

I will include our exchange of letters in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

JOE BARTON,
Chairman.

MAY 3, 2006.

Hon. JOE BARTON,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN BARTON: In recognition of the desire to expedite consideration of H.R. 5254, a bill to set schedules for the consideration of permits for refineries, the Committee on the Judiciary hereby waives consideration of the bill. There are a number of provisions contained in H.R. 5254 that implicate the rule X jurisdiction of the Committee on the Judiciary. Specifically, section four of the bill contains a provision that implicates the Committee on the Judiciary's jurisdiction under rule X(1)(1) ("the judiciary and judicial proceedings, civil and criminal).

The Committee takes this action with the understanding that by forgoing consideration of H.R. 5254, the Committee on the Judiciary does not waive any jurisdiction over subject matter contained in this or similar legislation. The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 5254 on the House floor. Thank you for your attention to these matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

Ms. LEE. Mr. Speaker, I rise in strong opposition to H.R. 5254.

This bill is a complete sham, and will do absolutely nothing to mitigate the high gas prices that our constituents are being forced to pay at the pump.

The fact is we did not get to \$3 a gallon for gas because of our environmental and public health laws, and we shouldn't be gutting them in response.

The bottom line is that energy companies are not interested in expanding their refinery capacity because they want gas supply to remain tight so they can keep making record profits.

In a hearing last November in the other body, both the CEO's for Shell and ConocoPhillips indicated that they were not aware of any environmental regulation that was preventing them from building new refineries.

While in January representatives from Exxon indicated that they had no plans to build new refineries.

So what is the point of this bill if nobody wants it or needs it?

The real problem with high gas prices today boils down to two things:

1. The administration's deliberate decision to promote an energy policy developed by and for their cronies in the oil and gas industry at the expense of the American people.

2. The geo-political problems in the Middle East that have been exacerbated by the actions of this administration over the last six years.

Those are the issues we should be dealing with today.

Instead of gutting our Nation's environmental and public health laws and providing

another giveaway to the energy industry we need to implement a strategy of energy independence.

We need to make immediate investments to expand energy efficiency and the use of renewable fuels, and we need to adopt a foreign policy that does not hold our constituents hostage to the latest political crisis in the Middle East.

I urge my colleagues to oppose this wrong-headed bill.

Mr. UDALL of Colorado. Mr. Speaker, we all know why this bill was rushed to the floor today, and why it is being considered under a shortcut process that limits debate and prevents any consideration of even a single amendment.

It's because the Republican leadership thinks they need to make a show of doing something about the price of gasoline.

But just because they are feeling some political heat does not mean that we should pass this bill, which I think does not deserve to be approved.

The bill would require State and local governments to comply with a new Federal schedule for approving permits to site, construct, or expand a refinery. To do that, it would repeal part of the brand-new Energy Policy Act of 2005 that gave the States the ability to request authority to trigger a process that would coordinate Federal and State actions on a refinery.

In other words, it is a new Federal mandate—and it probably would not do anything to speed up construction of any refineries, for several reasons.

First, more Federal bureaucracy and red tape means more delays, because heavy-handed Federal requirements—including judicially-enforceable deadlines—will bring exactly the resistance and litigation that the provisions in the Energy Policy Act were intended to forestall.

And, second, it's economics that controls decisions about refinery capacity.

That's why, as the Wall Street Journal recently reported, Exxon thinks building a new refinery would be bad for its long-term business even as it expands the capacity of its existing refineries.

Just last November, in fact, Shell's CEO testified in a Senate hearing that "[w]e are not aware of any environmental regulations that have prevented us from expanding refinery capacity or siting a new refinery" and Conoco's CEO echoed that, saying "we are not aware of any projects that have been directly prevented as a result of any specific Federal or State regulation."

But, when the Republican leadership gets scared, who cares about the facts or wants to bother with thinking things through?

So here we are, rushing to take up a bill that was just introduced, on which there have been no hearings and no opportunity for anyone who will be affected—including the State and local governments—to have a chance to comment.

That's a bad way to do business, and this is a bad bill. I cannot support it.

Mr. HOLT. Mr. Speaker, I rise today in opposition to the Refinery Permit Process Schedule Act (H.R. 5254). This bill is based on a false premise—that requirements for environmental permits are to blame for the lack of refinery capacity. As many of my colleagues have expressed, oil companies have openly

stated that environmental standards are not stopping them from building new refineries. In fact, the truth is that oil companies simply do not want to build more refineries. The solution that H.R. 5254 prescribes does not match the problem that our nation faces with energy. Instead of investing our efforts in sustainable energy sources to meet our growing energy needs, we remain stuck in our old ways.

I would like to take the opportunity to discuss one point of this bill that I find particularly disturbing. Section 5 directs the President to designate three closed military bases for new oil refining facilities. This section will ultimately force communities that have already suffered from the closure of a military base to welcome unwillingly an oil refinery in their backyards if the President and the Secretary of the Army deem it worthy of a refinery.

I recently joined with New Jersey Governor Jon S. Corzine, Representative FRANK PALLONE and other New Jersey state legislators for the signing of the Fort Monmouth Economic Revitalization Act, which creates a ten-member authority charged with overseeing the transition and revitalization of Fort Monmouth once it closes in or before 2011. Creating such an authority is an important step for communities to protect their interests as communities are revitalized following a base closure. What frightens me even more about this provision is that the Secretary of Defense can override any decision made by a local authority. The federal government can supersede a local decision. This is not just about Fort Monmouth in my district in Central New Jersey. This is about communities who are already dealing with the closure of a military base. This is about allowing the federal government to overrule what state and local authorities believe is best for their communities.

We owe it to our constituents to debate meaningful energy legislation that reaches the root of our growing energy problems, not something that tries to fix a problem that does not exist.

I urge my colleagues to vote no on this legislation because it does not address our growing energy needs and is unfair to local communities.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill, H.R. 5254.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOUCHER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

EXPRESSING NEED FOR PUBLIC AWARENESS OF TRAUMATIC BRAIN INJURY AND SUPPORT FOR DESIGNATION OF NATIONAL BRAIN INJURY AWARENESS MONTH

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to

the concurrent resolution (H. Con. Res. 99) expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month.

The Clerk read as follows:

H. CON. RES. 99

Whereas traumatic brain injury is a leading cause of death and disability among children and young adults in the United States;

Whereas at least 1.4 million Americans sustain a traumatic brain injury each year;

Whereas, each year, more than 80,000 of such Americans sustain permanent life-long disabilities from a traumatic brain injury, resulting in a life-altering experience that can include the most serious physical, cognitive, and emotional impairments;

Whereas every 21 seconds, one person in the United States sustains a traumatic brain injury;

Whereas at least 5.3 million Americans currently live with permanent disabilities resulting from a traumatic brain injury;

Whereas most cases of traumatic brain injury are preventable;

Whereas traumatic brain injuries cost the nation \$56.3 billion annually;

Whereas the lack of public awareness is so vast that traumatic brain injury is known in the disability community as the Nation's "silent epidemic";

Whereas the designation of a National Brain Injury Awareness Month will work toward enhancing public awareness of traumatic brain injury; and

Whereas the Brain Injury Association of America has recognized March as Brain Injury Awareness Month: Now, therefore, be it Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the life-altering impact traumatic brain injury may have both on Americans living with the resultant disabilities and on their families;

(2) recognizes the need for enhanced public awareness of traumatic brain injury;

(3) supports the designation of an appropriate month as National Brain Injury Awareness Month; and

(4) encourages the President to issue a proclamation designating such a month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 99, a resolution expressing the need for enhanced public awareness of traumatic brain injury and in support for designation of a National Brain Injury Awareness Month.

I want to thank the principal sponsors of this legislation, Congressman

BILL PASCRELL from New Jersey and Congressman TODD PLATTS from Pennsylvania, who are the cochairs of the Congressional Brain Injury Task Force. I commend them for their leadership and hard work to increase the level of public awareness of this silent epidemic of traumatic brain injury.

Despite the fact that each year an estimated 1.4 million Americans sustain a traumatic brain injury, costing our society tens of billions of dollars and permanently altering the lives of countless people, too few people are aware of the dangers posed by these highly preventable injuries.

To help address this problem, House Concurrent Resolution 99 resolves that Congress, one, recognizes the life-altering impact traumatic brain injury may have both on Americans living with the resultant disabilities and on their families; two, recognizes the need for enhanced public awareness of traumatic brain injury; three, supports the designation of an appropriate month as National Brain Injury Awareness Month; and, four, encourages the President to issue a proclamation designating such a month.

Again, I commend Mr. PASCRELL and Mr. PLATTS for their leadership on this issue. I encourage my colleagues to adopt the resolution.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Centers for Disease Control and Prevention estimate that there are over 5 million Americans living with disabilities resulting from traumatic brain injury. Another 1.4 million of our fellow citizens sustain a traumatic brain injury every year.

In 1996, Congress recognized the severity of traumatic brain injury by passing the Traumatic Brain Injury Act, legislation that advances prevention and education and research and community living for people living with these injuries and for their families. But there is more to be done.

Every 21 seconds, someone in our country sustains a traumatic brain injury. While half of these injuries result in only short-term disabilities, for others, they are obviously far more serious.

Half a million of these Americans die, including 2,800 children less than 14 years of age. Another 80,000 Americans sustain severe long-term disabilities, costing our health care system something in the vicinity of \$56 billion a year.

But many of those disabilities are preventable. The problem is that most Americans don't know when to classify an injury as a traumatic injury. It means they may not know to recognize the signs of a serious injury, which can be as simple as recurring headaches or feeling tired or having difficulty concentrating. They don't know to get themselves to a medical professional before there is actually permanent

damage. Just because it only feels like a bump in the head, you have to be aware of how you are feeling and how you are acting. Your family and friends need to be able to recognize the signals that something is wrong. This is particularly important for children, who are less likely to recognize when they need to see a doctor.

H. Con. Res. 99, offered by my friend Mr. PASCRELL and others, will help increase America's awareness about the seriousness of traumatic brain injury and the importance of getting checked out by a health care professional after injury.

To help meet that goal, this resolution supports the creation of a National Brain Injury Awareness Month, an event around which patients and advocates and providers can organize to educate the public and bring needed attention to this issue. I am pleased to support the resolution.

Mr. DEAL of Georgia. Mr. Speaker, I have no further requests for time and reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from New Jersey (Mr. PASCRELL), the sponsor of this resolution.

Mr. PASCRELL. Mr. Speaker, to the chairman, my good friend from Georgia, I thank you for bringing this to the floor, and the ranking member.

I rise today, Mr. Speaker, in support of House Concurrent Resolution 99, legislation designed to bring attention to what I would call an American tragedy, a stealthy thief who can strike anyone at any time without warning and often with devastating consequences.

Traumatic brain injury, TBI, is a leading cause of death and disability among young Americans in the United States. As you have just heard, someone will sustain a traumatic brain injury every 21 seconds. We are talking about 1.5 million Americans every year. More than 1.4 million sustain brain injuries, more than the incidence of HIV/AIDS, spinal cord injury, even multiple sclerosis. Fifty thousand of those injured will die; 55 million Americans are living with TBI right now. Think about that, Mr. Speaker.

These injuries manifest themselves in a myriad of ways, from a small behavioral change to complete physical disability and even death. Traumatic brain injury costs the country an estimated societal cost of \$60 billion every year and, currently, there is no cure. Most of these injuries are due to falls, motor vehicle traffic crashes or violence. Additionally, due to the changing nature of warfare, American troops are suffering TBI at an alarming rate.

Individuals with TBI account for 2 percent of the total United States population and represent nearly 10 percent of our Nation's disability population, 10 percent. Yet despite these staggering statistics, lack of public awareness is so vast that TBI remains a silent epidemic plaguing our Nation.

The good news is that traumatic brain injury is often preventable. That

is why awareness and education are imperative.

The resolution before the House today, Mr. Speaker, to designate a National Brain Injury Awareness Month, will work toward enhancing public awareness and give this epidemic and its victims a voice.

Former Congressman Jim Greenwood from Pennsylvania and I formed the Congressional Brain Injury Task Force in 2001. Today, that task force, which I chair with my good friend Congressman PLATTS from Pennsylvania, works to further education and awareness of brain injury, its incidence, its prevalence, its prevention and treatment. The task force also supports funding for basic and applied research on brain injury rehab and the development of a cure.

It is my hope that this resolution will encourage Americans to learn more about the long-lasting effects of brain injury and its impact on both the civilian and military communities.

The Traumatic Brain Injury Act is the only legislation that specifically addresses issues faced by people who live with long-term disability as a result of traumatic brain injury. It has successfully provided a foundation for coordinated and balanced public policy for people living with TBI and their circles of support. This law is due to be reauthorized. I look forward to continued congressional support to make it happen.

Another important Federal program, Mr. Speaker, focused on TBI, traumatic brain injury, is the Defense and Veterans Brain Injury Center. For our Armed Forces, TBI is an important clinical problem in peace and war, and its consequences may extend for many years.

The Defense and Veterans Brain Injury Center was established in 1992 after Operation Desert Storm. Military doctors are naming traumatic brain injury as the result of a blast the signature wound of the war in Iraq.

Because soldiers are now equipped with state-of-the-art body armor, they are living through attacks that troops in past wars were unable to survive. Systemwide, the DVBIC has evaluated over 1,400 military personnel with TBI. Of those troops evacuated to Walter Reed Medical Center, 28 percent had traumatic brain injury.

The DVBIC trains combat medics, surgeons, general medical officers and Reservists in the recognition and best practices of TBI care and provides continuity of care from the battlefield to rehab and back to active duty or civilian life.

Continued congressional support is vital. Traumatic brain injury is a unique issue, an epidemic so vast it is almost overwhelming and so personal its effects defy definition. Passage of this resolution will confirm our commitment to awareness and education and prevention and research.

I encourage my colleagues to vote in favor of H. Con. Res. 99, to designate a

National Brain Injury Awareness Month in support of our common goal, the eradication of traumatic brain injury as a debilitating, costly and deadly plague on humankind.

I must say in conclusion, Mr. Speaker, that what has happened over the past 5 or 6 years gives us a tremendous amount of hope in developing that part of the brain which has not been injured to compensate for that part which has been injured. We are truly living in great times.

Mr. PLATTS. Mr. Speaker, as a Co-Chair of the Congressional Traumatic Brain Injury Taskforce, I rise in strong support of House Concurrent Resolution 99. This resolution will help increase awareness for traumatic brain injury (TBI), the leading cause of death and disability among children and young adults in the United States.

Mr. Speaker, few Americans may understand the amount of devastation caused by TBIs every year. This year alone, over 1.4 million people will sustain a traumatic brain injury. Sadly, at least 80,000 of those individuals will remain permanently disabled from the trauma.

Falls, motor vehicle crashes, sports injuries, and violence are among the major causes of TBI, leaving every individual susceptible. Additionally, TBIs can manifest themselves in various ways, from a small behavioral change to complete physical disability, and even death. Brain injuries affect the whole family emotionally and financially, often resulting in huge medical and rehabilitation expenses.

It is now especially important that we promote awareness for TBI because military doctors are naming it the signature wound of the war in Iraq. Thanks to the state-of-the-art body armor with which our men and women overseas are equipped, they are able to survive violent attacks, while still receiving a blunt force to the head. Walter Reed Memorial Hospital found that over 60% of all soldiers wounded in an explosion, vehicle accident, or gunshot to the head or neck, sustained a Traumatic Brain Injury.

Mr. Speaker, because all of our fellow citizens have family, friends and neighbors who could fall victim to TBI at any time, I urge support from my distinguished colleagues for this resolution here today.

Mr. BROWN of Ohio. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I yield back the balance of my time and urge the adoption of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 99.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1300

SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 245) supporting the goals and ideals of National Nurses Week, as amended.

The Clerk read as follows:

H. RES. 245

Whereas since 2003, National Nurses Week is celebrated annually from May 6, also known as National Nurses Day, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is the time each year when the importance of nursing in health care can be demonstrated;

Whereas well-trained health professionals are the cornerstone of the Nation's complex health system;

Whereas registered nurses ("RNs") represent the largest single component of the health care profession, with an estimated 2.7 million RNs in the United States;

Whereas nurses historically have provided hands-on patient care at the bedside, and will continue to do so;

Whereas nurses have a mandate to serve those in need, and to try to ease the suffering of those in pain;

Whereas nurses also are deeply involved in health education, research, business, and public policy;

Whereas nurses bear the primary responsibility for the care and well-being of hospital patients;

Whereas unfortunately, too few nurses are caring for too many patients in our Nation's hospitals;

Whereas according to a report from the Department of Health and Human Services, the United States currently has a nurse shortage of nearly 150,000 RNs and will have a shortage of more than 800,000 RNs by the year 2020;

Whereas cutting-edge technologies are useless without a staff of trained professionals to implement them; and

Whereas nurses are the unsung heroines and heroes of the medical profession: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the important contributions of nurses to the health care system of the United States;

(2) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 245, a resolution