mr. NADLER, Mr. OWENS, Mr. HINCHEY, Mr. RYAN of Ohio, Mr. SCHIFF, Mrs. CAPPS, Mr. OBERSTAR, Mr. BOSWELL, Mr. OSE, Ms. SCHAKOWSKY, Mr. SIMMONS, Ms. CARSON of Indiana, Mr. SANDERS, Mr. BISHOP of New York, Mr. REYES, Mr. STARK, Mr. ACKERMAN, Mrs. MUSGRAVE, Mr. UDALL of Colorado, Mr. MEEHAN, Mr. CLYBURN, Mr. GEORGE MILLER of California, Mr. DOYLE, Ms. MILLENDER-MCDONALD, Mr. WAXMAN, Mr. BASS, Mr. SHAYS, Mr. LEACH, Mr. EVANS, and Ms. DELAURO):

H.R. 1746. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. LANTOS, Ms. BORDALLO, Ms. NORTON, Mr. BALLANCE, Ms. LEE, Mr. WAXMAN, Mr. OLVER, and Ms. SCHAKOWSKY):

H.R. 1747. A bill to amend the Truth in Lending Act to provide for enhanced information regarding credit card balance payment terms and conditions, and for other purposes; to the Committee on Financial Services.

By Mr. MCGOVERN (for himself, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. FALCOMA, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. OWENS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, and Mr. GUTIERREZ):

H.R. 1748. A bill to amend the Equal Credit Opportunity Act to permit the collection of demographic information in connection with

small business loan applications with the applicant's consent, and for other purposes; to the Committee on Financial Services.

By Mr. MCINNIS (for himself, Mr. STRICKLAND, Mrs. JO ANN DAVIS of Virginia, Mr. STUPAK, Mr. MCCOTTER, Mr. SHIMKUS, Mr. BURGESS, Mr. GREEN of Wisconsin, Mr. ROGERS of Michigan, Mr. BARTLETT of Maryland, Ms. SCHAKOWSKY, Mr. UDALL of Colorado, Mr. SENSENBRENNER, Mr. RYAN of Ohio, Mr. HINCHEY, Mr. PETRI, Mr. GORDON, Mr. CALVERT, Mr. COSTELLO, Mr. KIND, Mr. KIRK, Mr. WALSH, Mr. FRANK of Massachusetts, Mr. PALLONE, Mr. RYAN of Wisconsin, Mr. HOLDEN, Mrs. MUSGRAVE, Mr. KLINE, Mr. RENZI, Mr. KENNEDY of Minnesota, Mr. GRAVES, Ms. CARSON of Indiana, Mrs. BONO, Mr. PLATTS, Mr. JOHNSON of Illinois, Mr. KILDEE, Mr. BOSWELL, Mr. DAVIS of Illinois, Mr. LIPINSKI, Mr. SANDERS, Mr. CAMP, Ms. BALDWIN, Mr. ABERCROMBIE, Mr. WELLER, Mrs. CAPITO, Mr. MCDERMOTT, Mr. LATHAM, Mr. RUSH, Mr. FORD, Mr. BEAUPREZ, and Mrs. JONES of Ohio):

H.R. 1749. A bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Mr. EVANS, Ms. CORRINE BROWN of Florida, Mr. MCINTYRE, Mr. SANDERS, Mr. RODRIGUEZ, Mr. SERRANO, Mr. FROST, Mr. SCHIFF, Mr. STRICKLAND, and Mr. RYAN of Ohio):

H.R. 1750. A bill to amend title 38, United States Code, to provide for an increase of \$250 per month in the rate of monthly dependency and indemnity compensation (DIC) payable to a surviving spouse of a member of the Armed Forces who dies on active duty or as a result of a service-connected disability in any case in which there are dependent children; to the Committee on Veterans' Affairs.

By Mr. MOORE (for himself, Mr. FROST, Mr. FRANK of Massachusetts, Mr. DAVIS of Illinois, Mr. ENGEL, Mrs. DAVIS of California, Mr. RODRIGUEZ, Mr. KUCINICH, Mr. SERRANO, Mr. SANDLIN, Ms. MCCARTHY of Missouri, Mrs. JONES of Ohio, Mr. BOUCHER, Mr. MCGOVERN, Mr. DOYLE, Mr. DAVIS of Florida, Mr. STENHOLM, Ms. CARSON of Indiana, Mr. RANGEL, Mr. UDALL of Colorado, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. ABERCROMBIE, Mr. ETHERIDGE, and Mr. ALLEN):

H.R. 1751. A bill to expand the teacher loan forgiveness programs under the Federal Family Education Loan and Federal Direct Loan programs; to the Committee on Education and the Workforce.

By Mr. NADLER:

H.R. 1752. A bill to provide for the purchase of textbooks and the establishment of the Textbook Recycling Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NETHERCUTT (for himself and Mr. DICKS):

H.R. 1753. A bill to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of claims of the Tribe concerning the contribution of the Tribe to the production of hydropower by the Grand Coulee Dam, and for other purposes; to the Committee on Resources.

By Mr. PAUL (for himself, Mr. DUNCAN, Mr. GOODE, and Mr. OTTER):

H.R. 1754. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. BUYER, Mr. CHABOT, Mr. POMBO, Mr. WALSH, Mr. SOUDER, Mr. CUNNINGHAM, Mr. TIAHRT, Mr. BRADY of Texas, Mr. GREEN of Wisconsin, Mr. LIPINSKI, Mr. JANKLOW, Mr. NEY, Mr. SMITH of Texas, Mr. LEWIS of Kentucky, Mr. BLUNT, Mrs. EMERSON, Mr. COLLINS, Mr. LINDER, Mrs. CUBIN, Mr. WILSON of South Carolina, Mr. RENZI, Mr. GOODLATTE, Mr. MCCREY, Mrs. NORTHUP, Mr. PETERSON of Pennsylvania, Mr. FOSSELLA, Mr. KENNEDY of Minnesota, Mr. BERRY, Mr. DELAY, Mr. HYDE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. SMITH of New Jersey, Mr. PITTS, Mrs. JO ANN DAVIS of Virginia, Mrs. BLACKBURN, Mrs. MILLER of Michigan, Ms. HART, Mrs. MUSGRAVE, Mr. AKIN, Mrs. MYRICK, Mr. WELDON of Florida, Mr. BARTON of Texas, Mr. SCHROCK, Mr. COSTELLO, Mr. TERRY, Mr. PORTMAN, Mr. KING of New York, Mr. GOODE, Mr. PUTNAM, Mr. MCINTYRE, Mr. BAKER, Mr. ADERHOLT, Mr. DEAL of Georgia, Mr. LATOURETTE, Mr. CANTOR, Mr. RYUN of Kansas, Mr. KING of Iowa, Mr. OBERSTAR, Mr. PENCE, Mr. PICKERING, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. ROGERS of Michigan, Mr. TOOMEY, Mr. SULLIVAN, and Mr. BURTON of Indiana):

H.R. 1755. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. MARKEY, Mr. PETERSON of Minnesota, Mr. DAVIS of Illinois, Ms. MILLENDER-MCDONALD, Mr. CARDOZA, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mr. KIND, Mr. DOOLEY of California, Mr. MOORE, Mr. OLVER, Mr. LANTOS, Mr. HONDA, Mr. CROWLEY, Mr. EMANUEL, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. HOLDEN, Mr. MURTHA, Mr. LARSON of Connecticut, Mr. DOYLE, and Mr. HOBSON):

H.R. 1756. A bill to amend the Internal Revenue Code of 1986 to require the abatement of interest on erroneous refund checks without regard to the size of the refund; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 1757. A bill to amend title XIX of the Social Security Act to increase the personal needs allowance applied to institutionalized individuals under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. STRICKLAND (for himself, Mr. WHITFIELD, Mr. HOLDEN, Mr. KANJORSKI, Ms. SLAUGHTER, Mr. GIBBONS, Mr. BROWN of Ohio, Mrs. TAUSCHER, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. COOPER, Mr. BEAUPREZ, Mr. MCGOVERN, Mr. MURTHA, Mr. INSLEE, Mr. DAVIS of Tennessee, Mr. FROST, Ms. BERKLEY, and Mr. UDALL of New Mexico):

H.R. 1758. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to improve the program of benefits for contractor employees of the Department of Energy who were exposed to toxic substances at Department of Energy

facilities, to provide coverage under subtitle B of that Act for certain additional individuals and illnesses, to establish an ombudsman, to make technical corrections, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAYLOR of North Carolina (for himself and Mr. BALLENGER):

H.R. 1759. A bill to establish the Blue Ridge National Heritage Area in the State of North Carolina, and for other purposes; to the Committee on Resources.

By Mr. THOMPSON of California (for himself, Mr. GEORGE MILLER of California, Mr. MATSUI, Mr. FARR, Mr. BLUMENAUER, Ms. SOLIS, Mrs. NAPOLITANO, Mr. BERMAN, Mr. HONDA, Ms. LEE, Ms. HARMAN, Mr. SCHIFF, Ms. WATSON, Ms. LOFGREN, Mr. LANTOS, Mrs. CAPPS, Ms. ESHOO, Mr. WAXMAN, Ms. WOOLSEY, Mr. SHERMAN, Mrs. DAVIS of California, and Mr. BACA):

H.R. 1760. A bill to establish water conservation and habitat restoration programs in the Klamath River basin and to provide emergency disaster assistance to fishermen, Indian tribes, small businesses, and others that suffer economic harm from the devastating effects of the Klamath River basin fish kill of 2002; to the Committee on Resources.

By Mr. TIAHRT:

H.R. 1761. A bill to designate the facility of the United States Postal Service located at 9350 East Corporate Hill Drive in Wichita, Kansas, as the "Garner E. Shriver Post Office Building"; to the Committee on Government Reform.

By Mr. TURNER of Ohio:

H.R. 1762. A bill to amend title 38, United States Code, to provide for preservation and protection of historic buildings under the jurisdiction of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 1763. A bill to amend the Communications Act of 1934 to facilitate an increase in programming and content on radio that is locally and independently produced, to facilitate competition in radio programming, radio advertising, and concerts, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WOLF:

H.R. 1764. A bill to amend title 5, United States Code, to provide for appropriate overtime pay for National Weather Service employees who perform essential services during severe weather events; to the Committee on Government Reform.

By Mr. WOLF (for himself and Mr. SCOTT of Virginia):

H.R. 1765. A bill to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape; to the Committee on the Judiciary.

By Mr. CHABOT (for himself, Mr. VITTER, Mr. SAXTON, Mr. KENNEDY of Minnesota, Ms. PRYCE of Ohio, Mr. GREEN of Wisconsin, Mr. SHAYS, Mr. RENZI, Mr. HAYWORTH, Mr. SHADEGG, Mr. BRADY of Texas, Mr. FOSSELLA, Mr. FLAKE, Mr. WALDEN of Oregon, Mr. ROYCE, and Mr. GALLEGLY):

H.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself and Mr. STENHOLM):

H.J. Res. 49. A joint resolution recognizing the important service to the Nation provided by the Foreign Agricultural Service of the Department of Agriculture on the occasion of its 50th anniversary; to the Committee on Agriculture, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself, Mr. BARTON of Texas, Mr. CULBERSON, Mr. HALL, Mr. SHADEGG, Mr. ENGLISH, Mrs. MYRICK, Mr. SWEENEY, Mr. NORWOOD, Mr. MILLER of Florida, Mr. FOSSELLA, Mr. TOOMEY, Mr. BONILLA, Mr. FORBES, Mr. DOOLITTLE, Mr. PAUL, Mr. BARTLETT of Maryland, Mr. HEFLEY, Mr. MICA, Mr. CANNON, Mr. FOLEY, Mr. RYUN of Kansas, Mr. ISAKSON, Mrs. CUBIN, Mr. DEMINT, Mr. CASTLE, Mr. TAYLOR of North Carolina, Ms. GRANGER, Mr. TAUZIN, Mr. GREEN of Wisconsin, Mr. SHIMKUS, Mr. BOEHNER, Mr. GIBBONS, Mr. FLETCHER, Mr. PITTS, Mr. CAMP, Mr. BURTON of Indiana, Mr. FLAKE, Mr. HAYWORTH, Mr. GOODE, Mr. POMBO, Ms. GINNY BROWN-WAITE of Florida, Mr. KENNEDY of Minnesota, Mr. GARRETT of New Jersey, Mr. HASTINGS of Washington, Mr. RADANOVICH, Mr. JONES of North Carolina, Mr. HENSARLING, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. BURR, Mr. SIMMONS, and Mr. NEY):

H.J. Res. 50. A joint resolution proposing a tax limitation amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mrs. KELLY:

H. Con. Res. 146. Concurrent resolution recognizing and supporting the efforts of the State of New York to develop the National Purple Heart Hall of Honor in New Windsor, New York, and for other purposes; to the Committee on Armed Services.

By Mr. FOLEY (for himself, Mr. WAXMAN, Mr. SHIMKUS, Mr. BROWN of Ohio, Mr. KOLBE, Ms. SLAUGHTER, Mr. HERGER, Mr. McNULTY, Mr. PALLONE, Mr. GREEN of Texas, Mr. ALLEN, Mrs. CAPPS, Mr. LAHOOD, and Mr. ENGEL):

H. Con. Res. 147. Concurrent resolution commemorating the 20th Anniversary of the Orphan Drug Act and the National Organization for Rare Disorders; to the Committee on Energy and Commerce.

By Mr. CARDIN:

H. Con. Res. 148. Concurrent resolution expressing the sense of the Congress that America's public education system belongs to all Americans and should be celebrated for the role the system plays in strengthening American values and ensuring a brighter, stronger future for this Nation; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. MEEHAN, Mr. DELAHUNT, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, and Mr. LYNCH):

H. Con. Res. 149. Concurrent resolution expressing support for the celebration of Patriot's Day on April 19th and honoring the Nation's first patriots; to the Committee on Government Reform.

By Mr. WILSON of South Carolina (for himself, Mrs. JO ANN DAVIS of Vir-

ginia, Mr. BLUNT, Mr. CANTOR, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. HALL, Mr. COBLE, Mr. BARTON of Texas, Mr. HEFLEY, Mr. HERGER, Mr. ROHRBACHER, Mr. MCCRERY, Mr. KINGSTON, Mr. BARTLETT of Maryland, Mr. MANZULLO, Mr. JONES of North Carolina, Mrs. MYRICK, Mr. RYUN of Kansas, Mr. GOODE, Mr. ADERHOLT, Mr. TANCREDO, Mr. TERRY, Mr. BROWN of South Carolina, Mr. MILLER of Florida, Mr. SULLIVAN, Mr. BARRETT of South Carolina, Mr. MARIO DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. KING of Iowa, Mr. BURGESS, Mr. JANKLOW, Mr. CARTER, Mr. FRANKS of Arizona, and Mr. GARRETT of New Jersey):

H. Con. Res. 150. Concurrent resolution expressing the sense of Congress regarding the protection of religious sites and the freedom of access and worship; to the Committee on International Relations.

By Mr. RADANOVICH (for himself, Mr. SCHIFF, Mr. KNOLLENBERG, Mr. PALLONE, Mr. ACKERMAN, Mr. ANDREWS, Ms. BERKLEY, Mr. BERMAN, Mr. BILIRAKIS, Mr. BRADLEY of New Hampshire, Mr. CAPUANO, Mr. CARDOZA, Mr. COSTELLO, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DREIER, Mr. EMANUEL, Ms. ESHOO, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, Mr. HINCHEY, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Mr. ISRAEL, Mr. KILDEE, Ms. KILPATRICK, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. LANGEVIN, Ms. LEE, Mr. LEVIN, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. NORTON, Mr. NUNES, Mr. OLVER, Ms. PELOSI, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. SHAYS, Mr. SHERMAN, Mr. SMITH of New Jersey, Ms. SOLIS, Mr. SOUDER, Mr. STARK, Mr. SWEENEY, Mr. UPTON, Mr. VAN HOLLEN, Mr. VISLOSKEY, Ms. WATSON, and Mr. WEINER):

H. Res. 193. A resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003; to the Committee on the Judiciary.

By Mr. CAPUANO (for himself, Mr. PAYNE, Mr. WOLF, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. RANGEL, Mr. SMITH of New Jersey, and Mr. WEXLER):

H. Res. 194. A resolution regarding the importance of international efforts to abolish slavery and other human rights abuses in the Sudan; to the Committee on International Relations.

By Mr. GUTIERREZ (for himself, Ms. VELAZQUEZ, Mr. LIPINSKI, Mr. SERRANO, Ms. SOLIS, Mr. RODRIGUEZ, Mr. COSTELLO, Mr. MENENDEZ, Mr. DAVIS of Illinois, Mr. EMANUEL, Ms. SCHAKOWSKY, Mr. RUSH, and Mr. JACKSON of Illinois):

H. Res. 195. A resolution congratulating Sammy Sosa of the Chicago Cubs for hitting 500 major league home runs; to the Committee on Government Reform.

By Mr. MEEKS of New York:

H. Res. 196. A resolution congratulating the Saint John's University men's basketball

team for winning the 2003 National Invitation Tournament basketball championship; to the Committee on Education and the Workforce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

20. The SPEAKER presented a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1604 memorializing the United States Congress to approve federal energy legislation that promotes and expands the use of ethanol and biodiesel in the nation's fuel supply; to the Committee on Energy and Commerce.

21. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Resolution No. 6019 memorializing the United States Congress to urge the government to begin preparing now to address the health needs of veterans of Operation Iraqi Freedom; to the Committee on Veterans' Affairs.

## ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Ms. HART and Mr. RYUN of Kansas.  
H.R. 20: Ms. LOFGREN, Ms. ESHOO, Mr. RODRIGUEZ, Ms. CORRINE BROWN of Florida, and Mr. SANDLIN.

H.R. 25: Mr. AKIN.  
H.R. 31: Mr. COLLINS.  
H.R. 33: Mr. REHBERG.  
H.R. 49: Mr. GOODE.  
H.R. 100: Mr. COOPER.  
H.R. 111: Mr. KNOLLENBERG.  
H.R. 126: Mr. OWENS, Mr. MICHAUD, and Ms. BORDALLO.

H.R. 130: Mr. GRIJALVA, Mr. LATOURETTE, Ms. MCCOLLUM, Mr. PETERSON of Minnesota, and Mr. RYAN of Ohio.

H.R. 173: Mr. PETERSON of Pennsylvania, Ms. PRYCE of Ohio, Mr. KANJORSKI, Mr. CALVERT, and Mr. VISLOSKEY.

H.R. 199: Mr. SOUDER.  
H.R. 290: Mrs. MCCARTHY of New York and Mr. LAHOOD.

H.R. 299: Mr. CROWLEY.  
H.R. 302: Mr. DAVIS of Tennessee.  
H.R. 303: Mr. DOOLITTLE and Mr. KUCINICH.  
H.R. 348: Mr. SANDERS.  
H.R. 356: Mr. REYES.  
H.R. 369: Mr. COOPER.  
H.R. 370: Mr. HINOJOSA.

H.R. 371: Mr. KILDEE, Mr. GRIJALVA, Mr. JEFFERSON, Mr. DOYLE, and Mr. NETHERCUTT.

H.R. 375: Mr. AKIN and Mr. ISRAEL.  
H.R. 380: Mr. PEARCE.  
H.R. 382: Mr. GREENWOOD.

H.R. 463: Mr. SHAYS, Mr. DREIER, and Mr. SHERMAN.  
H.R. 498: Mr. AKIN.

H.R. 527: Mrs. MALONEY and Mr. COOPER.  
H.R. 548: Mr. ORTIZ, Mr. BLUMENAUER, Mr. DOYLE, Mr. BURGESS, Mr. LUCAS of Oklahoma, Mr. DEAL of Georgia, Mr. VAN HOLLEN, Mr. TANNER, Mr. BLUNT, and Mr. ROGERS of Alabama.

H.R. 569: Mr. MCGOVERN.  
H.R. 571: Mr. HALL and Mr. CHOCOLA.  
H.R. 648: Mr. WELDON of Florida.

H.R. 664: Mr. STRICKLAND, Mr. CONYERS, and Mr. FRANKS of Arizona.

H.R. 677: Mr. STRICKLAND.  
H.R. 728: Mr. MCHUGH and Mr. GOODLATTE.

H.R. 731: Mr. STUPAK, Mr. CARDOZA, Ms. LINDA T. SANCHEZ of California, Mr. BISHOP of New York, Mr. LEWIS of Georgia, and Mr. SERRANO.

H.R. 737: Mr. KUCINICH and Mrs. MALONEY.  
 H.R. 740: Ms. CARSON of Indiana.  
 H.R. 756: Mr. JANKLOW.  
 H.R. 803: Mr. RYUN of Kansas.  
 H.R. 814: Mr. SCHIFF, Mr. HOLT, Ms. LEE, and Mr. LUCAS of Kentucky.  
 H.R. 816: Mr. TIERNEY.  
 H.R. 871: Mr. CARDOZA and Mr. WALDEN of Oregon.  
 H.R. 876: Mr. BOSWELL and Mr. LATOURETTE.  
 H.R. 898: Mr. FILNER, Ms. ESHOO, Mr. SANDLIN, Mr. REYES, Mr. BROWN of Ohio, Mr. CROWLEY, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. EMANUEL, Ms. KILPATRICK, Mr. HOLT, Ms. MAJETTE, Mr. CASE, Mr. WEINER, Mr. SNYDER, Mr. SCOTT of Virginia, Mr. MORAN of Virginia, Ms. HOOLEY of Oregon, Mr. GREEN of Texas, Mr. MATSUI, Mr. HONDA, Ms. SCHAKOWSKY, Mr. McDERMOTT, and Mr. MEEHAN.  
 H.R. 919: Mr. STRICKLAND, Mr. MORAN of Virginia, Mr. BROWN of Ohio, and Mr. McDERMOTT.  
 H.R. 927: Mr. LAHOOD, Mr. LUCAS of Kentucky, Mr. BOSWELL, and Mr. AKIN.  
 H.R. 935: Mr. LEACH.  
 H.R. 936: Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, and Mr. PASTOR.  
 H.R. 970: Mr. COBLE, Mr. PAYNE, Mr. LANTOS, Mr. DAVIS of Alabama, Mr. SESSIONS, and Mr. HOUGHTON.  
 H.R. 977: Mr. DEFazio.  
 H.R. 980: Mr. CAMP.  
 H.R. 1002: Mr. REYNOLDS, Mr. NETHERCUTT, Mr. SULLIVAN, Mr. PRICE of North Carolina, Ms. SLAUGHTER, Mr. DUNCAN, and Mr. DAVIS of Tennessee.  
 H.R. 1031: Mr. DAVIS of Florida.  
 H.R. 1046: Mr. PETERSON of Minnesota, Mr. MILLER of North Carolina, Mr. CHOCOLA, and Mr. WALSH.  
 H.R. 1070: Mr. PASTOR.  
 H.R. 1083: Mr. COOPER, Mr. DAVIS of Tennessee, and Mr. LAHOOD.  
 H.R. 1115: Mr. SCOTT of Georgia.  
 H.R. 1117: Mr. GRAVES and Mr. MCHUGH.  
 H.R. 1118: Ms. MCCOLLUM and Mr. TERRY.  
 H.R. 1120: Mr. COOPER.  
 H.R. 1157: Mr. HOLT and Mr. HOEFFEL.  
 H.R. 1162: Mr. BELL.  
 H.R. 1163: Mr. TERRY and Mr. FRANKS of Arizona.  
 H.R. 1170: Mrs. EMERSON.  
 H.R. 1175: Mr. MILLER of Florida.  
 H.R. 1222: Mr. BONILLA and Mr. TERRY.  
 H.R. 1225: Mr. JENKINS, Mr. BERRY, Mr. HOUGHTON, and Mr. DAVIS of Tennessee.  
 H.R. 1229: Mr. FRANKS of Arizona, Mr. MILLER of Florida, Mr. AKIN, Mr. LAHOOD, and Mr. BOOZMAN.  
 H.R. 1240: Mr. FATTAH.  
 H.R. 1241: Mr. DEUTSCH, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. SCHAKOWSKY.  
 H.R. 1242: Mr. OWENS, Ms. KAPTUR, Mr. COOPER, Mr. ALLEN, and Mr. EVANS.  
 H.R. 1258: Mr. WU, Mr. NADLER, Mr. HINOJOSA, Mr. DAVIS of Illinois, and Mr. TOWNS.

H.R. 1260: Mr. WHITFIELD, Mr. GILCREST, and Mr. BOSWELL.  
 H.R. 1261: Mr. BALLENGER and Mr. COLE.  
 H.R. 1275: Mr. COOPER.  
 H.R. 1279: Mr. BLUNT, Mrs. BLACKBURN, Mr. PRICE of North Carolina, Mr. JONES of North Carolina, and Mr. TERRY.  
 H.R. 1288: Mr. REYNOLDS, Mr. WILSON of South Carolina, Ms. KAPTUR, Mr. ISAKSON, Mr. MATHESON, Mr. FORD, Mr. HAYWORTH, Mr. STEARNS, Ms. KILPATRICK, Mr. RANGEL, Mr. MORAN of Virginia, and Mr. LAHOOD.  
 H.R. 1323: Mr. HONDA and Ms. SCHAKOWSKY.  
 H.R. 1331: Mrs. CUBIN.  
 H.R. 1336: Mr. MCINNIS and Mr. RODRIGUEZ.  
 H.R. 1348: Mr. ISRAEL.  
 H.R. 1357: Mr. PAYNE, Mr. SANDERS, Mr. OWENS, Mr. GONZALEZ, Mr. FARR, Ms. SCHAKOWSKY, and Mr. ENGEL.  
 H.R. 1358: Mr. SHAYS.  
 H.R. 1377: Mr. DAVIS of Tennessee and Mr. JANKLOW.  
 H.R. 1397: Ms. WOOLSEY.  
 H.R. 1422: Mr. OWENS, Mr. SESSIONS, Mr. SCHIFF, Mr. KENNEDY of Rhode Island, and Mr. CRANE.  
 H.R. 1426: Mr. CAMP, Mr. MATSUI, and Mr. GRIJALVA.  
 H.R. 1429: Mr. WEXLER and Ms. WOOLSEY.  
 H.R. 1443: Mr. SAXTON.  
 H.R. 1445: Mr. LARSON of Connecticut and Mr. SIMMONS.  
 H.R. 1448: Mr. McNULTY, Mr. HINCHEY, Mr. KILDEE, Ms. KAPTUR, Ms. WOOLSEY, and Ms. CARSON of Indiana.  
 H.R. 1470: Mr. COOPER and Mr. HOLDEN.  
 H.R. 1474: Mr. SHAYS, Mr. ALEXANDER, Mr. NEY, Ms. PRYCE of Ohio, Mr. SESSIONS, Mr. MOORE, Mr. CLAY, Ms. HARRIS, Mr. HENSARLING, and Mrs. MALONEY.  
 H.R. 1478: Mr. DUNCAN.  
 H.R. 1480: Mr. JACKSON of Illinois, Mr. MEEK of Florida, Mr. BROWN of Ohio, Mr. LEWIS of Georgia, Mr. WEINER, Mr. CAPUANO, Mr. WU, Mr. MCGOVERN, Mr. SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LARSON of Connecticut, Mr. DOYLE, and Mr. MCINTYRE.  
 H.R. 1508: Ms. LEE, Ms. NORTON, Mr. WYNN, Mr. CLAY, Ms. BALDWIN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. GRIJALVA.  
 H.R. 1510: Mr. DEUTSCH.  
 H.R. 1513: Mr. HAYWORTH and Mr. FOLEY.  
 H.R. 1530: Mr. BLUNT.  
 H.R. 1540: Mrs. JONES of Ohio.  
 H.R. 1545: Mr. GRAVES.  
 H.R. 1554: Mr. GRIJALVA, Mr. RODRIGUEZ, Mr. GUTIERREZ, and Mr. ACEVEDO-VILA.  
 H.R. 1568: Mr. ORTIZ.  
 H.R. 1582: Mr. GILLMOR.  
 H.R. 1586: Mr. BRADY of Texas, Mr. KIRK, Mrs. BLACKBURN, Mr. COLE, and Mr. TIBERI.  
 H.R. 1615: Mr. NEAL of Massachusetts and Mr. Payne.  
 H.R. 1627: Mr. MURTHA.  
 H.R. 1652: Mr. FRNAK of Massachusetts, Mr. ISRAEL, Mr. FROST, Ms. SOLIS, and Mr. WYNN.  
 H.R. 1661: Ms. KAPTUR and Mr. ISRAEL.  
 H.R. 1662: Mr. LINDER, Mr. GARY G. MILLER of California, Mr. AKIN, and Mr. SHADEGG.

H.R. 1674: Mr. HAYWORTH, Ms. DUNN, Mr. HERGER, and Mr. TANNER.  
 H.R. 1675: Mr. BEREUTER, Mr. MURTHA, Mr. NETHERCUTT, Mr. HAYES, and Mr. MARSHALL.  
 H.R. 1677: Mr. BRADY of Pennsylvania.  
 H.R. 1690: Mr. SANDERS.  
 H.R. 1692: Ms. BERKLEY.  
 H.R. 1693: Mr. WYNN.  
 H.R. 1698: Mr. FLAKE.  
 H.J. Res. 36: Mr. UPTON, Mr. GOODE, Mr. McNULTY, and Mr. SANDERS.  
 H.J. Res. 37: Mr. QUINN.  
 H.J. Res. 40: Mr. GOODE.  
 H.J. Res. 46: Mr. STEARNS.  
 H. Con. Res. 6: Mr. McNULTY.  
 H. Con. Res. 49: Mr. BURNS, Mr. SOUDER, Mr. KUCINICH, Mr. GUTIERREZ, Mr. ROTHMAN, and Ms. HARMAN.  
 H. Con. Res. 78: Ms. CORRINE BROWN of Florida.  
 H. Con. Res. 98: Ms. DUNN, Mr. LINDER, and Mr. WYNN.  
 H. Con. Res. 130: Ms. KILPATRICK, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. CONYERS, Mr. DOOLEY of California, Ms. LINDA T. SANCHEZ of California, Mr. SCOTT of Georgia, Mr. JEFFERSON, Ms. MILLENDER-McDONALD, Mr. SCOTT of Virginia, Mr. BECERRA, Mr. REYES, Mrs. NAPOLITANO, Ms. VELAZQUEZ, and Mr. RODRIGUEZ.  
 H. Res. 108: Mr. FRANK of Massachusetts.  
 H. Res. 118: Mr. BEREUTER.  
 H. Res. 129: Ms. BERKLEY.  
 H. Res. 136: Mr. SULLIVAN and Mr. STRICKLAND.  
 H. Res. 177: Mr. BEREUTER.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 953: Mr. HASTINGS of Washington.

#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

9. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 67 of 2003 petitioning the United States Congress to enact the Mentally Ill Offender Treatment and Crime Reduction Act of 2002; to the Committee on the Judiciary.

10. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 64 of 2003 petitioning the United States Congress to urge federal, state and railroad officials to support and assist Rockland County's effort to establish a quiet zone on the west shore (river) freight rail line within Rockland County; to the Committee on Transportation and Infrastructure.