

S. 2054. An act to direct the Secretary of the Interior to conduct a study of water resources in the State of Vermont.

S. 2150. An act to direct the Secretary of Interior to convey certain Bureau of Land Management Land to the City of Eugene, Oregon.

S. 2205. An act to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes.

S. 2373. An act to provide for the sale of approximately 132 acres of public land to the City of Green River, Wyoming, at fair market value.

S. 2403. An act to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes.

S. Con. Res. 123. Concurrent Resolution providing for correction to the enrollment of the bill H.R. 5946.

□ 1030

RELATING TO CONSIDERATION OF
H.R. 6111, TAX RELIEF AND
HEALTH CARE ACT OF 2006

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1099 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1099

Resolved, That upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 6111) to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except one motion to amend, which shall be separately debatable for five minutes by the proponent and five minutes by an opponent.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. 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.

Madam Speaker, House Resolution 1099 provides for the disposition of the

Senate amendment to H.R. 6111. It makes in order a motion by the chairman of the Committee on Ways and Means to concur in the Senate amendment with the amendment printed in the Rules Committee report accompanying this resolution. This resolution waives all points of order against the motion and it provides 1 hour of debate on the motion, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Finally, it provides one motion to amend which shall be separately debatable for 5 minutes by the proponent and 5 minutes by an opponent.

Madam Speaker, I rise today in support of House Resolution 1099 and the underlying bill, H.R. 6111, which is entitled the Tax Relief and Health Care Act of 2006. Madam Speaker, I also rise today for what will likely be my last time managing a rule, at least perhaps until the 111th Congress. I would like to briefly take this opportunity to thank Speaker HASTERT for allowing me to serve on this prestigious Rules Committee and also I would like to thank Chairman DREIER for his stewardship of the committee in addition to the committee staff who have been there each and every step of the way to assist me and my staff. It has truly been an honor to serve with my colleagues on the Rules Committee and I feel blessed for having had this opportunity to work with all the members, Republicans and Democrats, of this great committee.

Madam Speaker, from the extension of expiring tax credits and the strengthening of health savings accounts, to the exploration of the Outer Continental Shelf and an increase in payments for physician services, this bill provides the Congress with an opportunity to debate and pass a vast array of good policy initiatives. I know there are some who do not agree with the legislative agenda in the closing days of the 109th Congress. Indeed, most on the other side of the aisle have opposed the majority agenda every step of the way, perhaps so they could use the soundbite that this is a do-nothing Congress. However, the Tax Relief and Health Care Act of 2006 is a crucial piece of legislation that must be passed for the sake of taxpayers and their families.

This bill demonstrates our commitment to returning more money to the taxpayers on top of creating more incentives for economic growth, innovation and entrepreneurship. Madam Speaker, at the end of last year and at the close of this current year, many important tax provisions and incentives will expire, thereby forcing hard-working Americans and their families to shell out more of their hard-earned money to the Federal Government. This bill will extend these expiring provisions through 2007, and it demonstrates our commitment to the American taxpayer and our commitment to fostering entrepreneurship and economic growth.

Specifically, this bill provides teachers with an important and a well-deserved deduction for higher education expenses as well as a deduction for their out-of-pocket classroom expenditures on behalf of their pupils. Our teachers should not be punished by the Tax Code for investing in their students and improving the quality of education in the classroom.

Also, this bill strengthens our rural communities by extending a new markets tax credit to help foster new industries and diversify our local economies.

Additionally, the bill extends the State and local sales tax deduction. This is most important in those States which have no income tax to deduct, but they are burdened with very substantial sales tax levies.

Madam Speaker, this legislation also extends the research and development tax credit. Technological innovation is absolutely vital to America's continued economic growth and prosperity. Without investment in research and development, all innovation and growth would come to a screeching halt, with catastrophic effects on our economy as we continue the fight to try and compete globally. We must do everything that we can to help incentivize research and development so that we keep the United States a leader in business and technological innovation.

Additionally, this bill also extends the welfare-to-work tax credit and the work opportunity tax credit, creating more chances to put people to work and further reduce the Federal welfare rolls. Recognizing our need to reduce energy costs and maximize energy efficiency, this bill also extends various energy tax credits for energy efficient homes and businesses, for methanol and ethanol fuel, and for businesses that produce electricity from solar energy, fuel cells or microturbines.

Also, the underlying legislation provides for the exploration, the development and production activities for mineral resources in the OCS, Outer Continental Shelf. In February of 2006, the Department of Interior released a comprehensive inventory of OCS resources, estimating approximately 8.5 billion barrels of oil and 29.3 trillion cubic feet of natural gas.

Madam Speaker, the combination of energy-efficient tax incentives and increased domestic energy production are integral to reducing our dependence on foreign energy as well as finding new and cleaner ways to produce and use energy. I don't know whether the Iraqi Study Group included this as part of their 79 recommendations, but if they didn't, make this No. 80.

This bill also contains many important bipartisan health care provisions which represent the culmination of many hardworking hours spent by our committee chairs and our leadership on both sides of the aisle, in both chambers. The final product is one that communicates to the American people that Congress is dedicated to addressing the

problems in our health care delivery system.

First and foremost, this legislation reverses the scheduled 5.1 percent cut to physician's reimbursements for services rendered to Medicare beneficiaries. In 1997, Congress established this sustainable growth rate formula in an attempt to control part B utilization in the Medicare program by reducing physician fees. Unfortunately, the formula is so inherently flawed and it is estimated that physician reimbursement in the Medicare program will continue to decrease into the foreseeable future. In fact, MedPAC, the Medicare Payment Advisory Committee, has reported that physician payments are expected to be cut by a total of 37 percent over the next 9 years under this SGR formula. With the reality of the impending retirement of the baby boomer generation, the already strained Medicare program will reach a crisis state. By reversing this scheduled cut for one year, 2007, this legislation takes a step in the right direction to protect access to quality health care for our seniors. To state it simply, as a result of these changes, primary care and other physician specialists will be there when our seniors need them.

Madam Speaker, this legislation also includes very important and helpful revisions to current law in regards to health savings accounts. These changes are just another example of the forward-thinking ideas that are needed to reform our health care system. This bill provides more flexibility to individuals by allowing them to roll over assets from flexible health spending accounts and health reimbursement arrangements into health savings accounts.

Health savings accounts are growing in popularity among employers and employees, and when these accounts are coupled with a high deductible catastrophic health plan, they serve as an all-encompassing insurance solution for individuals of all ages and at all stages of life.

America's Health Insurance Plans conducted a study earlier this year that showed that over 30 percent of individuals enrolled in HSAs were previously uninsured. It also showed that one-third of purchasers had incomes of \$50,000 or less. This really debunks the naysayers' claim that this choice, this health savings account option, benefits only the wealthy. Nothing could be further from the truth, Madam Speaker.

By tearing through the red tape and allowing people to consolidate and transfer their accounts into the increasingly popular HSAs, more consumers will have access to these insurance plans, putting themselves in the driver's seat of their health care decisions. And when they have skin in the game, both figuratively and literally, they will choose the best and most effective choice from the health care menu.

Madam Speaker, the list goes on as to what this legislation does for health

care in America. From ensuring doctors are reimbursed for using the latest treatment therapy for prostate cancer, to extending the therapy caps exception process for an additional year, the Tax Relief and Health Care Act of 2006 continues the much-needed reform of our health care system, and this Republican-led Congress spearheaded this over the last years.

With that, Madam Speaker, I will reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Georgia, Dr. Gingrey, for yielding me the customary 30 minutes and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Madam Speaker, I am disappointed but not surprised that this is how we are ending the 109th Congress. Like I said yesterday, old habits die hard. Once again, we are here on the floor debating an omnibus bill, a smorgasbord, if you will, a bill which cobbles together several bills and other provisions that have absolutely nothing to do with each other.

This process is unfortunate. The Republican leadership is forcing a bill through this body today that includes tax extenders, Medicare payments, offshore drilling and an expansion of the D.C. school voucher program. It is a 279-page bill that is date-stamped yesterday at 1:39 p.m. I wonder how many people in this House, Madam Speaker, have actually had the time to read and research what is in this bill and how it will impact current policy.

□ 1045

I would say to my colleagues, don't be surprised if in a week or two you pick up your local newspaper and that there is a story about other goodies that are hidden in this bill that we are about to consider today. Sadly, that is what we have come to expect from this Republican leadership.

There are at least four separate bills included in these 279 pages, each of which does a variety of things. First, the tax extenders bill. The tax extenders provisions include things like the R&D tax credit and Work Opportunity Act, just to name a couple. These tax extensions happen every year, are generally bipartisan and noncontroversial, and could and should be passed on their own and considered in the Senate under regular order.

Second, this bill includes Medicare payments to ensure our seniors are able to receive the health care that they have come to expect. The Republican leadership and the Republicans on the Ways and Means committee have known for an entire year about the need to address these Medicare payment issues. They just didn't care enough to act. They should have written a bill and brought it through the committee through regular order, but they just didn't seem to care enough to get it done.

Third, and most problematic, is the offshore drilling bill that has been inserted in this tax bill. This bill passed the House earlier this year but failed to get out of conference, so instead of the Republican House and the Republican Senate doing their job and sending us a conference report, we get instead a bill stuck in with tax extensions and Medicare payments that allows for offshore drilling in the Gulf of Mexico. This bill is as far from a solid, comprehensive energy strategy as we can get, Madam Speaker, and yet another bow to the interests of Big Oil. And that comes as no surprise. That is what the majority has been doing for the past 6 years.

So let's be clear. Opening up these areas of the Gulf of Mexico will have no significant impact on oil and gas prices but it will benefit the oil and gas industry. This is the same industry that used a royalty relief loophole to swindle the American taxpayers out of at least \$7 billion in royalties. And it is the same industry that received \$7.5 billion in tax breaks in the so-called energy bill, all courtesy of the Republican leadership in this Congress.

Fourth and finally, Madam Speaker, we know there is an expansion of the school voucher program for Washington, D.C. Rather than advocate for more money to improve public schools, the Republican leadership has decided to divert funds to unaccountable religious and private schools. This is a highly controversial program that should not be stuffed in a catch-all bill as the Congress is trying to adjourn.

Madam Speaker, I support extending the noncontroversial tax credits and at long last fixing these Medicare reimbursement problems, but I cannot support efforts to open up offshore drilling in the Gulf of Mexico or expand the D.C. school voucher program. And I certainly cannot support the way the Republican leadership is forcing the House to consider this omnibus bill, under a closed rule, with no time for adequate review or amendment.

Madam Speaker, this is not the way the House of Representatives should be run. This is not the way we should legislate.

I urge my colleagues to vote "no" on the rule and vote "no" on the bill.

Madam Speaker, I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, I yield myself such time as I may consume. I would just say to my friend from Massachusetts as he bemoans the provision in the bill regarding the provisions that allow for expansion of offshore exploration of natural gas off of the gulf coast States, he is right.

In this body, we have tried to be more comprehensive. That is no reason to oppose what little bit of agreement that we could get from the Senate in regard to an attempt at a comprehensive energy provision. Because of parochial opposition, we were not able to do the same thing off the coast of Florida and California. I indeed and many on

my side of the aisle were in favor of that and a more comprehensive, expanded opportunity for domestic production.

And another example I want to point out particularly for the gentleman from Massachusetts, there was a very interesting project off the coast of his State called Cape Wind that would have produced a tremendous amount of energy in the cleanest of clean ways, renewable energy, in that Cape Wind project, but it was parochial opposition from the Members of Congress and possibly the State legislature in the State of Massachusetts that did not permit that project to go forward.

So we have to deal with those. It is understandable, we can understand the opposition even though passage would be for the greater good of the entire country, but we do what we can do. There are very, very many energy provisions in this bill, a lot of tax credits to try to incentivize the use of cellulosity of products and biofuel to produce methanol and ethanol. And so I think we have a very good, comprehensive project here.

With that, Mr. Speaker, I will reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, just so I can correct the record, I should tell the gentleman from Georgia that the Cape Wind project has not been blocked. And, in fact, those of us in Massachusetts, in New England, understand the need for increased energy and right now are working with our Governor to try to find an adequate location for a new LNG facility.

So it is incorrect to say that that Cape Wind project has been blocked.

Our problem here is that the energy policy of this Republican leadership is like going to the dentist. It's drill, drill, drill, drill. Those of us who believe that we should be pursuing alternative, renewable, safe and clean sources of energy are frustrated that those on the other side are all talk and no action. We have an opportunity to end our dependence on foreign oil. We have an opportunity to create a whole new energy economy based on renewable energy sources, and we have not been given the help or the support from this Congress or from this President. So that is what we are frustrated about. And also the constant giveaways to the oil companies who have gouged and who have ripped off the American taxpayer. It is obscene that in the energy bill over \$7 billion in tax subsidies and tax breaks have been given to the oil industry. We need to change our direction.

With that, Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Massachusetts and also join in the remarks that he made.

I rise to express my strong opposition to the rule and my serious concerns about the substance of the bill we are about to consider. First off, we are con-

sidering complex pieces of legislation that affect a wide variety of U.S. policies and we are doing so after getting only a few short hours to read the actual bill text. I suppose we shouldn't have expected more from this Congress, but it is still reprehensible that the Republican leadership has chosen to throw so many bills together at the very end of the session without giving Members the opportunity for amendments.

I will say that on behalf of the doctors and patients in my district, I am glad to see that Congress is taking action to avert a drastic 5.1 percent cut in Medicare payments to physicians. It is a shame, however, that we have to wait until the end of the last week of this Congress in order to address a problem we saw coming from far away. What really needs to be done is a permanent fix that will avoid Congress from having to correct the Medicare reimbursement rate on an annual basis. If doctors face annual cuts, seniors may lose access to physician services, and that is why it is important to permanently fix the formula by which we pay physicians under Medicare.

On the other hand, I strongly oppose the offshore drilling language in this bill. It is inconceivable given what we know about our current energy problems and the looming threat of global warming that we are considering another proposal to do nothing more than drill, drill, and drill as the gentleman from Massachusetts said. I have said many times before, the United States consumes a quarter of the world's oil but contains only 3 percent of the world's known reserves. There is simply no way we can drill our way out of our dependence on foreign oil. What we need instead is a more comprehensive solution that focuses on increasing the efficiency of our cars, our homes and businesses and promotes the use of clean, renewable technology. We see more and more evidence every day that our dangerous addiction to fossil fuels is threatening our national security, causing volatile prices at the pump and exacerbating global warming. Instead, we are given the choice of more oil rigs in offshore waters which is little more than a sop to the oil and gas industries that have gotten so many favors already from this Congress. Apparently, the Republican leadership can't help giving them one more favor as they go out the door.

It is my sincere hope, Mr. Speaker, that next year we can start this process over and work in a bipartisan fashion on legislation to address all these issues. I hope Members realize that next year the new Democratic Congress will not resort to such tactics as the rule we are dealing with today and will choose to deal with important matters such as energy legislation and physician payment schedules in a timely and rational manner.

I strongly urge my colleagues to vote "no" on this ill-conceived rule.

Mr. GINGREY. Mr. Speaker, I yield to myself 30 seconds before yielding to

the gentlewoman from North Carolina just in response to my good friend from New Jersey. What a welcome relief to hear him say that as they ascend to the majority in the 110th Congress that he is going to fix permanently this physician shortfall.

As I said in my opening remarks, we are estimated by MedPAC that over the next several years we are going to have a 37 percent decrease in physician payments to permanently fix, CBO and OMB estimates, a \$150 to \$200 billion cost over 10 years. So it will be interesting to see how our friends on the other side of the aisle pay for that, but I am glad that they are going to step forward to the challenge.

At this point I want to yield to my good friend from North Carolina (Ms. FOX) for 2 minutes.

Ms. FOX. Mr. Speaker, I thank my colleague from Georgia for yielding me this time.

As I was reading through the 279 pages of this bill last night, on page 148 I stumbled across division B, title I, section 111. It was here I found a provision that seemed rather obscure but turns out to be a part of the bill that is required to be there by the Senate minority leader for the bill to pass. This section contains a redesignation for a hospice satellite program, specifically Medicare provider number 29-1511. Apparently, this redesignation would allow the facility to exceed its reimbursement cap, which sounds an awful lot like an earmark to me. I understand this program is located in Nevada and the provision was advocated by the Senate minority leader, a constant and vocal critic of hiding earmarks. The public often wonders how these unusual things get funded by the government. The reason is because the language is written like this:

"Notwithstanding any other provision of law, for purposes of calculating the hospice aggregate payment cap for 2004, 2005, and 2006 and for a hospice program under section 1814(i)(2)(A) of the Social Security Act (42 U.S.C. 1395f(i)(2)(A)) for hospice care provided on or after November 1, 2003, and before December 27, 2005, Medicare provider number 29-1511 is deemed to be a multiple location of Medicare provider number 29-1500."

It is clear this agency has violated the rules for at least 3 years and the minority leader is bailing it out with an earmark, those horrible things that the minority party has taken such objection to in the past few months. However, now that they have used the subject to win a majority, they continue to use the practice. We are castigated for not passing budgets and other bills, but one reason has been the minority leaders often demand earmarks. Furthermore, they demand that their fingerprints not be on those earmarks.

I think it is important that we point out the double standard practiced by the minority leadership.

□ 1100

Mr. MCGOVERN. Mr. Speaker, the gentlewoman from North Carolina has

made the case more eloquently than I could possibly make the case about the need to have a more open process and the need to follow regular order. If she objects to earmarks and certain provisions in the bill, she should have the opportunity to be able to introduce amendments to strike some of these provisions. If we followed a regular process that had some integrity in this Congress, then I think all of us here could be confident that the final product on some of these pieces of legislation are things that we can be proud of.

Mr. Speaker, I yield 4½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would say that there is a kinship with many of my colleagues about the necessity of regular order. In the best of all worlds, we would have had a number of days to debate many of the very pithy and challenging issues that are in this particular rule that now will, ultimately, if this rule pass, will bring up any number of issues that require our thoughtful deliberation.

But I would say that we are in the waning hours of the 109th Congress, and we look forward to a new day when the light of day will shine on issues dealing with conservation, dealing with the right relationship between patient and physician and the payment of their services and, yes, when we address the question of tax relief for people who really, really need it.

I want to rebut Lou Dobbs' attack on the middle class and say that we stand for working Americans. And so I believe that there is a great need for some of the aspects of this legislation. We need the college tuition deduction extension. We need the State sales tax exemption for States who do not have State income tax, but the burden of taxation falls unfairly on those who are least able to pay it because they pay a high sales tax. We need the welfare-to-work tax credit, and we certainly need the tax that relieves teachers who pay their own money for books and supplies for children in inner-city and rural schools. I know it firsthand because my daughter, as a teacher, had to go in, because she desired to do it, and take her resources so her class could have an enthusiastic and challenging way of learning. These are vital aspects of what needs to be done.

And then, who has not heard from their doctor who wants to do what is right in rural and urban areas who cannot get the complete respect, if you will, of CMS by the cuts in their Medicare payments every single year. We need this stability, this fund, that will help bring about stability in the payments to physicians.

My friends, not only are we losing medical students in medical schools, meaning that the numbers are declining, doctors are giving up the ship, and they are doing it because we have not been fair to them.

And now, of course, I am from Texas, and I believe in conservation. I had

hoped that when we were talking about energy legislation, the President would open the door on conservation here in the United States. But let me tell you what this sharing of revenue is all about. It is not a giveaway. It is not a throwaway. I recognize that when we talk about the energy industry, we are certainly talking about those that cannot win a popularity contest. But we have got to address the question of coastal restoration. This is a key element to protecting the coastal line, not for the coastal States but for America.

Do you want to see the ticking clock on what we have now expended for those folk in Louisiana who are still in need? My visit to Louisiana tells me that they are still in troubling times. People can't go home. Homes are not restored. But we are spending billions and billions of dollars for the most catastrophic evacuation and tragedy that we have seen most in the history of the United States.

The coastal lines have deteriorated. The wetlands have deteriorated. And what this revenue sharing will do, in the exploration of the Outer Continental Shelf, it will provide it revenue to protect the coastal line.

My understanding is that our friends from Florida, at least those who have engaged in this discussion, believe that there is sufficient protection for them as well. We did not ignore the concerns of coastal States. But it is imperative that, one, we engage in conservation, but we also engage in safe, environmentally safe exploration of natural gas.

We are going to dispute this. We are going to disagree. We are going to castigate. We are going to suggest that we are falling victim to those who want to explore. We are going to be called the, if you will, explorer and giveaway on this particular bill.

I would have preferred a more thorough, ongoing debate on this question. But I believe this is the right way to go right now. We have got to provide the resources for the restoration of those coastal areas. We have got to provide an environmentally safe way of exploration. We have got to have some domestic production. And LNG, or the natural gas production that is going on and has the ability of being done in the Outer Continental Shelf is vital for the aspect of conservation and energy independence of the United States of America. I ask my colleagues to support this rule and the underlying bill.

Mr. Speaker, first and foremost, I think it is imperative that we all agree on the vital importance of America achieving energy independence in the 21st century. We must end our addiction to foreign sources of oil, most of which are found in regions of the world which are unstable and in some cases, opposed to our interests. Accordingly, there is no issue more integral to our economic and national security than energy independence.

Although I must admit that I do have reservations about certain aspects of

this bill and the process with which this bill has arrived on the House floor, I nevertheless support it as a step in the right direction of America achieving energy independence. I think many of us in the House would agree that the issues central to this bill, the future of energy exploration off of our gulf coastlines, deserves more time for deliberation, debate, and a process for amendment. Some of these amendments which were incorporated into H.R. 4671 include my amendments which supported minority-serving universities and minority-owned businesses. These very important provisions were designed to ensure that sectors of our Nation and economy which are often overlooked, namely, minority-serving institutions and minority-owned business, were given an opportunity to benefit from and compete for the opportunities afforded in this bill.

Nevertheless, I still support H.R. 6111 because it is a step in the right direction, a step towards energy independence, and a step away from being eternally beholden to foreign sources of oil. Moreover, this step includes an integral revenue sharing formula which ensures that 37.5 percent of the revenue from new areas of production and new leases go towards gulf producing States. Furthermore, 20 percent of the revenue allocated to gulf producing States must be allocated to the State's coastal subdivisions to be used for the purposes of: coastal protection, conservation, coastal restoration, hurricane protection, protecting coastal wetlands, and mitigating damage to fish and wildlife. In addition, 12.5 percent of the revenue will be allocated to the Land and Water Conservation Fund, which ensures that the environmental impact of offshore drilling will be monitored, managed, and regulated to ensure that our coasts are protected.

Energy is the lifeblood of every economy, especially ours. Producing more of it leads to more good jobs, cheaper goods, lower fuel prices, and greater economic and national security. However, the U.S. is more than 60 percent dependent on foreign sources of energy, twice as dependent today as we were just 30 years ago. Although energy is the lifeblood of America's economic security, this growing and dangerous dependence has resulted in the loss of hundreds of thousands of good American jobs, skyrocketing consumer prices, and vulnerabilities in our national security.

Energy imports now make up one-third of America's trade deficit. Through this bill, America could improve the supply-demand imbalance, lower consumer prices, and increase jobs by producing more of its own energy resources. With my district of Houston being the energy capital of the world, I support the efforts that this bill makes to recognize State stakeholders and incorporate their interests in revenue sharing.

According to the U.S. Minerals Management Service, MMS, America's deep

seas on the Outer Continental Shelf, OCS, contain 420 trillion cubic feet of natural gas—the U.S. consumes 23 TCF per year—and 86 billion barrels of oil—the U.S. imports 4.5 billion per year. Even with all these energy resources, the U.S. sends more than \$300 billion—and countless American jobs—overseas every year for energy we can create at home.

In some cases, the U.S. is facing much-higher energy prices than other countries. Natural gas, for example, is as much as ten times more expensive in the United States than it is in foreign nations. This fact alone has led to the loss of hundreds of thousands of high-paying American jobs, as natural gas-dependent factories are forced to close their doors and move overseas in search of more affordable energy. The outsourcing of American jobs is an issue of central importance to me and my constituents, and I believe this bill is a step in the right direction of bringing jobs back to hard-working Americans.

Regarding the physician payment adjustment portion of this bill, beginning January 1, 2007, payments to physicians who treat Medicare patients will be cut 5.0 percent. Over the next 9 years, Medicare's trustees are projecting a total of 40 percent in Medicare payment cuts to physicians. If the January 1 cut is imposed, the average physician payment rate, accounting for increases in the cost of running a practice, will be less in 2007 than it was in 2001. This bill will eliminate that cut for at least 1 year. We certainly need to do more.

The Medicare sustainable growth rate, SGR, formula, used in establishing payment rates under the physician fee schedule under the Medicare program, resulted in significant payment cuts to physicians and health care professionals in 2002. These cuts were for doctors only, not for hospitals or other medical facilities.

The Medicare SGR formula would have resulted in payment cuts to physicians and health care professionals in 2003, 2004, 2005, and 2006 had Congress not intervened.

According to the Medicare Payment Advisory Commission, MedPAC, and the board of trustees of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, the Medicare SGR formula will result in substantial payment cuts to physicians and health care professionals through at least 2015.

MedPAC is very well respected and a recognized authority on Medicare and healthcare issues. It does not support the impending payment cuts and is concerned that such consecutive annual payment cuts would threaten access to physician services over time, particularly primary care services.

MedPAC has raised concerns over current payment policies that may discourage medical students and residents from becoming primary care physi-

cians because many Medicare beneficiaries rely on primary care providers for important health care management.

According to a 2006 American Medical Association survey, if payment cuts to physicians under the Medicare program go into effect: Half of physicians plan to decrease the number of new Medicare patients they accept; half of physicians plan to defer the purchase of information technology; 1 in 3 physicians who treat patients living in rural communities will discontinue rural outreach services; and almost half—43 percent—of physicians will decrease the number of new TRICARE patients they accept.

The annual actions by Congress that have overridden the Medicare SGR formula have only resulted in instability and unpredictability for physicians, health care professionals, seniors, and individuals with disabilities. It does not solve the long-term systemic problem of rising costs.

Stable, positive updates under the Medicare physician fee schedule that accurately reflect medical practice cost increases are vital for encouraging and economically supporting physicians' ability to make the significant financial investment required for health information technology and participation in quality improvement programs.

A stable payment system for physicians is critical to preserve Medicare beneficiaries' access to high-quality health care.

We cannot in good conscience establish barriers for doctors and health care professionals to surmount in order to continue to provide access to high-quality Medicare services for all Medicare beneficiaries. Congress must halt the impending January 1 cuts and develop an alternative payment system that accurately reflects the costs of providing care to Medicare beneficiaries.

The biggest single flaw is that this payment schedule rubric recently announced by CMS has no connection to the actual cost of providing patient care. Starving doctor's practices will not decrease healthcare prices, or change unethical behavior. It will drive doctors out of business who are desperately needed to provide care to our elderly.

In conclusion, I urge my colleagues to support H.R. 6111 as a step in the right direction towards securing energy independence and ensuring that Gulf Coast States share in the revenue from new areas of production while protecting our environment.

Mr. GINGREY. Mr. Speaker, I yield myself 1½ minutes.

I thank the gentlewoman from Texas. She started her discussion by saying that this bill has kind of been rushed through in the dark of night and there hasn't been an opportunity to study the details of the bill. But as a hard-working Member of this body, the gentlewoman from Texas clearly has had

sufficient time to look at all those provisions, that litany of provisions, those line items that she went through and endorsed wholeheartedly because of the compassion that she has got in regard to the education of our children and public schools, the provisions in there that help to continue to rebuild the Gulf Coast States, one of which of course is her great State of Texas, and what that expanded ability to obtain natural gas in the Gulf of Mexico, what that means to the State of Texas and Louisiana, Alabama and Mississippi. So, while she was decrying that the bill was rushed through and she doesn't understand it, I am glad to know that she fully understands it and endorses it. And I guess if she had more time she would have gone on and listed some other provisions that she is in favor of, and I thank her for that.

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, it is outrageous what this Congress is about to do. This Congress is voting on a sorely needed adjustment to reimbursement rates for physicians that is very important to my home State, Florida, and the entire country.

But as part of that, the Congress is also being forced to vote on opening up 8 million acres in the Gulf of Mexico to drilling, which threatens the environment and the economy in the State of Florida. There has not been a single hearing in the U.S. House of Representatives, in the State of Florida, anywhere in the country, on the implications to the environment, the economy, the Florida beaches, not just a State treasure, a national treasure, opening this area up for drilling.

And what's at stake? What's at stake is this drilling is going to occur in a part of the Gulf of Mexico where the currents, the tides, the wind and the slew of hurricanes that we know all plague this part of the country could bring disaster to Florida in the event of a spill.

Now, reasonable people will disagree on the probability of a spill. But we should at least have an open and honest debate as to those facts and the serious implications to the State of Florida if there is a spill, because there has been evidence I have put in this RECORD from public hearings in Florida, from experts, that if there is a spill out in the Gulf of Mexico, this current could easily bring this oil spill into the west coast of Florida, my home, the Florida Keys, a national treasure, even to the east coast of Florida.

And why are we doing this? For 60 days of oil for the country and 97 days of natural gas one State, the State of Florida, is being put at risk, also, at a time where there are over 4,000 leases currently in effect for the oil and gas industry that are not being tapped.

As a matter of fact, 80 percent of the known oil and gas reserves on the

Outer Continental Shelf are already available for lease exploration and drilling. And yet, on the last day of this Congress, this Congress forces the American people, the United States Congress, who want relief for physicians and their patients, to be forced to open the Gulf of Mexico up to 8 million acres of drilling.

Now, what should happen instead? This rule should be defeated. This Congress should come back next year and have a comprehensive energy bill.

Should Florida support drilling in the Gulf of Mexico? Of course we should. We should be part of the national solution, but only after an open and honest debate to make sure that Florida's environment and our economy is protected, to make sure that drilling is part of a comprehensive bill that includes stronger, smarter fuel efficiency standards for cars and trucks, emphasis on renewables and alternative fuel. That is the responsible approach, not just for the State of Florida, but for the country.

So I would urge defeat of this rule, and let's go back and take up this issue in a fair way, not just for the State of Florida, but for the entire country.

Mr. GINGREY. Mr. Speaker, I yield myself 1 minute in response to the gentleman from Florida.

I'm sure the gentleman from Florida had a number of occasions over the last year to give that speech throughout the State of Florida, and I appreciate his position on this issue.

But I want to point out to him that of the Gulf Coast States, those four States of Alabama, Mississippi, Texas, Louisiana, we have seven Republican Senators, and that we have three Republican Governors, three out of four. Seven out of eight.

But when this bill was debated in the Senate, the vote was 71-25, and I remind the gentleman from Florida that there are only 55 Republican Senators in the other body. I can only say that Governor Blanco and Senator LANDRIEU must be awfully persuasive. This was a strong bipartisan support in the Senate, and I would guess it will have strong bipartisan support, including these provisions in regard to gas exploration in the Gulf of Mexico. It doesn't involve Florida or California.

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

Mr. MCGOVERN. Mr. Speaker, at this time I yield 5 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, the gentleman from Massachusetts has already pointed out to the gentleman from Georgia that we in Massachusetts and all the rest of the States that aren't involved in this raid on the Federal treasury, are interested in putting together a real comprehensive energy policy for our country. But we have been excluded from this debate, over the 6 years of the Bush/Cheney secret energy task force, of any considerations for environmental consumer

conservation-related issues. And this final bill, which comes out here on the floor, is the exclamation point on the Bush Republican energy policy.

In this bill, believe it or not, and it is staggering, we are going to allow, as the gentleman from Florida just pointed out, massive new drilling for oil and gas on Federal lands. Now, the States of Texas, Louisiana, Alabama and Mississippi will derive \$170 billion. That is right; \$170 billion worth of revenues from this drilling.

Now, the risk runs to Florida. We have a huge Federal deficit, which we are constantly lectured about from the White House and from the Republican side. But this will drain another \$170 billion. The other 46 States in the Union, if they vote for this bill, they deserve to be lectured to on deficit reduction. But if you come from one of these four States, this is the proudest moment you will ever have in your tenure here in the House of Representatives. If you can convince 46 States to give you \$170 billion as part of this Outer Continental Shelf drilling, you will never have an achievement bigger than this. If you are one of the other 46 States, you should hang your head in shame.

And, by the way, this Congress has already appropriated \$80 billion to help the States which have been affected by Hurricane Katrina.

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We will vote for more, if necessary, to help the States affected by Hurricane Katrina, \$80 billion already. But don't come to us and tell us that we should shift the whole formula for who receives benefits from drilling on Federal lands and give it over to four States.

Now, to the credit of the Rules Committee, and I thank the gentleman from Massachusetts and the other Democratic Members of the Rules Committee, and I also thank the leadership from the Republican side, they have actually put in order, as part of this bill, an amendment which will be voted upon here out on the House floor.

That amendment is one that has already passed the House back in May. It passed overwhelmingly: 252 of us voted for it. That amendment calls for the renegotiation of the leases that were let back in the 1990s that actually, believe it or not, do not require royalties to be paid for by ExxonMobil or other oil and gas companies. When the price of a barrel of oil goes to \$50, \$60, \$70 a barrel, they don't even have to pay royalties to the American people for drilling on public lands. It is all windfall profits.

The amendment which we will have out here to vote upon later today will require a renegotiation of all of those contracts so that the Federal taxpayer gets the benefit of the royalties and drilling on public lands when they go above \$30 and \$40 and \$50 and \$60 and \$70 a barrel, and they at least will reclaim \$10 or \$20 billion worth of revenues that are strictly going into the

pockets of the oil and gas companies right now.

Right now, those oil and gas companies are tipping the American taxpayer upside down, shaking money out of their pockets, and putting it into the pockets of their own shareholders. That money should be used to reduce the Federal deficit, to pay for Medicare, for Medicaid, for educational programs.

I thank the Rules Committee for putting that amendment in order. I urge the Members of Congress to support that amendment.

By the way, one other bonus benefit to the Members out here, that amendment also gives a 1-year extension on relief from the alternate minimum tax. It is a good amendment. I thank the gentleman for making that possible.

Mr. GINGREY. Mr. Speaker, I yield myself 30 seconds.

My able staff has just presented me with some fairly interesting statistics. I just said in my previous remarks that the vote on the Senate side was 71-25. Included in the 71 "yea" vote for this exploration off the gulf coast were 17 Democrats. The interesting thing about this is one of those is the incoming majority leader of the Senate, Harry Reid of Nevada, and Senator CLINTON from New York, a Senator of some prominence in a neighboring State to Massachusetts, and last, but not least, Senator NELSON from the great State of Florida.

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

Mr. MCGOVERN. Mr. Speaker, let me close for our side here, once again reiterating that this is a lousy process, and that it is really unfortunate that the Republican leadership has decided to meld together provisions, some of which have broad bipartisan support, with a provision on this offshore drilling that is extremely controversial, that some of us believe will do great damage to the environment, and as my colleague from Florida has pointed out, poses potential risks for the State of Florida. This is not the way this should be done.

We should have a more open process. We should have regular order. We should have hearings. We should have committee markups. We should do this the right way. Unfortunately, a pattern has developed under this Republican leadership where process and rules haven't mattered, and that is, indeed, unfortunate. We need to do better, not just for the sake of this institution, but we need to do better for the American people.

I hope that in the next Congress that we will set a new standard, one that we can all be proud of, Democrats and Republicans together.

Having said that, Mr. Speaker, let me also take this opportunity to say that notwithstanding the fact that I think this is a lousy process, I have great respect for the gentleman from Georgia, who is departing from the Rules Committee. It has been a privilege to serve

with him. I have enjoyed debating with him and listening to his perspective. There is not very much we agree on, but having said that, we have, I think, had a good relationship, a collegial relationship, and a respectful relationship. The committee will not be the same without his voice and without his insight, so I want to thank him.

Mr. Speaker, I again urge people to vote "no" on the rule and on the final bill because of the way it has been messed up.

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

Mr. GINGREY. Mr. Speaker, I want to thank my good friend JIM MCGOVERN for those kind remarks. The feeling is indeed mutual. I certainly have enjoyed serving with him and all the members of the Rules Committee on both sides of the aisle, and I thank him for his kind remarks.

GENERAL LEAVE

Mr. GINGREY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 1099.

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

There was no objection.

Mr. GINGREY. Mr. Speaker, in closing, I rise again in support of this rule and in recognition of the importance of the underlying bill. I do want to take this opportunity in closing to recognize the hard work and efforts of Chairman THOMAS and Chairman BARTON, as well as their respective committees, for the final product that we have before us today.

Also, Mr. Speaker, I want to recognize and thank Chairman THOMAS for his decades of service to this House and the people of his district, as well as Americans all across this Nation.

BILL THOMAS, a brilliant professor from Bakersfield, has truly been a leader across the board, and his expertise and devotion of 28 years of service across this country will truly be missed.

Mr. Speaker, the Tax Relief and Health Care Act of 2006 is a very important piece of legislation that positively impacts each and every American by fostering economic growth, driving innovation, increasing our energy supply, and improving the quality of health care in this country. As the 109th Congress draws to a close, and the minority prepares to become the majority, I believe that we must work together to produce legislation like this that recognizes the fact that when the government gets out of the way, Americans can do what they do best, and that is what is best for America.

I want to encourage all of my colleagues to support this rule and support the underlying legislation.

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. DAVIS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RECORD votes on postponed questions will be taken later today.

VETERANS BENEFITS, HEALTH CARE, AND INFORMATION TECHNOLOGY ACT OF 2006

Mr. BUYER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3421) to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes, as amended.

The Clerk read as follows:

S. 3421

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Benefits, Health Care, and Information Technology Act of 2006".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—ATTORNEY REPRESENTATION MATTERS

Sec. 101. Agent or attorney representation in veterans benefits cases before the Department of Veterans Affairs.

TITLE II—HEALTH MATTERS

Sec. 201. Additional mental health providers.
Sec. 202. Pay comparability for the Chief Nursing Officer, Office of Nursing Services.
Sec. 203. Improvement and expansion of mental health services.
Sec. 204. Disclosure of medical records.
Sec. 205. Expansion of telehealth services.
Sec. 206. Strategic plan for long-term care.
Sec. 207. Blind rehabilitation outpatient specialists.
Sec. 208. Extension of certain compliance reports.
Sec. 209. Parkinson's Disease research, education, and clinical centers and multiple sclerosis centers of excellence.
Sec. 210. Repeal of term of office for the Under Secretary for Health and the Under Secretary for Benefits.

Sec. 211. Modifications to State home authorities.
Sec. 212. Office of Rural Health.
Sec. 213. Outreach program to veterans in rural areas.
Sec. 214. Pilot program on improvement of caregiver assistance services.
Sec. 215. Expansion of outreach activities of Vet Centers.
Sec. 216. Clarification and enhancement of bereavement counseling.
Sec. 217. Funding for Vet Center program.

TITLE III—EDUCATION MATTERS

Sec. 301. Expansion of eligibility for Survivors' and Dependents' Educational Assistance program.
Sec. 302. Restoration of lost entitlement for individuals who discontinue a program of education because of being ordered to full-time National Guard duty.
Sec. 303. Exception for institutions offering Government-sponsored non-accredited courses to requirement of refunding unused tuition.
Sec. 304. Extension of work-study allowance.
Sec. 305. Deadline and extension of requirement for report on educational assistance program.
Sec. 306. Report on improvement in administration of educational assistance benefits.
Sec. 307. Technical amendments relating to education laws.

TITLE IV—NATIONAL CEMETERY AND MEMORIAL AFFAIRS MATTERS

Sec. 401. Provision of Government memorial headstones or markers and memorial inscriptions for deceased dependent children of veterans whose remains are unavailable for burial.
Sec. 402. Provision of Government markers for marked graves of veterans at private cemeteries.
Sec. 403. Eligibility of Indian tribal organizations for grants for the establishment of veterans cemeteries on trust lands.
Sec. 404. Removal of remains of Russell Wayne Wagner from Arlington National Cemetery.

TITLE V—HOUSING AND SMALL BUSINESS MATTERS

Sec. 501. Residential cooperative housing units.
Sec. 502. Department of Veterans Affairs goals for participation by small businesses owned and controlled by veterans in procurement contracts.
Sec. 503. Department of Veterans Affairs contracting priority for veteran-owned small businesses.

TITLE VI—EMPLOYMENT AND TRAINING MATTERS

Sec. 601. Training of new disabled veterans' outreach program specialists and local veterans' employment representatives by NVTI required.
Sec. 602. Rules for part-time employment for disabled veterans' outreach program specialists and local veterans' employment representatives.
Sec. 603. Performance incentive awards for employment service offices.
Sec. 604. Demonstration project on credentialing and licensure of veterans.
Sec. 605. Department of Labor implementation of regulations for priority of service.