

H.R. 5441 also restricted the right of a private citizen to sue a facility or the Department to force the facility to adopt and enforce the security measures. I feel that private suits are sometimes necessary to force a Federal agency to enforce regulations passed by Congress. Given the proliferation of signing statements made by President Bush in the past, we should not assume that congressional intent will be automatically followed.

Regulations that preclude American citizens from access to judicial action run counter to our values. We should be empowering the citizens of this country to help protect the homeland, not restricting them from doing so.

I urge my colleagues to support this legislation.

#### UPHOLD THE UNITED STATES CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Speaker, I appreciate the opportunity to speak to the House, and I rise today to alert my colleagues to a bill, H.R. 328. And I rise to alert them and to speak in disbelief, truly disbelief, at this bill that the majority is preparing to bring to the House floor.

Now, it is hard to say, after some of the legislation that has been offered this year, but this is clearly the most egregious and unconstitutional bill that we have seen proposed to be brought to the floor of the House. In fact, some folks, some constitutional scholars, have said this is the most unconstitutional bill that they have ever seen.

Article I, section 2 of the Constitution states unequivocally: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States."

Now, the majority has held hearings on a bill and they have passed a bill out of committee that totally disregards this portion of the Constitution. It is a bill to give the District of Columbia a seat, and a voting seat, in the House of Representatives, a clear violation of the Constitution.

The Democrats have apparently taken their majority to mean that they can run roughshod over the Constitution. Madam Speaker, this is a sad and distressing state of affairs.

It is really a very simple issue. The Founders of our Nation wisely determined that the House of Representatives was to be composed by Members elected by the States. Now, the last time I looked, Washington, D.C. is not a State.

Madam Speaker, we are the longest surviving democracy in the history of the world and on the face of the Earth for a reason. There is a reason for that.

The Founders of our great Nation, the authors of our Constitution, were brilliant individuals. People around the world still marvel at what they created in our Constitution.

Now, do Democrats think that Washington, D.C. was not given a seat in the

House of Representatives as an oversight?

Was the over-200-year history of our Federal city's place outside of statehood the result of a lapse in judgment?

Constitutional scholars have repeatedly found that the Founders did not believe it to be appropriate for the site of the Federal Government to be a State. They never wanted the seat of the Federal Government to be considered a State, clearly, because of the conflicts that creates.

Congress simply does not have the authority to grant a non-state full congressional representation. But why are they doing this now? Why is the Democrat majority doing this?

Well, Madam Speaker, it is because they can, because they have got the votes. What an incredible abuse of power.

The Constitution addresses House membership very clearly. The legislative branch and the House of Representatives was so important to our Founders that it is the first thing discussed in the Constitution.

Article I, section 1, literally, the third sentence of the Constitution reads: "The House of Representatives shall be composed of Members chosen every second year by people of the several States." The several States, Madam Speaker. It is clear. And Washington, D.C. is not a State.

Now, some may try to construe that statement to mean that the United States is the whole Nation, but the Constitution goes further to make this point even more clear. It says: "No person shall be a representative who shall not, when elected, be an inhabitant of that State in which he shall be chosen." You must be a resident of a State.

This isn't just my opinion. The Congressional Research Service, the non-partisan research service of Congress, filled with constitutional and congressional scholars, released a report that affirms that this bill is unconstitutional. It violates the Constitution.

Madam Speaker, this is a clear power grab. Now, I believe strongly that the citizens of the District should have representation. The right to vote is a sacred one, but so is the document that every one of us takes the oath to support, uphold and defend. We can't just disregard the Constitution. It is the supreme document of our land.

The options are to pass a constitutional amendment identifying the District of Columbia as a State, or to cede the land of the District of Columbia that has residents back to the State of Maryland. It is what happened in 1846 when the land west of the Potomac was ceded back to the State of Virginia.

Madam Speaker, the process that the majority is employing here is completely unfounded. We shouldn't be surprised, however. This new majority has taken the liberty to throw process out the door when they took over. Now they are tossing the Constitution out the door.

Madam Speaker, I will continue to honor the oath to support and defend and uphold our Constitution. It is a sacred document, the bedrock of our Nation.

This new majority claims to be the most open and honest and ethical government ever.

Madam Speaker, what is open about trampling on the Constitution? What is honest about trampling on the Constitution? What is ethical about trampling on the Constitution?

Madam Speaker, the American people are watching, and they don't like what they see.

#### FROM FOSSIL FUELS TO RENEWABLES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTLETT of Maryland. Madam Speaker, I want to talk about a subject today that at least five groups in our country have a common cause in. They come from quite different perspectives, but they all end up at the final common pathway. And these groups are those who are concerned with national security. They are concerned because our country has only 2 percent of the known reserves of oil in the world, and we use 25 percent of the world's oil and import almost two-thirds of what we use. And as the President says, we get a lot of that from countries that don't even like us.

And so those who are concerned about national security are urging that we make a transition from these fossil fuels, most of which are owned by countries over there, and move to renewables so that we can have a sustainable source of energy for our country from a national security perspective.

There is a second group of people who believe that our burning of these fossil fuels is polluting the environment to an unacceptable level. And it is not just the greenhouse gases, because that introduces us to a third group. But it is all of the other pollutants that come in the atmosphere as a result of using these fossil fuels in all the ways that we use them to produce energy, coal, fire, power plants, our automobiles, our trains, heating our buildings, all the ways that we use energy.

By the way, you can make an argument that even if you are producing more CO<sub>2</sub>, that may not produce global warming if you are producing it by burning hydrocarbons in a way that puts a lot of other pollutants up in the atmosphere.

I remember a number of years ago when Carl Sagan, the great astronomer, was noting that if we had a nuclear war we might go through what he called nuclear winter; and the trash thrown up into the atmosphere as a result of the nuclear explosions, he