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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 10, 2008.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Major Matthew P. Franke, Chaplain, United States Air Force, offered the following prayer:

Lord God, Your word reminds each of us not to think of ourselves more highly than we ought because,

''We each have different gifts, according to the grace given us. If a man's gift is . . . service, let him serve; if teaching, let him teach; if encouraging, let him encourage; if it is contributing to the needs of others, let him give generously; if it is leadership, let him govern diligently.''

Lord, You have graced those who step foot in this Chamber today with leadership and the ability to govern. Enable them to ''govern diligently.''

Help each of us not to think of ourselves more highly than we ought. Instead, grant us the perspective to see our unique talents and abilities as Your unique gifts, given to serve those around us.

Bless our Nation and our service this day.

I ask this in the name of my Lord, Jesus Christ.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING MAJOR MATTHEW P. FRANKE

The SPEAKER pro tempore. Without objection, the gentleman from South Carolina (Mr. INGLIS) is recognized for 1 minute.

There was no objection.

Mr. INGLIS of South Carolina. Madam Speaker, it is my privilege to recognize and welcome Major Matthew P. Franke as a chaplain who serves God and country with devotion, dedication, and honor.

Among his stations over his 14-year military career, he provided pastoral ministry and counseling across Iraq and Kuwait to more than 600 members of the Air Force serving with Army and Marine units in support of Operation Iraqi Freedom at Balad, Iraq.

He currently works in our office, the Fourth Congressional District of South Carolina, where he serves with distinction as a legislative liaison fellow, and we are privileged to have gotten to know him over the course of this year.

His family continues to live in Wyoming. He and his wife Martha have three sons, Micah, Joshua, and Jacob, and a particularly beautiful daughter, Rachel.

We very much appreciate his service in the Fourth Congressional District of South Carolina.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further 1-minute speeches on each side of the aisle.

GREEN JOBS AND ECONOMIC GROWTH

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Madam Speaker, there are many signs that our Nation's economy is struggling. However, the renewable energy and energy-efficiency sectors, you need to know, are booming. In 2006, the renewable energy and energy-efficiency sector generated 8.5 million jobs, nearly $1 trillion of revenue in the United States.

Jobs in these sectors are good paying, high-quality jobs that will stay in the United States. The Green Collar Jobs Act which was passed and signed into law by President Bush in 2007 will help train 10 million new workers.

Through this program, we can help provide incentives to underserved communities. In a time of economic turmoil marked by rising gasoline prices and even higher profits for oil companies, it is important that we support these sectors of our growing economy.

I urge Members of Congress to please support the Green Jobs program and incentivize those individuals who are seeking reform and new investments in our economy.

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ENERGY INDEPENDENCE ACT

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Madam Speaker, last week I traveled across my district to talk about energy and announce my legislation, H.R. 6421, the Energy Independence Act. My district is fed up with what Congress has not done. It is time for us to do something when it comes to investing in domestic energy policy, and my legislation does just that.

Number one, it opens the Outer Continental Shelf to drilling. Two, it creates a tax credit to develop coal-to-liquid fuel technologies and projects. Three, it opens up ANWR and puts regulations and restrictions on it to make sure that ANWR is developed responsibly. Four, it creates an alternative energy trust fund to pay for renewables and alternative energies. And five, it streamlines the licensing process to allow for new nuclear power plants in our country.

Drilling alone will not earn us energy independence, but it is a critical step that we must do coupled with investment in alternative and renewable energies. Let's join together to begin to solve the energy problem in this country. Americans demand it; but more importantly, they deserve it.

BUSH ECONOMY

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY of New York. Madam Speaker, the President can no longer deny that the labor market is in recession. June was the sixth straight month of job losses, and this year the economy has lost over half a million jobs in the private sector. We have 8.5 million unemployed Americans, more than at any other time since 2003.

High prices for gasoline and food are squeezing workers' pay. Real wages were lower in June than they have been since September 2006. The recovery rebates have been boosting consumption, and millions will benefit from the extension of unemployment benefits signed into law last week.

Clearly, we must stem the tide of rising job losses. We need a second stimulus package of infrastructure development and fiscal relief for our States.

SUPPORTING COLOMBIA'S MILITARY FORCES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, last week three Americans, along with a dozen Colombian hostages held by FARC terrorists, were rescued by an elite team of Colombian soldiers. Included in the hostages was Ingrid Betancourt, a former candidate for president of Colombia; and three U.S. contractors, Keith Stansel, Marc Gonsalves, and Thomas Howes.

President Alvaro Uribe, Ambassador Carolina Barco, and the Colombia military are to be commended for this extraordinary and well-planned rescue.

I am grateful for the incredible effort the Colombian government has made to strike back at the FARC terrorist rebels and to bring greater stability and security to their country.

I have visited Colombia, two of my sons were exchange students in Cali, and I know firsthand the hard work necessary to curb the drug trade, terrorist activity, and build Colombia's economy. America has been working to build a stronger strategic partnership with the people of Colombia for economic prosperity, led by U.S. Ambassador William Brownfield.

In conclusion, God bless our troops, and we will never forget September the 11th.

CONGRATULATING TOM POWERS

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute.)

Mr. BRALEY of Iowa. Madam Speaker, I rise today to congratulate my friend, Tom Powers, on his retirement as lieutenant with the Waterloo Fire Department. Tom will be retiring after 28 years of service to the city of Waterloo.

Tom became a Waterloo fire rescue firefighter on November 5, 1979, after serving honorably in the United States Navy, specializing in hydraulic systems on fighter aircraft. Tom was promoted to lieutenant with the Waterloo Fire Department on April 3, 1989. He was a certified EMT and hazmat team member, and received the Mayor's Volunteer Award. He was also selected as the department's Firefighter of the Year in 1986.

Our firefighters represent the very best of our communities, and Tom is no exception. He has worked tirelessly for the safety of our residents, and we honor his bravery here today. Due to his unwavering dedication, he has served, he has helped, he has saved, and he has protected.

I am proud to represent Tom and the city of Waterloo in Congress, and I wish him the best in all of his future endeavors, and ask you to join me today in honoring one of our hometown heroes.

NUCLEAR POWER IS NEEDED

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, according to the Energy Information Agency, the United States electricity demand is projected to increase up to 40 percent by the year 2030, and other countries are projecting similar increases. The rapid industrial development of both China and India is already placing great pressure on global energy supplies.

Nuclear energy can help meet this growing demand by providing a clean, abundant source of electricity. Other countries seem to understand the potential benefits of nuclear power and have either commenced constructing, or have developed projections for new nuclear power plants. Countries like China, India, and Russia are already building new nuclear power plants. Even smaller countries like Vietnam and countries in the Middle East have begun exploring nuclear power as they too are facing demand shortages and they are feeling the pressures from the industrialized world to reduce CO_2 emissions.

The time has come for all of us to remove regulatory impediments and allow nuclear energy to continue helping this country to meet its growing energy demands.

GETTING BACK TO THE BASICS

(Mr. KAGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAGEN. Madam Speaker, everywhere in Wisconsin and across the country, people are asking for help to reduce prices for their gasoline costs and their health care. Rural areas, like the district I represent in northeast Wisconsin, are affected most.

We need to work hard here in Congress to provide meaningful solutions to these problems. And our first step must be to solve our health care crisis by ending discrimination in health insurance everywhere; by saying if you are a citizen you are in; and if it is in your body, it should be covered; and by leveraging down insurance costs and creating the largest risk pool possible, and creating an open and transparent medical marketplace.

We must also design for the first time in this administration a meaningful national energy policy which includes three things: drilling for new oil across America with every single ounce of our oil sold only to U.S. citizens; investing in every source of renewable energy possible; and by preventing manipulation in the marketplace.

These efforts will get us back to the basics of becoming energy independent and a healthy Nation once again.

ENERGY AND AMERICAN AGRICULTURE

(Mr. LATTA asked and was given permission to address the House for 1 minute.)

Mr. LATTA. Madam Speaker, I have the honor of representing the number one agricultural district in Ohio. During the recess, I visited three family farms to find out what issues are on farmers' minds. After speaking with these farmers, they unanimously agreed that the rising cost of energy is

the number one issue facing American agriculture.

Diesel and fertilizer are just two of the petroleum-based products a farmer uses each day. And as the costs of these products rise, their livelihoods continue to be jeopardized.

One beef farmer told me as of right now, he is preparing to lose money on his cattle when they go to slaughter later this year because of the rising cost of oil. He added that he wasn't even sure he would even have a herd next year. All of the farmers agreed that two ways to lower energy prices and reduce our dependence on Middle East oil would be to drill in ANWR and also off the Outer Continental Shelf.

Unless something is done soon, more and more farmers will be forced to make the hard choice of whether or not to continue their livelihood of feeding Americans and the rest of the world.

HONORING JEROME KOHLBERG, JR.

(Ms. HOOLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HOOLEY. Madam Speaker, I rise to honor a great American. Jerome Kohlberg, Jr., was born on July 10, 1925. Although he is from New York, his mother was born in Portland, Oregon, and Jerome Kohlberg has always maintained close ties to my State.

Few Americans have been as successful as Jerome Kohlberg, Jr. As a founder of Kohlberg, Kravis & Roberts, one of the world's largest private equity firms, Jerome Kohlberg has been one of this Nation's preeminent financiers for more than four decades.

After service as a lieutenant in the U.S. Navy, Jerome Kohlberg earned three college degrees under the original GI bill. This past year, Jerome Kohlberg became deeply involved in the fight for a new GI bill for this generation of veterans. He established the Fund For Veterans' Education, a program to provide college funding for returning veterans from all 50 States. His idea—and with the recent passage of the new GI bill, it proved to be a brilliant idea—was to establish a model for what could be done for today's veterans.

He is a role model for all citizens young and old. I am pleased and proud to note the accomplishment of this great American, Jerome Kohlberg, Jr.

□ 1015

HEROES' HOMECOMING ACT

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, yesterday I introduced H.R. 6446, the Heroes' Homecoming Act, which requires U.S. carriers to do what Congress has asked them to do twice: offer the lowest available airfare for active duty military trying to return home to their loved ones.

Sometimes active duty servicemembers don't have the luxury of knowing far in advance of when they will be able to leave, oftentimes having less than 24-hours' notice. And purchasing an airline ticket to get home can cost a family a fortune. Our troops deserve better, and Congress has twice asked airlines to give more flexibility for lower airfares for active servicemen and women. I have heard this over and over from soldiers that the airlines are not doing this.

When airlines have come to Congress asking for help with massive bailouts, we helped. Now it's time for airlines to help our most deserving brave men and women who protect our Nation and our Nation's skies.

I urge my colleagues to join me in supporting our troops and our families by cosponsoring the Heroes' Homecoming Act and help our soldiers get better fares when they're returning home.

THE ROLE IMMIGRANTS HAVE SERVED IN SERVING OUR ARMED FORCES

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Madam Speaker, immigrants have served in our Armed Forces with courage and dignity since the Revolutionary War. Even today, they continue to defend our country's freedom. They've even earned the Congressional Medal of Honor, the Nation's highest military decoration. For example, Alfred Rascon, an undocumented immigrant during his service in the Vietnam War received the Medal of Honor for his courage and dedication to America.

Immigrants have also reached the highest ranks in the U.S. military. General John Shalikashvili, an immigrant from Poland who came to the United States after World War II, was a former chairman of the Joint Chiefs of Staff.

From 2002 to 2005, over 15,000 immigrants have served in our armed services and later completed their naturalization process. There are thousands of other success stories that we should honor. We cannot ignore these positive contributions and the unique and valuable functions that immigrants perform.

I urge my colleagues to support a comprehensive immigration reform on behalf of those servicemen and women and their families.

CONGRESS NEEDS TO PUT ALL ENERGY OPTIONS ON THE TABLE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, this past weekend I met a single mother in my South Central Michigan district who drives an hour each way to the hospital where she works. Because of high gas prices, this woman recently requested and received permission to begin working back-to-back 8-hour shifts 2 days per week so she doesn't have to make the hour-long commute each day. Unfortunately, situations like these are becoming more and more common as gas prices continue to rise and congressional leadership continues to resist action.

High gas prices demand action from Congress, and we need to put all energy options on the table. We need more production of American energy, more energy from alternative fuel sources, and increases in innovative solutions like coal-to-liquids technology. Just as with the Manhattan Project or the race to the Moon, breaking our dependence on foreign oil should be a national priority. Unfortunately, House leadership will not even let this House vote on an energy plan that increases American energy production. Important bills like the No More Executions Energy Act are ready to help American families. And my constituents, Madam Speaker, call for a vote on these bills now.

DEMOCRATS ARE URGING THE RELEASE OF OIL FROM THE STRATEGIC PETROLEUM RESERVE TO LOWER GAS PRICES

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, with record-high gas prices filling oil companies' wallets with record profits and pinching the wallets of American consumers, why isn't President Bush taking action to bring down prices at the pump now?

Democrats in Congress are urging the President to release oil from the Strategic Petroleum Reserve which will increase the supply of oil in the market, send a strong message to speculators, and most importantly, reduce gas prices today. This administration has used the Petroleum Reserve in the past, as have the administrations of both President Clinton and President Bush I. The reserve is currently 97 percent full, the highest level ever, with enough oil to meet our national security needs and provide relief at the pump.

So why, when Americans continue to feel the squeeze of devastatingly high gas prices, does the President not take action? Madam Speaker, President Bush continues to talk about new drilling. But his own administration says it can't be done for at least another decade.

Let's provide relief at the pump today by opening up America's Strategic Petroleum Reserve.

GAS PRICES

(Mr. SAM JOHNSON of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. The price of gasoline has spiked up $2 since the Democrats took control of the Congress in just January 2007. Americans want Democrats and Republicans to work together to find commonsense solutions to the skyrocketing cost of gasoline.

The United States must become energy self-sufficient. Oil, gas, coal, nuclear, solar, and wind, all of it. To bring down the price of gasoline, we must focus on increasing America's energy supply. Congress needs to act now to increase exploration and boost America's refinery capability.

Americans are ready for action. They want an up-or-down vote on energy independence. A Democrat aide is quoted in The Hill newspaper as saying, ''Right now, our strategy on gas prices is drive small cars and wait for the wind.''

If those are their only ideas, then, as the astronaut said when they were in orbit, Houston, we have a problem.

THIS CONGRESS HAS A RECORD TO BE PROUD OF IN SUPPORTING OUR TROOPS AND VETERANS

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, nobody can dispute that this Congress has a record to be proud of in support of our troops and our Nation's veterans. When we learned of the disgraceful treatment of our servicemen and women at Walter Reed, we took immediate action to provide the funding and oversight necessary to hire more case workers and improve the setting and treatment for our brave wounded warriors.

We acted quickly and decisively to provide the largest funding increase in the 78-year history of the VA, and we provided for increased screening and treatment of traumatic brain injury at every VA health care facility in this country.

We modernized and increased the benefits for the GI bill, and we provided additional loans and capital for small business owners who serve our Nation through the Guard and Reserve.

Madam Speaker, this Congress has a record to be proud of in supporting our troops and assisting our Nation's veterans.

CHILDHOOD OBESITY

(Mr. KELLER of Florida asked and was given permission to address the House for 1 minute.)

Mr. KELLER of Florida. Madam Speaker, I rise today to discuss the serious problem of childhood obesity. Two out of three adults in the United States are overweight. One out of three children are overweight. Childhood obesity rates have tripled since 1980. We're now seeing children diagnosed with Type 2 diabetes, heart disease, and depression.

I approach this subject with a great deal of optimism and hope as someone who has lost 100 pounds over the past year. I have seen firsthand the power of healthy habits. As parents, experts tell us that there are three healthy habits our children should follow every day. First, never skip breakfast; second, play outside 1 hour a day; third, eat five servings of fruits and vegetables every day.

The good news is that no matter what has happened in the past, all of our kids can enjoy healthy and happy lives in the future.

FREE AMERICA'S OIL

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, Americans all over the country want us to do something about gas prices, and every Member in this House wants us to do something about gas prices, too. The Republicans have one strategy. It would bring relief at the pump about 20 years from now, a couple of pennies a gallon. That's their approach.

Democrats have a different approach. We want to free America's oil. We can release oil from the Strategic Petroleum Reserve. We now have 700 million barrels of oil in that. We don't need them. We can drive the price down in the market. We can force the gas companies, the energy companies, as we have tried to do already, to drill on the 68 million acres worth of leases they already own to produce oil.

Finally, we can open up the 23-million-acre Alaskan National Petroleum Reserve area where there are proven oil reserves and where they are eligible for drilling right now. We have the tools at our disposal immediately to drive down gas prices. We ought to take advantage of them.

Free America's oil.

IRAQ URANIUM SHIPMENT NOW IN SAFE HANDS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, more good news out of Iraq. The AP recently reported that U.S. forces, in cooperation with Iraqi authorities, have just completed a top secret operation that involved shipping 550 metric tons of uranium yellowcake out of Iraq from a cache discovered there. This stockpile of concentrated natural uranium, which is a seed material for higher-grade uranium enrichment, was shipped out of Iraq aboard U.S. cargo planes, then shipped across two oceans, finally arriving in Canada where it will be used by a Canadian firm for nuclear power.

The operation was an important step in ridding Iraq of the last vestiges of Saddam Hussein's one-time nuclear program, and it removed the uranium from the possibility of falling into the hands of insurgents or smugglers crossing into Iran to sell it for use in producing nuclear weapons. This issue certainly has not received much attention in the mainstream press, but it is important news the American people should know.

THE THREE E'S TO GAS RELIEF: EXPLORE, ELIMINATE, AND ENCOURAGE ALTERNATIVES

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Good morning, Madam Speaker. And you know, I have been listening to the complaints by the Republicans about gas prices, but with two oil men in the White House, is it any wonder that oil per barrel has gone from $30 dollars to almost $150 driving gas prices through the roof? The question is, what are we going to do about it? And I would say it's the three E's.

The first ''E'' is explore and extract from the 68 million acres that are under lease today in the United States. That's more oil than anything up in Alaska or in ANWR. So let's explore and extract.

The second ''E'' is to eliminate the gouging and the speculating and the hoarding that's going on in the marketplace.

And the third ''E,'' the most important ''E,'' is encourage alternatives and efficiency. We cannot be hooked to one commodity forever. We've learned our lesson. It's time to pursue alternatives. So this democratic Congress is doing just that, those three E's: exploring, eliminating, and encouraging alternatives.

OPEN UP AMERICAN SOURCES OF OIL SUPPLY

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Madam Speaker, we hear a lot about energy. I know I do as well. And the one thing that we know is that we're at a refreshing point of clarity in the energy debate. The reason for that is because the Democrat response has now become very clear.

A leadership aide said this week that the Democrat plan is to have the American people drive small cars and wait for the wind. That is one plan. If the Democrats want the American people to drive less and pay more, that's one plan.

Another plan that the Republicans have been pushing is to make sure that we open up Americans sources of supply. Our goal is to see the American people paying $2 a gallon or less. It's entirely possible. Congress created this

problem, Congress can solve this problem. Open up American sources of supply and fast-track the permitting process, take away the artificial timelines; we can begin drilling immediately, which is what the American people are demanding, and we can get gasoline prices back down to $2 a gallon or less and get the economy moving.

PROVIDING FOR CONSIDERATION OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1317 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1317

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R.1286 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

□ 1030

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during the consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1317.

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

There was no objection.

Mr. CARDOZA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 1317 provides for consideration of H.R. 1286, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, under a structured rule.

The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule makes in order two germane Republican amendments that were submitted for consideration and are printed in the Rules Committee report.

The rule also provides for the adoption of a germane Rules Committee amendment printed in part A of the Rules Committee report to clarify that the bill does not in any way limit access for hunting, fishing, trapping, or recreational shooting along the trail.

The rule waives all points of order against consideration of the bill, except for clauses 9 and 10 of rule XXI.

And, finally, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, the bill before us today, H.R. 1286, amends the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail.

The trail extends approximately 600 miles, spanning nine States and the District of Columbia, tracing the routes taken by the armies under the command of General George Washington and French Count Rochambeau on their march from Newport, Rhode Island, to face the British forces under General Cornwallis at Yorktown, Virginia.

After meeting in Philipsburg, New York, the combined armies traveled through New Jersey, Pennsylvania, Delaware, Maryland, and the future District of Columbia before arriving in Virginia.

With a French fleet blocking the Chesapeake, barring British reinforcements from New York or a sea escape for Cornwallis' troops, the combined Continental and French armies' 3-week siege at Yorktown ended with General Cornwallis' surrender to General Washington on October 19, 1781.

Historians regard the Battle of Yorktown as one of the most decisive events in bringing an end to the American Revolution and the beginning of a new and independent Nation known as America.

H.R. 1286 is the carefully considered result of years of study by the National Park Service, which found that the trail is suitable and feasible for designation as a national historic trail.

I would add that H.R. 1286 includes specific language protecting private property rights, prohibiting the Federal Government from acquiring any land or interest in land without the consent of the owner.

In fact, the Park Service study found that ''no Federal acquisition of lands or interests in lands is proposed or anticipated.''

H.R. 1286 also states that nothing shall prohibit or hinder the development, conveyance, or transmission of energy along the trail.

Finally, there is a Rules Committee amendment to the bill that would clarify that Federal designation of the trail has no impact on State and local laws governing hunting, fishing, or trapping, or recreational shooting. This language is nearly identical to language that has already overwhelmingly passed the House of Representatives.

I would like to commend Chairman RAHALL and Mr. HINCHEY for bringing this widely supported legislation to the floor today so we can ensure that America's history is protected for future generations.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I want to thank my good friend from California (Mr. CARDOZA) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, last week on July 4, our country celebrated its 232nd birthday, and this week the liberal majority in the House of Representatives marks the worst record in our country's entire history when it comes to allowing open debate, following the rules, treating each Member with respect, and acting in an honest way.

When control of the U.S. House changed a year ago last January, Democrat leaders promised, they promised, Madam Speaker, the American people that they would run the most open and honest House in history. They've not

kept that promise. In fact, they've done the exact opposite of what they promised the American people.

Democrats have passed, to date, 59 closed rules, rules that prevent every single Representative from even being allowed to offer an amendment on the House floor. There are no amendments, Madam Speaker, allowed under a closed rule, as you know. That means open deliberation is nonexistent, and the bill is just forced through the House.

These 59 closed rules are more than any Congress in the history of the United States, and every time we have a closed rule in the future, and we will, this liberal Congress will be setting a new record.

The rule that the House is currently debating allows only two amendments to be offered by just two Members of the House. It closes off any opportunity for the other 433 Representatives to come to the floor and offer an amendment to modify or improve this legislation.

Even more egregious is the fact that the Rules Committee set a deadline of 10 a.m. last Tuesday for Members to file amendments they may wish to offer on this bill. Yet, it wasn't until 4 hours later, 2 p.m. on Tuesday, that the actual bill and report were filed in the House.

But this pales in comparison to the Rules Committee action regarding an amendment that Mr. BISHOP of Utah filed actually before the 10 a.m. Tuesday deadline.

Mr. BISHOP's amendment was aimed at protecting the second amendment rights of Americans along the new 600-mile trail that this bill would create. Instead of allowing Mr. BISHOP to offer his amendment on the House floor, the Democrat Rules Committee took Mr. BISHOP's amendment, altered it, then automatically added it to the bill without ever, ever consulting Mr. BISHOP. This is not only an offense to Mr. BISHOP, it is a threat to every Member in the House.

Because Democrat leaders refuse to allow open debate under an open rule on the House floor, Members have only one way to get an amendment looked at, and that is for them to offer and submit an amendment to the Rules Committee for advance review.

But now, Madam Speaker, it appears that all Members must be aware that the Rules Committee may take, co-opt, edit or otherwise pilfer and steal their amendments and ideas. Sadly, Representatives of this House may need to get a copyright on their amendments before submitting them to the Rules Committee.

Now, Madam Speaker, to many across America this may seem like legislative inside baseball or petty parliamentary quarrels. But what this is really about is that the Democrat leaders are breaking their promise to the American people to run the most open and honest House in history. Instead, they are running the most closed and unfair House in our Nation's history.

Yet, Madam Speaker, these broken promises should not distract us from the even more pressing matter on which Democrat leaders have also broken their promise. It was on April 24, 2006, that then-Minority Leader NANCY PELOSI issued a press release claiming that the House Democrats ''have a commonsense plan to help bring down skyrocketing gas prices.''

Two weeks later, in May 2006, NANCY PELOSI said that the Democrats have ''real solutions'' that would ''lower the price at the pump.''

NANCY PELOSI has now been Speaker of the House for over 18 months, and this plan, this promised plan, is nowhere to be seen. Gas prices continue to set record highs, and this House has been and continues to be blocked from voting on legislation that would lower gas prices by producing more American-made energy.

Today, instead of voting on legislation to lower gas prices, the House is debating the bill to create a new 600-mile long scenic trail recognizing the Revolutionary War.

Speaker PELOSI and other liberal leaders who control this House may oppose drilling in Alaska or offshore, they may oppose more nuclear power, they may oppose hydropower dams, and they may oppose other ways of making more American-made energy—and holding these positions, of course, is their right as Members of this House—but they should not, Madam Speaker, have the right to block the House from even having a debate and a vote on this important issue.

Record gas prices are hurting Americans. It's hurting families. It's hurting seniors on fixed incomes. It's hurting college students. It's hurting small business owners and their enterprises. It's hurting schools who have to figure out how and what services to reduce to afford gasoline for their school buses. Yet these liberal leaders of this House refuse to allow an open debate on ideas to lower gas prices. They continue to block votes on drilling for oil in America that will increase supply and lower prices at the pump.

Madam Speaker, our Nation needs to invest in more nuclear power. We need to invest in more clean and renewable hydropower, as well as wind and solar energy, and we need to foster development of biofuels, hydrogen fuel cell technology, and the invention of other potential clean energy products.

Yet, Madam Speaker, we must recognize the fact that gasoline and diesel cannot be replaced overnight. New technologies and energy sources take time, sometimes years or decades to fully develop. Our economy is dependent on oil for Americans to get to work, for food to go from the farmer's field to the grocery store, to get kids to school safely and back home, to deliver the mail, to fly airplanes, to operate construction equipment, for police to patrol neighborhoods, and ambulances to transport patients.

The price of gas has an enormous impact on the lives of Americans and families in every town, in every county, in every State in this country.

Madam Speaker, I spent last week visiting school districts and small businesses throughout my central Washington district.

□ 1045

I listened to the heavy impacts that gas prices are having on my constituents in Yakima, Wenatchee, Cashmere, Moses Lake, Orondo, Richland, Union Gap and Pasco. Madam Speaker, the message I heard was loud and clear, that Americans are hurting because of high gas prices and this Congress needs to act. Americans can't afford a Congress that does nothing to increase the supply of American-made energy. If there is price gouging, Madam Speaker, it must be fully prosecuted. If speculators are trying to unfairly profit, we must stop them, also. And yet we must also tap into America's enormous oil and gas reserves.

We have the resources right here in this country that can increase the supply of oil and reduce the price of gasoline at the pump, but our Nation's deep reserves have been put off-limits. With the national price of gas well over $4 a gallon—and it's over $4.29 a gallon in my district—Americans can't afford this off-limits policy any longer.

Madam Speaker, consider this: Alaska's ANWR region contains an estimated 10.4 billion barrels of oil; that's more than twice the proven reserves in the State of Texas. The oceans off America's coastline contain 240 trillion cubic feet of natural gas and 86 billion barrels of oil. Federal lands contain an estimated 31 billion barrels of oil. Simple economics tells us that the way to combat rising prices due to high demand is to increase the supply, and obviously it is to tap into these known resources. Yet proposals to increase American oil and gas production have faced years of opposition. Drilling in a tiny portion of ANWR in Alaska, for example, has been blocked since President Bill Clinton vetoed a like proposal back in 1995, and we are now paying the price.

It's time to stop saying no to solutions and start saying yes, not only to drilling for gas and oil, but to all parts of the answer, as I mentioned this previously, so let me repeat what I said earlier.

We need to license and build more American refineries. We need to expand wind, solar, hydrogen fuel cells and other new energy sources, reduce fuel blend mandates that increase costs, and invest more in nuclear and hydropower.

Now, Madam Speaker, it's interesting, some say we shouldn't bother because all of this will take years to produce results. Yet these same people claim that the answer is new Federal mandates, government control of the kind of car you want to drive and how far you can drive it, and pinning everything on the hope that a new technology breakthrough will eliminate

our dependence on oil. But Madam Speaker, that, too, takes time. But more importantly, such a course of action is not the American way, and it's a dangerous gamble that puts our economy at serious risk. We need to increase the supply of oil to decrease the price of gasoline, it's as simple as that. And we need to do it here in America. The longer we postpone producing more oil here, the longer we will pay higher gas prices.

Americans are hurting, and yet there is not a single solitary piece of legislation that this House will consider this entire week that even remotely relates to producing more American-made energy and lowering gas prices.

Americans are feeling the pain, and the liberal leaders of the House simply are not listening. They not only do nothing to help, but they block every attempt made to bring legislation to the floor that would help lower gas prices.

So, Madam Speaker, once again, I will attempt this morning to bring energy legislation to the House floor for debate and vote. If my colleagues will join me in defeating the previous question, I will move to amend the rule to allow a debate and vote on legislation that will help produce more American-made energy. The House apparently has time to debate the creation of the 600-mile trail about the Revolutionary War, so let's make time for the House to vote on solutions to lower gas prices.

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

Mr. CARDOZA. Madam Speaker, my good friend, my colleague from Washington State, has once again leveled a litany of accusations and, as usual, the rhetoric does not equate with the reality that we see.

Let's take the attacks one by one. There were a total of five amendments submitted to this rule, all by Republicans. Three amendments were submitted by Mr. BISHOP of Utah, one by Mr. FLAKE of Arizona, and one by Mr. PEARCE of New Mexico. Two amendments were made in order, Bishop No. 1 and Pearce No. 4. Two amendments were not germane to the bill and ruled out of order by the Parliamentarian, Bishop No. 3 and Flake No. 5. The subject matter contained in amendment No. 2 by Representative BISHOP was already being addressed by a self-executing provision in the rule which was based on language previously adopted in this House by a vote of 416–5, rollcall vote 171, with all Republicans, including my good friend from Washington, voting in favor of the amendment.

Let me take this opportunity to clear up what must be a further misunderstanding on the part of my colleagues on the other side of the aisle.

Contrary to what my good friend, the gentleman from Washington, would have us believe, the amendment was not the modified Bishop amendment. And I can assure you that the Rules Committee did not hijack any portion of the amendment submitted by our good friend and former member of the Rules Committee, the gentleman from Utah (Mr. BISHOP). The provision in the rule was based on language passed on April 9, 2008 during consideration of H.R. 2016, the National Landscape Conservation System Act, and it was done to address a concern that a number of Members had about the bill. The amendment was offered by Mr. ALTMIRE of Pennsylvania, was adopted with an overwhelming rollcall vote, as I said before, with every Republican voting in favor of the amendment. If you don't take my word for it, I would be happy to share the Rules Committee report from that bill, which contains the text of the amendment. And I have copies of the section of the CONGRESSIONAL RECORD that contain the debate and the vote on the Altmire amendment.

I also want to point out that the self-executing language in the rule is not an unusual or unprecedented procedure. It was done numerous times when the other side was in the majority, as my good friend from California (Mr. DREIER) alluded to in committee testimony on Tuesday. It's a legitimate tool available to address concerns in a bill.

The amendment that we are self-executing is nearly identical to the Altmire language. The Rules Committee believes that this language improves the bill. And it is entirely reasonable to self-execute language with a track record of overwhelming bipartisan support in the House. Those Members who don't like the language are perfectly able to vote against the rule.

Now the question of gas prices. Certainly this is an important issue that has been addressed by this House a number of times. We have seen oil climb to record $145 a barrel, and we have also seen big oil companies continue to post record profits. Let's go over a few of the points that have happened in the past years.

The President signed into law legislation including landmark provisions to make cars and trucks more fuel efficient and to promote more affordable American biofuels. That all happened because we passed it in this House and provided leadership on this. The new fuel standards will reduce our oil consumption by 1.1 million barrels a day in 2020, one-half of the current U.S. imports from the Persian Gulf, and will save American families $700 to $1,000 per year at the pump.

The House also passed legislation to suspend the filling of the Strategic Petroleum Reserve. And just this week, the Speaker called on the President to unilaterally start releasing oil from the Strategic Petroleum Reserve in order to try and bring down the cost of oil on the world market, a very responsible proposal.

We have also voted to invest in home-grown American biofuels in the farm bill. We voted to provide tax incentives for renewable energies and energy efficiency and plug-in vehicles, and creating hundreds and thousands of green jobs. We further voted to reduce public transit fares for commuters pinched by the pump. We voted to crack down on oil price gouging, and in fact we're looking into more of that. We've directed the CFTC to use its full authority to curtail excessive speculation in the markets and other practices which may be distorting the energy market. In fact, the Ag Committee, as we speak, is meeting to look into this matter and plans another hearing tomorrow. We have voted to hold OPEC accountable for oil price fixing, and we have called on the repeal of subsidies to profit-rich Big Oil so we can invest in renewable energy futures.

Further, I think it's important for us, as Members, to look at who, in fact, is moving to block the lowering of our prices at the pump. A general blanket statement that we can make, that I have observed, is you put oil people in the White House and you can expect oil prices to go up. President Bush and Republicans have blocked virtually every step that we have tried to make to lower gas prices for the American people. Some of these steps have been:

Cracking down on oil price gouging, which was opposed by 140 Republicans the first time and 145 Republicans the second time, including all the Republican leadership.

The Democrats in the House proposed ''use it or lose it'' for oil companies holding permits and not drilling. There are 68 million acres that are available for lease right now and to be drilled upon. That use-it-or-lose-it provision that was sponsored by House Democrats was opposed by 176 Republicans.

The motion to hold OPEC accountable was opposed by 67 Republicans the first time and by 82 Republicans the second time, including most of the Republican leadership.

The proposal repealing subsidies to profit-rich oil companies and investing in renewable energy and energy efficiency was opposed by 174 Republicans, including every member of the Republican leadership.

Increasing Commodity Futures Trading Commission oversight authority to prevent manipulation of energy prices, which was in the farm bill, was opposed by 94 Republicans.

The Bush administration has vetoed or threatened to veto each and every one of these price control bills.

In addition, the Republicans have initially opposed suspending the Strategic Oil Petroleum Reserve. And while the President signed it into law, it was only after issuing veto threats.

The President vetoed the farm bill twice, which included the CFTC provisions and the historic investment in American biofuels.

I mention all these in the context of my good friend from Washington bringing up that Mr. Clinton vetoed in 1995 a bill that was put forward on energy. The Republican Party in this House is

still blaming President Clinton for problems 13 years after the fact when they have been in control of this House and the Presidency for the last 7½ years for the Presidency and almost 14 for this House before we took over in 2006. I think it's time for us to understand who truly has culpability with this energy crisis that is at hand today.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, my good friend from California mentioned CAFE standards as one solution to the problem. CAFE standards, by a law that was passed here, would not take place until 2020. We can drill and produce in ANWR before 2020.

My friend also said that I made a litany of accusations and that the facts don't match the rhetoric. Well, the fact is—and he didn't refute the fact—that we've had 59 closed rules, and that is unrefutable. And I also mentioned that there was not an energy bill on the floor of the House this week; that is also irrefutable.

Madam Speaker, I want to yield 4 minutes to a good friend from Utah, a former member of the Rules Committee, Mr. BISHOP.

Mr. BISHOP of Utah. Madam Speaker, I thank the gentleman from Washington for yielding.

Bill Veeck was an old baseball owner and entrepreneur who used to say, ''I don't ever break the rules, I just test their elasticity.'' Apparently the Democrats on the Rules Committee are doing that same standard of testing the elasticity. When the time for amendments to the Rules Committee was closed, I did have one that was filed that dealt with second amendment issues, the only one that dealt with second amendment issues. After the filing was closed, apparently Democrat staff then took that amendment, without public hearing, without any Member input, they amended that to leave the most important part of second amendment protection on the floor, and then introduced it as a self-executing rule.

Self-executing rules were originally intended for technical amendments only to help the process along, but more and more we see the Democrat Rules Committee using substantive amendments now under self-executing processes.

Now, in the good old days, I tried to get Chairman DREIER to do that for me, but he always said I had to give him my first born son, and it still had to be technical. I am willing to give the gentleman from California my first born son—actually, he's out of college now, it won't help me at all, but I'm still willing to do it if that's what it takes now to meet the process. But I realize, you're not breaking the rules, you're just testing the elasticity.

□ 1100

There are groups out there that rank Congressmen. There's even a fantasy congressional league that's out there. They give us all points for how many bills we introduce, committee assignments, amendments that are passed. I've known the pain of having a fantasy baseball team where half of the members were on the DL.

So I'm asking the gentleman from California if he would have the courtesy of calling these groups and letting them know that this self-executing rule that is now part of the bill was actually mine so I could get those points. Not because of me, mind you. I'm just worried about my friends who have me as part of their fantasy congressional team because I know you're just testing the elasticity of it. In fact, it was suggested that sometime in the future we should start copyrighting our amendments before we actually give them to the Rules Committee staff.

This is not necessarily the first time this has ever happened, as the gentleman from California mentioned. There was another lands bill where I introduced an amendment with the same topic that once again was redrafted, this time refiled with a Democrat as the sponsor of it and it did pass this House and I was happy to vote for that because it was a good idea. It was my idea, but it was still a good idea. But I realize you're just testing the elasticity of it.

I'm not saying you're stealing, mind you. I am not saying anyone is stealing. But John Stockton has called and wondered if his NBA steal record still exists. The Patriot coaches are wondering why they're in trouble. The 1919 Black Sox want their title back. And Henderson has actually discussed it because he could have beat Ty Cobb's record years earlier had he had these same techniques in line. In fact, to be honest with you, I had a softball game last night that we won and we are now 9–1. And I'm wondering if the gentleman would actually do another self-executing rule to make us 10–0. That would actually do something for me. And since we're pulling stuff out of thin air without committee assignments, without floor discussion, I think it would fit within the concept.

Now don't get me wrong. I'm not saying that we're doing all the work and someone else is taking the credit. Because we're used to that. We work with the Senate all the time. We understand how that works. But if indeed we are becoming the Puff Daddy of legislative efforts in here, I would suggest that if the Rules Committee really wants to do something to further discussion and actually do something positive to make it worth the 4-hour flight we had to come back here for this particular bill, why don't you take my Americans for American Energy Act and do a self-executing rule to put that in. At least that would be a meaningful discussion that we would have on the floor of a meaningful bill and would make it worthwhile for us to come back here and finally start talking about something that is meaningful and useful for the American people.

Mr. CARDOZA. Madam Speaker, I would love to point out to the gentleman that there were a number of self-executing provisions put into bills while the current minority was in the majority in the 109th Congress. There were a total of 44 rules with self-executing provisions.

Let me read just a few examples of the self-executing rules that the Republicans did when they were in the majority just to show that this is not a unique practice:

H. Res. 75, the rule on H.R. 418, the REAL ID bill, self-executed major changes in the bill to gain votes on the bill and the rule.

H. Res. 151, the rule for an Iraq/Afghanistan/tsunami relief bill, self-executed the totally unrelated REAL ID bill to the supplemental after final passage.

H. Res. 248, a rule on the budget resolution conference report, self-executed a new budget point of order against appropriations bills in order to get the conservative Republicans to vote for the conference report.

H. Res. 258, a rule on the conference report on the Iraq/Afghanistan/tsunami emergency supplemental, contained a self-executing provision that authorized the Judiciary Committee to file a supplemental report on an extremely controversial report that had grossly mischaracterized votes taking place in the Judiciary Committee markup.

H. Res. 351, one rule, provided for separate consideration of four OSHA bills, each under a closed rule, and then self-executed language for two of the bills adopting the committee-reported substitutes. The rule also had a self-executing provision that combined all four bills into one text after passage of each bill separately.

H. Res. 365, a State Department authorization rule, self-executed an amendment that struck a section of the bill.

H. Res. 369, the PATRIOT Act reauthorization rule, made in order an entirely new substitute as base text.

H. Res. 387, a China trade rights enforcement rule, self-executed a new text that was considered under a closed rule.

Madam Speaker, I would suggest that my colleagues doth protest too much.

I would reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, we acknowledge that there is a practice of self-executing rules. That's been done. Principally they are done, however, on technical grounds but admittedly they are done on substantive pieces of legislation. But the fact is already in this Congress there have been more self-executed amendments by this Democrat Rules Committee than there was in the entire last Congress. Already. And we still have 6 months to go before this session is over.

With that, Madam Speaker, I would like to yield 3 minutes to my friend from California, the gentleman from

the Sacramento area, the former attorney general, Mr. LUNGREN.

Mr. DANIEL E. LUNGREN of California. I appreciate the gentleman allowing me to get in the midst of this intramural squabble here on the Rules Committee.

It seems like it was just the night before last that we came back to work this—well, it was just the night before last that we came back to work this week. And it seems like we just—well, we are just leaving. We came in the night before last to do business, we were here yesterday, we're here today, we're going to get out by, I guess, about 3 in the afternoon. Meanwhile, the people of the United States are suffering because we have no energy policy.

Now this political cartoon graphically states what it is. It says:

We demand you energy companies do something about high energy prices.

We can drill in ANWR.

Forget it.

How about offshore.

Are you crazy?

Clean coal.

Out of the question.

Nuclear power.

You're joking, right?

Don't just sit there, do something.

Well, that's what I'm asking this Congress to do. Don't just sit there, do something.

I thought that maybe what I believe is now called the Natural Resources Committee—it used to be called the Resources Committee—the Natural Resources Committee, I thought it had jurisdiction over ANWR. And I looked it up and it does. And I thought it had jurisdiction over offshore drilling. And I looked it up and it does. And I thought it had jurisdiction over coal on Federal lands. And I looked it up and it does. And I thought it had jurisdiction over tar sands and other kinds of resources, natural gas, offshore. And it does.

So what does it bring today? A bill that talks about a historic trail. We've waited 227 years to designate it as an historical trail. You would think we could wait a couple of more months and do something on energy.

Madam Speaker, I will not violate the rules of the House by asking for a show of hands in the galleries, because that would be out of order, but I suppose that if the people in the galleries were like the people in my two town halls last week, they would answer the same. When I asked them do you think we should drill in ANWR, about 75 to 80 percent said yes. When I asked them do you think we should start drilling offshore, about 75 to 80 percent said yes. When I asked them do you think we should lock up the greatest natural resource we have for energy in this country, coal—we're the Saudi Arabia of coal—they answered 75 to 80 percent no. Nuclear power. Over 50 percent are for it now. But this Congress does nothing about that. In fact, they have created self-fulfilling prophecies. They say, look, if we allow offshore drilling, it will take 10 years. Do you know why it would take 10 years?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman 2 additional minutes.

Mr. DANIEL E. LUNGREN of California. They set up the formula for failure. They make it a reality that it will take 10 years because of all of the extensive environmental requirements, the continued legal challenges, and if you know how the system works, you can actually make a decision by not making a decision. If you can in court ensure that no decision is finally made, no one is going to make the capital investment.

Our friends on the other side say, well, wait a second, we've got the answer. All we're going to do is make them drill with the leases they already have.

Now let's think about this. The oil companies pay millions, billions of dollars for leases and they're not looking for it? The fact of the matter is just because you have a lease which is a tract of land on a map, a line on a map, doesn't mean there's oil there. Actually some of the Democrats on the other side of the aisle have said this. They've said, our leadership doesn't understand the reality of drilling oil. And so what do they leave us with? They leave us with a policy which says drive small cars and wait for the wind. The gentleman from California says look at all we've done. We've forced Americans to drive smaller cars. That's the solution. We're waiting for wind. We can wait for a long time.

I'm for solar energy. I'm for wind. I'm for all of the above. But the fact of the matter is we have to do something on the supply side. And here we have a bill out of the committee that has jurisdiction on this very matter, the one that would get us started, and it doesn't bring forth this. It has brought forth a mouse in comparison to what we need in terms of our energy. All the American people are asking for is some sense of reality. We cannot suspend the laws of economics.

The gentleman from California says look at all the price controls that we have adopted. I have to say, it was a Republican President, President Nixon, who tried to use price controls in the seventies. It didn't work. It didn't work. At some point in time we have to understand that what we have to do is increase supply.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. HASTINGS of Washington. I yield the gentleman 1 additional minute.

Mr. DANIEL E. LUNGREN of California. And if we come to the floor with the committee of jurisdiction bringing us bills that have nothing to do with energy, what are the American people to say except that, Don't just sit there, do something. We are absolutely just sitting here and doing nothing. People back home are not waiting for 20 and 30 years. They're talking about what's happening now. It's not just the gas in their car. It is the cost of transportation embedded in everything. And it's going to get worse before it gets better.

This Congress should do something. It should act now. Act now. Maybe we could stay here longer than 2½ days to do something about energy for the American people who sent us here to do their work. Where's the 5-day workweek? Gone. Gone along with the opportunity to drill for oil and produce energy for the American people. Maybe they ought to pay attention to what's happening here on the floor of the House and insist that we do something. Drill here in the United States, not overseas. Produce here in the United States. Save America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to not refer to or address occupants in the gallery.

Mr. CARDOZA. Madam Speaker, I would just like to observe once again that this Congress has approved and authorized 66 million acres for exploration and leasing throughout this country. Now, that may be hard for some folks to visualize that amount of property, so let's talk about it in something that people understand, the size of States.

Sixty-six million acres is virtually the size of New England, including New Jersey and Maryland and Delaware. That is the size of land that we have opened up to exploration. Can we do more? Possibly. Are there other alternatives? Absolutely. The Speaker this week proposed trying to bring down prices by opening up the Strategic Petroleum Reserve. That might actually bring down the cost of oil, and all we've gotten from the White House is a blanket ''absolutely not.''

Madam Speaker, there are a number of measures that this House has moved to try and bring down oil prices and bring relief to the American people. We started in our 6 for '06 with H.R. 6 that tried to bring down oil prices before it was ever even a crisis because we anticipated that this might be a problem. I would also suggest that it has been said that over 90 percent of the Bush-Cheney oil energy policy has been implemented by the prior 109th Congress and the Republican Congresses before that. Mr. Bush got 90 percent of what he wanted for American energy and we have this crisis. I submit to you what we need is a change at 1600 Pennsylvania Avenue to try and regain energy independence and with a change there we may just do that.

I will reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 6 minutes remaining. The gentleman from California has 13½ minutes remaining.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

□ 1115

Mr. TERRY. Thank you. I appreciate this opportunity.

My friend from California, I'd like to clarify a little bit. The 66 million acres are land that hasn't been authorized by Congress. In fact, the efforts by my friends on that side of the aisle was to take away that 66 million acres of already leased land. So I think the public needs to be clear on that aspect.

Yes, some of the Bush plan on energy has been implemented. The part, conveniently, that has been left out of presenting to the President for signature is the part that increases supply. It's the lack of supply that is causing problems for American families today, with the price at the pumps.

I have had several meetings with constituents who have told me their stories about how the high price of gasoline is literally taking food off of their tables and making them to make decisions about what they are taking away from their family in order to be able to get to work and back.

Our reliance on foreign energy is destroying this country, and we have to become independent, folks. We use 20 million barrels a day. Twenty million barrels of oil per day, most of which is refined into fuel that we use in travels. Over 14 million of those 20 are imported today.

Let's look at what is on the foreign scene today with Iran sending missiles as a message to the United States and Israel about their might. Make no bones about it, my friends; the only reason they have missiles is because they get to sell oil. If we weren't reliant on foreign oil and we could get away from it with a comprehensive plan and, Mr. CARDOZA, I'd love to work with anyone on your side of the aisle to come up with conservation alternative fuels and to be able to open up our offshore drilling in the gulf coast, Alaska, and use oil shale. If we put all of that together, we can be energy independent.

Mr. CARDOZA. I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, can I inquire of my friend from California if he has any more speakers, or he is prepared to close?

Mr. CARDOZA. We have no more speakers.

Mr. HASTINGS of Washington. The gentleman is prepared to close if I close?

Mr. CARDOZA. I am, Madam Speaker.

Mr. HASTINGS of Washington. With that, Madam Speaker, I yield myself the balance of my time.

Madam Speaker, it's time for the House to debate ideas for lowering gas prices. By defeating the previous question, I will move to amend the rule to allow the House to consider a bill that will help produce more American-made energy, H.R. 2208, introduced by Mr. BOUCHER of Virginia and Mr. SHIMKUS of Illinois, the cosponsors of that bill.

Madam Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted in the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Madam Speaker, this House is on a course to complete its work by early this afternoon. The only legislation the House is even considering is this bill to consider a 600-mile scenic trail about the Revolutionary War. Tomorrow, the House won't even be in session. The House was originally scheduled to be in session, working tomorrow, but that was canceled yesterday.

The Democrat leaders of this House are choosing to do nothing for a day and a half, today and tomorrow, that was scheduled, and of course, do nothing about gas prices. They decided to just stop working and go home early rather than vote on legislation to lower gas prices by producing more American-made energy.

The House needs to confront the skyrocketing price of gasoline. It shouldn't be clocking out early and calling it a week. It's time right now for Congress to act on gas prices.

So, once again, Madam Speaker, I am going to ask my colleagues to vote ''no'' on the previous question so that we can amend the rule to take up serious legislation, bipartisan legislation, to bring down gas prices at the pump.

With that, Madam Speaker, I yield back the balance of my time.

Mr. CARDOZA. I would just like to clarify for my colleague from Washington. Once again, he sort of mischaracterized what is happening in the House of Representatives with regard to the work that we are doing to lower gas prices.

I would invite the gentleman to join me in the Ag Committee as I leave this chamber today and go to hearings that will be going on all afternoon in the Ag Committee to get to the bottom of the trading issues that might be leading to increased speculatory problems that are possibly causing increased gas prices and the hearings that we are going to have in the Ag Committee all day tomorrow with regard to the same subject. There are a number of us that will be working very hard the next 2 days to try and resolve to get to the bottom of this crisis.

Madam Speaker, I want to refer back to the bill at hand. We have gotten way far afield of what the topic was of discussion for this rule, and that is the National Trail System Act. That act was put in place 40 years ago to provide for the conservation of historic and culturally significant areas.

I think there is no more deserving historic designation than the one commemorating our Nation's struggle for independence. The bill that we are talking about deserves strong support by all Members of the floor. It's a good bill done by the Natural Resources Committee and chairman, Mr. RAHALL, bringing it to the floor. I would urge that we support it heartily.

I urge a ''yes'' vote on the rule and on the previous question.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1317 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2208) to provide for a standby loan program for certain coal-to-liquid projects. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and the chairman and ranking member of the Committee on Science and Technology; and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a

vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. CARDOZA. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Washington. Madam 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.

MOTION TO GO TO CONFERENCE ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

Mr. CAPUANO. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Financial Services, I move to take from the Speaker's table the bill (H.R. 3121) to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT

Mr. NEUGEBAUER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. Neugebauer moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3121 be instructed, to the maximum extent possible within the scope of the conference, to (1) include in the conference agreement the provision in section 106 of the bill S. 2284.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. NEUGEBAUER) and the gentleman from Massachusetts (Mr. CAPUANO) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Section 106 of the Senate flood insurance bill would reform the National Flood Insurance Program in a significant way by phasing out taxpayer subsidies and requiring that rates are based on an actual risk of flooding basis.

The Senate bill achieves this goal more quickly and fairly than the House bill, which does not begin phasing out premium subsidies for nonresidential properties and nonprimary residences until 2011.

We owe it to the American people whose lives get turned upside down in the aftermath of flood disaster to encourage an efficient, effective program, with adequate resources to be there for them when they need it.

Risk-based pricing will reassure taxpayers that they are not subsidizing those who choose to live in high-risk areas near coastal lowlands or flood plains where many property owners have repetitive losses.

Section 106 of the Senate version of the flood bill would also eliminate subsidies within 90 days of enactment for prospective policyholders of nonresidential structures, nonprimary residences, and severe repetitive loss properties.

It would also eliminate subsidies within 90 days for properties that undergo improvements or renovations that exceed 30 percent of the fair market value of the property, and any property that sustains damage exceeding 50 percent of the fair market value after the enactment of this bill.

In addition, Section 106 includes a provision that would prohibit subsidies and require risk-based pricing for prospective policyholders if the property was not insured within 90 days of enactment or if the policy lapses as a result of deliberate choice by the policyholder.

Risk-based pricing would also be required if the prospective policyholder refused to accept an offer for mitigation assistance or relocation following a major disaster.

These are prudent measures to strengthen flood programs, phase out taxpayer subsidies, and encourage a premium pricing structure that is based on the actual risk of the property to flooding.

While not part of this motion, I also believe it would be ill-advised to force the National Flood Insurance Program to take on new risk of wind coverage, as it would expose taxpayers to further losses and could unnecessarily interfere with the functioning of private wind insurance markets.

The Republican minority believes that the chief objective of Congress should be to reform the existing National Flood Insurance Program, including the removal of subsidies over time to improve the long-term solvency of the program. Adding new coverage to the program that has already lost $18 billion is a move in the right direction.

Madam Speaker, I want to stop and reiterate that the program, the reason this is so important is that we continue to subsidize this program and the deficits keep going up. Now, some people say, Well, the program pays for itself. But the truth of the matter is, Madam Speaker, this Congress is going to have to write off billions of dollars because the system is currently insolvent now, and now others want to increase and expand the coverage and postpone putting risk-based premiums in place.

The American people already are dealing with a lot of other issues. They don't need to be dealing with having to subsidize the National Flood Insurance Program any longer.

As the conferees work on this final flood insurance bill, we ask that they produce a bill that is fiscally responsible and does not saddle future taxpayers with more losses.

With that, I reserve the balance of my time.

Mr. CAPUANO. Madam Speaker, on reading this motion to instruct, it seems reasonable, well-thought-out, and we have no problems with it.

Therefore, with that, I would reserve the balance of my time.

Mr. NEUGEBAUER. In addition to rising to offer this motion to instruct on H.R. 3121, the Flood Insurance Reform and Modernization Act of 2008, I believe it's also critical that we talk about another issue that is very important to the American taxpayers, and that is a sound and reliable energy policy for our country.

I am repeatedly frustrated and I know the American people are repeatedly frustrated that this Congress has done nothing this summer, this year, to produce one additional barrel of oil to help reduce the dependency problem that this country has on foreign oil. This is not only an economic security issue for our country, it is a national security issue for our country.

We know that we have seen in the last few days that the Iranian Government is flexing their muscle and they are saying that they want everybody to know that they are a world power and that if people make them mad, or if they decide to do something, that they could close the Strait of Hormuz, where I think someone said almost 40 percent of the world's oil passes through that port. That just says to us

that this is a national security issue as well.

There's a very simple solution to America's energy problem. It's not complicated, it's not complex. It's a simple, three-letter word. It's yes. It's saying yes to drilling for oil within the borders of the United States of America. It's saying yes to drilling in Alaska and off the Outer Continental Shelf. It's saying yes to continuing to develop and use the 250-year coal supply that America has. As someone said a while ago, we are the Saudi Arabia of coal.

□ 1130

There are new technologies out there converting coal and liquefying it to use as a very clean and efficient energy source.

It is saying yes to building more nuclear power plants in this country. We haven't built a new nuclear power plant in I think over 30 years. It is a very safe, reliable source of energy and does not create a lot of greenhouse gases.

It is saying yes to building new refineries in our country. Not only, Madam Speaker, are we importing 70 percent of our oil, but because we haven't built a new refinery in this country in over 30 years, we are importing from 10 to 15 percent of our gasoline.

It is saying yes to renewable and alternative energy sources, such as wind, solar and biofuels.

Madam Speaker, what we need to do is have a balanced energy program, looking at renewables, looking at new technologies, but also producing American resources.

This growing energy crisis is affecting every facet of Americans' daily lives. As they try to drive to work, I had recently a telephone call with a constituent, and he said, Congressman, I have to drive three times a week to get medical treatment, and it is over 100 miles to and from to get that treatment. He said, I am down to the decision now whether I can afford to be able to go and get my treatment or buy groceries or make my rent payment. I need some help.

Madam Speaker, the American people are looking to this Congress to do something. And we can do something. We can say yes; yes to new technologies, yes to producing American resources, instead of exporting billions of dollars to foreign countries and letting them develop their resources.

I believe last month, June, the average import, this is daily import, Madam Speaker, was 13 million barrels a day, 13 million barrels a day. That is $1.8 billion dollars every day that America gets up and writes a check to send somewhere else. Not to invest in America. We write a check for $1.8 billion every day to send to some foreign countries.

Madam Speaker, unfortunately, some of those countries that we send that check to aren't all that friendly to the American people. Our friend, Mr. Hugo Chavez from Venezuela, we write him a check every day for $170 million. I am sure the American people are pretty excited that $170 million of investment that could be building America's resources and creating jobs in America is going down to South America, to Venezuela, to one of the people that have said we are imperialists and that they have invaded America not with armies, but with their oil.

So, Madam Speaker, what we have to do is we have to begin to look at why we are not doing anything in this Congress.

One of the things I have noticed that we worked on this summer, and I know the American people will be extremely excited to know, is that we have protected foreign cats, foreign dogs, monkeys, and today we will spend about 3 or 4 hours naming a scenic route. Now, I think that really goes a long way to assuring the American people that we are in fact working on energy solutions that will bring lower energy prices for the American people.

Madam Speaker, we have to begin to say yes, not only to these high energy prices affecting Americans' ability to go to and from work. Teachers, for example, in rural areas, driving 50, 75 miles, their cost of transportation is almost doubling, but their salaries are not going up. Those teacher contracts are out right now and they are saying, should I accept that teaching contract in that little rural community, where it is going to almost take a pay cut to do that because of the cost of gasoline?

It is affecting food prices. One of the things we know about energy, Madam Speaker, is it is interwoven in every aspect of our life. In the production of food, farmers are paying record prices for fertilizer and for diesel. So that is just the production side. The chemicals have gone up. Several chemical companies in the last few weeks have announced double digit increases in the cost of their commodities.

Now that we have produced those products, now we have to get those products to the processors and to the market. The cost of processing that food has gone up. Once we produce that food and we process it, then we have to deliver it to the distribution systems, and from the distribution systems to the grocery stores, and then the American people have to go to the grocery store. All along the way, these high energy prices are causing huge inflation for our country, and, Madam Speaker, we have to do something about it.

Madam Speaker, I reserve the balance of my time.

Mr. CAPUANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I was under the false impression that we were here to talk about flood insurance. I guess flood insurance isn't that important to my Republican colleagues, and that is fine by me.

I said yes, you must have missed it, I said yes to your motion to instruct. Now, after your debate, I am kind of maybe rethinking my position, but probably not, because I don't want to get dragged down there.

But I am no energy expert. I am learning as we go along. It is not in my background. But I know one thing: For 12 years, the Republicans did nothing on energy. Nothing. For almost the entire time I have been in Congress, we have had two oilmen running this country. They have done nothing on energy. Now, all of a sudden, they found it, and we have to sit here today and listen to a Republican advertisement while we are debating flood insurance. Flood insurance.

I understand the politics of it, and that is all well and good, but it just does amaze me that it is not enough to keep campaigning out on the street. Go knock on some doors, and maybe you will win some elections. You don't win elections by pontificating on the floor of the House. You do it by meeting and greeting people and then listening to what they want.

One of the things they want is for the oil companies to drill on the 68 million acres they already have. Why aren't they drilling there? Why not?

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. CAPUANO. Not at this point, because I am going to get the rest of the ad in a few minutes. You will get your time.

They are concerned that somehow we are sending money to someone who is not too friendly. I know that. We all know that. Why didn't you do anything for 12 years? How did you just find this now? And did you just discover it as we were getting into flood insurance?

Now, I understand fully well. I had no intention of debating this issue. Again, the motion to instruct that we came here to debate is fine. We do need to act on flood insurance, and we will. And I also realize that I will hear the rest of the Republican ad in a moment.

I, for one, have never engaged in pontification on this floor. I haven't done a single Special Order yet in 9 years, because my way to communicate with my constituents who elected me is to go home and say hello and shake their hands and look them in the eye and listen to them, not to pontificate amongst each other.

I understand that that is not the way you campaign. That is fine, and I look forward to the remaining few minutes of the Republican national ad that hasn't worked thus far and I doubt will work between now and November. But I am looking forward to hearing all the wonderful things that you are going to do now, when you didn't do them for 12 years.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NEUGEBAUER. Madam Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

In attempting to respond to the gentleman on the other side of the aisle, he said, what have we been trying to do in terms of energy? Did we just discover it? Well, no, that is not the case. We have been trying to work on energy for the last number of years. Let me just give the gentleman some figures.

On ANWR exploration, every time it has been brought up in the last 6 or 7 years, 91 percent of the Republicans have supported it; 86 percent of the Democrats have voted against exploration in ANWR, a clear delineation between the two parties.

Coal-to-liquid. We are the Saudi Arabia of coal. We have more coal than anybody else in the world. So wouldn't it make sense to try and use new technology to take coal to liquid? Every time it has been brought up, 97 percent of the Republicans have supported it; 78 percent of the Democrats have opposed it. That is not pontificating. That is voting on the floor.

Oil shale exploration. Along with Canada, again, we are the Saudi Arabia of oil shale. Every time it has been brought up, 90 percent of the Republicans have voted for it; 86 percent of the Democrats have voted against it.

Outer Continental Shelf exploration. Every time it has been brought up, 81 percent of the Republicans have voted for it; 83 percent of the Democrats have opposed it.

The gentleman says, why aren't we drilling on some of those leases? Well, the definition of an idle lease is a lease where drilling has not yet occurred. That means you have to go through all of the existing red tape, such as permitting and environmental laws. The process can take years. It is a self-fulfilling prophecy on the other side of the aisle.

My friend on the other side of the aisle and his allies in the environmental community, what have they done? Environmental protests have increased by 718 percent over the last 7 years. Three million acres of currently leased land is tied up in courts, where it cannot be utilized.

You ask why they are not leasing? Because they can't, because they are subjected to lawsuits. Companies are unable to begin exploring on the land they have already leased. Fifty-two percent, 52 percent of the wells that have been drilled, exploratory wells offshore, have proved to be dry holes. That is why they are not producing on those.

When I was here 20 years ago during the Reagan administration serving in this House, the Reagan administration managed to lease 160 million acres of onshore land. Today only 50 million acres are leased. ANWR contains 10.4 billion barrels of oil. 100 percent closed. Offshore, 86 billion barrels of oil we believe are there by the U.S. Minerals and Management Service. 97 percent of it is closed off.

And the gentleman says we are pontificating. We are not pontificating. We are asking your side of the aisle to allow us to have votes on these issues. Allow us to have a vote on ANWR; allow us to have a vote on coal-to-liquid; allow us to have a vote on oil shale; allow us to have a vote on offshore drilling, Outer Continental Shelf exploration; allow us to have a vote on refinery capacity increases. That is not pontificating. That is saying allow the American people to have these particular supply-oriented responses to the energy crisis voted on on the floor.

Now, the gentleman may say, we just go home. I go home. I just got back from home. I talked to people in my district. You know what they said? Get back to Congress and vote to change the laws to allow supply.

Now, once again, unless your side of the aisle is capable, excuse me, Madam Speaker, unless the other side of the aisle is capable——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEUGEBAUER. I yield the gentleman an additional minute.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, unless the other side of the aisle is capable of suspending the law of economics, the law of supply and demand, we have to start dealing with the supply side.

We have dealt with the demand side. The American people in the last several months have dropped their usage per capita of gasoline greater than they have at any time since we have kept records. The American people are responding in responsible ways. They are responding on the demand side. They are asking us to help them be able to respond on the supply side.

That is not pontificating. That is not politics. That is governance. We are asking for good governance. Allow us to have the chance to vote on these things on the floor, and then let the votes fall where they may. Maybe the gentleman from the other side of the aisle is correct in his assessment that the American people don't want more supply. I suspect he is wrong. The only way we will know is if we have a vote. Just give us a vote.

I thank the gentleman for the time.

Mr. CAPUANO. Madam Speaker, I didn't hear much that surprised me. I guess I must have been mistaken. If I heard 52 percent of the holes were dry, that means 48 percent of them weren't, and they are not producing.

I know for a fact that in the oil wells and the oil rigs that they have in Alaska now in Prudhoe Bay, they claim to have more natural gas than they know what to do with. Yet they have never built a natural gas pipeline. There was no obstruction to that. None whatsoever. I must have missed it.

During the 12 years I talked about, Republicans controlled the House, the Senate and the White House for most of those years and still did nothing. Still did nothing.

Some Democrats do have some concerns, and I am proud to be one of them. Some concerns are about simply saying drill anyplace you want, don't worry about the environment. I don't necessarily think in the final analysis that is the way out. I think there are other ways. I do think that some drilling is appropriate, most of us do, which is why we are encouraging oil companies to do it. I don't get it.

□ 1145

And maybe I am mistaken, but a few years ago we had a vote on the floor of this House relative to offshore drilling in Florida. And then Governor Bush and every Republican member of the Florida delegation voted against that. Voted against that.

Now, I don't mind. But let's be honest about this. You did nothing for 12 years. You think you have a political hit here. Good luck. Good luck. Because I think the American people have already tried your way, to just simply give everything to the oil companies and not ask for anything back. I think they want to try a new way. And in the final analysis, we will get where we want to go. November will allow us a greater majority here, it will allow us more Members of the Senate, and it will probably give us the White House with people who actually want to do something rather than simply talk about it.

Now, my full degree of preparation for this debate was to be pulled out of a hearing on the entire financial crisis with Secretary of Treasury Paulson and the Chairman of the Federal Reserve, Mr. Bernanke. I wish I had come here more prepared with statistics and votes from 1902 and all those other things; but the truth is, this is nothing more than a political commercial.

The rebuttal is easy. It is almost painfully childish: The American public hasn't bought it and won't buy it. But I also realize, my presumption is there is still more time left for Republican advertisement, and we will hear a few more minutes of it as we speak now.

I reserve the balance of my time.

Mr. NEUGEBAUER. I appreciate the gentleman, and I think the leadership in his party has been very clear of what their energy policy is: No, we are not going to do anything about it.

I now yield 3 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Madam Speaker, I appreciate the gentleman's leadership on this.

My good friend from the other side said he didn't come prepared to talk about his side's strategy on energy. Well, let me share with you what an aide from the Democrat side said just this week. He said, ''Right now, our strategy on gas prices is to drive small cars and wait for the wind.''

That is the problem, Madam Speaker. Because when we want home last week, all of us went home last week for the Fourth of July break, we met with our constituents; and we heard what I suspect my friend from Massachusetts

would hear if he asks, and that is, that they understand, the American people understand that supply is important. And this is a dynamic situation.

He talks about a vote a number of years ago on whether or not there ought to be offshore exploration. Well, Madam Speaker, the situation has changed. The American's people opinion has changed. What has done that? $4 a gallon gasoline that the other side has done nothing about.

On our side we have attempted for years, literally for years to increase supply. In fact, as has been recited by my good friend from California earlier, we have passed all sorts of legislation out of the House of Representatives. What has happened is that they have died in the Senate. They have not gotten the 60 votes that they needed. But, Madam Speaker, I have great confidence in the responsiveness of the United States Senators, who have also been home and appreciate that this situation has changed.

The American people are demanding American energy for Americans, and there are solutions that are on the table. H.R. 3089, No More Excuses Energy Act, would reduce the price of gasoline by opening new American oil refineries. Investing in clean energy sources such as wind, nuclear, and captured carbon dioxide, and making available more homegrown energy through environmentally sensitive exploration of the Arctic Energy Slope and America's Deep-Sea Energy Reserves.

H.R. 3089, Madam Speaker. It is there for the taking. All we ask for is a vote. We are not guaranteeing passage, but we do believe that it is appropriate for the most deliberative body in the world to have an opportunity to vote on increasing the supply of American energy for Americans. And the problem is, is that our friends on the other side don't want to have that vote. Why? I am not quite certain, because I know that their constituents are telling them what our constituents are telling us, and that is, increase American energy for Americans. Instead, what is their policy? Drive small cars and wait for the wind.

Madam Speaker, we demand a vote on H.R. 3089 and the other bills that will increase American supply, American energy for Americans. Let's vote now.

Mr. CAPUANO. Madam Speaker, I think we have gotten all the wind we need right here right now. I am not so sure how to harness it, but I think we have gotten it, so we don't have to wait for it.

And I understand the gentleman doesn't want to read any of the bills we have put forward. I understand that. Nor should he waste his time, because he is not going to vote for them anyway. I know that. But he still hasn't answered the reason; again, a very simple question: 68 million acres and they are not drilling on them. Why? The obvious answer is they want to keep prices up.

Why aren't they using the refineries to their full capacity?

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. CAPUANO. No, I don't yield. I will get the rest of the advertisement later.

Mr. PRICE of Georgia. The gentleman asked a question.

Mr. CAPUANO. No, I don't yield.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. CAPUANO. I do not yield.

Mr. PRICE of Georgia. You asked a question.

Mr. CAPUANO. I do not yield. I have got the full advertisement.

Mr. PRICE of Georgia. I thank the gentleman.

Mr. CAPUANO. You have wasted enough time for the American public right now. You are wasting taxpayer dollars right now. You are entitled to do it.

The SPEAKER pro tempore. The gentlemen will suspend. The gentleman from Massachusetts controls the time.

Mr. CAPUANO. The gentleman said why don't I ask my constituents. Why doesn't he come to my district and ask my constituents? If he thinks I don't talk to my constituents, that is fine. You can insult me all you want. It is of no concern. The American people know your answer. Your answer is to simply give oil companies anything and everything they want and ask for nothing back. Our answer is to allow them to drill where there is oil, to do so in a responsible manner, to pay their taxes, and to not basically gouge us with ungodly prices and ungodly profits.

I understand you don't want to join us in that. I respect that. Why you don't, I don't get; I don't have to get.

With that, Madam Speaker, I reserve the balance of my time. I look forward to the remainder of the Republican advertisement.

Mr. NEUGEBAUER. Madam Speaker, it is now my pleasure to yield to the gentleman from Nebraska (Mr. TERRY) 3 minutes.

Mr. TERRY. Madam Speaker, I rise in support of a comprehensive energy policy. And the gentleman from Massachusetts and I are friends and neighbors by offices and talk all the time.

And do you know what? It may be entirely true that Nebraskans think differently than suburban Boston folks. And that is why we go back and we talk to our constituents. And what I hear—and this isn't evenly divided; this is 95–5—that people are angry at the price of gas; they are angry at Congress doing nothing. And we sit here in this body and we have no real energy bills to discuss, so we have to use a flood insurance bill to be able to discuss these type of issues.

But my friend from Massachusetts brings up a point that I want to kind of correct and kind of agree with. We have been in Congress now five terms. I have been on the Energy Committee for 8 years; and almost every year that I have been on that committee, we have done an energy bill. Most of them haven't gotten to the President. We did get an energy bill that included drilling to the President in our first term, which was vetoed by President Clinton, that included ANWR.

My friend would probably remember a lot of vicious debates on this floor about opening up drilling in Alaska and ANWR and the deep waters off the coast of Florida and the gulf coast. We had incredibly intense debates on that, and we passed those. We passed the refinery bill that would expand our refining capacity and diversify where they are at in this body. So to be able to come and say on the House floor that we haven't done anything for 12 years is not accurate.

What is accurate is a bipartisan opposition to energy in the Senate, where we did good work, but unfortunately we had a group of 40 that was mostly Democrat but Republicans also that voted to kill refinery expansions, that voted to—well, sometimes they voted on deep-sea and ANWR, but most of the time they just ignored what we did here, in the Senate. And I am angry and upset at that.

But the people are demanding action now. And what I would like to see is, instead of this partisan rhetoric that we are hearing on the floor today, that my friends on the other side would say, hey, let's all get together. Because you talk about conservation. I wrote with Baron Hill the CAFE bill that ups the amount of fuel efficiency for the auto manufacturers. I am open to more of those types of discussions.

Let's get together and work on an energy policy, instead of this partisan bickering that we are hearing right now.

Mr. CAPUANO. Madam Speaker, I thank my friend and classmate for not getting further down that nasty little road. He made a good point. No new points. But I appreciate his tone.

I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Speaker, could I inquire of the amount of time that I have remaining.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining. The gentleman from Massachusetts has 22½ minutes remaining.

Mr. NEUGEBAUER. At this time, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Speaker, I encourage our discussion on flood insurance. But like my colleagues, I am very frustrated with the high price of gasoline. And I believe that West Virginians deserve a comprehensive all-of-the-above approach.

I had a lot of conversations just last night with West Virginians, and they had wonderful, creative solutions. They had amazing ideas: Let's use algae, let's use cooking oil, let's use biomass; and, of course from West Virginia, let's use coal.

We also had a gentleman who offered a great national call for conservation, that we would incorporate our youth

through education and other methods to get involved with how we can conserve. But the most thing I heard was the question of frustration, and why are we not doing anything?

Unfortunately, this House has yet to act on any legislation that will actually make a difference. And it is time for a change. It is time for this Congress to get serious about protecting consumers and taking action on real solutions.

West Virginians are less concerned, as the previous speaker said, about the political battles that are encompassing Capitol Hill. We are more concerned about a bipartisan breakthrough that actually increases supply and makes our Nation more self-reliant.

Mr. CAPUANO. Madam Speaker, I yield such time as the gentleman from Florida (Mr. HASTINGS) may consume.

Mr. HASTINGS of Florida. I thank my distinguished friend from Massachusetts, who came here to discuss what I thought I came here to vote on, and that is the Flood Insurance Reform and Modernization Act of 2008.

Lest we lose sight of the importance of flood insurance, coming from an area where that is a continuing critical problem and knowing that those in the Midwest and certain portions of the South are presently suffering in that regard, it is regrettable that we are not focusing on the importance of that particular legislation.

Now, let me also add my voice to the voices of my colleagues on the other side who continue to say that they want to do something about the continuing increase in the price of gasoline.

I recently was before an editorial board, the Sun Sentinel Newspaper, in my hometown, and I was asked the question: What are you all in Congress going to do about gas prices?

A footnote right here. I would that my colleagues would stop the folly of using the words of an aide in a congressional office as the strategy of the Democratic Party. What I said to my newspaper was we were going to use an awful lot of hyperbole between now—we, meaning the Congress; we, meaning the U.S. House and Senate; we, meaning Democrats and Republicans; we, meaning liberals and conservatives.

What we were going to do between now and the election, I said to them, was talk a lot about things that are likely to take place in the future but that cost an immense amount of money in order to accomplish. And I said to them, let me give you the hyperbole. We are going to use the language geothermal. We are going to say biomass. You are going to hear alternative energy, solar or wind. You are going to hear all of those things, and many of those things are certainly going to be a part of our energy production at some point in the future.

I also rather suspect that what is going to happen is those companies that supply energy today are more likely than not to be involved in that research and production of the alternative energy sources. But to say that the Democrats have done nothing, and I am now here 15 years and I have seen 12 years of the Republicans' attempts to do something about energy which amounted obviously to nothing.

So the Democrats are in charge 1½ years, and we are told with a White House that is more than involved in the energy issues of this Nation and this world, and with a Senate that won't move a single solitary thing that is productive coming from the House of Representatives; we still have managed to enact into law the Energy Independence and Security Act in 2007, the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act.

□ 1200

We enacted into law the Food Conservation and Energy Act of 2008, and I won't go into all of the details. There is more coming, reducing transit fares, cracking down on price gouging, use or lose it, which my colleagues on the other side of the aisle seem to have forgotten that we just voted on before we left here, and that we are likely, just so I give them a heads-up, give you another chance not to go with use it or lose it, which compels the oil industry to start drilling or lose permits on 68 million acres of undeveloped Federal oil reserves which they are currently warehousing, keeping domestic supply lower and prices higher. We need to further close the Enron loophole which was also a part of that legislation.

We have also passed the Renewable Energy and Job Creation Act. We passed the Gas Price Relief For Consumers Act. We passed the Energy Gouging Prevention Act.

So I continue with what I said to my newspaper, we were going to say switch grass. We were going to say algae. We were going to say use cane as Brazil does. We were going to say all of those things, and then when we finish, we are not going to do one single solitary thing that is going to cause Jane Lunchbucket, when she goes to the gas pump next Thursday, to witness a reduction in her gas prices.

We have tried as best we can to deal with speculators that we know have driven up some of these prices. We are doing everything that we can to try to ensure that the 200,000 acres of oil shale that are already under the control of six companies are utilized.

We allow that people need to understand that if we drill off the coast of Florida, and let it be clearly understood by everybody in this House of Representatives that I will be the last man standing saying that you will not drill off the shore of Florida beyond the limits of the law that all of us agreed to until such time you change that law. Florida's beaches are pristine. Florida's tourism depends upon them, and I am astounded that my California colleagues would come here and say that they want that kind of drilling. We own that opportunity. Sixty-eight million acres are already leased; as well as 23 million acres in the Arctic. What in the world are you talking about? Why are the oil companies not doing that drilling at this point?

And you come down here with some simplistic solution saying that some child in an office back there said drive small cars and wait for the wind. We aren't going to wait for the wind. T. Boone Pickens is not waiting for the wind. He has been an oil man all of his life, and he has decided that among the things that he is going to do is get involved in wind research.

I go to Denmark frequently in an organization that I work with. Denmark is supplying more than 30 percent of their energy with wind. And most of the windmills that you see come from that Denmark area. Assuredly at some point wind is going to be a major source, as is geothermal, as is gasification.

All of us know the buzz words, but let's stop kidding Americans. The solutions are costly, and the energy companies are the ones that are more likely to do this rather than us sitting around here with some mumbo-jumbo and a bunch of people running down here so that they can have a bumper sticker.

Everybody goes home, everybody buys gas, everybody knows it is high, and none of us in this place are going to do one doggone thing between now and the time that we leave here that is going to cause it to come down that much that it will be dramatic.

I have one more proposal: A tax credit for Jane Lunchbucket and Joe Lunchbucket. Give them a tax credit. When I was a child, we had oil coupons because oil was cheap, not cheap, but at the same time was not plentiful. So during the Second World War, we did what was necessary, and I would ask all of my colleagues in this body, just ask yourself the question: What would Roosevelt do? I think what he would do is say that we have a national crisis and that we owe it to ourselves to focus on what it will take, worldwide, in this global economy that we live in and in our Nation to undertake to do what is necessary for the American public.

I thank my colleague for yielding me this time.

Mr. NEUGEBAUER. Madam Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, I rise in support of this motion to instruct, but I also rise in support of my colleagues who today are stressing the plight of the American people concerning the price of gasoline.

Let me just note that this weekend I was surfing in my district. My wife and I are avid surfers, and my friend and colleague from Florida, who also, of course, represents a State with a long coastline, should understand that we have had offshore oil rigs off California for many, many years, off of my district for many, many years. The only

oil spill we have ever had has come from a tanker which had an accident off our shore.

Those people who are adamantly opposed to offshore oil drilling, as we have just heard, are actually making us more vulnerable. They are making their pristine beaches more vulnerable to spills because a tanker has about a 500 percent greater chance of spilling oil than does an offshore oil rig.

In fact, let us note that we have heard the argument time and again, why aren't the oil companies drilling off the land they have already been given? In my area that is very clear. The reason the oil companies can't proceed is that they have been stopped by roadblocks put before them, legislative and legal and regulatory roadblocks by radical environmental groups that won't let them drill and won't let them get to that oil. As long as the alliance for the radical environmentalists and the liberal wing of the Democratic Party keeps hold, we are not going to get that supply.

The price of oil is high, gasoline is high because the supply is down. The supply is down because there is a coalition between the liberal left and radical environmentalists that have prevented any type of new supply from being developed in the last 30 years. It's as simple as that. The money being extracted from our pockets at the pump is a result of the lack of supply. The idea that pristine beaches are going to be threatened by offshore oil rigs has been used to diminish supply and increase the price of oil at the pump.

I rise in support of the motion to instruct and the arguments in favor of more supply of oil for our country.

Mr. CAPUANO. I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding.

I was not going to speak here this morning, but I have heard the rhetoric on the floor and it is really sort of disheartening to be a Member of this body and see all the pointing of fingers going on on energy. I sit on the Energy and Commerce Committee and in my role as the chairman of the Oversight and Investigations Subcommittee, we have held six hearings in the last 2 years about what is happening with gas prices, oil supply, and what is happening in our markets, especially with speculators. We continue to work on legislation to do a number of things.

But I think the honest thing we have to tell the American people, any Member of this House, Democrat or Republican, if they had it within their power to lower a price of a gallon of gas, they, we, would do it. We would have done it. We realize the pain that is being felt by the American people.

When I was home doing my Fourth of July parades, people demanded we do something. I finally said to one of them, ''Don't you think if Congress had the magic wand and could lower gas prices tomorrow, we would have done it?'' There are some things that are out of the hands of the U.S. Congress at this point in time.

So what is our strategy to move forward? What can we do immediately? Supply and demand. It is more than just supply and demand. The price has doubled within a year, and there have been no shortages in the supply.

If you take a look, when we were doing these Fourth of July parades, oil was $145 a barrel. Today, Thursday, July 10, USA Today, Moneyline, it is $136.05. Why did it drop $10 in less than 7 days? That's the volatility we see in the market right now. It is a very volatile market. Some of us want to bring stability to the market and lower these prices. Why the $10 drop when nothing has really happened? There is no more supply that came on the market. We do have more speculators. We do have this Democratic Congress holding hearings, like in the Ag Committee, regarding excess speculation in the market. Some of us have been working on that angle since 2006.

We have had legislation, the PUMP Act, to stabilize prices and to lower prices. So if you take a look at the PUMP Act regarding how we get these prices down from $136, it is to close the Enron loophole. The Enron loophole says the Commodity Futures Trading Commission will not deal with energy or energy derivatives. We had turned a blind eye to what happened in the market.

We should close the swaps loopholes. Eighty-five percent of the trades now on energy are going through a swap loophole.

We should enforce the aggregate position. You're only supposed to hold 20,000 contracts for oil on NYMEX. So I hold 20,000 on NYMEX. I hold 20 on Dubai, I hold 20 on the London exchange, the ICE Exchange, as they call it. There are 60,000 contracts. Every contract represents a thousand barrels of oil.

The foreign boards of trade. You set up a foreign board of trade and you give it a name like the London Exchange or ICE Exchange, and guess what, we outsource the enforcement of the trading that is going on in this country for West Texas intermediate crude oil. That's what has happened. We've outsourced our responsibility, and we rely on London and Dubai to enforce laws to make sure that the markets are performing accurately and not these wild swings we see each and every day.

So I don't care if you're Democrat or Republican, if we had a way to lower gas prices, we would do it.

I believe one thing we can do to immediately bring some relief, without drilling all over the world, is close these loopholes, the Enron loophole, the swaps loophole, enforce aggregate positions, close the foreign boards of trades. We can do that. We are having a hearing today, and it will be going again tomorrow, and hopefully next week we can bring forth this legislation. So let's take the speculators out of the market so we bring a stable price and less volatility in the market.

And then let's look at opening more areas for drilling. Democrats are for that. We are for that when we take a look at the long term. And why don't we streamline. In fact, we did. In 2005, the Energy Policy Act, passed under the Republican majority, I was a conferee to that bill, we streamlined so we could bring more refineries online, but no one has done that. We streamlined the process so it is easier.

So all of this finger pointing going on here is not doing the American people or any of us a lot of good.

We have to look at alternative fuels. The first commercial bio-diesel fuel in Michigan is in my district. I am proud of that. Is it enough? No, but it is a start.

So we need a short-term strategy and a long-term strategy. I think the PUMP Act prevents an unfair manipulation of prices, gives a short-term strategy, stabilizes the prices, and gets the volatility and excess speculation out of the market. And then let's look at long-term solutions.

So instead of coming down here and saying one side is going to do this and one side can't do that, that is hogwash. None of us have within our power to lower gas prices today or tomorrow. Let's be honest with the American people. What we can do is get the speculators out of the market, do a reasonable approach, and let's take a look at some long-term solutions.

Mr. NEUGEBAUER. Madam Speaker, just in response to the gentleman, what can we do, we can increase the supply. And as the other previous speaker from Florida said, we are not talking about geothermal or switch grass, Madam Speaker. We are talking about proven technology. We know we that can use oil. We know that we can use nuclear. We know that we can use coal. And the only way you are ever going to lower the price is increase supply, yet my colleagues on the other side are saying ''no.'' The American people are saying ''yes.''

I yield 3 minutes to the distinguished gentleman from Georgia (Mr. WESTMORELAND) who has been trying to bring this point to the forefront in this Congress.

Mr. WESTMORELAND. Madam Speaker, I also want to address what the gentleman from Michigan on the other side just got through saying about they are for drilling. Well, if they are for drilling, why is it that they pulled the appropriations bill when there was just a mention of having an amendment to allow drilling?

Let me just go back to April 2006 when then-minority leader NANCY PELOSI, now Speaker, said the Democrats have a commonsense plan to lower the skyrocketing price of gas. Where is that plan? Well, the plan was supposed to be, I guess, H.R. 6, the Energy Independence and Security Act of

2007 which came forth. I am assuming this was the commonsense plan that the Democrats had.

□ 1215

Well, you know what? If they want bipartisan for it, if they wanted to vote on drilling, if they want to vote on getting to the Outer Continental Shelf, or if they wanted to be serious about tar sands, alternative fuels, coal-to-liquid, shale oil, then why did we have a closed rule? Why did we shut out half of the American people in this country that have representation in this body that didn't have a voice about an amendment on the floor that did not have an amendment in the Rules Committee?

If we're so bipartisan now that this issue has come up and that the majority has not been able to address it, why are we wanting to be bipartisan now? Why weren't we bipartisan when we passed H.R. 6? And let me tell you this: In that bill of over 300 pages, crude oil's mentioned five times, gasoline is mentioned one; exploratory drilling is mentioned two; offshore drilling, zero; domestic drilling, zero; domestic oil, zero; domestic gas, zero; domestic fuel, zero; domestic petroleum, zero; gas prices, zero. Commonsense, goose egg.

Greenhouse, 103; green building, 101; ecosystem, 24; climate change, 18; regulation, 98; environmental, 160; geothermal, 94; renewable, 333; swimming pool, 47. And yes, don't forget the popular CFL light bulb, 350 times.

Madam Speaker, we cannot regulate our way to energy independence. We cannot tax our way to prosperity. When is the majority party going to understand that we have got to do some of these things that we hear them talking about?

It's time to show the American people, Madam Speaker, that we mean business about lowering the price of gas at the pump. I want to quote this, and I think this is a representation of what the Democratic Party did to the American people in 2006.

This is a quote from Mr. KANJORSKI from a newspaper:

''Now, anybody who is a good student of government would know that wasn't true,'' Mr. KANJORSKI said at an Ashley town hall meeting in August. And he was talking about ending the war.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. NEUGEBAUER. I yield the gentleman an additional 30 seconds.

Mr. WESTMORELAND. ''But you know the temptation to want to win back Congress—we sort of stretched the facts, and the American people ate it up.''

Well, I've got something to say to Mr. KANJORSKI and the majority party. The people are paying the price for that meal that they had of lies and untruths and half-truths. They're paying the price for it at the pump.

It's time we took action. It's time we make it where the American people didn't have to make the choice of visiting a sick relative in the hospital or going to work.

Mr. CAPUANO. Madam Speaker, I wouldn't mind getting a list of these radical environmentalists. I would like to know who they are because I wouldn't want to associate with them. I don't know where they're meeting to somehow deny the oil companies their massive profits. I would like to know what they are doing. When they get the list of radical environmentalists, I would just respectfully ask that they send it over to me because I would like to know who they are so I can make sure not to hang around with them.

As I understand it, I still haven't heard any reason—I don't understand this. We have said ''yes'' to drilling. We have given out 68 million acres to do it on. We have given out 10,000 permits that are being unused now. Right now as we speak. There are refineries that have excess capacity right now. Right now. Today. Right this very minute. Not being utilized.

With all of this land that they have that they don't want to use, we're simply trying to get them to use it. Even JOHN MCCAIN says he doesn't want to drill in ANWR. He knows that that's a red herring. He knows that that's not the answer. He knows that there are other answers that are more readily available that will get us where we want to go more quickly without destroying the last bit of environmental parts of this country that we have.

Now, don't get me wrong. I'm not going to agree with many things that Mr. MCCAIN has to say. But he's right on one. And I'll give it to him.

If the companies don't want to use the land that they have, why don't they give it back? Either drill or get off the plot. Very simple. Or explain to us who these radical environmentalists are who have somehow secretively been so successful at foiling the good-hearted intentions of our major oil companies in providing us low-cost oil. Because if that's the case, I will sign up with Exxon and Sunoco right now and deny my friends on the environmental side, unless, of course, I find that they're so successful, they're so capable that maybe they'll convert me, and maybe I will join them. But I'd certainly like to know who they are.

Mr. DOYLE. Will the gentleman yield?

Mr. CAPUANO. I certainly will yield to my friend from Pennsylvania.

Mr. DOYLE. Since the oil companies apparently don't want to drill in all of this land that's accessible to them today, and since our friends on the other side of the aisle want so desperately to get oil out in America to lower gas prices, I would ask them to join Democrats in asking President Bush to release 10 percent of its gross 70 million barrels of oil in the economy immediately, not 10 years down the road once we start some new drilling project, but immediately we could have oil in the domestic economy just by releasing 10 percent of the SPR without affecting any national security concerns and gasoline prices could come down.

So I hope my friends on the other side of the aisle will join us in asking President Bush to do that immediately.

Mr. CAPUANO. Madam Speaker, maybe they can just say ''yes'' to that.

With that, I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Speaker, it's my honor to yield 1 minute to the distinguished minority leader, Mr. BOEHNER.

Mr. BOEHNER. Let me thank my colleague from Texas for yielding.

I think all of us understand that American families are struggling with the high costs of food, health care, and yes, the high cost of gasoline. Small businesses are struggling. And what Americans are about to see in the coming months is that the cost of fuel is in virtually everything that we buy and everything that we use. And when we begin to see these giant price increases in the coming months, the squeeze on American families and small businesses is going to get a lot worse.

That's why I and my Republican colleagues have been supporting a plan that says, Let's do all of the above. If we're serious about energy independence, we're serious about wanting to help our economy, help families, and help small businesses. We know we need to conserve more fuel, more energy in America. That's why many of us voted to increase CAFE standards to get higher fuel mileage for American cars. We also need to continue to promote biofuels, and whether it's cellulosic ethanol, whether it's regular ethanol, biodiesel, there's still room to grow in the biodiesel area.

We also need to have alternative sources of energy, whether it be wind, whether it be solar, geothermal, hydroelectric. All of these alternatives are out there. But we ought to make sure that the incentives that we have are sufficient to help bring these alternatives to market as soon as we can.

But we also need to be serious about nuclear energy. France produces almost 80 percent of its electric from nuclear energy. In America, we've put such a stranglehold on the ability to construct a nuclear plant that it takes over 15 years and billions of dollars to maybe, maybe get one sited, much less build it and to operate it. We can meet all of the safety concerns of nuclear energy in a much more efficient way that would allow people to bring these plants on and save the oil, gas, and coal that is used today.

But even if we did all of these, we haven't done enough. We haven't done enough to take the step toward truly helping Americans be energy independent. And that's where we need to drill. We need more American-made oil and gas. And we can do this. But a lot of people on the other side continue to say no.

1989, when the ANWR bill was on this floor, GEORGE MILLER, my colleague and friend from California, said, We shouldn't pass this. Because even if we passed it, we wouldn't see any oil or gas out of ANWR for 10 or 12 years. Well, let's see. I'm not the greatest mathematician, but that was somewhere around the year 2000 we would have started to see a million to a million and a half barrels of oil a day coming out of ANWR.

The House has passed ANWR drilling legislation 10 or 12 times. It's the Senate that continues to block it. But in 1995, the Senate actually came along. We passed an ANWR drilling bill. We sent it to President Bill Clinton. And he said when he was vetoing the bill that well, even if this were to become law, we wouldn't see any oil or natural gas out of ANWR for 10 years. Well, let's see. That's 2005. So for the last 3 years we would have been getting a million to a million and a half barrels of oil a day.

Now, my colleagues on the other side want to make all kinds of excuses. They want to blame the speculators, they want to blame the oil companies, they want to blame everybody other than who they should blame. Get the mirror out. Look in the mirror, because it's my colleagues on the other side over the last 20 years who, over 85 percent of the time, have voted to block more American-made energy. Every single time.

Now, we've been having this debate the last several months about having a pro-energy vote here on the floor of the House. Right here. Right here in the people's House. Why can't we vote? Why can't we have a debate? Why can't we let the American people see where their Congress is, where their Members are? What do we have to fear? Oh. We have to stop the appropriation process because oh my goodness, somebody might offer an amendment that would lift the moratorium on offshore drilling. We can't expose our Members to a vote like that. They might vote the wrong way.

Why can't we have a vote right here on the floor of the House on drilling in the Arctic National Wildlife Refuge, a 19-million acre plot of ground and where we would use about 2,000 acres to actually do the drilling? Now, if you want to look at that, that's the size of a postage stamp on a football field. That's how much of ANWR would be affected by oil production up there.

Why not have a vote? Why not let the Members make a decision. Offshore oil drilling. How about oil shale in the Intermountain West? Why can't we have a vote here to have more energy production?

But I'm going to say it one more time. We need to do all of the above if we're serious. And we can drill in an environmentally sound way, and that's what we should be doing.

Madam Speaker, I support the gentleman's motion to instruct, and I would tell my colleagues on the other side we're not going to leave here for the August recess until we get a vote on having more American-made energy.

And I see my friend, the majority leader, coming down. Maybe he can promise us that we will get a vote over the next 3 weeks on having more energy produced right here in America.

Mr. CAPUANO. Madam Speaker, I yield 1 minute to the majority leader, the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding.

I was in my office, as I have been over the days recently, where I see the distinguished minority leader rise, I see other Members on that side of the aisle rise, beat their chests about drilling. My side of the aisle is for drilling. We just had a press conference on drilling. But as I sit there, I think to myself, you know, the American people gave the opportunity to the Republican Party, the minority party now in the House of Representatives, to lead this country; and they gave them all of the power in Washington. They gave them the Presidency, the House of Representatives, and the United States Senate. They did that in the year 2000. They had already given them the House, and two oil men were elected President and Vice President.

In January, the Vice President decided to have, and he had over the coming months in 2001, he convened a meeting, a secret meeting of those involved in the energy industry to adopt energy policies.

Now that meeting—the minority leader is now leaving, but we will see him later—that meeting perhaps resulted in success, I don't know. I don't know what the meeting was about.

But during the course of the Presidency of Bill Clinton, oil went from $1.06 to $1.46. A nickel a year, 5 cents per year was the increase in the cost of gasoline at the pump for Americans.

□ 1230

And then, President Bush, Vice President CHENEY, the Republicans came to town, all of town, and gas went from $1.46 in January 20, 2001, to over $4.10 on average throughout this country. Pretty stark. It now goes up from time to time 5 cents a day, where under Bill Clinton 5 cents a year.

And then the Republicans, 5 years later, adopted a bill, 2005, their energy policy. They were in control of the House, control of the Senate, and they had the Presidency. They passed that bill. Gas was then about $2.20. And they said we've adopted an energy policy—said it on the floor, said it when they signed the bill—we have done a bill now that's going to stabilize prices, going to make sure that Americans have energy supply. That's what they said. That's not what we said.

Now, ladies and gentlemen who are listening to this debate on this floor, I tell you that there are 68 million acres right now, right now available for leasing. You wring your hands and say, well, open up places for drilling. We've done that, friends. Look at the statistics, 68 million acres in the lower 48 and another 20 million acres, give or take a million, in Alaska.

They talk about a wildlife refuge that they want to drill in, but they don't talk about the 20 million acres in the National Petroleum Reserve area in Alaska currently available. The administration could be pursuing leases on it. We may well have legislation to say, Administration, start moving, start drilling, start bringing product to the market so we'll bring prices down.

Now, of course, one of the aspects of bringing prices down, my friends, will be that the oil companies will make less profits. I know everybody in America believes that the oil companies want to get more products so they can bring prices down and make less profit. I know all Americans believe that's the way the system works.

The Republicans keep harping on drilling. We want to drill. We want to produce more American product. And by the way, we're going to bring legislation to the floor that's going to say when you drill, sell it here in the United States of America, keep our resources here in the United States of America.

I want to tell my friends, there are 88 million acres. And now, let me tell you something, 88 million acre, that's Maine, Vermont, New Hampshire, New York, Connecticut, Massachusetts, Rhode Island, Delaware, and most of Maryland. Now, I know my friend from Texas thinks that's not much of an area of space, but I will bet everybody listening to this debate thinks that is a pretty large piece of property on which you can drill in America today. Why? Because we want to produce energy.

But I will tell you, one of the reasons we're in this pickle is because for a quarter of a century, for a quarter of a century that I've served in the Congress, a little more than that, the Republican Party has taken the position, no, we don't want to invest in alternatives, we don't want to see alternative energy sources developed.

And you can say it's not true as much as you want, I tell my friend, but the record reflects that has not been the priority. The priority has been, let's get more oil. We want to get more oil.

But I will tell you a country, as Boone Pickens said—I don't know whether you read Boone Pickens. He's one of the people who thinks that some of the policies you have been pursuing aren't too bad. He's not a Democrat. Here is what Boone Pickens said. The problem, of course, is our growing dependence on foreign oil. It's extreme, it's dangerous, and threatens future generations. And he says in this article in The Wall Street Journal, you are not going to drill yourself out of this hole that we've dug. He says, rightfully, that we need to see investments in alternatives.

Now, happily, last year when we took office, took control of the House and

the Senate, we adopted a bill, the President signed that bill, which looks to alternatives to complement the relatively small supply. America demands 25 percent of the energy resources in this world, and we have 3 percent of the petroleum supply. My friend the minority leader said he wasn't much of a mathematician, but you don't have to be much of a mathematician to know that if you're relying on that 3 percent, it's not going to be there very long.

So, yes, my friends, we need to find more domestic product. We need to drill where we now have authorized drilling to occur, and if that doesn't produce the resources that experts tell us are on that property, then I tell you this. Then we ought to look at other alternatives, and perhaps we ought to look at other alternatives now.

But for you to have a blind eye and pretend to the American people that somehow we're not allowing people to pursue drilling on our soil here in America and on the Outer Continental Shelf, I want you to know, that is currently authorized where drilling is not occurring, then you are misleading the American people. The American people ought to know: The Democrats want to make sure that we have more domestic product.

The Speaker has written a letter to the President just the other day saying, Mr. President, we have 773 million barrels of oil that are in our Strategic Petroleum Reserve. Mr. President, use some of those, as your father did, as Bill Clinton did, at a time of economic crisis to help our people, help our people get to work, help them get their kids to school, help them afford their other expenses.

So I tell my friends that we need to deal with this issue. We're going to deal with this issue. We're concerned about this issue, all 435 of us, but to hear day after day after day that somehow we, who came to office just 18 months ago, after an energy policy was conjured up by the Vice President and the White House and an energy bill was passed in 2005, that somehow, somehow what's happening now is our fault, the American public aren't buying that. Polls show that.

But I will tell you, that we can work together because we need to be energy independent. It's a national security objective, an economic security objective, and we also need to keep our environment from choking our children and generations to come.

We're committed to both of those objectives, and we will join with all those who want to do the same.

Mr. NEUGEBAUER. Madam Speaker, one of the things I want to say is we are more than willing to work in a bipartisan way if the majority leader has a plan to supplant the fact that we import 13 million barrels a day. If he's got some plan to do that, the Republicans will stay here till December to pass that legislation.

I just want to also let the gentleman know that the largest wind farm in the world is in my congressional district, and there's more wind power in my congressional district than in the whole State of California. We were able to accomplish that in just 5 years.

Madam Speaker, what the American people that are here today, they want to know is, is this Congress, is this majority, going to do something about energy. Either yes or no.

Mr. CAPUANO. Madam Speaker, I think everything that needs to be said has been said. I appreciate the opportunity to listen to the preview of the November election. I look forward to seeing the 30-second version. I don't know how it's going to be cut down, but I'm looking forward to it.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Mr. CAPUANO. Madam 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, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1317, and adopting House Resolution 1317, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1317, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 226, nays 185, not voting 23, as follows:

[Roll No. 480]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards (MD)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode

Goodlatte
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—23

Andrews
Boswell
Brown-Waite, Ginny
Carter
Dingell
Edwards (TX)
Fortenberry
Frank (MA)
Frelinghuysen
Gohmert
Granger
Harman
Hill
Hulshof
Kennedy
Pickering
Pryce (OH)
Reyes
Rush
Smith (TX)
Speier
Waxman
Wilson (NM)

□ 1304

Messrs. SAXTON, EVERETT, RAMSTAD, EHLERS, and KINGSTON changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 182, not voting 28, as follows:

[Roll No. 481]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hunter
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—28

Andrews
Blunt
Boehner
Boswell
Brown-Waite, Ginny
Cannon
Capuano
Dingell
Fortenberry
Frank (MA)
Frelinghuysen
Gohmert
Harman
Heller
Hill
Hoekstra
Hulshof
Issa
Lungren, Daniel E.
Murphy, Patrick
Pickering
Pryce (OH)
Reyes
Rogers (MI)
Rush
Smith (TX)
Waxman
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RAHALL. Madam 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.R. 1286.

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

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1317 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1286.

□ 1314

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, with Mr. ROSS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

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

Today, we are considering H.R. 1286, legislation introduced by our colleague, Representative MAURICE HINCHEY of New York. I might also add that it was some 9 years ago that the initial study on this legislation was initiated by our colleague from Connecticut, Mr. JOHN LARSON, and I wish to commend his leadership, as well as Mr. HINCHEY's leadership on the pending bill.

The pending legislation will designate a National Historic Trail, tracing the routes taken in 1781 by the armies of General George Washington and French Count Rochambeau on their march from New England to face the British Army at Yorktown, Virginia.

The story of this trail is a fascinating piece of our history. The French Army, after wintering in Newport, Rhode Island, marched southwest in early July to join General Washington and his troops at Phillipsburg, New York. On August 18, the soldiers, and their provisions and armaments, started to slip away from Philipsburg.

The troops and their supplies traveled 600 miles over a network of strategic roads and waterways through New Jersey, Pennsylvania, Delaware, Maryland, the future District of Columbia, and Virginia. They reached Williamsburg in late September, 1781.

With a French fleet in the Chesapeake, blocking British reinforcements from New York or a sea escape for Cornwallis' troops, Washington and Rochambeau laid siege to Cornwallis' army at Yorktown. Three weeks later, on October 19, 1781, the British troops laid down their arms.

I would note that when we bring forth legislation of this nature, concerns have been raised in some corridors regarding any potential impacts on private property rights. I can assure this Committee that most of this trail follows public roads or crosses public lands. While the historic route does cross some private lands, the National Park Service does not propose or anticipate any acquisition of private lands.

I would also point out that nothing in the National Trails System circumvents the authority of the States over hunting and fishing. However, to make this matter crystal clear, the rule governing debate over the pending measure adopted an amendment which reads as follows. Again, the rule governing debate over the pending measure adopted an amendment which reads as follows:

''Nothing in this act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.''

I would say this language covers all the bases. Nothing in the pending measure in any way, shape, or form supercedes the authority of the States over hunting, fishing, trapping, and shooting.

This is essentially the same language this body adopted last April by a vote of 416–5 during consideration of H.R. 2016, the National Landscape Conservation System Act, per an amendment offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

I would close by noting that the trail designated by this bill follows the recommendations of a National Park Service study, and the Bush administration supports this legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Over the July 4th holiday, my wife and I rented the movie 1776. It's one of my favorite ones. It has some historical accuracy, a lot of historical inaccuracies, but it's a fun movie.

In the exposition of that, to show John Adams's frustration at Congress at that time, he was called down to vote on a motion by Josiah Bartlett of New Hampshire, which is an effort that says that during the hostilities in which they are in, they shall dissuade any kind of dissipation, any extravagances, any gambling, or any horse racing. That is when John Adams explodes and goes out on the street, with the classic lines in his opening song, which says about Congress in 1776: We piddle, twiddle, and resolve not one—I can't use a swear word here, but it's in there—not one thing do we solve.

Now, the issue at hand in 1776 in Philadelphia was independence. They had already been fighting for a year. They had raised an army and appointed George Washington to do battle. Yet, they still refused to talk about the key sole issue of the day, which was independence. Instead, they talked about everything else, every small, piddly idea they could come up with, rather than coming to the core. And that was John Adams's frustration with that.

As I was watching that movie, I thought, Gee, that is exactly like Congress today. We are doing the same thing.

I have to admit that I have a sense of frustration with congressional leadership. It's a 4-hour flight for me to come back here. Yet, every week I have been coming back on that 4-hour flight to deal with non-issues. We haven't dealt with homeland security, we haven't dealt with the appropriations, we haven't dealt with energy issues.

Instead, the key issue of this week is to federalize a trail that already exists, that is controlled by local governments, and there is absolutely nothing, nothing the Federal Government can do on this trail that couldn't be accomplished by States and local governments through a well-written interlocal cooperation agreement.

The sponsor does not live in the area of this trail. It encompasses nine States. Not all of the Members of Congress who are impacted either in the trail area or abutting the trail area are cosponsors.

The other side cannot even refute how many people understand or know that this trail is going to be impacting their lives. The estimates we have are less than 10 percent are understanding about this.

Yet, the key issue is not necessarily the trail, because it's already there. The key issue is who will be making decisions in the future about this trail. If it were possible that everyone involved in this particular trail was happy about it, they liked the idea, they wanted it, but at some future date would like to make a decision about that trail, by passing this bill, all of a sudden we change the process and the place of that decision from localities back here to Washington.

It's about power, it's about where do you actually make decisions in America. It's about empowerment of individuals. This bill simply takes the decision-making process away from localities and puts it back here in Washington, where we have too many decision-making powers that we are already avoiding as is.

They did take one amendment of mine and they eviscerated it, an amendment that dealt with second amendment rights, an amendment that dealt with all second amendment rights. Yet, the issue at hand that is now part of the underlying bill through a self-executing rule only deals with hunting, not all second amendment rights, which was the goal and the idea and what should have been in place, which simply means that if I'm hunting, I'm okay on this trail. If I'm trying to protect myself, I'm not. If a mugger tries to attack me, I cannot protect myself unless first I'm trying to hunt the mugger. Or if a moose is shot by me, I better shoot it in the posterior because if a moose is charging me, no longer is that hunting, that is now self-defense, and that is not allowed with the amendment that came in here.

It is simply an absurdity of situations, and it's not an unrealistic absurdity. Even the Washington Post did a recent article about serial killers along the Appalachian Trail. It is not a false fear in there, it's a realistic fear. It's a realistic fear that will be noted that when the Democrats made this self-executing rule, they did not defend all of the second amendment, only the so-called hunting rights, which is not, not the purpose of the second amendment.

But this is now simply the only bill that we will have of significance today.

It's basically the crux of this entire week, which simply means Democratic leaders don't want to address other issues. Specifically, energy issues. There is no issue of comprehensive policy of what we will be doing to address the energy crisis the Americans are facing. The appropriations process has simply shut down over the potential of doing that.

So I fly back for 4 hours to come back here last week to talk about banning pet monkeys from crossing State lines. The week before, about the Chesapeake Bay. This week, I came back here so we could talk about a trail.

Mr. Chairman, in all due sincerity, this is nothing but legislative filler. We are not dealing with the real issues that affect people or should be affecting this Congress, we are dealing with the small stuff, the triviality, the legislative minutia. This is like junk food, like cotton candy. It's there. It's fluffy, it's airy. But it is not filling and has no fiber. It gives the illusion of activity, but in essence we are dealing with a cotton candy agenda.

We have in essence a Democratic de facto filibuster against energy, against ever talking about it in any way, shape, or form. Instead, we have a trail. A trail that already exists, a trail that would be federalized, a trail that encompasses more power back here in Washington, instead of allowing people to help make decisions for themselves.

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

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

Mr. Chairman, I want to illustrate the importance of this issue which we are dealing with here today and an issue in which I rise in strong support. It is a bipartisan effort to implement the National Park Service's study that Congress mandated back in the 106th Congress. It's an issue that has been pending for some time.

The National Park Service study recommended that we designate as a National Historic Trail this 600-mile route used by the allied armies under General George Washington and French Count Rochambeau in their epic march that led to the victory at Yorktown, Virginia, in 1781, and the independence of the United States of America.

The trail travels mostly along existing roads, throughways, and publicly navigable waters from Rhode Island down to Yorktown, Virginia. Designating the Washington-Rochambeau Revolutionary Route as a National Historic Trail will help spur a greater understanding of our shared history and will help illuminate the important battle of a young country and its French allies against the rule of King George.

I'd like to thank especially Chairmen RAHALL and GRIJALVA for moving this legislation through the hearing and markup process in the Natural Resources Committee. I greatly appreciate their support and assistance and that of their very capable staff.

This designation is important because we have identified the scope of resources that we need to more effectively commemorate this historic event. In particular, I am thrilled that the expanded involvement of the National Park Service to preserve and interpret the route will highlight to Americans, young and old, our earliest struggles as a country for our independent rule on behalf of all of the people of our country.

The designation also calls for the involvement of State and local historic organizations interested in commemorating the heritage of the American Revolution, with a particular focus on the States of Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia. It was on the 16th of December, 1999, that the Revolutionary War enthusiasts supporting a National Historic Trail designation of the Washington-Rochambeau Revolutionary Route organized themselves at the Washington headquarters in Newburgh, New York.

They advocated for the route essentially defined by the march taken by the Continental Army of General George Washington and by the French Army of Count Rochambeau on their way to their ultimate victory over British forces under the command of Major General Charles Cornwallis in Yorktown, Virginia, in 1781. The route also included the march of the French Army in 1782 as it returned back north up to Boston.

□ 1330

In a 1999 interview with the historical magazine ''American Heritage,'' renowned author David McCullough claimed that ''as you are working on the Revolutionary War, as I am doing now, you realize what the French did for us. We wouldn't have a country if it weren't for them,'' David McCullough said. For that America will be forever grateful for the army led by Rochambeau, and this trail will significantly symbolize our appreciation and dedication to our shared history.

I would like to thank all of the Revolutionary War enthusiasts, the National Park Service, and the many Members of Congress whose districts particularly host the route who have cosponsored this legislation. All of these participants helped make this designation possible. It is a designation that will raise to a much greater level the quality of heritage preservation all along the route by providing signage and other commemorative work directed toward linking the Allied encampments along the Revolutionary march with a self-guided auto route, auxiliary hiking trails and appropriate historical signs.

This commemorates one of the most significant events in the history of the United States of America. It is our major victory in the Revolutionary War, which led to the independence of our country, the foundation of our Constitution, the creation of the Bill of Rights, and the leadership that we have provided for the following centuries around the world. I am very much in support of this bill. I hope that every Member of this House of Representatives will vote for it.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield to the gentleman from Illinois (Mr. SHIMKUS) such time as he may consume.

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

Mr. SHIMKUS. Mr. Chairman, I come in support of the legislation. I served, as many people know, in the United States Army for 5 years actively, 23 in the Reserves, a West Point graduate, great respect for George Washington, who established the fortifications there at West Point, the longest active military installation in the country. Of course, this constitutional Republic owes a great debt of gratitude to the French, and it is unfortunate we have to use discussions on this to come to the floor and exercise our rights of freedom and speech to talk about a new Declaration of Independence. So with respect to the chairman, I hope he will indulge me.

When we talk about the day-to-day and we talk about around the Fourth of July, America knows that we are held captive to imported crude oil as energy and that we have to break away to become energy independent and free. There are a lot of ways that we can do that, and I believe there is a huge consensus in this Congress today. Unfortunately, that consensus is not being allowed to be brought to the floor, and that is why we have to use legislation like this to exercise our ability for free speech to talk about pressing concerns.

We all know the problem, and I have tried to change my debate and discussion away from the basic partisan aspects to just the realities. And the reality is when President Bush became president, the price of a barrel of crude oil was $23. I highlight it here. I don't shy away from that fact. When the Democrat majority came in, the price of a barrel of crude oil was $58. Yesterday, I haven't checked the spot price today, but yesterday's price was $140. And all I have said on this floor now for about 12 weeks is that this trendline is bad, this trendline for our economy, for our middle class, for our lower middle class, for rural America, is not sustainable, and that we have to address this. And we can. We can address it in a bipartisan manner on this floor. There are a lot of things we can do.

We have tried on this floor numerous times to bring alternative fuel standards, the debate of using American coal, the largest recoverable resource we have. We have the largest recoverable resource of coal as any country in the world in coal. People don't understand that, but we do. The Germans developed technology in World War II to

take coal and turn it into liquid fuel. Wouldn't that be helpful today in the high energy prices, to be able to take something that we have a lot of and turn it into liquid fuel to help us become more independent from the importation of crude oil, especially from dangerous places around the world, places that really don't like us and we really would like to not have to be there.

So when we talk about becoming energy independent, we would like to say we are always going to need some, so we have got North American allies, the Canadians, a great source of imported fossil fuels, Mexico, a great supporter of fossil fuels. Using that, using our own coal reserves and our other resources, we could become independent from imported crude oil from other places.

We are independent on energy for electricity. We produce in our country the electricity we need. So we can be independent. We are not independent on the energy we need in liquid fuel.

One way we do this is with our great coal reserves. I am from Illinois, 250 years worth of recoverable coal. You go to a coal mine, you build a coal mine, American jobs. You operate the coal mine, American jobs. You build a coal-to-liquid refinery, American jobs. You operate that refinery, American jobs. You actually have a tax base developed for our local schools.

You build a pipeline from these refineries to maybe the local airport. Four budget airlines are bankrupt. That means baggage handlers, ticket takers, pilots, planes sitting idle because they can no longer compete with the high aviation fuel. Well, you can make aviation fuel from coal-to-liquid technology,

The United States Air Force is the number one aviation fuel user in the world. Every time this barrel of crude oil goes up $1, it costs us, the taxpayers, $60 million just to pay the aviation jet fuel bill. They are asking us to do this. If we want to become energy independent, as we are speaking about the independence of our country, being free from foreign oppression, being free from foreign influence, we have to become energy independent.

Another way to do this is the Outer Continental Shelf. Great resources, billions of barrels of crude oil, trillions of cubic feet of natural gas, just waiting to be explored and recovered. These areas here in red are off limits by a dictate imposed by Federal legislators 25, 30 years ago, in a spending bill. We said in a spending bill you can't go off the east coast. You can't go in the eastern Gulf. You can't go on the west coast. It is off limits. So a way that we could become more independent, energy independent, would be to use our vast coal resources and to open up the Outer Continental Shelf. I have another chart here I forgot to bring that talks about wind and solar.

But the great thing about the Outer Continental Shelf is this: When we allow industry to look for, find and recover this, it is my understanding they have to pay us for that, and how they pay us is in royalties. So if we are going to use money for solar and wind and renewable energy, what a great place to get the pay-for.

I got a lot of Blue Dogs, they have been fighting the battle on pay-fors. What a great pay-for, to become energy independent by using the available oil and gas reserves, bringing more supply to the market, lowering the price.

It is all gain. There is no disadvantage to using our coal resources and creating jobs. There is no disadvantage to opening up the oil and gas reserves off the Outer Continental Shelf. And really there is no disadvantage into going into the Arctic National Wildlife Refuge, an area the size of the State of South Carolina, a drilling platform the size of Dulles Airport. To put it in perspective, take a football field and put a postage stamp on there.

When you hear people talk about the Arctic National Wildlife Refuge, it is not like Woodland Park in my hometown of Collinsville, Illinois. That might be a little bit disruptive if you are drilling. It is not disruptive in an area the size of the State of South Carolina.

So the frustration for me as a member of the Energy and Air Quality Subcommittee and the Energy and Commerce Committee is we can't even have this debate in the committee. If we could have this debate in the committee, if we could move a bill and get it to the floor, we could use that time to debate energy. But, unfortunately, we have to use this time on a historic trail that helps us remember where we come from, helps us remember our national heritage.

We have obviously the portrait of the Marquis de Lafayette right here in the Chamber. Remember when we have had trouble with our French friends, they were here when we needed them and were instrumental to this Republic, and we need to thank them. Anything we can do as a history teacher to remember history and strengthen it for future generations, I am for.

I just hope what we want to do in the history, I hope we are willing to do the same thing for future generations for energy independence. And I challenge my friends to bring on the environmental restrictions. We can meet them. But we have to have a whole portfolio. I am willing to join you, if you all let me.

With that, I would like to thank the ranking member for the time.

Mr. HINCHEY. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the gentleman from New York (Mr. HINCHEY).

I came to the floor today to speak about the underlying legislation, which is incredibly important to those of us who reside in Connecticut, where 340 miles of this proposed route lies, more than in any other State along this historic trail. But I can't sit here and not respond to some of the comments from our friends from across the aisle.

I appreciate this newfound interest in trying to make this country independent of oil outside of our bounds, independent of energy sources produced outside of the United States. The problem is that our friends on the other aisle who controlled this House of Representatives for 12 years are too late to the game.

It is a shame, a travesty, that we are sitting in this situation that we are today, not only with gasoline in Connecticut, where I come from, at $4.30 a gallon, but across this Nation families are being held hostage by a product produced and priced outside of this country.

We could have made different choices in this House if we had had leadership on the Republican side of the aisle, who controlled it for 12 years in conjunction with a President who sat in the White House for six of those years. We could have been in a very different place today. But we are not.

So, as Democrats, we are standing up, passing legislation to hold OPEC accountable for price fixing; investing in renewable resources to try to finally get this country off of that oil that we are far too addicted to; and going after those who would try to price-gouge and take advantage of the current economic situation. In all of those situations there are veto threats from the President and far too few of our friends from the other side of the aisle joining us. Now, there is consistency there. For 12 years they neglected the growing energy crisis, and now we don't have enough bipartisan cooperation across the aisle.

So I appreciate the fact that on a bill that is very important to those of us in Connecticut, that we have a little bit of an opportunity to talk about the crisis that is affecting American families. I just wish that our friends on the Republican side of the aisle had been doing a little bit more talking about this subject before we got here, the new members of this class. I wish that we had been talking about this 5 years ago and 10 years ago, and we wouldn't have to be talking about it in such grave terms here today.

Mr. Chairman, I want to talk just for one moment about how important this underlying bill is going to be to us in Connecticut, for it is important for us to celebrate our heritage. What makes us so great as a Nation is that we celebrate it, we respect it and we pass it on to new generations. And so when I look at that 340 miles of this historic trail that is going to lie in Connecticut, I think great things about what it is going to mean to have more resources and more Federal recognition for the students and the children who will walk that trail, who will visit the monuments and markers across it, and will have even more reverence for the history that brings us here today.

□ 1345

Graves of French soldiers still sit in Waterbury, Connecticut; the spot on which the Caleb Baldwin Tavern sat in Newtown.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HINCHEY. I yield 1 additional minute, Mr. Chairman.

Mr. MURPHY of Connecticut. I thank the gentleman from New York.

A historic tavern in Newtown, Connecticut where General Rochambeau and his troops made several stops continues to be talked about today as an important part of the historic tradition of Western Connecticut.

This is going to add to the historic legacy that of course makes us what we are in New England, makes us so proud of our very unique role in the making of this Nation. And what makes this Nation great is that even in moments of trial like we have today, with families faced with increasing costs of energy and health care and education, that we can come together and propose solutions. I just think that it is too bad that we didn't do something about this before this moment. I think it is too bad that we have to come to this floor in such a crisis mode as we do today. I wish our friends from across the aisle had done a little bit more when they controlled this House. I think that would have done a lot more to fulfill the legacy that we celebrate today than the moment that we are in right now.

Mr. BISHOP of Utah. I am pleased to yield to the gentleman from North Carolina (Mr. HAYES) such time as he may consume.

Mr. HAYES. I thank the gentleman from Utah for yielding.

As we stand here today, I think this is a good bill. We all support it. But as a segue into what the real issue for the American people and people here in this Capitol building is today, how can you afford the gas to drive or fly to go see the area that we are talking about today?

Our friend just talked about what happened. Well, Congressman SHIMKUS reminded us that during the 7½ years of the present administration, gas prices went up but not anywhere nearly as dramatically as they have in the 18 months since our friends across the aisle, the Democrat majority, has controlled. But let me make a very strong and separate point.

Many friends on the Democrat side, including the chairman and others, the person sponsoring the bill, these folks want to do what we, the minority, want to do. And that is, all of the above. There have been some neat things done by this House during my almost 10 years here.

CAFE standards. I voted for that. Better mileage. That is important. The American people have heard us, and they are working hard to conserve. Price gouging. That is a piece of the puzzle. I voted for that. Speculation. We have had hearings yesterday, today, tomorrow. That is an interesting subject. I support that to the extent it affects the issue before us today. But an attorney from a local university made the point today that speculation adds liquidity to the market. Excessive speculation causes problems. He hasn't told us where excessive begins.

But it is important that we look into every single issue that impacts our constituents at home, and that is the price of gas. My friend from West Virginia absolutely knows as well as anybody the importance of utilizing our coal resources. Thank goodness for West Virginia, among others, and their production of domestic energy resources.

As you look at our future and our economy, which includes, among other things, food prices, and you see what the incredibly outrageously high price of gas has done to us, you have to come to the conclusion and let those good people in both parties and on both sides of the aisle have a simple, straightforward vote on whether we are going to become more active in domestic energy resources.

Domestic energy. We have a small group of people, and they apparently have an unusual hold on the Democrat leadership. That group says no to nukes, no to coal, no to tar sands, no to expansion of refineries. We cannot afford and common sense does not allow for us to maintain that position.

I think it is extremely helpful that we are having a lengthy debate. And, again, a lot of good points have been made, but I will refresh everyone's institutional memory to the fact that this House, Republicans and Democrats, in previous terms before we had a switch in majority passed all of the legislation that we are talking about bringing up again today, including exploration drilling in ANWR and off the Outer Continental Shelf. However, our friends in the other body saw fit not to send that to the President's desk.

Well, the distinguished majority leader mentioned today how we should use our reserves. I could support that if it comes to the floor. But I am also on a letter, as many of you others are, telling the President to release the moratorium. We cannot afford, Democrats, Republicans, or anyone else, to leave our constituents hanging out to dry with unbelievably high gas prices.

So I support the minority leader's call for meaningful energy legislation, including votes on nuclear, votes on drilling which the American public has very clearly said, and at the same time I will reemphasize what the majority and minority, regardless of who is in that position, has said over and over again: Environmentally sound? Absolutely. Safely? Without question.

And again thanking you for the time, I wrap up by saying we, this body, regardless of party, has been guilty in the past of using lowered gas prices to conveniently forget how important independence and our future energy needs are.

So that is why I have a piece of legislation, and I would welcome any and every one to join me on, that says every additional dollar of revenue created by new leases will go to a trust fund that can only be used for alternative sources of energy. Wind, waves, solar, everything needs to be on the table, ethanol, methanol, biodiesel.

Gentlemen, I support your bill. But, again, let's get ourselves together and make sure that we get to vote on what the American people and the majority of this Congress want, and that is lower energy prices.

The CHAIRMAN. The gentleman from West Virginia has 17½ minutes remaining; the gentleman from Utah has 8½ minutes remaining.

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

For some time now, the Democrats on this side have been watching our colleagues on the other side of the aisle time after time on bill after bill come to the floor and defend multinational oil conglomerates, and now they claim to be the friends of coal as well.

My colleague from Illinois (Mr. SHIMKUS) gave us a great presentation on coal-to-liquids, as has been done a number of times, and there is not much I can disagree with in his presentation about the coal-to-liquids. But it is, and the fact of the matter is, that it is pure and simple that it is the oil industry and their defenders here in the Congress that have time and time again undermined the viability of a true alternative fuels industry in this country. And let me back that up by example.

In the 1940s, the Synthetic Liquids Fuels Act passed the Congress and appropriated over $80 million for research and production. By the 1950s, America was producing thousands of gallons of synthetic gasoline a day at a test plant in Missouri. But the discovery of cheap oil combined with a lobbying effort by the oil industry caused the government to abandon its synthetic fuel research.

Let's hark back to the 1970s and that oil crisis that we all faced and the long gasoline lines. The Federal Government briefly pursued synthetic fuel production. But once again, when the price of oil receded, interest in coal-derived fuels faded. And here we are again, with oil prices and talk of synthetic fuels both on the rise.

The Congress has a duty, a responsibility to the American people to do much more than simply coddle the oil industry and let history repeat itself. We also need to do more to discourage foreign oil cartels from temporarily manipulating oil prices for the sole purpose of destroying a competitive domestic fuel source.

And if my friends on the other side of the aisle were serious about coal, they would be pressuring this White House to back away, the two oil men in charge, to back away from its cozy relationship with those cartels. Instead, they want to roll over and give Big Oil everything it wants, no strings attached.

Furthermore, the Republican-led Congress had 6 years under the Bush administration to go about making meaningful contributions to clean coal and coal-to-liquids fuels. If Republicans in Congress were truly serious about producing the next generation of these technologies, then we would already be seeing these technologies coming to light today and the capabilities thereof.

I would remind my colleagues on the other side of the aisle that in 2000, President Bush while running for office pledged to spend $2 billion over 10 years for a clean coal technology program, a program that the Democrats initiated in the 1980s. He never made good on that promise and allowed in only about half of the promised money while claiming credit for the full pledge.

During its tenure in leadership of the Congress, the Republican Party did nothing to buck the President's low balling for clean coal programs. Again and again, the President's party voted for his budgets to cut funds for clean coal research.

Now, if the other side were truly serious about supporting coal, they would have added funding to clean coal budgets and they would have done more to put coal on a more even footing with oil and gas. They did not, and now we are seeing the consequences of high energy prices that Americans are experiencing.

So the fact of the matter is that the energy challenges that our Nation faces demand more than rhetorical battles on the floor of this body. Certainly our constituents would agree, and they are feeling the energy pinch and deserve much better.

We need to put our energies into finding common ground to achieve real workable solutions to our energy problems. And towards that end, we need to be working on our energy challenge from two ends at the same time: The environmental end and the supply end. If we take that approach, then we can build a viable coal-to-liquids industry.

Unfortunately, too much of the talk in this body in recent weeks has been focused only on supply, and not enough of it has considered the environmental hurdles that we face.

As worldwide pressure mounts to address carbon emissions, the coal-to-liquids industry recognizes that to be economically successful, it must also be environmentally successful. But this administration has done nothing to help the coal industry address the environmental side of this energy challenge. So we need to invest more in environmental research and development, something that Democrats have been arguing for, but that our Republican colleagues during their 12 years in control of Congress have continually relegated to the back burners.

By failing to lay the environmental foundations for coal's future, this administration has opened the opportunity for foreign nations, most notably China, to bolster their coal fuels industry, putting our own Nation's future fuel production and economy at a disadvantage. This administration has failed to invest in new emissions technologies, technologies that we can use here and we can sell overseas; and, as a result, we risk watching worldwide emissions grow unchecked as we become more and more beholden to yet another set of foreign producers for our fuel, with China at the very lead.

So, Mr. Chairman, I say to my colleagues on the other side who keep coming to the floor on bill after bill and speaking about the energy crunch, which is indeed on the uppermost of every American's mind today and the high price of gas, that we do need to address this in a bipartisan way and in a way that uses all of our domestic sources of energy and in a way that does not coddle one domestic energy fuel over all others, especially when that energy fuel is trying for its own competitive advantages to put other domestic sources of energy at a disadvantage.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I apologize for starting out here with my old profession as a teacher coming out. But the gentleman from Connecticut and a couple of others on this floor have said some things that I think bear discussion simply as a review on the fundamentals of how legislative government works around here.

Outside in the hallway we have the distinguished Speakers. Most of them are the most recent ones, but there are the four that I always consider to be the four great speakers of this House, one of whom was Thomas Bracken Reed, who is the one that transformed this House from a minority body into a majority body. He is the one who determined, in fact he said: If the tyranny of the majority is harsh, the tyranny of the minority is unendurable. And he was the one who prohibited the practice of calling a roll call and then not allowing people to say ''here''; therefore, not having a quorum to conduct business. He forced the counting of a roll call, which made this from that time on a majoritarian body.

The problem we have over in the Senate is that has never been a majoritarian body; it will always be a minority body. It takes 60 votes to cut off the debate and move onward.

□ 1400

So even though today the Democrats have the leadership positions in both the House and the Senate, I would never jump to the conclusion or the inaccuracy of saying that the Democrats control Congress because the Democrats will not control the Senate until they have at least 60 votes there. It is a minority body.

In like manner, the conversation that Republicans controlled Congress for 12 years and didn't do anything has the same problem because in none of those 12 years did Republicans have 60 votes in the Senate. And, therefore, a minority body was actually in control.

We have had split government. We will probably always have some form of split government in that respect. But to assume that because there was leadership of both parties is not to assume the same basic core that goes along with that factor. And, indeed, over the last 5 to 10 to 12 years, there has been a great deal of energy discussion from this body, and when Republicans were in control of this body, there was a great deal of legislation dealing with energy that was passed in this body only to be prohibited from going through the entire process because this majoritarian body could pass something that the minority-controlled body on the other side could not do.

I appreciate the distinguished chairman from West Virginia of our committee speaking so passionately, especially about coal. I share that passion. We have a great deal of coal in my State. The only difference between the two is, unfortunately, the coal in the State of West Virginia is on private property.

I was so impressed when the chairman had a bill that dealt with wilderness and the coal companies were there to advocate for wilderness because it did not impact them. They were on private property.

In the State of Utah and much of the West, we have the exact opposite problem; the coal is found on public lands. And so I appreciate his commitment to the concept of coal, and even though it may indeed be a form of competition at some time in the future, I take his words as a commitment to try to work forward to try and free up the coal in the West that is on public lands so it can all be part of the energy solution that we are looking for in this Nation.

You know, we are talking about a bill that dealt with Washington. Washington led the troops in an era where he simply was out of ammunition. He had the opportunity of failing, but he did not allow it to be so because the American spirit worked out the details and then worked out the process so he overcame those competitions, those difficulties. The United States today is in the same situation. We are out of energy ammunition, and it is a significant problem for those who are on fixed incomes, the poor and the middle class. If you are rich, this energy problem which we face is merely an annoyance. If you are on a fixed income or a limited income, or if you are poor or middle class, then it becomes a significant life situation so that every dollar that they no longer can spend, that they now have to spend to energy on consumption, is a dollar that they can't spent on such luxuries as Hamburger Helper.

In this particular bill the Democrats accepted an amendment from one of the great young Republican freshmen from Virginia, Mr. WITTMAN. It is an amendment that is still part of this bill that aims to protect energy production and transmission in this particular trail system. It is a microcosm. It is

the appropriate thing to do. The real question then is why not? Why not do this same thing not just in this trail bill, but throughout this entire country so we can honor and protect to do that.

Mr. Chairman, what we are dealing with now is simply the concept of the future of where we are going. We can either find scapegoats or we can find solutions. I think it is time that both sides of the aisle look very carefully at trying to find solutions.

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

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I just want to emphasize how the Members on this side of the aisle are completely dedicated to energy independence and doing everything that is possible to achieve that objective. We did much to try to achieve it during the 12 years that our friends on the other side of the aisle held the majority. But they were not interested at all in achieving that objective, or moving forward in any significant way, not even in any real way.

One of first things that we did when we achieved the majority here last year was to pass a very substantial energy independence bill which moves us strongly in that direction. Not as strongly as we would have liked, but we had to be a little less ambitious about it because we were threatened with vetoes as well as opposition from the other side of the aisle.

But what did we manage to achieve? We managed to achieve energy efficiency for automobiles, the first time that had been done in more than three decades. The first time that had been done in more than 30 years. We achieved a great increase in energy efficiency. We wanted to make it more substantial. We wanted to go as high as 40 miles to a gallon, but the President said he would veto anything like that.

What else did we do? We moved towards creating tax incentives for the creation and purchase of other means of energy independence such as direct and indirect solar energy, and we are working very strong on trying to achieve that, in spite of the fact that the White House has said they are not in favor of it, they are opposed to that and would veto that kind of legislation.

They say that we are not in favor of drilling for our own oil off our own coast. Well, the fact of the matter is that we are not opposed to that at all. We recognize that we now have more than 150,000 wells drilled on the land owned by the people of the United States of America on public land, some of it here on dry land in the lower 48 States and up in Alaska, and the rest of it offshore, mostly in the Gulf of Mexico. That's what we understand. In addition to that, we have 68 million acres of land that has been also leased to these major oil companies but because they do not apparently want to produce any more energy because they realize that if they produce more, then the price is going to go down, they are not drilling on those 68 million acres.

So the fact of the matter is we are moving as aggressively as anyone could, as intelligently as anyone could in the direction of trying to achieve greater energy independence for our country.

The Acting CHAIRMAN (Mr. SALAZAR). The gentleman's time has expired.

Mr. RAHALL. I yield the gentleman an additional minute.

Mr. HINCHEY. Recognizing that we possess probably less than 2 percent of the known oil reserves in the world, we are doing everything we can to use that small amount of oil reserves intelligently and reasonably and in ways that are going to last our people for a long, long period of time. And we are saying to the oil companies either use it or lose it. If you are not going to use those 68 million acres of public land on which you already have leases, then give them up and let us give them to someone else. Let us lease them elsewhere. Let's have some responsible people go down and drill those wells and produce the oil we need which will drive down the price.

So don't say that anybody over here is against drilling offshore. We are very much in favor of it, and we know that they have the leases to do it, and we are doing everything that we can to press them and pressure them to live up to their obligations and responsibilities in the leasing of the public lands that they now control.

Mr. CASTLE. Mr. Chairman, I rise today in strong support of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act (H.R. 1286), which would designate the 600-mile route stretching from Rhode Island to Virginia traveled by Revolutionary War General George Washington and French General Count Rochambeau as a National Historic Trail, connecting the States of Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia. The creation of this Trail will celebrate the Franco-American alliance and the victory of Generals Washington and Rochambeau who faced seemingly insurmountable odds. Importantly, H.R. 1286 will enable the National Park Service to support groups, projects, and activities associated with the trail's preservation and interpretation.

The Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act was introduced to ensure that this history, in all its rich detail, is not forgotten. Although we often remember the victory at Yorktown, too often we lose sight of the heroic efforts of two nations, two armies, and two great men that made it possible. During this historic period the armies marched to Wilmington, Delaware, where the bankrupt Continental Army borrowed from Rochambeau to pay American troops. This designation has the strong support of many state, local, private, and public historic preservation groups and I urge my colleagues on both sides of the aisle to support its passage.

Mr. HOLT. Mr. Chairman, as a longtime cosponsor, I rise in support of H.R. 1286, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act. Students of American history are intimately familiar with the Battle of Yorktown, in which French and American soldiers forced the surrender of British General Lord Cornwallis, effectively handing victory of the Revolutionary War to the American Colonies.

However many Americans are less familiar with what preceded it—a harrowing nine state, six hundred mile journey of more than 6,000 allied soldiers from Newport, Rhode Island, through my home state of New Jersey to Yorktown, Virginia. Many historians identify this march led by George Washington, General of the Continental Army and French General Count Rochambeau along a network of roads, trails, and waterways as critical to the American victory at Yorktown and the eventual creation of the United States.

In Philipsburg, New York on August 14, 1781, having learned that a large fleet of French naval vessels was heading from the Caribbean Sea to the Chesapeake Bay, Washington and Rochambeau discarded plans to siege New York City and march to Southeastern Virginia, where another celebrated Frenchman the Marquis de Lafayette and his 5,000 troops were outmaneuvering Cornwallis, forcing his British troops to bunker down in Yorktown. With little time to prepare, Washington and Rochambeau led more than 6,300 American and French troops on a southward march to Virginia.

H.R. 1286 is an important piece of legislation that comes at a critical time. Despite strong grassroots support from organizations like the National Washington-Rochambeau Revolutionary Route Association, and efforts at the state and local level, many historical sites associated with the American Revolution will be lost to development and suburban sprawl. This bill would designate the route as a National Historic Trail, allowing the National Park Service to preserve and link together sites along the trail. Moreover, this designation would preserve this important piece of America's heritage using existing roads and rights of way—without the federal acquisition of private lands.

Preservation of the Washington-Rochambeau route will allow American citizens and visitors alike to gain a greater appreciation of the magnitude and improbability of the American victory as well as the important and often forgotten role our French allies played in securing American independence. Americans need a sense of history and an understanding of history now more than ever. This trail tells an important story in American history, and I strongly urge my colleagues to join me in supporting this legislation.

Mr. COURTNEY. Mr. Chairman, I rise today in support of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, a wonderful piece of legislation which will preserve both our country's rich history but also its unique environment.

In the spring of 1781, French General Rochambeau and his army of nearly 5,300 men embarked on an expedition from Newport, Rhode Island, to Yorktown, Virginia, to aid General George Washington and the Continental Army in the American Revolutionary War. After traveling through Massachusetts, Rhode Island, and Connecticut, General Rochambeau joined forces with General Washington in Philipsburg, New York, forming a

Franco-American alliance. The Franco-American forces then traveled through New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, eventually arriving at Yorktown. At Yorktown, General Washington and the Continental Army, with the aid of General Rochambeau and his men, secured a decisive victory against General Cornwallis, effectively igniting a successful end to the American Revolutionary War and laying the groundwork for the creation of our new Nation.

Mr. Chairman, the Newport to Yorktown route that General Washington and General Rochambeau led their forces through reflects an indispensible piece of American history. Today, we have an opportunity to preserve this historically and ecologically significant route by passing the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act. The legislation, introduced by my esteemed colleague, Representative MAURICE HINCHEY, will amend the National Trails System Act to designate the route as a national historic trail. Under this legislation, the Washington-Rochambeau Revolutionary Route National Historic Trail will preserve a corridor approximately 600 miles long, from Newport to Yorktown in nine States and the District of Columbia. The Washington-Rochambeau Trail will include a section in my district in eastern Connecticut.

During General Rochambeau's journey to Yorktown, communities in Connecticut served an invaluable role with ensuring the success of General Rochambeau's mission, supplying necessary supplies to his troops. In June of 1781, General Rochambeau and his men began their march through Connecticut before joining forces with General Washington in Philipsburg, New York. In eastern Connecticut, the army established camps in Plainfield, Windham, and Bolton before arriving in Hartford. On the return trip, in October 1782, the Franco-American force again marched through the State after victory in Yorktown. In total, General Rochambeau's army made 47 stops in the State between the journey to and from Yorktown. The Washington-Rochambeau Trail will preserve these sites and educate residents and visitors on the significance of this piece of American history.

Mr. Chairman, as urban sprawl continues to threaten the integrity of this route, the passage of this legislation is needed now more than ever. Many of Connecticut's avid historians and devout naturalists are anxious to celebrate the bill's passage. As a cosponsor of this legislation, I ask my colleagues to join me in voting in favor of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, to ensure this historic route is preserved for current and future generations.

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

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110–744, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute, as amended, is as follows:

H.R. 1286

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act''.

SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(____) WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Washington-Rochambeau Revolutionary Route National Historic Trail, a corridor of approximately 600 miles following the route taken by the armies of General George Washington and Count Rochambeau between Newport, Rhode Island, and Yorktown, Virginia, in 1781 and 1782, as generally depicted on the map titled 'Washington-Rochambeau Revolutionary Route National Historic Trail', numbered T01/80,001, and dated June, 2007.

''(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

''(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior, in consultation with—

''(i) other Federal, State, tribal, regional, and local agencies; and

''(ii) the private sector.

''(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.''.

SEC. 3. ENERGY.

Nothing in the amendment made by section 2 of this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.

SEC. 4. HUNTING, FISHING, TRAPPING, AND RECREATIONAL SHOOTING.

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

The Acting CHAIRMAN. No amendment to that amendment in the nature of a substitute is in order except those printed in part B of the report. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110–744.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BISHOP of Utah:

Strike the new subparagraph (D) added by the amendment in section 2, and insert the following:

''(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land—

''(i) outside the exterior boundary of any federally managed area without the consent of the owner of the land or interest in land; and

''(ii) acquired from a State or local government if that land was acquired by such government through eminent domain.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1317, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, while this legislation prohibits the use of eminent domain by the Federal Government, it does not prohibit State or local governments from doing the same thing, in essence doing the same dirty work. So my amendment is very simple and clear. It prohibits the Secretary of the Interior from accepting lands from State and local governments that were acquired through eminent domain to expand this particular trail.

We are talking about George Washington and the Revolution. I think it is fitting to remember how strongly George Washington felt about ensuring private property and that his soldiers respected the property of civilians, even if they were a Tory sympathizer. He gave orders that forbid looting even though plunder was the norm of the time. And even though his men were hungry and dressed in rags, it is remarkable that in so desperate a situation with such a noble cause for which he was fighting, he imposed on his side such a high standard of conduct and a high respect of individual priority property rights.

In our world, the post-Kelo decision world, we cannot allow our constituents to fall victim to any abuse of power from any level of government that disproportionately attacks them, sometimes even disproportionately attacks those on the lowest level of our economic scales.

Mr. Chairman, I ask for a favorable vote to an amendment that simply says that the Federal Government will not accept land that is taken by eminent domain.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise to speak on the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. Mr. Chairman, this amendment addresses a concern that is truly far beyond the likely impact of this bill. The bill expressly limits Federal condemnation of land for the trail which is all that should concern us here and the National Park Service. This amendment seems to be based on the assumption that the Federal Government in some smoke-filled back

room conspiracy-type of mind-set is going to conspire with State or local governments to have them condemn land and then turn it over to the Federal government.

First of all, I don't believe this happens often, if ever. We have really reached an extreme level of detail here where we have to legislate out to the far corners of what anybody might imagine might some day happen. But for the sake of argument, let's say that a State does decide to condemn land and pay the owner for his property. Such a decision will be up to the State or local government acting in what that unit of government believes to be the best interest of its citizens. Whether the State or local government subsequently conveys the land to the Federal Government is irrelevant.

And I might add, just for the record, this is not a trail like the Appalachian Trail which cuts across country and private property, it is more a series of signs like those gray historic markers you see along roads all over the country. Most of the route travels along public highways and roads. No private landowner will be forced to let tourists on their land, and the NPS anticipates no Federal acquisition at all.

But nevertheless, in the spirit of bipartisan cooperation and all that I have just said, we are willing to accept this amendment. We think that it is unnecessary, but we are willing to accept it.

I yield back the balance of my time.

Mr. BISHOP of Utah. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 110–744.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PEARCE:

At the end of the bill, add the following:

SEC. 4. ENERGY AND CONGRESSIONAL REVIEW.

The Secretary of Interior, in consultation with the Secretary of Energy and private industry, shall complete and submit to the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and Senators and Representatives from the States affected by the designation, a report using the best available data and regarding the energy resources available on the lands and waters included in the Washington-Rochambeau Revolutionary Route National Historic Trail. The report shall—

(1) contain the best available description of the energy resources available on the land and report on the specific amount of energy withdrawn from possible development; and

(2) identify barrels of oil, cubic feet of natural gas, megawatts of geothermal, wind and solar energy that could be commercially produced, annual available biomass for energy production, and any megawatts of hydropower resources available, including tidal, traditional dams, and in- stream flow turbines, and any impact on electricity transmission.

□ 1415

The Acting CHAIRMAN. Pursuant to House Resolution 1317, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, America is faced with an energy crisis today, and solutions have not been forthcoming under the current Speaker of the House or her leadership. The majority has failed in its effort to take any meaningful action to increase the domestic supply of energy for the American people. In a State like New Mexico, a very moderate income State, probably $25 to $30,000 a year is the average income, we find that the price of $4 gasoline is very difficult.

Last week in a story in the Albuquerque Journal, Associated Press talked about a young woman with cancer who was being treated almost 200 miles from her home. The family had to suspend visits by her young children to visit her because of the price of gasoline. Each day we're finding these sorts of impairments in our daily living while the majority simply says, we're in favor of energy.

I was listening with interest to the previous speaker, the gentleman from New York, and I would invite him to sign on a letter that we will be producing today that would go from the Speaker of the House to mention to President Bush about those 68 million acres of land that are not being used. Let's remove, first of all, the regulatory burdens that are stopping that land from being used and produced. In Utah alone, almost 1 million acres by one office which is 7 years overdue in putting out the land management plan that would allow people to move ahead.

Those are some of the acres that are moved from production that our friends talk about as if the greedy oil companies are sitting out here purposefully withholding production knowing that at all-time record highs, every company is producing every amount of oil and gas that they can get to, and they simply kind of twist the facts around.

So I would invite the gentleman to sign on to that letter indicating his willingness to press the President of the United States to push the BLM into getting these regulations out the door.

I would also be interested to see if the majority would recognize with us their failure in December by removing all shale oil from production. With one simple sentence in a bill in December, the majority removed almost 2 trillion barrels of shale oil from production, and again it tells me that maybe we have words on the House floor that differ from the words that are actually created in the votes.

I would also welcome our friends on the other side of the aisle to change their votes on the wilderness areas that removed over 100,000 acres from production because wilderness stops all development of oil and gas. And so again, I find some difference in the words that we hear on the House floor and the words that are actually put into place by law when we vote.

Additionally, there is a moratorium that limits 85 percent. We're told that the majority doesn't mind offshore production at all. Then go with us, sign a letter, and let's start producing just around the area, just in that spot where Cuba and China are drilling 47 miles off the coast of Florida. We have prohibited it ourselves through a moratorium in producing this oil and gas.

So I would ask the leaders of the majority party to go with me and sign on to this letter to take that one spot and let's allow American oil companies to produce where we're allowing the Chinese to produce within our Outer Continental Shelf area.

My amendment today to this House bill 1286 simply says that as we create this new trail system, we would like an accounting for all of the energy assets that are going to be affected by this bill. It's a very simple amendment.

The majority has, in fact, got a statement in the bill that says nothing will hinder, but too often we find that we do not know what has been hindered and what has not been hindered. So our amendment is very simple. Let's just get a report from the Secretary of Interior to tell us exactly what the stakes are, which resources might be limited, which might be hindered, and it's a very straightforward amendment.

I would appreciate if the majority would understand the reasons for this because we see every day that the American people are paying the price for the majority's opinion on energy. The opinion is that $4 gasoline is not too high, that in fact $4 gasoline will cause maybe a change within which we conduct our business; we ought to be converting to other forms of energy. The problem is we don't have wind cars, we don't have solar cars, we have no nuclear cars. America is on an oil and gas economy. We drive oil and gas cars, and as long as we limit the supply, we're going to drive the price higher.

It's not American consumption. American consumption actually has remained quite stable for the last 10 years. It's actually Chinese consumption. It's consumption from those developing countries around the globe that are pushing the price of oil higher.

Now, I did note with interest the comments that the majority party had done something for fuel efficiency. Actually, the majority party did nothing for fuel efficiency.

I ask for support for the amendment.

Mr. RAHALL. Mr. Chairman, I rise to speak on the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. Mr. Chairman, in evaluating this amendment, I would ask that Members first read section 3 of the underlying bill which states, ''Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.'' So by its own terms, H.R. 1286 will have no impact whatsoever on energy production.

The Pearce amendment would require the Secretary to assess the impact this trail designation will have on energy production. In other words, the Pearce amendment would require the Secretary to study impacts that would never exist. That's similar to a requirement that the secretary study the Tooth Fairy or the Easter Bunny. The bill says there will be no impacts, so studying them is impossible. Such a report would read in its entirety, ''We find no impacts on energy production because the bill prohibits them.'' Period. The end.

It is my hope that this amendment is simply a platform, and I think the sponsor of it has already used it for that to restate some of their talking points on energy production. It's my hope that no one could ever seriously suggest assessing the energy resources that might lie under George Washington's front lawn.

The first part of this amendment is completely unnecessary because the underlying language in the bill makes impacts on energy production a nonissue. The second part of this amendment contemplates oil rigs and wind farms in places that we would never allow them to be built.

So once again, as with the previous amendment, this amendment is not necessary. Therefore, I will not object to it.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 15, as follows:

[Roll No. 482]

AYES—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Andrews
Boswell
Brown-Waite, Ginny
Conyers
Faleomavaega
Fortenberry
Fortuño
Frelinghuysen
Hill
Hulshof
Marchant
Pickering
Pryce (OH)
Rush
Waxman

□ 1449

Messrs. YARMUTH, WITTMAN of Virginia, HOEKSTRA, HOYER, HODES, McINTYRE, SOUDER and NADLER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. SALAZAR, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, pursuant to House Resolution 1317, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

PERMISSION TO CONSIDER AS ADOPTED MOTIONS TO SUSPEND THE RULES

Mr. RAHALL. Madam Speaker, I ask unanimous consent that the motions to suspend the rules relating to the following measures be considered as adopted in the form considered by the House on Wednesday, July 9, 2008:

House Resolution 1313, and House Resolution 1315.

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

There was no objection.

The SPEAKER pro tempore. Without objection, respective motions to reconsider are laid on the table.

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT—Continued

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mr. FALLIN. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

Amend section 3 to read as follows:

SEC. 3. ENERGY.

Section 7 of the National Trails System Act (16 U.S.C. 1246) is amended by adding at the end the following new subsection:

''(l) Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.''.

Mr. RAHALL. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, America has slammed into an energy wall in the past 18 months, with gas prices escalating 70 percent since the beginning of the 110th Congress when the current Democratic leadership took control. Americans are now paying over $4 and change for a gallon of gasoline. This dire situation affects not only drivers, but ripples through all commerce of the United States, from the cost of food, to building materials, to tourism, to jobs, to health care, and in short, our economic security. Increased supply from our own American resources is one tool that we have in our tool box to help us get out of this mess.

This is a bipartisan solution, as demonstrated by Speaker PELOSI's recent request to President Bush to release oil from the Strategic Petroleum Reserve to help funnel more product to American refineries, and thus more gas to local gas stations.

While this is a small step in a positive direction, the Democratic-controlled House of Representatives has only compounded the problem of American energy supplies. The current leadership has scheduled and passed over a dozen bills from the Committee on Natural Resources alone restricting or potentially restricting energy development on the public lands of the United States. We also expect a package of over 60 more bills from the Senate before we adjourn, most of which will impact energy exploration and development on public lands.

The Democratic leadership of the House of Representatives has also failed to lift the congressional moratoria on the development of oil and natural gas resources from the Outer Continental Shelf. It has blocked access to over 1 million acres of uranium-rich lands in the southwestern United States, fuel which could be harnessed to produce clean, air-friendly nuclear energy. It has locked up oil shale and stopped energy transmission corridors across public lands. It has even tried to stop wind energy.

While this trail bill before us may seem like small potatoes, it is indicative of a larger problem. The more lands we place off-limits to multiple uses, including energy development, then the more we have to rely on others for our economic feedstock of energy.

This trail will affect lands and waters in more than nine States in very populous eastern areas and the mid-Atlantic region of America. At least, thanks to Congressman PEARCE's amendment, we will know exactly what energy resources will be impacted by this designation. This is not true for all trails designated under the National Trails Act.

Currently, there are thousands of miles of trails affecting every region of the United States, and with the trend in legislative activity in this Congress, we can certainly expect many more in the near future.

This motion to recommit will ensure that we do not inadvertently cut off crucial energy supplies during the current crisis when we designate trails under the National Trails Act. It expands on language authored by Congressman ROB WITTMAN, now in section three of the bill, which was readily accepted by both Democrats and Republicans during the markup of H.R. 1286 in the Committee on Natural Resources just 2 weeks ago. What is good for the Washington-Rochambeau trail should be good for all trails, wherever located.

And, Madam Speaker, as I just mentioned, this House just voted unanimously on an amendment by Congressman PEARCE for an energy assessment on this trail, so why should we prohibit or hinder the development, the production, the conveyance, or transmission of energy on any trail in the United States?

I ask for your support.

Ms. GIFFORDS. Madam Speaker, I would like to submit for the RECORD the following concerns and suggestions regarding certain sections of S. 2284, the Senate version of the Flood Insurance Reform and Modernization Act. These specific concerns were expressed to me by officials from the town of Marana, Arizona. They relate to the potential adverse effects these sections could have on the Marana community. I urge my House and Senate colleagues to take all of these concerns into consideration while negotiating the final version of this bill.

The specific concerns relating to Section 6 are the reason I voted "no" on the Republican Motion To Instruct Conferees that was offered on the floor today.

The town of Marana's concerns are as follows:

1. Section 6, Reform of Premium Rate Structure: Much of this Section seeks to disallow preFIRM (Flood Insurance Rate Map) rates for second homes, repetitive loss structures, substantially improved structures, commercial structures, and others. However, the current language could have unintended, adverse consequences. Of concern to Marana is Subsection (g)(1), which states:

''(g) No Extension of Subsidy to New Policies or Lapsed Policies.—The Director shall not provide flood insurance to prospective insureds at rates less than those estimated under subsection (a)(1), as required by paragraph (2) of that subsection, for—(1) any property not insured by the flood insurance program as of the date of enactment of the Flood Insurance Reform and Modernization Act of 2008;'' . . .

We are concerned that Subsection (g)(1) would preclude the writing of any new pre-FIRM policies after the enactment of the legislation. This could negatively affect residences that were built pre-FIRM but then placed into a floodplain by a subsequent map change after the legislation is enacted.

2. Section 7, Mandatory Coverage Areas: The intent of this Section appears to be the accurate portrayal of risk behind man-made flood control structures. Subsection 107(b)(1) reads as follows:

(1) include any area previously identified by the Director as an area having special flood hazards under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a);

This language would essentially require properties located in areas that had once been designated as floodplain, but since removed from the floodplain, to continue to carry mandatory flood insurance. Marana would like to point out that many Letters of Map Revision (LOMR) incorporate better information (hydrology or topography) than was available when the maps were originally created. These types of LOMRs do not involve physical construction and therefore the areas removed are not typically residual risk areas. Areas that are at a residual risk after a LOMR from a physical change would be accounted for in Subsection 107(b)(2), which reads as follows:

(2) require the expansion of areas of special flood hazards to include areas of residual risk, including areas that are located behind levees, dams, and other man-made structures

We recommend this language be revised. It is problematic in that it equates residual risk areas to Special Flood Hazard Areas (SFHAs). SFHAs are high hazard areas requiring normal flood insurance. Residual Risk areas typically require less flood insurance or preferred risk policies. Also, the language is not clear regarding man-made structures that are distinct flood control structures.

The language could be revised as follows:

(2) define residual risk areas to include areas that are located behind levees, dams, and other man-made flood control structures

3. Section 8, Premium Adjustment: This section overrides the practice of grandfathering original zone designations. Grandfathering has been an important part of the National Flood Insurance Program and has been used to help mitigate the impact of zone changes when flood maps are revised. Section 8 discredits floodplain management. Structures that are compliant with the code and mapping in effect at the time of their construction should be grandfathered and remain compliant.

Ms. FALLIN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Does the gentleman from West Virginia wish to state his point of order?

Mr. RAHALL. Madam Speaker, I insist on my point of order and raise a point of order that the motion to recommit contains nongermane instructions in violation of clause 7 of rule XVI. The instructions in the motion to recommit address an unrelated matter within the jurisdiction of a committee not represented in the underlying bill.

The second reason, the motion to recommit uses the word ''promptly,'' as we all know, which kills a bill.

And third, the motion to recommit is the exact language already in the bill. That language states ''nothing in the amendment made by section 2 of this act shall prohibit or hinder the development, production, conveyance, or transmission of energy,'' the exact repeat language of the motion to recommit.

□ 1500

Therefore, I insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the gentleman's point of order?

If not, the Chair will rule.

The gentleman from West Virginia makes a point of order that the instructions in the motion to recommit are not germane.

As recorded in section 937 of the House Rules and Manual, a specific subject may not be amended by a provision general in nature, even when of the same class as the specific subject. For example, as cited on page 719 of the Manual, to a bill relating to one State maritime academy, an amendment relating to all State maritime academies is not germane.

The bill as amended confines its attention to a single national historic trail designation. The instructions in the motion to recommit extend to all trails addressed by the National Trails System Act.

As such, the Chair finds that the instructions in the motion to recommit are not germane. The point of order is sustained. The motion is not in order.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FALLIN. In its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

After the new subparagraph (D) added by the amendment in section 2, insert the following:

''(E) STATE AND LOCAL LAW.—All designated lands within the trail, including all Federal lands, shall be exclusively governed by relevant State and local laws regarding the possession or use of a weapon, including a concealed weapon.''.

The SPEAKER pro tempore. The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, yesterday in The Washington Post, there was a full-page article and more about a young couple who were camping in the Appalachian Mountains back in 1981 who were both murdered by a gentleman who had a handgun, who was deranged, and came upon their campsite and murdered them both. He went away to prison for many years, was paroled, was out in the public, and then went back up into the Appalachian Mountains 28 years later to kill two more people with a handgun.

Madam Speaker, I have a motion to recommit that would ensure in this legislation that the rights of States and local governments, within the trails area designation, to regulate possession and carrying of firearms will be unharmed by this legislation.

This bill does provide that the trails designation shall not diminish the right of States to regulate hunting, but it is silent on issues including the clear right to carry firearms. Despite the recent Heller decision affirming our second amendment right, the National Park Service still refuses to allow State and local gun laws to govern, unlike the U.S. Forest Service and the Bureau of Land Management. This motion to recommit will secure full second amendment rights along the 600-mile trail.

The second amendment is a critical right. We must protect our constituents against consequences of this legislation that could harm that right.

I can think of no better spokesperson for the second amendment right than the Father of our Country, George Washington. George Washington said of firearms: ''The very atmosphere of firearms anywhere and everywhere restrains evil interference. They deserve a place of honor with all that's good.'' He also said: ''A free people ought to be armed.'' I can't say it better myself.

The National Park Service has regulations that limit hunting and the right to carry or possess firearms even in States and localities where it is legally permitted. These regulations harm wildlife and the environment because local wildlife management officials are impeded in their work. Before any attempt is made to restrict the rights of gun owners and the second amendment defenders, this motion to recommit protects their legal existing rights now and in the future.

I urge my colleagues to support this motion to recommit.

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

Mr. RAHALL. Madam Speaker, I rise to oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Madam Speaker, the form of the amendment, which calls on the House to promptly recommit the bill, as I know all Members realize, is a parliamentary tactic that kills the bill. That wording makes it perfectly clear that the motion is not about its subject. It is purely and simply another one of those ''gotcha'' votes.

A vote to recommit is a vote to kill this bill, which has the support of a long and bipartisan list of Members, a large and vocal constituency across eight districts and the District of Columbia, and the support of the Bush administration. Again, the current legislation as written has the support of the Bush administration. It has the support of the National Rifle Association.

To briefly address the substance of this issue, the bill before the House already reaffirms the right of gun owners and hunters by ensuring that current State management of fish and resident wildlife will remain unaffected by the bill. It should not be necessary to include this language because nothing in the bill would affect those State laws or regulations. Nevertheless, we have included this language already in the bill, which renders the motion before us wholly unnecessary.

The Trails Act has been around since 1968, and we have thousands of miles of trails all over the country, and all over the country hunting, fishing, trapping have flourished nonetheless. The bill already contains sufficient protections for gun owners. I repeat. The bill already contains sufficient protections for gun owners.

A vote to recommit is a vote to kill the bill. It's that simple, and I would urge all Members to vote ''no'' on this motion to recommit.

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

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Madam Speaker, if this motion to recommit did pass, could the bill not be sent back to the committee from which it came and brought back on the next legislative day?

The SPEAKER pro tempore. As the Chair has reaffirmed, on November 15, 2007, at some subsequent time, the committee could meet and report the bill back to the House.

Mr. WESTMORELAND. Thank you.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Ms. FALLIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to instruct on H.R. 3121.

The vote was taken by electronic device, and there were—yeas 202, nays 211, not voting 21, as follows:

[Roll No. 483]

YEAS—202

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foster
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hodes
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shea-Porter
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NAYS—211

Abercrombie
Ackerman
Allen
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—21

Andrews
Boren
Boswell
Boucher
Brown-Waite, Ginny
Conyers
Deal (GA)
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
Markey
Neal (MA)
Pickering
Pryce (OH)
Rush
Slaughter
Waxman
Young (AK)

□ 1528

Ms. BEAN and Messrs. RANGEL and TANNER changed their vote from ''yea'' to ''nay.''

Mr. KING of Iowa changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. RAHALL. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 69, not voting 20, as follows:

[Roll No. 484]

AYES—345

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fossella
Foster
Frank (MA)
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano

Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Platts
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—69

Barton (TX)
Bishop (UT)
Blackburn
Boehner
Brady (TX)
Broun (GA)
Burton (IN)
Campbell (CA)
Cannon
Coble
Conaway
Cubin
Davis (KY)
Davis, David
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Lewis (KY)
Linder
Mack
Manzullo
McHenry
Miller (FL)
Moran (KS)
Musgrave
Neugebauer
Nunes
Paul
Pence
Pitts
Poe
Price (GA)
Royce
Sali
Scalise
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Stearns
Tancredo
Thornberry
Tiahrt
Walberg
Weldon (FL)
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—20

Andrews
Boswell
Boucher
Brown-Waite, Ginny
Conyers
Deal (GA)
Doyle
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
Neal (MA)
Pickering
Pryce (OH)
Rush
Sherman
Slaughter
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1537

Mr. GINGREY changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

MOTION TO INSTRUCT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 3121 offered by the gentleman from Texas (Mr. NEUGEBAUER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 26, not voting 23, as follows:

[Roll No. 485]

YEAS—385

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—26

Bishop (NY)
Blumenauer
Boustany
Braley (IA)
Broun (GA)
Burton (IN)
Buyer
Cubin
Forbes
Giffords
Gilchrest
Higgins
Israel
King (IA)
King (NY)
Kirk
Klein (FL)
Latham
Loebsack
McCarthy (NY)
Murphy, Patrick
Nadler
Pallone
Roybal-Allard
Scalise
Weiner

NOT VOTING—23

Andrews
Boswell
Boucher
Brown-Waite, Ginny
Cleaver
Conyers
Deal (GA)
Doyle
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
McNulty
Mica
Neal (MA)
Peterson (PA)
Pickering
Pryce (OH)
Rush
Slaughter
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain on this vote.

□ 1545

Mr. KLEIN of Florida changed his vote from ''yea'' to ''nay.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, I took a leave of absence the afternoon of July 10, 2008, as I was attending to personal business. The following list describes how I would have voted had I been in attendance this afternoon.

"Yea"—on Pearce (NM) amendment.

"Aye"—on Motion to Recommit H.R. 1286.

"Yea"—Final Passage H.R. 1286—Revolutionary Route National Historic Trail Designation Act.

"Yea"—Motion to Instruct Conferees on H.R. 1321—Flood Insurance Reform and Modernization Act of 2007.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Without objection, the Chair appoints the following conferees:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Messrs. WATT, CLAY, KLEIN of Florida, MAHONEY of Florida, BACHUS, Mrs. BIGGERT, Mrs. CAPITO, Messrs. GARRETT of New Jersey, and PRICE of Georgia.

From the Committee on Energy and Commerce, for consideration of sec. 302 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, BOUCHER, and BARTON of Texas.

From the Committee on Transportation and Infrastructure, for consideration of secs. 7 and 22 of the House bill, and secs. 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRALEY of Iowa, and GRAVES.

For consideration of secs. 7 and 35 of the House bill, and sec. 128 of the Senate amendment, and modifications committed to conference: Mr. TAYLOR.

There was no objection.

GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that Members may have 5 days to revise and extend their remarks on the motion to instruct on H.R. 3121.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Ms. WATERS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1286, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

PROVIDING FOR CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the gentleman from Pennsylvania?

There was no objection.

The text of the Senate bill is as follows:

S. 2967

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

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term ''contractor'' means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term ''covered individual'' means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term ''food services contract'' means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term ''transfer date'' means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions

similar to regulations prescribed under section 6308 of title 5, United States Code, to implement this subparagraph.

(B) ACCRUAL RATE.—During any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, that individual shall continue to accrue annual and sick leave at rates not less than the rates applicable to that individual on the day before the transfer date.

(C) TECHNICAL AND CONFORMING AMENDMENT.—The second and third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048) are repealed.

(5) TRANSIT SUBSIDY.—For purposes of any benefit under section 7905 of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(6) EMPLOYEE PAY; GOVERNMENT CONTRIBUTIONS; TRANSIT SUBSIDY PAYMENTS; AND OTHER BENEFITS.—

(A) PAYMENT BY CONTRACTOR.—A contractor, or any successor to the contractor, shall pay—

(i) the pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service;

(ii) Government contributions for the benefits of a covered individual under paragraph (2) or (3);

(iii) any transit subsidy for a covered individual under paragraph (5); and

(iv) any payment for any other benefit for a covered individual in accordance with a food services contract.

(B) REIMBURSEMENTS AND PAYMENTS BY ARCHITECT OF THE CAPITOL.—From appropriations made available to the Architect of the Capitol under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'', the Architect of the Capitol shall—

(i) reimburse a contractor, or any successor contractor, for that portion of any payment under subparagraph (A) which the Architect of the Capitol agreed to pay under a food services contract; and

(ii) pay a contractor, or any successor contractor, for any administrative fee (or portion of an administrative fee) which the Architect of the Capitol agreed to pay under a food services contract.

(7) REGULATIONS.—

(A) OFFICE OF PERSONNEL MANAGEMENT.—

(i) IN GENERAL.—After consultation with the Architect of the Capitol, the Director of the Office of Personnel Management shall prescribe regulations to provide for the continuity of benefits under paragraphs (2) and (3).

(ii) CONTENTS.—Regulations under this subparagraph shall—

(I) include regulations relating to employee deductions and employee and employer contributions and deposits in the Civil Service Retirement and Disability Fund, the Employees' Life Insurance Fund, and the Employees Health Benefits Fund; and

(II) provide for the Architect of the Capitol to perform employer administrative functions necessary to ensure administration of continued coverage of benefits under paragraphs (2) and (3), including receipt and transmission of the deductions, contributions, and deposits described under subclause (I), the collection and transmission of such information as necessary, and the performance of other administrative functions as may be required.

(B) THRIFT SAVINGS PLAN BENEFITS.—After consultation with the Architect of the Capitol, the Executive Director appointed by the Federal Retirement Thrift Investment Board under section 8474(a) of title 5, United States Code, shall prescribe regulations to provide for the continuity of benefits under paragraph (2) of this subsection relating to subchapter III of chapter 84 of that title. Regulations under this subparagraph shall include regulations relating to employee deductions and employee and employer contributions and deposits in the Thrift Savings Fund.

(d) COVERED INDIVIDUALS NOT ENTITLED TO SEVERANCE PAY.—

(1) IN GENERAL.—Except as provided under paragraph (2), a covered individual shall not be entitled to severance pay under section 5595 of title 5, United States Code, by reason of—

(A) separation from service with the Architect of the Capitol and becoming an employee of a contractor under a food services contract; or

(B) termination of employment with a contractor, or successor to a contractor.

(2) SEPARATION DURING 90-DAY PERIOD.—

(A) IN GENERAL.—

(i) COVERED INDIVIDUALS.—Except as provided under clause (ii), a covered individual shall be entitled to severance pay under section 5595 of title 5, United States Code, if during the 90-day period following the transfer date the employment of that individual with a contractor is terminated as provided under a food services contract.

(ii) EXCEPTION.—Clause (i) shall not apply to a covered individual who is terminated for cause.

(B) TREATMENT.—For purposes of section 5595 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under subparagraph (A) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under subparagraph (A) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(e) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) SUBMISSION OF PLAN.—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall submit a plan under section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) to the applicable committees as provided under that section.

(2) PLAN.—

(A) IN GENERAL.—Notwithstanding section 210(e) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q(e)), the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 210 of that Act; and

(ii) offer such a payment to any such employee who becomes a covered individual, if that individual accepts the offer during the 90-day period following the transfer date.

(B) TREATMENT OF COVERED INDIVIDUALS.—For purposes of the plan under this subsection—

(i) any period of continuous service performed by a covered individual as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(f) EARLY RETIREMENT TREATMENT FOR CERTAIN SEPARATED EMPLOYEES.—

(1) IN GENERAL.—This subsection applies to—

(A) an employee of the Senate Restaurants of the Office of the Architect of the Capitol who—

(i) voluntarily separates from service on or after the date of enactment of this Act, but prior to the day before the transfer date; and

(ii) on such date of separation—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age; and

(B) except as provided under paragraph (2), a covered individual—

(i) whose employment with a contractor is terminated as provided under a food services contract during the 90-day period following the transfer date; and

(ii) on the date of such termination—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age.

(2) EXCEPTION.—Paragraph (1)(B) shall not apply to a covered individual who is terminated for cause.

(3) TREATMENT.—

(A) ANNUITY.—Notwithstanding any provision of chapter 83 or 84 of title 5, United States Code, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5, United States Code.

(B) SEPARATION DURING 90-DAY PERIOD.—For purposes of chapter 83 or 84 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under paragraphs (1)(B) and (2) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under paragraphs (1)(B) and (2) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(g) CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—Section 101(5) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(5)) is amended by striking '', the Botanic Garden, or the Senate Restaurant'' and inserting ''or the Botanic Garden''.

(2) DISABILITIES.—Section 210(a)(7) of the Congressional Accountability Act of 1995 (2 U.S.C. 1331(a)(7)) is amended by striking ''the Senate Restaurants and the Botanic Garden'' and inserting ''the Botanic Garden''.

(3) CONTINUING APPLICATION TO CERTAIN ACTS AND OMISSIONS.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) a covered individual shall be treated as an employee of the Architect of the Capitol with respect to any act or omission which occurred before the transfer date.

(h) DEPOSIT OF COMMISSIONS.—

(1) SENATE RESTAURANTS FOOD SERVICES CONTRACT.—Any commissions paid by a contractor under a food services contract shall be deposited in the miscellaneous items account within the contingent fund of the Senate.

(2) USE OF FUNDS.—Any funds deposited under paragraph (1) shall be available for expenditure in the same manner as funds appropriated into that account.

(i) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act and apply to the remainder of the fiscal year

in which enacted and each fiscal year thereafter.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING THE LIFE OF JESSE ALEXANDER HELMS, JR., DISTINGUISHED FORMER SENATOR FROM NORTH CAROLINA

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 1325 and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1325

Whereas Jesse Alexander Helms, Jr., born in Monroe, North Carolina on October 18, 1921, spent a 52-year public career dedicating himself to his country, his family, and his home State, representing North Carolina in the United States Senate for 30 years;

Whereas Jesse Alexander Helms, Jr., served in the United States Navy from 1942 until 1945;

Whereas Jesse Alexander Helms, Jr., was educated in the public schools of Monroe, North Carolina, and at Wingate Junior College and Wake Forest College, and served as a city editor of the Raleigh Times, an administrative assistant to United States Senators Willis Smith and Alton Lennon, an executive director of the North Carolina Bankers Association, a member of the Raleigh City Council, and a television and radio executive;

Whereas Jesse Alexander Helms, Jr., was elected to the United States Senate in 1972, and served as Chairman of the Senate Foreign Relations Committee and the Senate Agriculture Committee, ultimately serving five terms, equal to the longest service of any Senator from North Carolina;

Whereas Jesse Alexander Helms, Jr., was a leader against Communism and became the first legislator of any nation to address the United Nations Security Council;

Whereas Jesse Alexander Helms, Jr., was married for 65 years to Dorothy ''Dot'' Coble Helms, whom he termed his ''best friend'', and Jesse Alexander Helms, Jr., is the father of three children; and

Whereas Jesse Alexander Helms, Jr., made valuable contributions to his community, State, Nation, and the World: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life, achievements, and distinguished career of Jesse Alexander Helms, Jr., public servant and former Member of the United States Senate; and

(2) expresses its condolences to his wife, ''Dot'', and his three children on his passing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Madam Speaker, I yield to my friend from Maryland, the majority leader, to tell us what is planned for next week.

Mr. HOYER. I thank my friend, the Republican Whip, for yielding.

On Monday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected in the House.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow.

In addition, we will consider H.R. 415, a bill to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers.

In addition, we will consider H.R. 5959, the Intelligence Authorization Act for Fiscal Year 2009; H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act; and, we may also consider important energy-related legislation.

Mr. BLUNT. I thank the gentleman for that information.

On H.R. 415, the Taunton River bill, the Wild and Scenic Rivers bill, does the gentleman know, does the location change at all? Or was it the location that was on the bill that earlier was scheduled for this week?

Mr. HOYER. In response, if the gentleman would yield.

Mr. BLUNT. I will.

Mr. HOYER. It is the same bill.

Mr. BLUNT. I think one of our concerns about that on the energy topic, which I would hope to go to for a few minutes next, is there was a proposed liquid natural gas facility in that area that I think this designation will impact unless it is defined somehow out of that. And if the gentleman wants to respond to that, I would yield.

Mr. HOYER. I thank the gentleman for yielding.

There is an extensive letter to all of our colleagues from Congressmen FRANK, MCGOVERN, KENNEDY, LANGEVIN, and LYNCH.

I don't want to read the whole letter; but responding to the points in question, I am looking at the letter to see whether or not—one of the points they make is that notwithstanding this bill there are several barriers to this proposal going forward, that is the LNG plant. Killing the bill that would provide environmental benefits to people of our districts would in no way save the LNG plant from the rejection it has already received. The point being, and I have not read the entire letter, but that there are other impediments apparently to moving forward on that LNG plant. As I say, it is a long letter, I haven't read it fully, but I do know that each one of the points that was raised in the article today have been responded to and therefore will be the subject of debate once the bill is considered.

Mr. BLUNT. I thank the gentleman for that. And that is exactly right. That will be a bill to be debated, and leaders shouldn't be expected to know everything about every aspect of that, and particularly on a bill that will be debated. I would assume that this designation would create an additional obstacle, and there may be other obstacles already in place and I am sure that will be part of the debate.

The gentleman's last comment about work for next week indicated that there may be other energy-related bills scheduled for the floor next week. Does the gentleman have a sense of what some of those options might be, and which ones may be more likely to be on the floor next week?

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Yes. As you know, we have been talking about, on both sides of the aisle, developing greater domestic supply from that which we have control over here in this country. I think both sides agree that that is an objective that ought to be pursued. The differences have been I think where that should be done at least in the short term, maybe not in the long term.

In the short term, it is our belief that there is very substantial areas available for further exploration and development of energy resources from our own country. As the gentleman may have heard me say on the floor earlier today, there is about 88 million acres that we believe is currently available for leasing that experts indicate are prime opportunities for finding, drilling, and producing energy for our country. We may well consider legislation which will try to accelerate, particularly in Alaska, where there is 23 million acres in the National Petroleum Reserve area designated and approved by the Congress for drilling, where approximately 1 million acres of that has been currently let for lease but there are substantial millions of acres still available. So we may well have legislation which will direct the administration to accelerate the leases for that area and speed the development.

In addition, we may well include in that legislation the Use It Or Lose It bill, we had disagreements on whether that was appropriate, which essentially says to companies: Don't inventory large segments. If you are not going to use it, let's get it back and give it to some who may well use it at this point in time. Again, an opportunity to accelerate the exploration and securing of oil within our control here in this country.

In addition, that legislation I think will include a requirement that any oil petroleum products that are produced as a result of this legislation or as a result of these leaseholds being extended, that petroleum would need to be used

in the United States of America, not exported to Japan or to other nations.

You had in a piece of legislation that you had in 2005 a similar provision. I can't recall the phrase right now, but essentially requiring due diligent requirement as they proceeded with the leases to develop the energy. So we think our Use Or Lose It is, while not exactly what you include in your 2005 bill, certainly a similar objective of saying: You get the leases, let's develop the oil.

We will also be calling I think in that legislation, Mr. Whip, on the President to pursue finishing construction of the natural gas and the oil pipelines from Alaska as soon as possible. If that requires resources, for the administration to ask for those resources.

We share again a view that it is prudent for us to develop all of the lands that we currently have available. And pretty significant, again, I don't know whether you were there, but the 88 million acres essentially covers Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Delaware, New Jersey, and most of Maryland. So a pretty large area that is available now.

So we want to pursue that, but clearly want to see further exploration, further drilling, and further utilization of our own resources here in this country, all with the view of bringing prices down.

Now, we don't know specifically why prices have spiked so rapidly, but we are very concerned about it. As you have heard me say before, prices during the last 8 years of the nineties went from $1.06 to $1.46, about one nickel a year. Prices during the last 7½ years have spiked from that $1.46 to now $4.15 or so. All the energy policies that have been adopted have obviously been adopted in the last 7½ years with President Bush's signature. There is no energy bill that is passed without his signature. So that we believe that we have not been successful over the last 7½ years of getting an energy policy in place which has given us independence and provided for stable prices.

□ 1600

Both the President and proponents of the 2005 legislation, which I voted for, by the way, because I think we need to seek energy independence, but the proponents of that bill indicated 3 years ago that it would keep prices down and make sure that we had supply. That hasn't been the case. Obviously, that was not the intent of anybody who was for the bill that that wouldn't happen, but that is the legislation that we currently are looking at. We are developing that now and trying to write the language essentially with the objective of utilizing the 88 million acres that we currently have authorized on which to drill because we think that is the quickest way to proceed.

Mr. BLUNT. In that regard, on the 2005 energy bill that I voted for and the gentleman just said he voted for, I think we did head things in the right direction. Of course from the 6 years prior to 2007, energy gas prices increased by about 50 cents a gallon; and in the 17 months since then, they have better than doubled. Everybody can take the numbers and do lots of things with them. Nobody likes the doubled number. There is no doubt about that.

In one of the early bills, I think it was H.R. 6, actually this Congress voted to repeal the incentives that we put in that bill that you and I voted for in 2005, the House voted to repeal those incentives which would have made it easier to promote the NPRA drilling area. I think maybe the position we would hopefully take in the future would be that we would want to continue to make those things easier to do rather than harder to do.

I would also say in terms of the 68 million acres, I have heard that a lot and I am sure we will continue to hear it a lot. Number one, not all of that land has oil or gas on it. Two, even if it does, you don't drill on every acre to drain this important resource from it. We are all going to learn a lot more about the gas and oil business, even than we know today, and my guess is that we know a lot more than we did even 6 months ago.

I do know in the last 6 years, as we frankly have accelerated exploration, that lawsuits to slow down exploration have gone up 718 percent in the last 6 years.

So if we want to deal with things like lawsuits and trying to expedite the process, that's a very appropriate thing to do, and at that point it is even more appropriate to hold people to their strict lease standards that they have.

The 22 million acres in Alaska, while that is some place we ought to look for both oil and gas, I don't know that we are going to be in an either/or environment, and particularly in this case where we want to look at what makes the most sense the quickest. I would also mention to the gentleman that we have a bill on the ANWR itself, it is H.R. 6107, that already adopts that principle that none of the petroleum coming out of there would go anywhere but to the United States. So many are already cosponsoring legislation that accepts that principle. It is a principle that if it's an easy way to open up new resources, I think it is something that we should be talking about and making sure that we get it just right. We do not want to assume that the oil companies can be micromanaged by Congress. We want to do what we can to make sure that we are producing American energy in the maximum way, and also understand that every oil lease does not result in oil. If it did, my good friend and I could open up Hoyer & Blunt and become oilmen if we could just get a lease. A lease doesn't mean there is anything there, but we ought to be sure that these leases are being vigorously pursued. We also should be sure that we are doing anything we reasonably can do to remove impediments, whether those impediments are lawsuits or the language that was in H.R. 6 that the House of Representatives passed. The Senate didn't pass it so the law didn't change, but the message to people out there looking for oil is that there is a new sheriff in town and the rules are different than they were under the old sheriff, and maybe we ought to get out of town.

A lot of this hesitancy about exploring could result from debates right here on the floor. We want to do things in debate, and I take my friend's word that he wants to, too, that encourages exploration, not discourages exploration.

I yield to my good friend.

Mr. HOYER. You mentioned H.R. 6. First of all, as you heard in my list, we are not contemplating adding that into this legislation that we might be considering. However, let me say this, very honestly. You and I both, I think every Member in this body very much supports the free market system. We have found it provides the greatest good for the greatest number throughout the world.

In 2005, you put incentives in the bill, $14 billion worth of tax breaks for oil companies. Oil was then, as you point out, about half of what it is bringing today at the pump. The free market system, in my view, is if you are getting a high price for your product, you try to produce more of it and you try to find more of it. The oil companies are earning the highest price that they have ever received in the history of the sale of oil. That ought to be the incentive, not taxpayers who are paying the highest price at the pump they have ever paid, also having to pay higher taxes because the oil companies are getting an incentive of $14 billion of tax cuts to incentivize what ought to be incentivized by the price that they are getting for their product.

I want to say further that the information I have, and I think you will find this interesting, is that Exxon made $40 billion in profits last year. I am informed $32 billion of that profit was spent to buy back stock. Not to do additional research, not to drill in America or any place else, but $32 billion to buy back their stock. Obviously that did have a very good effect on those stockholders who remained because their equity clearly went up. I do not criticize that, but I point it out because it was not spent either to produce more oil product, petroleum product, or to pursue alternative energy sources which we think is important which is what we will use the $14 billion in H.R. 6, whether it was hybrid cars, ethanol research, water, wind, hydroelectric, or from my perspective, nuclear.

Let me also say that I understand what you are saying, but when we talk about this 68 million or 88 million acres, let me give you this point. The oil and gas companies hold leases on these 68 million now, land and water.

They are not producing on these acreage, and 81 percent, according to experts, of the estimated oil and gas resources on Federal lands and the OCS are currently available for development in these reserves, and they are equal to 107 billion barrels of oil and 658 trillion cubic feet of natural gas.

So what we are saying and what we will say in this legislation is that you have about 14 years supply here for America if you would develop this 107 billion barrels of oil or 658 trillion feet of natural gas on the land or offshore that you currently have leases on.

So I think this is a good debate to have, and ultimately hopefully at some point in time we will get through the politics of this issue on both sides and we will get to a point where frankly we develop this.

But I will also tell my friend that if we focus only on petroleum, we will not serve your young son or my grandchildren—you are much younger than I am—or my grandchildren very well because I will tell you, and as you know, I have a great granddaughter. She is 18 months of age. When she is my age, petroleum will not be her major source of energy. We know that. Petroleum is a wasting resource. By that I mean it is a resource that is going to go away. We don't know how much is left. Experts don't know how much Saudi Arabia still has. But we need to pursue vigorously alternatives while at the same time, as you and I would agree, developing that 107 billion barrels that we have here in this country that are currently available for lease.

Frankly, if the companies tell us that they really can't produce from that, then maybe we ought to look at other sites as well. But certainly it seems to us, you ought to use what you have first; and if that doesn't work, we ought to go on to a second or third or fourth site.

I thank the gentleman for his tolerance in my taking that time.

Mr. BLUNT. I thank the gentleman for that. I am old enough now that I never argue with anyone who suggests I am a lot younger, even if I am not a lot younger. My children and grandchildren, too, I think, will live in a world much different than the world we are in right now; but it will take awhile to get there. And I absolutely agree we should be at an all-systems-forward effort to find the next technology, and while we are finding the next technology, to use the resources we have as an economic asset, not to see them as an environmental hazard. We need to get there. We need to have a debate that gets us there.

We are going to have some figures that we are going to disagree about. It is hard with these sort of believed reserves to know what they are. I personally think I will have a lot of facts that suggest that 81 percent of the known reserves in oil and gas are not in those 68 million acres, but I am also for pursuing those 68 million acres vigorously.

The oil shale in the West, we had a hearing last week that only members of my party attended because we wanted to talk about this whole issue of what this Congress could have done, and just the oil shale amounts in the West that I think are not calculated into your figure are hugely significant in how we use our resources in the future. We want to do that. We want to remove obstacles.

On the $14 billion, and we have debated this before and I am not going to spend a lot of time on this, but I think everybody in this room understands that $14 billion so-called tax break for the so-called oil companies is their part of the domestic manufacturing tax incentive that every American business gets. Now if we want to take that away from companies that are successful, that's a different principle. Maybe we take it away from computer companies. Who do we take it away from? We want those jobs here. That is what that is about. I would like to have that debate one of these days about whether or not those manufacturing jobs need to be here. We think that they need to be here for every other industry in the country. Why is this the one industry where we say, they are going to manufacture here anyway, particularly based on everything we know about the worldwide oil challenge we face, why would we want to do anything that would encourage the oil product to be refined somewhere outside of this country? That is what that domestic manufacturing incentive is for. I think every time when we talk about this as a big tax break for the oil companies, it sounds like we have gone into the tax law and said if you are an oil company, you get something that nobody else gets. What we have done in the tax law is say if you are an oil company and you refine a product, if you manufacture a product, if you produce a product in this country, you get exactly what everybody else gets that makes that decision to make their computer in Texas instead of Romania. That's what that incentive is.

Now, every time it is discussed on the floor, it is this big benefit that was just designed for the oil companies, and that is just not the fact. It is a domestic manufacturing benefit.

Mr. HOYER. Will my friend yield just on that?

Mr. BLUNT. I yield.

Mr. HOYER. I just want to say that I understand what you have just said. But, of course, they never did have that until the 2005 bill, or one of the tax bills that was passed around that time. Prior to that time, the manufacturers had that, as you observed, that's correct, but the oil companies were never included in it originally or for long periods of time. They were added just in the last 2005 or 2006 or 2004, I am not sure exactly which bill added it. So it is not as if that had been in place when the tax to which you refer, the incentive to which you refer, was originally included in the code.

Mr. BLUNT. I thank my friend, but part of the unfortunate circumstance we find ourselves in is, as we have restricted access to some of our own supply, we in fact saw in the last decade that this industry that had been forced to be totally domestic, and we hoped it could be totally domestic again, was sending jobs out of the country because we were bringing in refined product for the first time.

□ 1615

Because we were bringing in refined product for the first time, we were doing other things that the Congress should want to reverse.

One other topic I have today, and I look forward to a good debate on these energy issues. I would hope these energy issues could come to the floor under a rule, by the way, and I would ask my friend if there is any plan to bring the energy bills that he would hope to bring to the floor in the next week, 2 weeks, 3 weeks with a rule that allows more than a 40-minute debate on a suspension bill.

And I would yield.

Mr. HOYER. That's under discussion. As I said, we're discussing the component parts of the bill. We haven't decided how that bill will come to the floor. But I will certainly look forward to discussing it with you.

Mr. BLUNT. I thank my friend. I think that will be a helpful addition to this debate.

You know, when you have a suspension debate on a bill, particularly a bill that maybe has a majority but it can't get a suspension number, you check a box but you really don't move the agenda forward. I would hope that we could see some of these under rules.

My final topic of the day, unless you raise another one, is I read in the Associated Press just yesterday that the chairman of the Appropriations Committee, Chairman OBEY, announced that the House will not consider a single appropriations bill this year. If that was true, this will be the first time in at least 22 years, maybe ever, that the House has failed to consider a single appropriation bill in any given session.

The committee has passed five bills that are out of full committee ready to go to the floor: Homeland Security; Military Construction; Energy and Water; Commerce, Justice, Science; and Financial Services. And I guess I'm asking my friend to verify whether or not the chairman's view on this is the view of the majority, and if we would expect not to see any appropriations bills on the floor.

And you can take this question in whatever order in July, in August, or as he said, this year.

And I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I cannot confirm, because I haven't seen the report on that, nor has the chairman told me that he made such an announcement. I did read an article in which he indicated that he thought that might be the case.

As you know, he tried to move the Labor-Health bill through to markup

through the full committee, and as you know, the ranking member moved to substitute the Interior bill rather than do the Labor-Health bill.

The chairman believed he was pursuing the regular order. I have never seen, in the 23 years that I served on the Appropriations Committee, one of the appropriations bills substituted for another one of the appropriations bills in the appropriations process.

So a lot of unusual things are happening, unfortunately. And we haven't been pursuing regular order. I lament that, personally. I think that we ought to do that.

I will say that last year, as you know, we passed every appropriations bill through the House of Representatives by the August break. We had some difficulty at the end doing that, but we got them all passed. And we passed them all in the year, in the calendar year that we were supposed to pass them, not in the fiscal year, in December. As you know in a number of years we didn't do that until the following year: nine one year, eight the other passed in January, the end of January or the middle of February, as I recall, 2 years. I forget whether it was 2004 and 2005 or 2005 and 2006.

So I share the gentlemen's concern. I think both sides share the concern that the appropriations process is not proceeding in the regular order. But I want to say to the gentleman that from my perspective, I have not concluded that we're not going to consider any appropriations bills on the floor.

Mr. BLUNT. I just suggest, the statement I read, and perhaps it was not accurate, but it seemed like an incredibly definitive statement on the part of the chairman; and since this is the work that the Congress has to do to fund the government, I would assume that the chairman will soon be conferring with the leader and the Speaker to determine if bills are coming to the floor or not.

Mr. HOYER. Will my friend yield on that?

Mr. BLUNT. I would

Mr. HOYER. Thank you.

Senator REID in the other body has made it pretty clear that he does not believe, again, given the failure to pursue regular order in the Senate, that he will be able to get any bills passed, the Senate appropriations bills.

So one of the factors under consideration by Mr. OBEY is that if the Senate is not going to consider any bills, that because they cannot get the bills through the House and to the President—of course, the President sent down a number, said, If you go over that number, I'm going to veto all of the bills anyway. And we had real difficulty last year, as you know, with that happening. That's not happened in my career before. I don't mean that a President hasn't indicated he would veto, but there was always room to work on that.

But that is one of the complicating factors or two of the complicating factors: the President's position and the Senate's position as well.

But I think the major problem is that the regular order Mr. OBEY did not feel was being pursued in the committee.

Mr. BLUNT. We might ask Mr. OBEY what his views might be about his bills that are already through the committee in regular order and why those five bills couldn't come to the House.

You know, we have, in the years of our majority, always with an open rule, taken substantial time. It seemed to me 1 year we took five full days of hearing amendments on the Labor HHS bill and other bills, numerous bills at a time.

The evaluation of last year, the House passed its bills, but at the end of the day, we had one vote on one big bill which may not have been nearly as healthy as having nine individual votes and then having to carry three bills over into the next year to get them done one at a time. But that's not really the question.

The question is what about the bills that are out of the committee now and what would be a violation of any regular order problem to bring those to the House and take the time that we clearly have? We're passing a lot of legislation off the House floor, but not very much of it winds up on the President's desk. If we begin to determine the House schedule based on what the Senate is willing to do and a bill that can get to the President, not much of what we've done in the last several weeks really had much impact.

But I would yield.

Mr. HOYER. I would not agree with the gentleman. After all, we did pass the Iraq funding, we passed a very substantive supplemental, we passed a GI bill, we passed an unemployment insurance extension. We passed an energy bill last year signed by the President. I think much of what we passed in our '06 that was passed, that got through the Senate, was signed by the President and supported by a significant number of Republicans.

Furthermore, let me just remind you, and I'm sure you recall this, that we took 50 hours longer to do the appropriations bills last year than we did in 2006 when your side was in charge. And we had extensive debate. We had 10 open bills, open rules, and we had two rules at the end, because it was clear that we were having great difficulty getting our bills done in a time cramp. Even under those bills, we spent hours debating them. We spent 17 hours on the Homeland Security bill, for instance, and 12 hours on the Labor-Health bill on the floor.

Mr. BLUNT. If we don't deal with any bills this year, I guess our average is going to go down quickly. If we had 12 hours on Labor H last year and zero this year, I guess for this Congress we will say we spent an average of 6 hours debating the bills because one of them never got debated at all.

Mr. HOYER. I don't want to get too testy, and you and I are good friends.

Mr. BLUNT. We are.

Mr. HOYER. But very frankly, it was not a process that we thought was very substantive last year, and every indication that we have received this year, it is not going to be very substantive this year when we consider appropriation bills.

Now, having said that, we didn't pursue the regular order on the Labor-Health bill. The gentleman is correct there are five bills which have passed, and I would reiterate that I have not yet, from my standpoint, concluded that we're not going to consider appropriation bills on the floor this year.

So I want to make it clear. I'm not sure exactly what Mr. OBEY announced. There was an article that said I was supporting Mr. OBEY's position. I went a little further. What I supported of Mr. OBEY's position was that regular order was not being followed in the appropriations committee, not the representation that you say he made with reference to no bills coming to the floor.

I think he's correct that regular order is not being pursued, and very frankly—and I'm going to talk to you about that, talk to my friend about this, because I think it is unfortunate that we have come to this place where the consideration of these bills last year became very politicized, and this year the announcement clearly was very early on out of your conference or your retreat and subsequently that it wasn't going to be a very happy process this year. I don't mean an agreement process. No reason why there should be an agreement. But Mr. OBEY has concerns that it would simply be impossible for him to get the bills through.

Mr. BLUNT. He's a capable man, and I'm sure he can figure out a way.

So I would like to close by saying we would like to see at least the bills that are through the full committee on the floor and would hope that the energy bills that the gentleman is looking at can come to the floor with a rule that allows a substantial and full debate on this critical problem of both gas prices at the pump now and home heating and other things that are going to quickly become problems for Americans.

ADJOURNMENT TO MONDAY, JULY 14, 2008

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

CONGRATULATING SPEAKER PRO TEMPORE EDWARDS

Mr. HOYER. Before I ask for the next unanimous consent, let me say how pleased I am that Congresswoman EDWARDS, I think this is her first time in

the Chair. She is our newest Member and an excellent Member, and we appreciate her leadership.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Madam Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Madam Speaker, pursuant to clause 2, rule IX, I hereby give notice of my intention to raise a question of the privileges of the House. The form of the resolution is as follows:

AN ARTICLE OF IMPEACHMENT OF PRESIDENT GEORGE W. BUSH

Resolved, that President George W. Bush be impeached for high crimes and misdemeanors, and that the following Article of Impeachment be exhibited to the United States Senate:

An Article of Impeachment exhibited by the House of Representatives of the United States of America in the name of itself and the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

ARTICLE ONE—DECEIVING CONGRESS WITH FABRICATED THREATS OF IRAQ WMDS TO FRAUDULENTLY OBTAIN SUPPORT FOR AN AUTHORIZATION OF THE USE OF MILITARY FORCE AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the Office of President of the United States, and to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ''to take care that the laws be faithfully executed,'' deceived Congress with fabricated threats of Iraq Weapons of Mass Destruction to fraudulently obtain support for an authorization for the use of force against Iraq and used that fraudulently obtained authorization, then acting in his capacity under article II, section 2 of the Constitution as Commander in Chief, to commit U.S. troops to combat in Iraq.

To gain congressional support for the passage of the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, the President made the following material representations to the Congress in S.J. Res. 45:

1. That Iraq was ''continuing to possess and develop a significant chemical and biological weapons capability. . . .''

2. That Iraq was ''actively seeking a nuclear weapons capability. . . .''

3. That Iraq was ''continuing to threaten the national security interests of the United States and international peace and security.''

4. That Iraq has demonstrated a ''willingness to attack, the United States. . . .''

5. That ''members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq. . . .''

6. The ''attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations. . . .''

7. That Iraq ''will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so. . . .''

8. That an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack. . . .''

9. That the aforementioned threats ''justify action by the United States to defend itself. . . .''

10. The enactment clause of section 2 of S.J. Res. 45, the Authorization of the Use of the United States Armed Forces authorizes the President to ''defend the national security interests of the United States against the threat posed by Iraq. . . .''

Each consequential representation made by the President to the Congress in S.J. Res. 45 in subsequent iterations and the final version was unsupported by evidence which was in the control of the White House.

To wit:

1. Iraq was not ''continuing to possess and develop a significant chemical and biological weapons capability . . . ''

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has or will establish its chemical warfare agent production facilities.''

The source of this information is the Defense Intelligence Agency, a report called, ''Iraq—Key WMD Facilities—An Operational Support Study,'' September 2002.

''Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing.''

The source of this information is the Senate Select Committee on Intelligence, a report entitled ''Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information.'' June 5, 2008.

''In April and early May 2003, military forces found mobile trailers in Iraq. Although intelligence experts disputed the purpose of the trailers, administration officials repeatedly asserted that they were mobile biological weapons laboratories. In total, President Bush, Vice President CHENEY, Secretary Rumsfeld, Secretary Powell, and National Security Advisor Rice made 34 misleading statements about the trailers in 27 separate public appearances. Shortly after the mobile trailers were found, the Central Intelligence Agency and the Defense Intelligence Agency issued an unclassified white paper evaluating the trailers. The white paper was released without coordination with other members of the intelligence community, however. It was later disclosed that engineers from the Defense Intelligence Agency who examined the trailers concluded that they were most likely used to produce hydrogen for artillery weather balloons. A former senior intelligence official reported that 'only one of 15 intelligence analysts assembled from three agencies to discuss the issue in June endorsed the white paper conclusion.'''

The source of this information is the House Committee on Government Reform, minority staff, ''Iraq on the Record: Bush Administration's Public Statements about Chemical and Biological Weapons.'' March 16, 2004.

Former chief of CIA covert operations in Europe, Tyler Drumheller, has said that the CIA had credible sources discounting weapons of mass destruction claims, including the primary source of biological weapons claims, an informant who the Germans code-named ''Curveball'' whom the Germans had informed the Bush administration was a likely fabricator of information including that concerning the Niger yellowcake forgery. Two other former CIA officers confirmed Drumheller's account to Sidney Blumenthal who reported the story at Salon.com on September 6, 2007, which in fact is the media source of this information.

''In practical terms, with the destruction of the al Hakam facility, Iraq abandoned its ambition to obtain advanced biological weapons quickly. The Iraq Survey Group (ISG) found no direct evidence that Iraq, after 1996, had plans for a new biological weapons program or was conducting biological weapons-specific work for military purposes. Indeed, from the mid-1990s, despite evidence of continuing interest in nuclear and chemical weapons, there appears to be a complete absence of discussion or even interest in biological weapons at the Presidential level. In spite of exhaustive investigation, the Iraq Survey Group found no evidence that Iraq possessed, or was developing, biological weapon agent production systems mounted on road vehicles or railway wagons. The Iraq Survey Group harbors severe doubts about the source's credibility in regards to the breakout program.'' That's a direct quote from the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' commonly known as the Duelfer report by Charles Duelfer.

''While a small number of old, abandoned chemical munitions have been discovered, the Iraq Survey Group judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991. There are no credible indications that Baghdad resumed production of chemical munitions thereafter, a policy the Iraq Survey Group attributes to Baghdad's desire to see sanctions lifted, or rendered ineffectual, or its fear of force against it should WMD be discovered.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

2. Iraq was not ''actively seeking a nuclear weapons capability.''

The key finding of the Iraq Survey Group's report to the Director of Central Intelligence found that ''Iraq's ability to reconstitute a nuclear weapons program progressively decayed after that date. Saddam Husayn (sic) ended the nuclear program in 1991 following the Gulf War. Iraq Survey Group found no evidence to suggest concerted efforts to restart the program.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

Claims that Iraq was purchasing uranium from Niger were not supported by the State Department's Bureau of Intelligence and Research in the National Intelligence Estimate of October 2002.

The CIA had warned the British Government not to claim Iraq was purchasing uranium from Niger prior to the British statement that was later cited by President Bush, this according to George Tenet of the Central Intelligence Agency on July 11, 2003.

Mohamed ElBaradei, the Director General of the International Atomic Energy Agency,

in a ''Statement to the United Nations Security Council on The Status of Nuclear Inspections in Iraq: An Update'' on March 7, 2003, said as follows:

''One, there is no indication of resumed nuclear activities in those buildings that were identified through the use of satellite imagery as being reconstructed or newly erected since 1998, nor any indication of nuclear-related prohibited activities at any inspected sites. Second, there is no indication that Iraq has attempted to import uranium since 1990. Three, there is no indication that Iraq has attempted to import aluminum tubes for use in centrifuge enrichment. Moreover, even had Iraq pursued such a plan, it would have been—it would have encountered practical difficulties in manufacturing centrifuges out of the aluminum tubes in question. Fourthly, although we are still reviewing issues related to magnets and magnet production, there is no indication to date that Iraq imported magnets for use in a centrifuge enrichment program. As I stated above, the IAEA (International Atomic Energy Agency) will naturally continue to further scrutinize and investigate all of the above issues.''

3. Iraq was not ''continuing to threaten the national security interests of the United States.''

''Let me be clear: analysts differed on several important aspects of [Iraq's biological, chemical, and nuclear] programs and those debates were spelled out in the Estimate. They never said there was an 'imminent' threat.''

George Tenet, who was Director of the CIA, said this in Prepared Remarks for Delivery at Georgetown University on February 5, 2004.

''We have been able to keep weapons from going into Iraq. We have been able to keep the sanctions in place to the extent that items that might support weapons of mass destruction have had some controls on them. It's been quite a success for 10 years.'' The source of this statement, Colin Powell, Secretary of State, in an interview with Face the Nation, February 11, 2001.

On July 23, 2002, a communication from the Private Secretary to Prime Minister Tony Blair, ''Memo to British Ambassador David Manning'' reads as follows:

''British Secret Intelligence Service Chief Sir Richard Billing Dearlove reported on his recent talks in Washington. There was a perceptible shift in attitude. Military action was now seen as inevitable. Bush wanted to remove Saddam through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy. The NSC had no patience with the U.N. route and no enthusiasm for publishing material on the Iraqi regime's record. There was little discussion in Washington of the aftermath after military action. The Foreign Secretary said he would discuss this with Colin Powell this week. It seemed clear that Bush had made up his mind to take military action, even if the timing was not yet decided. But the case was thin. Saddam Hussein was not threatening his neighbors, and his WMD capability was less than that of Libya, North Korea or Iran. We should work up a plan for an ultimatum to Saddam to allow back in the U.N. weapons inspectors. This would also help with the legal justification for the use of force.''

4. Iraq did not have the ''willingness to attack, the United States.''

''The fact of the matter is that both baskets, the U.N. basket and what we and other allies have been doing in the region, have succeeded in containing Saddam Hussein and his ambitions. His forces are about one-third their original size. They really don't possess the capability to attack their neighbors the way they did 10 years ago.'' The source of this quote, Colin Powell, Secretary of State, in a transcript of remarks made to German Foreign Minister Joschka Fischer in February 2001.

The October 2002 National Intelligence Estimate concluded that ''Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or chemical or biological weapons against the United States, fearing that exposure of Iraqi involvement would provide Washington a stronger case for making war.''

5. Iraq had no connection with the attacks of 9/11 or with al Qaeda's role in 9/11.

''The report of the Senate Select Committee on Intelligence documents significant instances in which the administration went beyond what the intelligence community knew or believed in making public claims, most notably on the false assertion that Iraq and al Qaeda had an operational partnership and joint involvement in carrying out the attacks of September 11.'' This is a quote from Senator John D. Rockefeller, IV, the chairman of the Senate Select Committee on Intelligence entitled ''Additional Views of Chairman John D. Rockefeller, IV'' on page 90.

Continuing from Senator Rockefeller:

''The President and his advisors undertook a relentless public campaign in the aftermath of the attacks to use the war against al Qaeda as a justification for overthrowing Saddam Hussein. Representing to the American people that the two had an operational partnership and posed a single, indistinguishable threat was fundamentally misleading and led the Nation to war on false premises.'' Senator Rockefeller.

Richard Clarke, a National Security Advisor, in a memo of September 18, 2001 titled ''Survey of Intelligence Information on Any Iraq Involvement in the September 11 Attacks'' found no ''compelling case'' that Iraq had either planned or perpetrated the attacks, and that there was no confirmed reporting on Saddam cooperating with bin Laden on unconventional weapons.

On September 17, 2003, President Bush said: ''No, we've got no evidence that Saddam Hussein was involved with September 11. What the Vice President said was is that he (Saddam) has been involved with al Qaeda.''

On June 16, 2004, a staff report from the 9/11 Commission stated: ''There have been reports that contacts between Iraq and al Qaeda also occurred after bin Laden had returned to Afghanistan in 1996, but they do not appear to have resulted in a collaborative relationship. Two senior bin Laden associates have adamantly denied that any ties existed between al Qaeda and Iraq. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States.''

''Intelligence provided by former Undersecretary of Defense Douglas J. Feith to buttress the White House case for invading Iraq included 'reporting of dubious quality or reliability' that supported the political views of senior administration officials rather than the conclusions of the intelligence community, this according to a report by the Pentagon Inspector General.

''Feith's office 'was predisposed to finding a significant relationship between Iraq and al Qaeda,' according to portions of the report released by Senator Carl Levin. The Inspector General described Feith's activities as 'an alternative intelligence assessment process.'" The source of this information is a report in the Washington Post dated February 9, 2007, page A–1, an article by Walter Pincus and Jeffrey Smith entitled ''Official's Key Report on Iraq is Faulted, 'Dubious' Intelligence Fueled Push for War.''

6. Iraq possessed no weapons of mass destruction to transfer to anyone.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate (NIE) on Iraq that was available to the administration at the time that they were seeking congressional support for the authorization of use of force against Iraq, the Iraq regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.''

''The Iraqi Intelligence Service (IIS) probably has been directed to conduct clandestine attacks against the United States and Allied interests in the Middle East in the event the United States takes action against Iraq. The IIS probably would be the primary means by which Iraq would attempt to conduct any chemical and biological weapon attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

7. Iraq had no weapons of mass destruction and therefore had no capability of launching a surprise attack against the United States or its Armed Forces and no capability to provide them to international terrorists who would do so.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under severe threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate on Iraq that was available to the administration at the time they were seeking congressional support for the authorization of the use of force against Iraq, the Iraqi regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.'' That, again, from the October 2002 National Intelligence Estimate on Iraq.

''The Iraqi Intelligence Service probably has been directed to conduct clandestine attacks against U.S. and Allied interests in the Middle East in the event the United States takes action against Iraq. The Iraq Intelligence Service probably would be the primary means by which Iraq would attempt to conduct any chemical or biological weapons attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

As reported in the Washington Post on March 1, 2003, in 1995, Saddam Hussein's son-in-law, Hussein Kamel, had informed U.S. and British intelligence officers that ''all weapons—biological, chemical, missile, nuclear—were destroyed.'' That from the Washington Post, March 1, 2003, page A15, an article entitled ''Iraqi Defector Claimed Arms Were Destroyed By 1995,'' by Colum Lynch.

The Defense Intelligence Agency, in a report called ''Iraq—Key WMD Facilities—An Operational Report Study'' in September 2002, said this:

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or

whether Iraq has or will establish its chemical warfare agent production facilities.''

8. There was not a real risk of an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack'' because Iraq had no capability of attacking the United States.

Here's what Colin Powell said at the time: ''Containment has been a successful policy, and I think we should make sure that we continue it until such time as Saddam Hussein comes into compliance with the agreements he made at the end of the Gulf War.'' Speaking of Iraq, Secretary of State Powell said, ''Iraq is not threatening America.''

9. The aforementioned evidence did not ''justify the use of force by the United States to defend itself'' because Iraq did not have weapons of mass destruction, or have the intention or capability of using nonexistent WMDs against the United States.

10. Since there was no threat posed by Iraq to the United States, the enactment clause of the Senate Joint Resolution 45 was predicated on misstatements to Congress.

Congress relied on the information provided to it by the President of the United States. Congress provided the President with the authorization to use military force that he requested. As a consequence of the fraudulent representations made to Congress, the United States Armed Forces, under the direction of George Bush as Commander in Chief, pursuant to section 3 of the Authorization for the Use of Force which President Bush requested, invaded Iraq and occupies it to this day, at the cost of 4,116 lives of servicemen and -women, injuries to over 30,000 of our troops, the deaths of over 1 million innocent Iraqi civilians, the destruction of Iraq, and a long-term cost of over $3 trillion.

President Bush's misrepresentations to Congress to induce passage of a use of force resolution is subversive of the constitutional system of checks and balances, destructive of Congress' sole prerogative to declare war under article I, section 8 of the Constitution, and is therefore a High Crime. An even greater offense by the President of the United States occurs in his capacity as Commander in Chief, because he knowingly placed the men and women of the United States Armed Forces in harm's way, jeopardizing their lives and their families' future, for reasons that to this date have not been established in fact.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States and of those members of the Armed Forces who put their lives on the line pursuant to the falsehoods of the President. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the House rules.

Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

STONE COLD

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, on Sunday morning Chaudhry Rashad brutally murdered his daughter for bringing, as he said, ''disgrace to the family.''

Rashad's 25-year-old daughter, Sandeela, wanted a divorce from her arranged marriage, but Rashad believed that it was more honorable for him to take a course of action to strangle her to death.

When Atlanta police arrived on the scene, Rashad was in his driveway, calmly smoking a cigarette behind a car as if it was a normal Sunday. After being arrested, then he arrogantly demanded to be served Islamic food while he was in custody.

Rashad said he has ''done nothing wrong'' by murdering his daughter. Yet another example of murder in the name of religion. Yet that's the problem, that people still use the word ''honor'' and ''killing'' in the same breath. The United Nations estimates that there are approximately 5,000 supposed religious honor killings each year of women and girls. Murder is not honorable.

When the police found young Sandeela's body, they said it was cold to the touch. However, the cold, dead body of his daughter was nothing compared to the coldness of a father's heart who willingly steals the life of his child in the name of religion.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMERICA'S STRATEGIC CONTEXT

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

Mr. SKELTON. Madam Speaker, yesterday I rose to speak about the need for America to embark upon a process to develop a comprehensive strategy to advance U.S. interests in the world. Today I rise to continue that theme; I want to take the conversation a bit further.

A strategy, as I said last night, describes the way we employ all elements of national power to advance our critical interests. Ultimately, determining these critical interests depends upon the place America occupies in the world. What do we see as our role? Who do we want to be, and how do we want to interact with the rest of the globe's inhabitants to get there? That's the fundamental question, of course, but we are not ready to answer it yet.

Instead, we must first consider the domestic and global contexts within which we must act. As our vision of where we want to go evolves, we must have an ongoing dialogue about the effort and the sacrifices we are willing to make. We must also look at the world as it is, not as we'd like it to be, and we must acknowledge that much of the world does not necessarily see us as we would see ourselves. We must look clear-eyed beyond Iraq and Afghanistan. Only with that understanding can we determine where we want to go and how we want to get there. But as this vision develops, we must keep in mind that it is no good if we cannot provide the means to achieve it, nor is it useful if it is not a realistic fit with the rest of the world.

The global environment is ever changing. While we cannot control the sea swell of change, we must prepare ourselves to navigate those waters. Regional power is shifting; some large nation states, such as China, India, Brazil, to name a few, are ascending and verge on global power status. Russia may already be there, again. Do their interests conflict or coincide with ours? Is their rise a challenge to oppose or an opportunity to engage? Some of our traditional security arrangements may fade in importance as others take on new meaning. But nation states are not our only concern. It's clear that a number of transnational issues will challenge us while others may provide positive potential. Fundamentalist terrorism and the proliferation of dangerous weapons are obvious examples of serious challenges, of course, but what about climate change, the fragility of increasingly connected world financial markets, or the outbreak of pandemic diseases? These are challenges that present themselves without any malicious intentional human action.

The point here is that the world around us bears significant scrutiny because it represents the context that binds whatever strategy we choose. This is not to say we cannot strive for an ideal. We can and we should. It's how this Nation was formed. The ability to conceive a vision that is breathtaking in scope and heartbreaking in its beauty is America's gift to the world. But while the goal may be the ideal, our understanding of our environment and our selection of the means to reach it must be firmly rooted in realism.

With that thought I close, Madam Speaker. In my next speech addressing these issues, I will talk about the need to return to the fundamentals of strategic understanding, a return to Sun

Tzu, to Clausewitz, to strategic thought rooted not in slogans but in enduring principles.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO FILE SUPPLEMENTAL REPORT ON H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. REYES. Madam Speaker, I ask unanimous consent that the House Permanent Select Committee on Intelligence be allowed to file a supplemental report to accompany H.R. 5959.

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

There was no objection.

□ 1715

ROAD TO ARMAGEDDON

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

Mr. POE. Madam Speaker, it's official. Iran now is capable of firing long-range missiles into southern Europe, Israel, and at U.S. troops in the Middle East.

This story broke yesterday morning when news agencies all over the world reported that Iran successfully test-fired nine medium- to long-range missiles with ranges of 1,200 miles or more that could carry nuclear weapons.

Madam Speaker, here's a map of the area. Here's Iran in the green. Next door is Iraq. Here's Syria. And, of course, this small area here is Israel. Weapons that they have fired are now capable of reaching Israel if Iran so desires.

Iranian leaders say these supposed to send a message to the United States and to Israel. The message: Iran has no problem attacking if they so desire.

The world is threatened by North Korea, Syria, and Iran, all developing nuclear capabilities while denying they have mischief in mind. The most dangerous, of course, is Iran.

The administration claims that the U.S. is determined to prevent Iran from threatening U.S. interests. But what does that mean? We have heard that line before. We've heard it the last time the U.N. imposed sanctions and told Iran to straighten up or else. And Iran just ignored the U.N. and the United States.

It's pretty clear that Iran's aggressive weapons development is part of a calculated plan to destroy their enemies. Unfortunately, Madam Speaker, the U.S. and Israel are at the top of Iran's hate list.

The LA Times recently reported that the little fellow from Iran, Mahmoud Ahmadinejad, said, ''The Zionist regime of Israel is about to die and will soon be erased from the scene.'' And, ''The time for the fall of the satanic power of the United States has come, and the countdown to annihilation has started.''

The devil of the desert, Ahmadinejad, is preaching hate and murder, which puts the rest of the world in danger as well. For those folks who might be willing to give Iran the benefit of the doubt, let's take a walk down memory lane and consider some of the recent facts.

In August of 2002, allegations were made that Iran was building a uranium enrichment facility, a component necessary for nuclear weapon technology. In December of 2002, satellite images confirmed the site. Then, after being caught in 2003, Iran agreed to allow U.N. inspectors in the country to inspect their facilities. But shortly after the inspections, Iran removed the inspectors' cameras and began nuclear development again.

In September of 2003, more enriched uranium was found. Caught again. In October, Iran pledged that if they could develop peaceful, civilian nuclear technology, they would suspend uranium enrichment activities. However, less than a month later, we learned that Iran didn't hold up to their end of the bargain. Big surprise, Madam Speaker. They lied and were caught again.

In 2004, we learned from the United Nations inspectors that Iran violated obligations under the Nuclear Proliferation Treaty, and had been doing so for 18 years. Then Iran refused to allow U.N. inspectors back into their country. In 2005, Iran finally permitted U.N. inspectors to conducted limited inspections and, only after Iran had enough time to sanitize the facilities, were the inspectors allowed in the country.

Then, at the end of 2005, an agreement to suspend uranium enrichment was broken when Ahmadinejad became President. Iran started its nuclear program once again. In 2006, the U.N. ordered Iran to suspend enrichment. Iran did not comply. Later that year, the U.N. issued another order demanding that Iran stop enrichment, and Iran refused, and rejected even an incentive package.

The U.N. passed more resolutions demanding that Iran suspend its enrichment, and all have basically been ignored. Not only has Iran's dictator been stubbornly defiant in complying with these international demands, he has openly mocked U.S. attempts to keep Iran from developing nuclear technology through diplomacy.

In fact, just recently one of Iran's military commanders was quoted as saying that Iran's, ''hands are always on the trigger and missiles are always ready to be launched.'' Do those gunslingers sound like the kind of people we can with reason with? How many more United Nations resolutions have to be issued, how many more sanctions imposed? How many more chances are we willing to give this trigger-happy regime? It's pretty clear what we are doing now is not working.

So the question, Madam Speaker, is: Does the United States have a plan to deal with this crisis, or are we going to have to wait for Iran to deploy a nuclear missile before we wake up and realize that we need a plan. The U.S. intelligence community says that Iran can have nuclear weapons as early as 2010. That is just 2 years away. We already know Iran has long-range missile capability. Put those two together and our world is in a rude awakening very soon.

Iran is not a joke. It's a threat to the whole world. The government of Iran and, more importantly, the American people need to know what the United States' position and plan is. We know what Ahmadinejad's plan is. It's full of malice toward the United States and Israel and his intentions are fatally bent on mischief.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HALLWAY POLICY AND FACES OF THE FALLEN MEMORIAL

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

Mr. JONES of North Carolina. Madam Speaker, this week I received a notice from the Chief Administrative Officer and the Architect of the Capitol directing me to remove a memorial outside of my office, which honors fallen marines from Camp Lejeune, North Carolina, because it does not comply with the new hallway policy of the House.

The hallway policy states that items such as flags, equipment, furnishings, and trash must be removed from the hallways. The policy defines furnishings, in part, as easels and exhibits and posters.

While the Faces of the Fallen memorial displayed outside my office does include posters and easels, I cannot believe that these symbols of service to our Nation could be considered mere furnishings. Discarded office equipment and trash are certainly a hindrance to the public who passes through the hallways of congressional office buildings. However, memorials to honor the lives of those killed in Iraq and Afghanistan are a welcome tribute that should not fall under the hallway policy jurisdiction.

Yesterday, I wrote a letter to Speaker NANCY PELOSI to explain the history of this memorial and its importance. In 2004, Congressman RAHM EMANUEL and I introduced legislation directing the Architect of the Capitol to establish an exhibit in the Capitol rotunda to honor the memory of members of the United States Armed Forces who have died in Operation Iraqi Freedom and Operation

Enduring Freedom. Our legislation was never considered. Instead, House Speaker DENNY HASTERT directed the construction of a modest memorial listing names of the fallen in the foyer of the Rayburn House Office Building.

Because we consider the listing of names to be an insufficient way to honor the lives of our fallen servicemembers, I, along with other Members of Congress, began to display more proper memorials outside of our own office areas.

To fully appreciate the loss of a military hero, I believe it is important to see the face of what might have been the fathers, the mothers, the sons, the daughters. Hundreds of visitors from my district, and others, have stopped to view the faces of fallen marines from Camp Lejeune displayed outside my office door, and they have been impacted deeply by this memorial.

Madam Speaker, on one occasion, a mother from Minnesota came into my office with tears in her eyes and thanked me for displaying the picture of her son, who had been killed while serving our Nation.

I know that Speaker PELOSI understands the importance of honoring the men and women who have died in service to our country. I am very grateful that the Speaker has honored my request and the request of others that the House observe a moment of silence each month in honor of those killed or wounded in Iraq or Afghanistan.

As another sign of appreciation for these military heroes, I am hopeful that Speaker PELOSI will support those of us who wish to continue displaying memorials outside of our congressional offices in honor of the men and women who made the ultimate sacrifice for our country.

With that, Madam Speaker, I close by asking God to continue to bless our men and women in uniform and ask God to bless the families who have given a child dying for freedom in Iraq.

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

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GLOBAL POVERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Today, I rise to speak about global poverty, and specifically to share my experiences as part of the House Democracy Assistance Commission Congressional Delegation visit recently to six African countries. This Commission supports the development of Democratic governments around the world by establishing peer-to-peer relationships with emerging Democratic legislatures.

There is one striking feature in most of the nations we visited on this trip, and they included Ghana, Kenya, Malawi, Mauritania, the Democratic Republic of Congo, and Liberia. In each of these countries, at least half of the population lives on less than $2 a day.

You know, in so much of the Continent of Africa, a continent vibrant and rich with resources and wonderful people, it's overwhelming to see up close and in very personal ways the fact that adults regularly die from preventible disease and children so horribly malnourished.

In fact, according to UNICEF, even in today's modern world, with all the technology that is available, over 26,000 children under the age of five die every single day due to poverty. Just think of it. Twenty-six thousand lives lost each day.

This number, more than any other, brings home to me with cruel immediacy the absolute desperate needs of the world's poor. As we know, poverty is not only the result of economic and social policy shortcomings, it also thrives on war. This scourge is the means by which incredible gender and minority inequality flourishes.

I am thinking now of women in the Democratic Republic of Congo who, even as we speak, are enduring unspeakable acts of sexual violence and degradation. The lives of so many of the world's people are horribly short and difficult because we have all failed to properly distribute the abundant resources of Mother Earth.

These facts are reprehensible and would seem to leave us without hope in the future. But wherever poverty may have taken hold in Africa, it has failed to take hold of the African spirit.

In Malawi, a country where 62 percent of the population lives on less than $2 a day, and where an estimated 15 percent of the adult population is HIV positive, we visited health programs that are a tribute to what is possible when we unite to help each other.

As a nurse, I took special note of our visits to orphan and health care programs run by the Global AIDS Interfaith Alliance, as well as Direct Relief International. These are local, nonprofit agencies that are supported directly by many constituents of mine in my congressional district, and I was honored and humbled to see where these gifts of my friends and neighbors at home, where these gifts are being used so fruitfully in these countries to support and nurture and nourish the lives of orphan children and women suffering with HIV and AIDS.

From HIV prevention, school tuition, and transport to pediatric HIV treatment centers, as well as caring for the ill, these organizations, and there are many of them, and the incredible people that work for them and with them, are helping to bring change to the lives of Malawian children and families.

The African spirit was also thriving in countries like Kenya and Liberia, both of which are working very hard to maintain and strengthen their Democratic institutions, countries where we enjoyed democracy building with their parliaments. It was a team effort. And it was a real honor, again, to be there on behalf of our U.S. Congress.

It will not be easy to turn the tide of poverty in Africa. But, working together, progress is being made. I implore my colleagues to keep this continent, the cradle of life, at the forefront of our minds on this House floor.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1730

BLOCKADE OF IRAN

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

Mr. PAUL. A couple of weeks ago, there was a resolution introduced in the Congress, H. Con. Res. 362, that quickly got 220 cosponsors. I want to talk a little bit more about that resolution because there are some Members of Congress now having second thoughts about invoking a blockade on Iran.

Take, for instance, here's a quote from Congressman ROBERT WEXLER of Florida. He says, ''Given my growing concerns regarding this resolution, including its failure to advocate for direct American engagement with Tehran and open language that could lead to a U.S. blockade of Iran, I will lead an effort to make changes to this resolution before it comes to the Foreign Affairs Committee for a vote.''

The chairman of the Financial Services Committee, BARNEY FRANK, had this to say: ''I am all for stricter sanctions against Iran, but the blockade part goes too far. I am going to call the sponsors and tell them I am changing my vote.''

I would like all Members of Congress to reconsider, because this I consider a very dangerous sense of congress resolution and that it is going to lead to trouble.

There is a new pro-Israeli lobby established called J Street, and they had some comments about this legislation as well. Their comments are this: ''We as a group oppose preemptive military action by either the United States or Israel and we support stronger U.S. diplomacy. To us, it is common sense that saber rattling and constant threats are counterproductive. What better way to unite Iran behind its most hawkish leaders than threatening to attack? What better way to empower the Iranian hardliners' case for nuclear weapons development than to talk of a military attack?''

Today, I had three young Iranians in my office, and they verified that next year there will be an election and Ahmadinejad, who is in political trouble over there, is being enhanced by our militant conversation we have here, threatening of blockades, and with this plan or possible plan to actually bomb Iran. But the other side argues, well, no it is all the Iranians' fault. They are testing missiles.

The testing of missiles came after there were war games by Israel testing whether or not they had the manpower and the airplanes to travel that particular distance. So the saber rattling is not one-sided, and we cannot say that it is all the Iranians' fault.

This H. Con. Res. 362, the authors claim it is not a blockade. But what it does, it demands inspection of all imports of petroleum products, vehicles, ships, planes, trains and cargo. They use word ''prohibit'' and impose stringent inspection on all of these items.

Now, the question I would like to pose here for our Members is this: How would we as Americans and how would we as a government react if a strong government came and did that to us? What if another government came and said we are going to restrict the importation of petroleum products and we are going to inspect all vehicles, ships, planes, trains and cargo? We wouldn't know what that would mean. How could they do that without an embargo? This is militant language, it is just looking for trouble, and it will not help solve the situation.

There is nothing wrong with talking to people. We talked to the Soviets in the midst of the Cold War. They had 40,000 nuclear weapons. Now they are talking about, well, maybe the Iranians might get a weapon later on.

Quite frankly, this talk about this violation, the Iranians were asked by IAEA not to resume enrichment. They had voluntarily stopped enrichment for peaceful purposes. They have every right under the Nonproliferation Treaty to enrich for peaceful purposes. In the last year, there have been nine unannounced inspections of the Iranian nuclear sites. They have never once been found in violation.

This does not make them angels. This does not make them not want to desire to defend their country. But think about it: How many countries have nukes around them? Pakistan has nukes, India has them, Israel has them, the United States has them, China has them, the Soviets have them. And they are being threatened. War games are being practiced, with the potentiality of us being a participant in bombing them.

Madam Speaker, it is time for us to take a deep breath and reassess our position.

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

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL DEFENSE AND ENERGY POLICY

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

Mr. DUNCAN. Madam Speaker, I rise to discuss two very important national issues that are unrelated.

First, I consider national defense to be one of the most important and most legitimate functions of the National Government. Yet even I am astounded at sometimes the waste and inefficiency of the Defense Department, and I think the primary reason is that almost every defense contract is some sort of sweetheart or insider type deal.

Just yesterday in the Washington Times, I would like to read a portion of a story that the Times carried yesterday. It says: ''Similarly, Edward C. 'Pete' Aldridge, Undersecretary of Defense for Acquisition, Technology and Logistics at the Pentagon, left the agency to join the board of Lockheed Martin, the Pentagon's largest contractor. Weeks before he left the Pentagon, Mr. Aldridge approved a $3 billion contract to build 20 Lockheed planes. That decision was made after he criticized the plan and threatened to cancel the contract. While serving on the Lockheed board, Mr. Aldridge was picked in 2004 to chair the Commission on the Implementation of U.S. Space Exploration Policy, a decision that drew criticism only from Senator JOHN MCCAIN of Arizona, now the presumptive Republican Presidential nominee, who said Lockheed was one of NASA's biggest contractors and called for Mr. Aldridge's removal because of a conflict of interest. His criticism went unheeded.''

Madam Speaker, the problem is that all of the defense contractors hire all the retired admirals and generals, it has been referred to as the ''revolving door at the Pentagon,'' or all the high level Pentagon employees, and then they come back to these same people and they get these multi-billion dollar contracts. In this example, this man awarded Lockheed Martin a $3 billion contract, the same contract he criticized at one point. But then, surprise, shock of all shocks, he approved this contract, and then a short time later joined the board of Lockheed Martin.

This is just one example. I could give examples day after day of similar types of things. All of these defense contracts going to companies that hire all the retired admirals and generals, and it should be stopped.

The second issue, a very important issue but very unrelated, is the issue of energy and gas prices. I would like to read part of a column by Charles Krauthammer a few days ago. Mr. Krauthammer is very respected by both sides of the aisle.

He said, ''Gas is $4 a gallon, oil is $135 a barrel and rising. We import two-thirds of our oil, sending hundreds of billions of dollars to the likes of Russia, Venezuela and Saudi Arabia. And yet we voluntarily prohibit ourselves from even exploring huge domestic reserves of petroleum and natural gas.''

Mr. Krauthammer continued: ''At a time when U.S. crude oil production has fallen 40 percent in the past 25 years, 75 billion barrels of oil have been declared off limits, according to the U.S. Energy Information Administration. That would be enough to replace every barrel of non-North American imports for 22 years.'' That is nearly a quarter century of energy independence.

Mr. Krauthammer said, ''The situation is absurd.''

George Will wrote a column a few days ago and he said this: ''One million barrels is what might today be flowing from ANWR if in 1995 President Bill Clinton had not vetoed legislation to permit drilling there. One million barrels produce 27 million gallons of gasoline and diesel fuel.''

And Robert Samuelson, who is not really considered a conservative or Republican columnist, he is a columnist for the Washington Post, he wrote a few weeks ago this. He said, ''The truth is we are almost powerless to influence today's prices. We are because we didn't take sensible actions 10 or 20 years ago. If we persist, we will be even worse off in a decade or two. The first thing to do, start drilling.''

Madam Speaker, I am one of the very few Members who has been up to Prudhoe Bay in Alaska twice. I have been up there to this frozen tundra. There are millions of acres without a tree or a bush on that entire expanse up there, 19.8 million acres, 36 times the size of the Great Smokey Mountains, part of which I represent. They want to drill on about 2,000 or 3,000 acres of this 19.8 million acre refuge. It takes a survivalist to go in there. In fact, Time Magazine said 4 years ago it only had about 200 visitors a year.

It is ridiculous that we do not drill in an environmentally safe way. Most environmental extremists, I have noticed over the years, they come from very wealthy or very upper-income families. Perhaps they can afford gas to go to $5 or $6 a gallon. They have said for years they wanted gas prices to go higher so people would drive less. But I can tell you this: They are hurting a lot of poor and lower-income and working people in this country, and they are shutting this country down economically.

We heard in the Highways and Transit Subcommittee a few weeks ago that

935 trucking companies had closed in the first quarter of this year, and they only counted trucking companies with five trucks or more. Two weeks ago we heard in a hearing of the Aviation Subcommittee that eight airlines had shut down, had ceased operating in the last year-and-a-half, and one more was in receivership.

We are at a very dangerous point. We don't have to produce all of our oil or all of our energy, but we have got to start producing a little bit more, or these foreign energy producers are going to know they can keep on raising these prices, and as I say, they are going to hurt a lot of working and ordinary Americans in the process.

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

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ADDRESSING THE CHALLENGES FACING AMERICA

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

Mr. DREIER. Madam Speaker, last week the House went on recess to spend time in our districts commemorating our independence as a Nation. These celebrations every 4th of July are always a time to remember and honor the history of this great country. We think of the great moments when the United States of America shone as an unparalleled leader in liberty and achievement; the brave men who stormed the beaches of Normandy, followed by the Marshall Plan and the Berlin airlift; the Wright Brothers becoming first in flight; or, of course, Neil Armstrong taking that giant leap for mankind.

Perhaps above all, though, Madam Speaker, America's great moments have been expressions of great ideas. Our Nation was born out of the ideals of the Declaration of Independence. It established an enduring national philosophy based on the truth that we are all created equal and endowed by our Creator with inalienable rights.

Since that beginning, bold ideas have defined our Nation; the idea that government must be of the people, by the people, and for the people; the idea that checks and balances must be built into the very structure of government to ensure its responsiveness to the American people; the idea that every man, woman and child has the right to freely practice their faith; the idea that all ideas should be allowed to be freely expressed. This is our history and our heritage.

But Independence Day is not just a time to reflect on our past. It is also an opportunity to consider where we are headed. I believe that today, we as Americans are currently grappling with very fundamental philosophical questions, and answers to these questions will present complex challenges in their implementation.

A central question is how to apply our core principles to the new challenges that we face. How do we secure ourselves against new threats without diminishing the civil liberties that we hold dear. How do we wage a war against Islamic extremism without appearing to treat those of the Muslim faith with the very intolerance that fuels extremism. How do we end the scourge of illegal immigration, while continuing to be that shining city on the hill to the many legal immigrants who have always helped to make this country the great Nation that it is.

□ 1745

How do we engage in the worldwide marketplace while ensuring that Americans can successfully compete in a very dynamic economic environment?

Madam Speaker, there are those who say that America is bitterly divided today over these questions. It is certainly true that there is great diversity of opinion in how to address the security and economic challenges that we face. But if we are willing to engage each other in honest and open debate, this diversity of opinion is our great strength, not our weakness.

We as a Nation are facing substantial new challenges that demand a great clash of ideas, just as our Founders intended. Unfortunately, the recitation of inflammatory talking points has supplanted sincere and honest debate. The shrill voices of talking heads are no substitute for true engagement.

I believe Americans have grown weary of politics as usual, of the endless fighting that takes place here in Washington. But not because of the existence of opposing views. Americans have grown weary of the obstinacy, the hardened positions and intolerance of differing opinions, the refusal to truly engage in an open and substantive way.

Madam Speaker, in a country of over 300 million people, there will never be uniformity of opinion, but there can and should be a deep respect for that clash of ideas and an interest in reaching broad consensus on the great issues of our day. This is the essence of the United States of America, and it is the essence of why we last Friday celebrated our Nation's independence, the freedom of ideas, all ideas, to be debated, debunked, or developed in this messy process of democracy.

Madam Speaker, I truly believe that our country will rise to the challenges we face today, just as we have always done. And we will accomplish this through open, sometimes heated and passionate, but always respectful debate. The celebration of our independence is always at least a temporary unifier of America. But this year, we cannot afford to confine this unity to one day, the Fourth of July. I believe we should use this time to renew our belief in a country that is bound together, not driven apart, by the clash of ideas out of which our great country was born.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. WELLER of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. SHUSTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. KIRK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 5 minutes.

(Mrs. MYRICK addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. TIM MURPHY of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CREDIT CARDHOLDERS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from New York (Mrs. MALONEY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. MALONEY of New York. Madam Speaker, I wish to address the Chamber tonight on the Credit Cardholders' Bill of Rights.

In recent years, the playing field between credit card companies and credit cardholders has become very one-sided. It is no surprise that it is average American cardholders and not the credit card companies who are getting the short end of the stick.

A credit card agreement is supposed to be a contract. But what good is a contract when only one party has any power to make decisions, and one party makes all the decisions? Cardholders deserve more bargaining power. The United States Congress can and should help level the playing field between card companies and cardholders.

I introduced the Credit Cardholders' Bill of Rights, H.R. 5244, to give American credit cardholders a fair deal. We now have over 155 cosponsors in this body. My comprehensive credit card reform bill takes a balanced approach to reforming major industry abuses and improving consumer protections for cardholders.

Put simply, the Credit Cardholders' Bill of Rights protects cardholders against arbitrary interest rate increases any time and for any reason; prevents cardholders from being unfairly penalized; protects cardholders from due date gimmicks; shields cardholders from misleading terms, and empowers them to set limits on their own credit and to better control their own credit; prevents card companies from giving subprime credit cards to people who cannot afford them; and requires Congress to provide much better oversight of the credit card industry in general.

The Credit Cardholders' Bill of Rights fosters fair competition and free market values. It sets no price controls, no rate caps, and no fees. It merely requires the card companies to let consumers know when they are jacking their fees up and increasing their rates. I believe the free market works best when consumers are empowered to make their own choices, and my bill would give cardholders the information and the rights they need to make choices about their own credit.

The balanced provisions in my bill are the deliberative result of over a year of careful study and analysis. Over the last 2 years, I held numerous congressional hearings and meetings to determine how Congress, Federal regulators, and credit card companies could work together to help improve services and protections for cardholders.

There is no doubt that credit cards are very important to our economy. They offer cardholders instant access to a convenient and flexible source of financing, and have enabled many people to start new businesses, pay for tuition, or make other major purchases. Credit cards also provide many people with a safety net to help solve cash flow problems or cover unexpected expenses. But cardholders are increasingly confronting problems with unfair industry practices embodied in one-sided contracts, and this must be changed.

In recent months, the House of Representatives, under the leadership of Financial Services Chairman BARNEY FRANK, succeeded in passing major mortgage reform legislation and an economic stimulus plan. The Senate is now following suit. Both of these important steps will help get our economy back on track, but we cannot overlook credit card reform. It is a critical part of the equation, and one Congress will be turning its attention to.

Over 155 of my colleagues have already signed on as cosponsors of this important legislation. In the coming months, I plan to continue to build on the support this bill has gained, and I plan to work with BARNEY FRANK to get this marked up in committee so we can bring it to the floor for a vote.

Consumers deserve to know where their elected officials stand on credit card reform that affects their lives. This is a critical issue of importance to my constituents, and we must show them that Congress is ready to restore some balance between consumers and credit card companies.

When I started to work on this issue, one of the first things I did was hold a roundtable discussion with many of the stakeholders, major credit card issuers, as well as leading consumer advocates. From this discussion, I developed a series of principles that have guided the development of the legislation. I am going to take a few minutes to describe each of these principles, explain what the bill does to achieve them, and provide real-world examples of what this means to the average credit cardholder.

The first principle is that cardholders deserve protection against arbitrary interest rates any time and for any reason. Right now, credit card companies have the right to raise a customer's interest rate for any reason. This has made it very difficult for many consumers to understand how and why they have had their interest rate changed and hiked up on their credit cards.

Compounding this problem is that when a new higher interest rate is applied, it not only affects future purchases, it also raises the interest rate on existing balances. Consumers are often only made aware of these new higher interest rate increases only after they have gone into effect.

To counter this problem, the Credit Cardholders' Bill of Rights requires credit card companies to give a customer 45 days' notice of any and all interest rate hikes, and allows them the option to just say ''no,'' to opt out of the interest rate increase. In return, if the cardholder opts out of the new rate, they are required to close the card and pay off the existing balance at the payment schedule they agreed to.

And here is a real-world example. A person has a $1,000 balance and a 9.9 percent APR interest rate. One month, she pays her utility bill one day late. The credit card company charges her a $35 late fee and raises her interest rate from 9.9 percent to over 29 percent, but does not tell her about the rate increase until she gets her next statement in the mail. The new rate is applied to the entire existing balance of $1,000. And the consumer can try and get a new card at a lower rate, but until then the $1,000 debt will be growing at a 29.99 percent rate of interest.

Under the Credit Cardholders' Bill of Rights, the customer would still be charged the late fee, but they would be notified that, in 45 days, their interest rate would be raised from 9.9 percent to over 29 percent. This would give them more time to try to apply for a new credit card with a lower interest rate; or, they could decline the higher interest rate on the card, close the account, and pay off the balance at the old 9.9 percent rate.

I have got to say, under the Credit Cardholders' Bill of Rights, the customer could still be assessed the higher interest rate for missing payments on other bills, but that new higher rate would only apply to purchases and balances going forward and not retroactive on their existing balances. They would also have the ability to opt out of the rate increase, close the account, and pay off their existing balances at the old rate.

Another principle in the bill is that cardholders who pay on time and don't go over their limit should not be penalized. The so-called double cycle billing is a confusing practice that certain card companies employ to charge cardholders more interest. It affects cardholders who go from paying off their balances in full to carrying a balance. Here is how it works.

Most card companies charge interest on the remaining unpaid balance from a cardholder's previous billing cycle. Card companies that use double cycle billing, however, charge cardholders interest on the entire balance from the previous cycle even if the cardholder paid part of it off. Card companies that use double cycle billing are effectively charging interest on balances that have already been paid. How fair is that? The Credit Cardholders' Bill of Rights bans this really unfair practice called double cycle billing.

Here is a real-world example. A cardholder usually pays off her credit card

in full every month, but one month she charged $100 and only paid $50 by the due date. If she had a credit card that calculated payments on a single cycle, she would have been given credit for paying that $50 and only charged interest in the next billing cycle on the remaining $50 that she owed. But since her card company uses double cycle billing, she was charged interest on the $100 from the previous billing cycle plus the remaining $50 that she still owes. Under my bill, card companies would be prohibited from billing on a double cycle and charging interest on debt that has already been paid.

Another principle of this legislation is that cardholders should be protected from due date gimmicks. Currently, card companies are allowed to mail billing statements out as few as 14 days before the statement is due. Mail delays and a host of other problems mean that cardholders on that schedule find themselves with less than a week to get their payments back to their card company, increasing the likelihood that they will have a late payment.

The Credit Cardholders' Bill of Rights gives cardholders more time to pay their bills. It requires card companies to mail billing statements 25 calendar days before the statement's due date. It also requires that payments made before 5:00 p.m. eastern standard time on the due date are considered timely. The bill also prohibits card companies from charging late fees when a cardholder presents proof of mailing his or her bill within 7 days of the due date.

□ 1800

Another is that the bill and the cardholders should be protected from misleading terms and statements. Card companies can currently define the terms ''fixed rate'' and ''prime rate'' pretty much any way they want to. This can lead to obvious confusion among cardholders.

The Credit Cardholders' Bill of Rights prevents card companies from using these terms in a misleading or in a deceptive manner by establishing single set definitions that every company must use. For example, the term ''fixed rate'' must be a rate that will not change or vary for any reason over a defined period of time. The Credit Cardholders' Bill of Rights also gives cardholders who get pre-approval for a card the right to reject that card up until the moment they are to use it or to activate it without having their credit adversely impacted.

I would like to say that, also, another principle is that cardholders deserve the right to set limits, and card companies should not impose excessive fees on cardholders. Most card companies currently don't give cardholders the option of setting real limits on their own accounts. Instead, card companies allow the cardholder to exceed that amount and assess fees and/or a rate increase for doing so.

The Credit Cardholders' Bill of Rights would require card companies to offer consumers the option of having a fixed credit card limit that cannot be exceeded, and it would prevent card companies from charging over-the-limit fees on a cardholder with a fixed credit limit.

The bill also limits the amount of consecutive over-the-limit fees card companies can charge to a more reasonable number of three. Here is a real-world example.

A cardholder had a credit limit of $2,000 on her card. Things got a little tight around the holidays, and she used her card more than normal, accidentally going over her limit by $50. As a result, she was charged a $39 late fee. In the next billing cycle, she sent the card company a check for $60, but that still left her over her credit limit, so she was charged another $39 over-the-limit fee.

Under the Credit Cardholders' Bill of Rights, the cardholder would be able to set his or her credit limit and wouldn't be able to make any purchases that put him over his fixed limit. If a cardholder did not want to set a fixed limit and did so accidentally go over his limit, a card company would only be allowed to impose more reasonable three consecutive, over-the-limit fees upon the customer.

Another principle of the bill is that card companies should fairly credit and allocate payments. When a credit card account has balances with different interest rates, a decision has to be made as to how to allocate payments. A cardholder pays the least amount of interest when any payment is allocated to the highest interest rate balance first, and a credit card company makes more in interest payments when the payment is allocated completely to the lowest rate balances. Currently, most credit card companies allocate payments to the lowest interest rate balance first while prohibiting payment on balances at higher interest rates until the lower rate balance is paid in full. This isn't very fair to the cardholder, however. In fact, many cardholders have no idea that their card companies are deciding to allocate their payments.

The Credit Cardholders' Bill of Rights directs card companies to fairly allocate payments on balances at different interest rates, making payments more equitable for both cardholders and card companies.

Here is a real-life example of that principle. A cardholder has a new credit card given with an introductory zero percent interest rate on all balance transfers. So he transferred a $1,000 balance he had on another card. He then went out and bought $2,000 worth of new equipment. When he made a $250 payment on his new card that month, he noticed that his interest rate for new purchases was 24 percent, but all of his payment went to pay down the zero percent balance. He wanted to pay, obviously, on the $2,000 balance since it was at such a high interest rate, but he was told he could not start paying on that balance until the original zero balance was paid in full.

Under my bill, the $250 payment would go towards paying off both the lower interest balance and the higher interest balance on a proportional basis.

I want to say that this bill has gained not only 155 of my colleagues in a bipartisan sense, but it has also gained over 45 editorials from across this Nation in support of the Credit Cardholders' Bill of Rights. I would like to share some of the comments from these editorials.

From the New York Times on May 3 of this year: '' . . . consumers are already losing as their interest rates on the cards suddenly skyrocket. Fees appear mysteriously on their bills, and even the billing cycles get shortened to make it harder to pay on time. Congress needs to take up the issue now rather than wait for the Federal Reserve to create rules that can be too easily changed. The banking industry likes to boast that more than 90 percent of credit card customers have no problems with their little plastic cards. Given that there are more than 1 billion credit cards believed to be in use, that leaves a lot of people swamped by what is now called the 'tricks and traps' of the credit card business.''

The Boston Globe reports on May 31: ''Regulators and elected officials are starting to circle the credit card companies and not a moment too soon. The Federal Reserve reports that credit card debt rose more than 7 percent last month on top of the already burdensome average of $8,000 per American family. Credit and debit card delinquencies are at their highest levels in 18 years, and all the while, credit card companies are employing practices that only dig consumers deeper and deeper into debt.''

The Credit Cardholders' Bill of Rights is a modest reform to bar credit card companies from raising interest rates on outstanding balances because of some action or unpaid bill in another area. It deserves our support.

On May 6, USA Today reported: ''For years, Congress ignored consumer outrage as the industry flooded the public with solicitations, then squeezed customers with escalating fees and high rates. Voters should pay close attention this year to who is trying to get the issuers to act more responsibly and who is defending some of their more outrageous practices.''

The Staten Island Advance on May 16 stated: ''In a sign that Americans are relying more on their credit cards, the total for revolving credit has grown in 2008 significantly faster than fixed-rate debt. During the past year, revolving debt has risen nearly $6 billion per month, or almost 8 percent, one of the fastest growth rates since 2001. In the past 12 years, penalty fees for late payments have more than doubled, from an average of $13 in 1995 to $28 now.

Make just one late payment, and you can face a penalty interest rate of more than 30 percent. The fine print in most disclosure statements says that issuers can change the terms of the cardholder's agreement at any time, for any reason. There is no other contract in the world that can change its terms at any time.''

In Tennessee, the Knox News reports: ''The proposed regulations should curb some of the more unfair practices, and if effective, it may help consumers.''

The St. Petersburg Times in Florida reports: ''Americans owe more than $800 billion in credit card debt, and more than 1 in 3 cardholders are unable to make timely payment on accumulated balances. What is troublesome for banks can be tragic for families. With falling home values, stagnant wages and rising prices for basics such as food and fuel, Americans are relying more on credit cards to pay for necessities. Some lenders have taken advantage of that situation by bumping up fees and interest rates on credit cards, even for those who pay on time. Somebody needs to regulate a market that is out of control and takes advantage of the most naive and vulnerable consumers and is threatening an already fragile economy.''

Then in Pennsylvania, on May 10, the Daily and Sunday Review stated: ''Intervention is necessary if Americans under the thumb of the credit card industry are to have any hope of solvency, and even though the Feds' proposals are welcomed, they should not supplant far broader relief envisioned in the credit card bill of rights.''

The Charleston Gazette writes: ''Yes, too many accepted cards they could not afford, and charged more than they earned. As the old saying goes, 'It's easier to sign a note than to pay for it.' However, tricking customers who carry a balance into paying dubious fees and penalties is unethical.''

The Dallas Morning News says: ''There's a huge difference between charging cardholders who have missed payments and willfully creating a system to generate unnecessary penalties. We deserve change. We should pass change.''

On May 6, the Baltimore Sun said: ''Amid a severe mortgage crisis and credit crunch, the rules should help prevent many cardholders from going under because of some of the industry's worst practices, including high interest rates and high fees. These proposals, which don't take effect until the end of the year, should not prevent Congress from acting on its own and passing needed credit card reform.''

I would like to say that credit cards are important. They benefit many families, and I would say that some industry groups and some banks have instituted best practices and have said that they voluntarily will no longer impose any time/any reason increases on customers who pay on time and who don't go over their limits. They say they will no longer practice double cycle billing, but many credit card companies still practice these really harmful and unfair policies, so we need to pass this legislation, and we need to give relief to consumers and level the playing field, not only between the consumer and the cardholder but between companies that are doing the right thing and those that are still abusing the consumers.

I would like to say that I thank my colleagues. One hundred fifty-five of my colleagues have joined me on the Credit Cardholders' Bill of Rights and over 45 editorials from across this country. I hope that my colleagues will read the bill, those who are not on it, and will join us in this effort to bring relief to America's working families.

I yield back the balance of my time.

THE IRANIAN THREAT

The SPEAKER pro tempore (Ms. WATSON). 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, there was a very interesting editorial in the Wall Street Journal today. Let me read a bit from it. Talk about timing. It is, perhaps, fortuitous.

''On Tuesday, Secretary of State Condoleezza Rice was in Prague, signing an agreement that's a first step toward protecting Europe from ballistic missile attack. As if on cue, Tehran, yesterday, tested nine missiles, including several capable of reaching southern Europe as well as Israel and U.S. troops stationed in the Middle East. Remind us. Who says Iran isn't a threat?''

Yesterday's test offered no big surprises about Iran's missile technology, but they are a useful reminder of just how real the Iranian threat is and how rapidly it is growing. One of the missiles tested was the latest update, the Shahab-3, which has a range of about 1,250 miles. Replace the payload with a lighter one, say, a nuclear warhead, and the range gains 1,000 miles.

□ 1815

Add a booster, and the range can be extended even farther. North Korea did just that with its Taepodong-2 missile.

Technology that is passed along to Iran. U.S. intelligence estimates that Iran will have a ballistic missile capable of reaching New York or Washington by about 2015. But Iran may already have the capability to target the U.S. with a short-range missile by launching it from a freighter off the east coast. A few years ago, it was observed practicing the launch of Scuds from a barge in the Caspian Sea.

This would be especially troubling if Tehran is developing EMP, electromagnetic pulse technology. A nuclear weapon detonated 100 miles over U.S. territory would create an electromagnetic pulse that would virtually shut down the U.S. economy by destroying electronic circuits on the ground. William Graham, head of a congressional commission to assess the EMP threat, testifies before the House Armed Services Committee this morning. We hope someone asks him about that.

I attended that hearing. And he was asked about that.

Let me give you a few quotes from his testimony this morning.

''Several potential adversaries of the capability to attack the United States with a high altitude nuclear weapon generated electromagnetic pulse, and others appear to be pursuing efforts to obtain that capability. A determined adversary,'' he says, ''can achieve an EMP attack capability without having a high level of sophistication. For example, an adversary would not have to have long-range ballistic missiles to conduct an EMP attack against the United States. Such an attack could be launched from a freighter off the U.S. coast using a short- or medium-range missile to loft a nuclear warhead to high altitude.

''Terrorists sponsored by a rogue state could attempt to execute such an attack without revealing the identity of the perpetrators.

''Iran, the world's leading sponsor of international terrorism, has practiced launching a mobile ballistic missile from a vessel in the Caspian Sea. Iran,'' he says, ''has also tested high altitude explosives of the Shahab-3, a test mode consistent with EMP attack, and Iran described the test as being 'successful.' Iranian military writings explicitly discuss a nuclear EMP attack that would gravely harm the United States.

''While the Commission,'' he says, ''does not know the intention of Iran in conducting these activities, we are disturbed by the capability that emerges when we connect the dots.''

Dr. Graham was the principal author of a report produced by the Commission to assess the threat to the United States from electromagnetic pulse attack.

And let me read a single statement from the introduction to this study. ''The electromagnetic pulse generated by a high altitude nuclear explosion is one of a small number of threats that can hold our society at risk of catastrophic consequences.''

And a little later we'll have a chance to note what those catastrophic consequences are.

Here is a report, the CRS report for Congress. ''High Altitude Electromagnetic Pulse, HEMP, and High Power Microwave, HPM, devices threat assessments.'' And they discuss also this electromagnetic pulse.

The first chart shows us a quote from one of our now Senators that I had the privilege of serving with on the Armed Services Committee in the Congress before he went to the Senate, JOHN KYL. He says, ''Last week the Senate Judiciary Committee's Subcommittee on Terrorism, Technology and Homeland Security, which I chair,'' he says,

''held a hearing on a major threat to the United States, not only from terrorists but from rogue nations like North Korea,'' and he might have added Iran.

''An electromagnetic pulse (EMP) attack . . . is one of only a few ways America could essentially be defeated by our enemies, terrorists or otherwise . . . Few if any people would die right away. But the long-term loss of electricity would essentially bring our society to a halt . . . few can conceive of the possibility that terrorists could bring American society to its knees by knocking out our power supply from several miles in the atmosphere. But this time we've been warned, and we better be prepared to respond.''

The next chart is a quote from Major Franz Gayl, ''The impact of EMP is asymmetric in relation to our adversaries. The less-developed societies of North Korea, Iran and other potential EMP attack perpetrators are less electronically dependent and less specialized while more capable of continued functionality in the absence of modern conveniences.''

What they're saying is that if this EMP attack was made in one of these countries, that they would not be hurt anywhere near as much as we because they have a much less sophisticated infrastructure.

''Conversely, the United States would be subject to widespread paralysis and doubtful recovery,'' doubtful recovery, ''following a surprise EMP attack. Therefore, terrorists and their coincidentally allied state sponsors may determine that given just a few nuclear weapons and delivery vehicles the subjection of the United States to a potentially non-attributable EMP attack is more desirable than the destruction of selected cities. Delayed mass lethality is assured over time through the cascade of EMP's indirect effects that would bring our highly specialized and urbanized society to a disorderly halt.''

What is this EMP that these several reports and articles have been talking about?

The next chart, and this comes from the U.S. Defense Nuclear Agency, and this shows how an EMP is produced. Our first exposure to this was way back in the early 1960s, 1961, I believe, over Johnston Island in a test, and then we were testing nuclear weapons in a test called Starfish. I think that was one in the series of the Fishbowl tests. And this test was the first one that we had conducted above the atmosphere. All of the other tests had been on a tower or underground. This one was above the atmosphere.

And we had some very surprising results from that. It was about, I think, 800 miles away from Hawaii and almost instantaneously, there were effects, electronic and electrical effects, in Hawaii from this extra atmospheric detonation of a nuclear weapon.

This chart shows what happens when the nuclear weapon explodes. There are some gamma rays that come out. They produce Compton electrons. And these Compton electrons then flow at the speed of light, line of sight, and if the weapon is, say, 300 miles high above the United States, that would cover all of the United States.

This EMP wave is like a lightning strike, although different than lightning. Or a static electricity. A really strong static electricity everywhere all at once. It's just hard to conceive of something like this, that there would be a simultaneous over all of the United States lightning strike, although not quite like lightning, that would destroy, if it were strong enough, all of the electronic devices in our country.

The features in EMP from a high altitude burst they say is wide-area coverage, high-field strengths, and they note here 50 kilovolts per meter. A little later we will talk about what the EMP Commission learned from a couple of Russians, Soviet generals who are now Russian generals, who said that the Soviets had developed 200-kilovolts-per-meter weapons. We will discuss a little later what that means.

Broad frequency band of a very broad range or frequency from D.C. to 100 MHz. ''Absence of most other nuclear weapons effects.'' There isn't any fallout because there is nothing to fall out. Fallout is produced when a weapon is detonated at the surface or near the surface and it blows a lot of radioactivity up in the air. In this case, there isn't any material blown up in the air so there really isn't any conventional fallout.

The next chart shows us the range, what would be covered by a weapon detonated at various altitudes. And this is looking at the center of our country near Iowa and Nebraska. And the surface, little red dot here in the middle, if it's detonated on the surface, very small area is impacted. If it is 60 miles up, you'd get a broader area; 200 miles up, you get a still broader area. And if you go 300 miles up, it covers all of the United States, the tip of Maine and Florida and the State of Washington.

The next chart shows, again, the coverage of an EMP, and this one shows how the intensity of the field degrades with distance. And there is this so-called ''smile effect'' from it. And the color coding over there shows the degradation of the intensity. It starts out with red in the middle, which is 100 percent, and then we get to the purple out here, and that's 50 percent. And you see that the degradation is cut into about half by the time you reach the margins of our country.

That's important when we look at the next chart because the next chart redacted the names of the Soviet generals, and now Russian generals is now redacted. The Commission—this is from the EMP Commission report.

''The Commission met with Russian Generals 'blank' and 'blank' who claimed: Russia designed a 'Super-EMP' nuclear weapon capable of generating 200 kilovolts per meter. Russian, Chinese and Pakistani scientists are working in North Korea and could enable that country to develop an EMP weapon in the near future.''

And one needs to note the close working relationship between North Korea and Iran.

The next chart further looks at this threat. And this again is from the EMP Commission, a Commission set up 4 years ago by legislation that I initiated. They have been working for 4 years now, and we are planning this year to extend their life another 4 years because it is absolutely essential, as you will see as we go on with the discussion, that both our military and our national infrastructure be aware of this threat and do reasonable things to protect our military and our country against this threat.

''EMP is one of a small number of threats that may,'' they say, ''hold at risk the continued existence of today's U.S. civil society.'' That is quite a statement. What that means is that EMP is one of a small number of threats that may end life as we know it. It could ''disrupt our military forces and our ability to project military power.

''The number of U.S. adversaries capable of EMP attack is greater than during the Cold War.'' Then there was only one adversary. Today there are potentially many who have nuclear weapons or could acquire nuclear weapons and missiles and even short-range missiles, as was pointed out, that could be launched from a tramp steamer off our coast.

□ 1830

Potential adversaries are aware of the EMP's strategic attack option. My wife raised this question: Should you really be talking about this because you are giving these people ideas? And I assured her that every one of our potential enemies has in their open literature detailed discussions of an EMP attack and how it could be used and how they would use it.

A little later I'm going to show you a chart which is in Russian writing, and we can show you from the open literature of any of these countries that might launch an attack against us, in their open literature they know. Ninety-eight percent of the people in our country may know nothing about EMP and what it could do to us, but I will assure you that 100 percent of our potential enemies know all about EMP and what it could do.

The threat is not adequately addressed in U.S. national and homeland security programs. Dr. Graham is a scientist, and scientists frequently are capable of understatement. This is a gross understatement. The threat is not adequately addressed. The threat is not addressed.

You know, some things are too good to be true, and usually if something is too good to be true, it's not true. This thing is so bad, the potential is so

enormous, that some people think, gee, that's just too bad to be true, so it can't be true, like that's too good to be true so it can't be true, but I'm afraid this is true.

The next chart, and I'm really pleased at the quality of the nine members of this commission. These are top people with many, many years of experience. When I was just finishing my first two years of teaching medical school, 56 years ago now, Dr. Johnny Foster was designing nuclear weapons for our country, and he was the director of LLNL and the director of DDR&E.

Mr. Earl Gjelde, chief engineer and acting director, Bonneville Power Administration, very knowledgeable in our grid and its vulnerabilities.

Dr. Bill Graham, who was the chairman, he's had a long, long experience, has been appointed by a couple of different administrations. He was a science advisor, for instance, to President Reagan. He was Rumsfeld's deputy in their very important study on the emerging threat of ballistic missiles.

Dr. Robert Hermann, director of NRO. NRO is very interesting. Of course, just a moment to talk about NRO, National Reconnaissance Organization. Until just a few years ago even that name was secret, and they spend probably more money than almost any other agency in our country. There were several billion dollars that they couldn't account for, and we finally decided, gee, for what they do, that's small change, and we won't worry about that. You see, the NRO is the organization that buys and launches all of our incredibly expensive spy satellites, and he was the director of NRO; principal deputy assistant secretary to the Air Force; senior vice president, United Technologies.

Hank Kleupfel, advisor to the President's NSTAC; vice president of the very prestigious International Science Applications International Corporation.

General Lawson, a four star general, with a lot of experience.

Gordon Soper, who has a lifetime of experience, is director of the Nuclear Forces C3, the chief scientist at DCA.

And one of my favorites is Dr. Lowell Wood, director's staff, LLNL; technical advisor, SSCI and the House committee, the committee on which I serve.

When I first became interested in EMP, I called Tom Clancy, whom I know, and I knew that he had an EMP sequence in one of his books. And so I knew he knew something about it. And so I called to ask him about it. He said, well, if you read my book you know all I know about it because I put it all in the book. But he referred me to the person who he said was the smartest person hired by the U.S. government. That's a tall order because we hire a lot of people, but this Dr. Lowell Wood, he said, is the smartest person hired by the U.S. government.

And then Dr. John Woodard, who is executive vice president and deputy director of Sandia National Labs. That's an interesting one because I went out to visit the last of our 10 children who has a Ph.D. in computers working at the Sandia National Labs, and he brought home from work some little things that they had sent him that led me to believe there might be some expertise in Sandia National Labs that would be of use in our evaluations of this EMP threat.

So I asked him to inquire about that, and the next day I was over there I think for four or five hours for a classified briefing. Well, I didn't know when I went there that Dr. John Woodard, who is the executive vice president, was one of the nine members of this commission. So that was a very, very fortuitous trip.

I just wanted to note how impressive this group of people are.

Potential adversaries know about EMP. I wanted to spend just a moment on this because I don't want anybody to believe that we're somehow letting the cat out of the bag here in telling people what they don't know, and this is from the EMP Commission itself.

''Hypothetically, if Russia really wanted to hurt the United States''—oh, let me tell you about this. I was there and I think there were about nine of us, a codel, and we were in Vienna, Austria, with three members of the Russian Duma, Vladimir Lukin, who was ambassador here at the end of Bush I, and the beginning of the Clinton administration; the third ranking Communist, a tall, handsome blonde, Alexander Shabonof; and a bright, rising star in one of their parties there, Vladimir Rushkoff.

And we were there in Vienna with a personal representative of Slobodan Milosevic, and Slobodan Milosevic had the three captives, remember, and he wanted rid of them. And his personal representative there said, you understand how important it is for him to get rid of those three people, because if any harm comes to them while they're under his control, that's going to be bad news for him.

Jesse Jackson was there, and they really did not want to release them to Jesse Jackson. They wanted to release them to us. The head of our codel had promised that he wouldn't go there. I had not promised I wouldn't go, and so I volunteered to go. Other members of our codel said, gee, I wonder if we really ought to go, and maybe there will be several additional captives there if we go.

I assured them that if the Russians went with us—and by the way, the Russians joined the G–7 to become the G–8, and 6 days later, the framework agreement which we negotiated there was approved by the G–8. The only large country in whom the Serbs had confidence was Russia, and Russia told us, whatever we agree to in these negotiations, the Serbs will agree to.

Well, Vladimir Lukin sat in this hotel room in Vienna, Austria, for a couple of days during these talks, with his arms folded across his chest. He was very angry. He was looking at the ceiling. He said, you spit on us; now, why should we help you? And he made that statement because the United States had kind of said, you know, then oil wasn't $140 a barrel and Russia was very poor and their military was in decay, and we essentially told them, you know, we're the big boy, we'll take care of this, we don't need you.

And so Vladimir Lukin was kind of smarting under that, and he said, You spit on us; now, why should we help you? And then he made this statement. He said, If we really wanted to hurt you, with no fear of retaliation, we'd launch an SLBM, submarine launch missile. We wouldn't know where it came from; it came from the sea. And we'd detonate a nuclear weapon high above your country, and it would shut down your power grid and your communications for 6 months or so.

Alexander Shabonof, the third ranking Communist who was there, smiled and said, And if one weapon wouldn't do it, we have some spares, like about 10,000 is how many spares they had.

So I was there when they made that statement. The Chinese military writings describe EMP as the key to victory and describes scenarios where EMP is used against U.S. aircraft carriers in a conflict over Taiwan. They read all statements from the EMP Commission.

A survey of worldwide military and scientific literature sponsored by the Commission found widespread knowledge about EMP and its potential military utility, including in Taiwan, Israel, Egypt, India, Pakistan, Iran and North Korea.

As I said earlier, maybe 98 percent of our people don't know much, if anything, about EMP, but I can assure you that 100 percent of our potential adversaries know everything about EMP.

Terrorist information warfare includes using the technology of directed energy weapons or electromagnetic pulse. This is from the Iranian Journal, March of 2001.

Iran has tested launching a Scud missile from a surface vessel, a launch mode that could support a national or transnational terrorist EMP attack against the United States.

And the next chart shows a continuation of these statements to assure us that when we talk about EMP and the fact that we are vulnerable and we really need to do something about that that we're not letting the cat out of the bag.

This is from an Iranian Journal, December of 1998. ''If the world's industrial countries fail to devise effective ways to defend themselves against dangerous electronic assaults, then they will disintegrate within a few years. 150,000 computers [belong] to the U.S. Army. If the enemy forces succeeded in infiltrating the information network of the U.S. Army, then the whole organization would collapse, and the American soldiers could not find food to eat

nor would they be able to fire a single shot.''

This, by the way, is one of the other—when the report said there were just a few weapons that could bring us to our knees and end life as we know it, a really aggressive cyber attack that brought down all of our computers—and our computers control everything. They control your power grid. They control your communication. That is what they're talking about here.

''Terrorist information warfare [includes] using the technology of directed energy weapons or electromagnetic pulse.'' This is the Iranian Journal.

Terrorists have attempted to acquire non-nuclear radio frequency weapons.

What we're talking about specifically today and what our hearing was about and what the editorial in The Wall Street Journal was about was nuclear-produced electromagnetic pulse. We can produce here on Earth a very focused, targeted EMP. It is conceivable, for instance, that you can mount one of those in a van and go down Wall Street and shut down all the computers in the buildings right next to you. That is a very local thing. It would be hurtful, but we could recover from that.

The next chart really is an interesting one. To convince you that our potential enemies really do know about this, this is from a Russian journal, and there it is in Russian and it's obviously EMP. You can see the detonation of the weapon. You can see the sparks here in the power grid. You can see the resisters here, the fuses probably, they're all exploding.

The next chart shows an American translation of what the Russians were saying in this chart, and you will notice the same two figures here.

Electromagnetic fields arise from nuclear explosions which produce impulsive electrical currents and stress in aerial and ground conductors and cables—this is a direct translation, and it's sometimes hard to translate into smooth English words in another language—and in radio station antennas. Radio waves are also produced which propagate to large distances. And boy, they do propagate to large distances.

Electromagnetic fields and currents in the atmosphere arise as the result of the formation near the explosion of a shining region and a large region of ionized atmosphere produced by penetration radiation.

This is our translation of their description of the nuclear detonation and the production of these alpha particles and these Compton electrons.

Source, currents and stresses exhibit transient impulse with characteristics close to the impulse caused by lightning discharges. Its duration is a few milliseconds.

Well, some of the pulses, as a matter of fact, last a couple of minutes. There are some very long wavelengths in this that will couple with railroad tracks, for instance. There's some very, very short wavelengths which will couple with the tiniest fields in a chip.

For ground and aerial explosions, at a radius of a few kilometers from the center of the explosion, overstress between conducting aerial lines or electrical supplies and grounds reach tens and hundreds of thousands of volts.

□ 1845

While between the arteries of underground cables—ah, that's another thing, burying your cables won't protect you. Some of these long wavelengths reach underground and couple with the cables underground. So essentially everything is taken down. The one thing that is immune to it is fiberoptics. But unless you're using optical switching, it will do no good to use fiberoptics because the EMP will take out the switching. So if you have optical switching and fiberoptics, then you're immune to it.

But we can make all of our systems immune to it. It costs some money. Our fighter planes are all immune to it. The President's Air Force One is EMP hardened. We have a few satellites up there that are EMP hardened. But about 95 percent of all of our military communications go over commercial satellites. And the satellites are the weakest link in the chain because it is very expensive to put stuff in space; it costs $5,000, $10,000 a pound. And hardening increases weight as well as expense. And so nothing of our civilian infrastructure, space infrastructure is hardened.

A single detonation 300 miles high above our country would take out all low Earth orbit satellites that are a line of sight. The prompt effects take that out. And then the Van Allen belts are pumped up, and the other satellites will all be dead in a few days to a week or two. And it would do you no good to launch other satellites even if you could because the Van Allen belts will stay pumped up for a year or so.

Of course this effects everybody. This is the strike that comes back to bite you. And so your enemy would have to be prepared that they would also have no satellites because a single weapon would take out all of the Earth's low orbit satellites; no more GPS, for instance.

The next chart is a look at why EMP? Why would an adversary use electromagnetic pulse? States or terrorists may well calculate that using a nuclear weapon for EMP attacks offers the greatest utility. EMP offers a bigger bang for the buck against the U.S. military forces in a regional conflict or a means of damaging the U.S. homeland.

There is no way that a nuclear weapon could be used at ground level that would produce anywhere near the effects that are produced by a nuclear weapon detonated in space, producing this EMP pulse.

EMP may be less provocative of U.S. massive retaliation compared to a nuclear attack in a U.S. city that inflicts many prompt casualties.

If there was an EMP attack on our country, all that it has done is to take out all of our computers, which means we have no power grid, we have no communications. How do you respond to that? Are we now justified in vaporizing the grandmothers and babies in the country from which it was launched? By the way, unless it's launched by Russia, which has thousands of missiles, or by China in the future, I don't think we will know who launched it because I don't think that any nation will launch against us from their soil because our satellites would detect the launch and we would know where it came from. And why should they? They're a long way off. Our shores are close to the oceans, and there are thousands of ships in the north Atlantic shipping lanes. It is impossible to keep track of those ships. It would be very easy to—and their literature talks about this—using a short range or a medium range missile, to launch from a ship.

There is a very interesting story—I hope that it is published, I was given a prepublication copy of it—called ''One Second After.'' And it's a story of what happens in our country with an EMP attack. It's a very well written story. It's in the hills of North Carolina. And there is a retired colonel who is there teaching in a university there. And on his child's 12th birthday, I think it was, they're having the birthday party and the lights go out. And he notices in a few minutes that there is no noise from the interstate, which is just over the hill. And he walks over to where he can look down on the interstate and he sees that all the cars are parked on the interstate and people are walking around the cars.

The story runs for a year. And at the end of the year—and I asked the members of the commission, they said, well, it might not be quite that bad, but at the end of the year in this story called One Second After there are only 25,000 people still alive in New York City, 90 percent of the country's population is dead, only 80 percent of the population in the area in which the story is set in North Carolina is dead. I said that for many people this is just too bad to be true, and so they don't even want to think about it.

During the Clinton administration he had a commission to set up, headed by General Marsh, to look at critical infrastructure. And they came to testify before our Armed Services Committee and we asked them, did you look at EMP? He said yes, we looked at EMP. Well? Well, we decided there was not a high probability of an EMP attack, so we didn't look at it anymore. I said, well, gee, with that attitude, if you haven't already, when you go home tonight you're going to cancel your fire insurance. I mean, that's why we have insurance, when there is a low probability, high-impact event. And I know of nobody at the end of the year, I've never heard anybody come and complain, gee, you know, I bought that fire insurance and my house didn't burn.

All that I want my country to do is to make the kind of an investment

that represents the equivalent of buying fire insurance on your house. Now, I have fire insurance on my house, I wouldn't sleep well tonight if I didn't, but I haven't hired somebody to stand there and to yell ''fire, fire,'' when he sees a fire. I'm content with my smoke alarms and so forth. But I've done what I think is a reasonable thing. But as the EMP Commission pointed out, our country has not done what would appear to be a reasonable thing in preparing for this eventuality, neither in the military nor in the private sector.

And these two studies that I referred to, the one by CRS, the Congressional Research Service, and the other by this commission, both of them paint the same picture, that an EMP attack on our country would be catastrophic. Now, there is something that we can do about that. And the Commission ends with a number of recommendations.

What would we do if there was an EMP attack on us? Not a building is hurt, you are not hurt—for the moment. Although, if it was really this 200 kilovolt per meter weapon—and we have not tested anything more than a fourth of that, about 50 kilovolts per meter—if it really was that weapon, the members of the commission are fairly confident that everything comes down, which means that you're in a world where the only person you can talk to is the person next to you, unless, by the way, you happen to be a ham operator with a vacuum tube set because vacuum tubes are a million times less susceptible to EMP.

I remember a number of years ago a Soviet MiG pilot defected to Japan, and you may remember that. And we were disdainful of the Russians because their planes still had vacuum tubes; they're a million times less susceptible to EMP. And the only way you could go anywhere after this really robust EMP laydown is to walk, unless you happen to have an old car that has coil and distributor. These are really tough; they almost certainly would be immune to this.

EMP could compare to a nuclear attack on a city, kill many more Americans in the long run—nobody immediately—and we die in the long run because we do not have any electricity, we do not have any transportation. The average city has 3 days supply of food. And go to any of our major cities and have the lights go out for a few hours and you will see how thin the veneer of civilization is.

EMP could, compared to a nuclear attack on a city, kill many more Americans in the long run from indirect effects of collapsed infrastructure, power, communications, transportation, food and water. City water is not flowing, the septic system is not working.

What do you do? There are a number of recommendations—we'll look at a few of those in a few moments—that they make. But the commission is convinced that, with reasonable expenditure, we can do something meaningful to protect ourselves against this. And by the way, our very vulnerability invites this attack. They know how vulnerable we are, it's in their public writings. They know that.

Strategically and politically, an EMP attack can threaten entire regional or national infrastructures that are vital to U.S. military strength and societal survival—vital to survival, they're making the point—challenge the integrity of allied regional coalitions and pose an asymmetrical threat more dangerous to the high-tech West than to rogue states.

To a state without our sophisticated infrastructure, losing electricity wouldn't matter much. There are many countries in the world that have a few hours of electricity in the morning and a few hours of electricity in the evening, that may have only water at certain hours of the day. And when they do that, they plan to store that water so that they will have enough for the rest of the day. So cultures like that would be nowhere near as much affected by an EMP attack as we would.

Technically, an operational EMP attack can compensate for deficiencies in missile accuracy—if you miss by 100 miles, it doesn't matter; it really doesn't matter if you miss by 100 miles—fusing range, reentry vehicle design, target location intelligence, and missile defense penetration. It really doesn't matter. None of these things matter. You just shoot a weapon. If a scud launcher goes up about 180 miles, that's plenty high to shut down the whole northeast and well down the mid coast. And it really doesn't matter if you miss where you would like it to detonate by 100 miles, it really doesn't make any difference.

The next chart shows the kind of technology we used to have during the Cold War. This is a trestle on which we have a large airplane. And we are doing simulated EMP attacks on that airplane to make sure that we have hardened the airplane. That's all mothball now, we aren't doing that anymore. By the way, it was impossible to really simulate an EMP attack because of the long line effect. There isn't any way, with this EMP burst created here on Earth, that we could cover an area miles long. And railroad tracks, power lines, any of these things are antennas. And there are some very long wavelengths here that, coupled with very strong structures like miles of power lines or miles of railroad tracks, and you really can't simulate the line effect. But we've done as good as we can do. And after hardening, we would test the planes to make sure that we had hardened them.

The next chart is one that is from this study of the EMP Commission. They started out looking at the military, but since all of our military bases are surrounded by towns and cities and suburbs and so forth, and since none of our military bases are stand-alone, as far as how power is concerned, they have some UPS units, some units that will produce temporary power, but few of them will last more than 48 hours and then their tank of fuel has run out and the generators stop working.

And so they started looking at the interface between the military and the civilian infrastructure, and they became very, very concerned about how interrelated and how fragile our national infrastructure was. It has grown to accommodate the growth of our population and our increased demands for energy, and it is not designed as an integrated system as it would be if you didn't have any of this and you started from scratch and put the whole thing in; it's kind of added on to and added on to. And so they have this little chart which shows, like a house of cards, the interrelationships between oil and gas and communications and water and banking and finance and government services and emergency services and transportation and electrical power and fuel. Look at the lines that run there, they all run from electrical power. If you don't have electrical power in our world, you don't have anything. Very few things operate without electrical power. So they were very concerned about the vulnerability of our national infrastructure.

One of a very few high-altitude nuclear detonations can produce EMPs simultaneously over wide geographical areas. Just one will do, as the previous chart showed, if you detonate it about 300 miles high over Iowa or Nebraska. Unprecedented cascading failure of our electronics-dependent infrastructure could result. As a matter of fact, if one of these super EMP-enhanced bombs is used, you will change that word to ''would'' result because there is no question but that that would bring down our whole infrastructure.

□ 1900

Power, energy, transport, telecommunications, and financial systems are particularly vulnerable and interdependent, and they would all come down. EMP disruption of these sectors could cause large-scale infrastructure failures for all aspects of the Nation's life.

Again, I say you would essentially, if this biggest weapon was used that produces 200 kilovolts per weapon, you would be in a world where largely the only person you could talk to is the person next to you unless you had that ham radio with a vacuum tube in it, and the only way you could go anywhere is to walk unless you happened to have a car that had a coil and a condenser.

Both civilian and military capabilities depend on these infrastructures, almost totally. Without adequate protection, recovery could be prolonged months to years. That's a very long time to hold your breath in a situation like this.

Now we will look at the conclusions and they had a number of conclusions. One of the conclusions was the EMP

threat is one of a few potentially catastrophic threats to the United States. By taking action, the EMP threat can be reduced to manageable levels. U.S. strategy to address the EMP threat should balance prevention, preparation, protection, and recovery. And one of the first things that we should do is to look at recovery. Should it happen, what would you do?

I remember that during the Cold War, I was working for IBM corporation, and I was concerned about what we would do when we came out of the fallout shelter. And then those fallout shelters were so prevalent, so omnipresent, that IBM was giving their employees interest-free loans to build a backyard fallout shelter. And I asked myself what would I do when I come out of the fallout shelter because it's going to be a whole different world? Then we were looking at perhaps hundreds of nuclear weapons falling on our cities and taking them out, but we had all of the fallout shelters, the civil defense things. Any public building you went into, there were brochures there telling you what you ought to do and how to do it. So people were really thinking about it. And in schools you practiced what you would do if there was an attack. You would put your head down between your knees and so forth. I remember that when I worked for the National Institutes of Health, we had drills there because our big research hospital there was going to become, I think, a 500-bed hospital for casualties. Then we developed and the Soviets developed the hydrogen bomb, and we weren't even sure that the hospital was going to be there after that. It was certainly going to be there after the conventional nuclear weapon. But we were preparing for that. So we can do something to prepare.

Critical military capabilities must be survivable and durable to underwrite U.S. strategy. If the enemy knows that they cannot shut down our retaliatory force, they will be much less inclined to do this unless they plan to do it in a very covert way. By the way, the book that I mentioned, this attack on our country, ''One Second After,'' the attack comes from a missile which is launched at sea, and then after the missile is launched, the ship is sunk so there are no fingerprints.

The next chart shows some conclusions, some action items. The 2006 defense authorization bill contains a provision extending the EMP Commission, and now we have the 2008 bill, and we are hoping to extend it now until 2012. The commission has been very effective. I will tell you that your military now is acutely aware of this and the Pentagon is aggressively addressing it. I come from Maryland, and I was pleased when the commission members told me today that Maryland is one of two States in the country that is as a State doing something about this. And so we hope the Commission will be very active in the next 4 years, and they are going to States, they are going to rotary clubs, they are going everywhere they can go to tell the people about this and what we can do and should do.

Terrorists are looking for vulnerabilities to attack, and our civilian infrastructure is particularly susceptible to this kind of attack. As I mentioned, our very vulnerability invites attack, and we can reduce the probability of attack if we do something meaningful to protect ourselves.

The Department of Homeland Security needs to identify critical infrastructures. Indeed they do. I have been concerned that our Homeland Security Department is doing essentially nothing in the area of civil defense. And I remember very well the Cold War. I was born in 1926, and I grew up during the Depression and then the long World War II and the long Cold War after that. And I remember we would have blackout drills, and one of the neighbors would be assigned on a volunteer basis to make sure that everything was blacked out. This was during the war when there was some threat that enemy bombers might be coming over our country. And then during the Cold War that followed that, every public building you went into would have literature telling you how to produce a fallout shelter, how to improvise one in your basement if you hadn't built one outside, the kind of food to store. It was available for sale at many places. How much water you needed. They had pictures of the fallout shelter and the beds and so forth and how you would make due there for the several days to a couple of weeks. And they made available monitoring equipment so that you would know when it was safe to go out when the radiation levels had fallen down to where it was safe to go out. So everybody—we practiced in schools. At our workplaces we practiced. And today there is essentially no attention given to advising individuals, businesses, churches, social clubs what they can do individually and collectively, and I will tell you that our strength is going to be determined not so much by our military, which is going to be okay, but our strength as a country is going to be determined by what we have done individually as families, as small communities to protect ourselves so that we do not become immediately a ward of the State.

And they asked Dr. Bill Graham what he had personally done. He has a generator which is not plugged in. Plug it in. It's hooked to the electrical system. It's a long line, effective, a big antenna. It's much more likely to be damaged if it's plugged in. With 200 kilovolts per meter, by the way, it's probably all gone anyhow. But if it's a lesser intense weapon than that, not plugging in it would make a difference. He has food and water for several days.

The average city has 3 days supply of food, 3 days supply of food. And I noted in the hearing today that if in anticipation of this, a year or 2 before and even a decade because this food, nitrogen packed and freeze dried, will last a very long time, then you are a patriot because now you're stimulating the economy. But if you wait until the hurricane is at the door or the missile attack is imminent and you do exactly the same thing, now you're a horder. Have you thought about that difference? You've done exactly the same thing. You put away food and water and essentials for survival. If you do it well ahead of the event, now you're a patriot, doing the right thing. If you do it immediately before the event, now you've become a horder. And nobody likes a horder.

The Department of Homeland Security also needs to develop a plan to help citizens deal with such an attack should it occur. This is not me saying that. It is the EMP Commission saying that. Citizens need to become as self-sufficient as possible. And they note something which is really very important. There are a number of things, a Hurricane Katrina, almost nobody there had made any preparation for this. And with hours they now were dependent on services from a government that wasn't there, that couldn't get there. And the Federal Government will tell you don't count on us for at least 72 hours. You need to be on your own. And I think that the really wise thing to do would be to be prepared for several days to several weeks. And there are any number of natural events or human-caused events that could result. Suppose it was a major strike. Oil is now 141 or so dollars a barrel, gas is over $4 a gallon, diesel nearly $5 a gallon. At some point the trucker may decide enough is enough, we quit, in protest, you've got to do something about this. A 3-day supply of food in the stores. Wouldn't it be nice if you had a meaningful supply in your home so there are a number of storms that you could weather in addition to this one? Citizens need to become as self-sufficient as possible.

Well, I have been concerned about electromagnetic pulse now for a number of years. I am very pleased that we were able to get this commission set up. I am really pleased with the quality of the commission and what they have been able to do. And now we are extending it. We have already passed the bill in the House here. We're extending it now for 4 more years, to 2012, and I look forward to the commission's being active. And this is really very stimulating and challenging, and meeting a big challenge like this and overcoming it is exhilarating. And I will tell you, rather than watching silly programs on television, the family would be much better rewarded and would feel better if they would sit down and say what can we do to prepare for this? Because our country is going to be stronger if I am self-sufficient and maybe I have enough to help somebody else, so that I'm not a ward of the State. And I hope that your government—the Homeland Security is the right place to look—is going to become more active in telling you what you need to do. But if they

don't, go back and look at the advice given during the Cold War. What we were encouraged to do then, what we did then is precisely the kind of thing we need to do now. Now, there was lots of preparation. There were fallout shelters that would accommodate hundreds of people. If you went to Switzerland, if you go today, you will find that all of Switzerland can go underground with enough food and water to last them for quite a while. Now, we never had that level of preparedness, but we were enormously better prepared then than we are now.

Well, Madam Speaker, I am pleased for this opportunity to talk about this very important subject, and I hope that we become less and less vulnerable, which will reduce the threat more and more.

OUR TWIN PILLARS OF FREEDOM: THE DECLARATION AND CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 60 minutes.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, we are in this Chamber just several days removed from our July 4th district work period, and I had reserved time on the Friday before our scheduled departure to discuss the importance of and the relevance of the birth date of this Nation. Since our session for that day was canceled, this is my first chance to speak on that subject.

Nearby in the Capitol rotunda hang four paintings crafted from the hand of John Trumbull, one of George Washington's aides-de-camp during the Revolutionary War. In the first of them, members of the Second Continental Congress, now 232 years ago, signed their names to the Declaration of Independence, thereby formalizing a severance of the institutional bonds between the colonies and their mother country. Out of a ''decent respect for the opinions of mankind,'' they stated the reasons for this action in assiduous detail, invoking the ''laws of nature and of nature's God'' and the natural right of revolution because their inalienable natural rights had been abridged.

Twelve years later, after a long, exhausting, but ultimately successful war for independence, the people of this country were debating in ratifying conventions up and down the eastern half of our now expansive land whether to ratify or reject a new governmental framework for our experiment in self-government. That document, our Constitution, which Akhil Amar, perhaps understating the case, has called ''one of the most important legal texts in human history,'' would ultimately be approved, and thus would commence the beginning of our new government.

Today in the afterglow of the colorful commemoration of our national independence—and I might say I was fortunate enough to enjoy the fireworks at Kings Beach, California, and Incline Village, Nevada, as well as the city of Folsom Rodeo this past weekend—I rise to celebrate our twin pillars of freedom, the Declaration of Independence and the Constitution.

□ 1915

Madam Speaker, they are much more than dry pieces of parchment from centuries bygone. No. They are documents which embody the very notion of our independence, recognizing our unique quality of self-government and cementing our commitment to constitutionalism. Make no mistake, this was something much more than just and efficacious for mankind than that which had come before. Yes, we have much to celebrate.

Madam Speaker, these celebratory facts were not foreordained. As Carol Berkin has written, 1786, ''was the 10th anniversary of the Declaration of Independence and the third year of life in a new Nation, but political leaders everywhere feared there was little cause to celebrate. Dark clouds and a suffocating gloom seemed to have settled over the country, and these men understood that something had gone terribly wrong.

''From Virginia, George Washington lamented the steady stream of diplomatic humiliations suffered by the young Republic. Fellow Virginian, James Madison, talked gravely of mortal diseases afflicting the confederacy. In New Jersey, William Livingston confided to a friend his doubt that the Republic could survive another decade. From Massachusetts, the bookseller-turned revolutionary strategist, Henry Knox, declared, 'Our present Federal Government is a name, a shadow without power or effect.' Feisty, outspoken John Adams, serving as America's minister to Great Britain, observed his Nation's circumstances with more than his usual pessimism. The United States, he declared, was doing more harm to itself than the British Army had ever done. Alexander Hamilton, John Jay, James Monroe, Robert Morris, in short, many from every State, agreed that a serious crisis had settled upon the Nation. The question was: Could they do anything to save their country?''

The answer that came forth was a thunderous yes. They did do something to save their country. Our Constitution was the fruition of 4 long, hot months of deliberation in Philadelphia, Pennsylvania.

On September 15, 1787, delegates there finalized a text, and 13 days later Congress, then meeting in New York, voted unanimously to send the proposed Constitution to the people of each State for ratification.

Madam Speaker, the framers of our Constitution articulated a new science of politics. It had been believed that republics were only feasible as small homogenous clusters and were most likely destined to fail, since Democratic governance could lead to the tyranny of the majority or demagogic usurpation of people's consent, sovereignty rights, and freedoms.

And so this new, unproven republican design was put before the people through the instrument of ratification. James Madison, the Father of the Constitution, said that without ratification, the Constitution was like a dead letter. In fact, life and validity were breathed into it by the voice of the people, speaking through several State conventions.

Contrary to contrary expectations in the 21st century, popular ratification was a novel idea. Underscoring the boldness of their venture, several States even made their voting qualifications more inclusive than before so that more could partake in the ratification process.

And what a rich process it was. Brutus, Publius, Anti-federalists, Federalists. The debates over ratification still enlighten, inform, and reminds us of the seriousness with which we take our political system and the principles embedded within it.

So it's important for us to remember just a week after this grand Fourth that our history included framers, signers, and ratifiers, and as always, then as now, there were also those of us, merely we, the people.

As Alexander Hamilton wrote to the voters of New York in Federalist Paper No. 1, ''After an unequivocal experience of the inefficacy of the subsisting Federal Government, you are called upon to deliberate on a new Constitution for the United States of America. The subject speaks its own importance. It has been frequently remarked that it seems to have been reserved to the people of this country by their conduct and example to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.

If there be any truth in the remark, the crisis at which we arrived may, with propriety, be regarded as the era in which that decision is to be made, and a wrong election of the part, we shall act may, in this view, deserve to be considered as the general misfortune of mankind.''

Thankfully, many agreed with Hamilton, and our Constitution is still intact today, 220 years later. In the intervening years, much has been written about how to appropriately interpret our Constitution. What do its clauses mean; what do its phrases imply; what is the scope of this or that respective enumerated or unenumerated power? How are we to approach or understand issues today that were unforeseen in 1787 or 1788?

Madam Speaker, I believe the constitutional interpretation should be a principled process, moored and anchored in the text, ascending up from the text, meaning context, and history

of the words, phrases, concepts and structures of the Constitution itself, not a deductive process says that begins by asking, as one former Justice, according to one of his former law clerks, used to ask, What is the just result, and working backward from the answer to that question to see how it would comport with relevant theory or precedent.

I am for ultimate justice, Madam Speaker. But such an untethered interpretative technique is neither just nor fair to the individuals in specific cases. Justice implies measurement by some objective standard in an appropriate and specified context, not in a free-ranging philosophy seminar that only tangentially touches upon the context for this particular discussion that is the Constitution of the United States.

Akhil Amar is right, ''A careful examination of constitutional text, history, and structure will often leave us with a clear answer. At other times, however, the most the document can yield is the right set of questions to ask ourselves.'' But this is no deficiency. As we all know, asking the right question is the first and most important step towards appropriate adjudication and resolution.

Now some have argued through our history that the Constitution is outdated and irrelevant to our contrary circumstances and lives. Outdated, irrelevant? How could it be, and what does that mean? For it to be outdated we'd have to ignore Chief Justice John Marshall's words when he said that, ''We must never forget it is a Constitution we are expounding.'' Why would he exhort us to elucidate something outdated and irrelevant?

One prominent Justice once said that Justices should adjudicate according to the felt necessities of the time. This is contrary to the thoughts of John Story, who wrote in his famous Commentaries that the Constitution has, ''a fixed, uniform, and permanent construction.'' To measure the felt necessities of the time is an impossible task. Whose necessities are to be felt; how are such feelings to be measured, is this the proper role of the judiciary, even if it were possible?

As Hamilton wrote in Federalist No. 78, the judicial branch was to have neither force nor will. In Osborne versus Bank of the United States, Justice Marshall said that the judicial department has no will in any case. Judicial power is never exercised for the purpose of giving effect to the will of the judge, always for the purpose of giving effect to the will of the legislature or, in other words, to the will of the law. Judicial power, as contradistinguished from the power of law, has no existence. Courts are mere instruments of the law, and can will nothing.''

Again, Story reminds us that the judge ought not to enlarge the construction of a given power beyond its fair scope of its terms merely because the restriction is inconvenient in politic or even mischievous. Since the Government of the United States is one of limited and enumerated powers, a departure from the true import and sense of its power is pro tanto in the establishment of a new constitution. It is doing for the people what they have not chosen to do for themselves. It is usurping the functions of a legislator and deserting those of an expounder of the law.''

In another case, Justice Marshall wrote, ''to say that the intention of the instrument must prevail; that this intention must be collected from its words; that its words to be understood in that sense in which they are generally used by those for whom the instrument was intended; that its provisions are neither to be restricted into insignificance, nor extended to objects not comprehended in them, nor contemplated by its framers; is to repeat what has already been said more at large and is all that can be necessary.''

Thus, the Constitution endeavors to draw the broad strokes of principle and dimension, not to articulate each and every iota of detail which may arise from the entire future of American history. In McCulloch versus Maryland, Chief Justice Marshall tells us, ''A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and can scarcely be embraced by the human mind. It would, probably, never be understood by the public. Its nature therefore requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those limits be deduced from the nature ate of the objects themselves.

''That this idea was entertained by the Framers of the American Constitution is not only to be inferred from the nature of the instrument, but from the language. Why else were some of the limitations found in the ninth section of the first article introduced?

''It is also, in some degree, warranted by their having omitted to use any restrictive term which might prevent its receiving a fair and just interpretation. In considering this question, then, we must never forget that it is a Constitution we are expounding.''

In the Dartmouth College case, Marshall explained that, ''although a particular and rare case may not in itself be of sufficient magnitude to induce a rule, yet it must be governed by the rule when established unless some plain and strong reason for excluding it can be given. It is not enough to say that this particular case was not the mind of the convention when the article was framed, nor the American people when it was adopted. The case, being within the words of the rule, must be within its operation likewise.''

In contrast to those who believe that the Constitution is nothing but a set of policies which enjoy popular acceptance at the time of ratification, followed by judicial interpretation in light of the conditions and opinions of later years, I would agree with the esteemed judge and scholar, Michael McConnell, who has written that, ''constitutional language is an embodiment of legal principles; it is necessary to understand those principles in order to understand the Constitution.'' It would be most unwise to separate and detach all interpretive ties to the text and context of the actual document as well as to the structure and concepts with it because, Madam Speaker, once that is done, we now would be playing a deductive game of polling and power based on the momentary whims of the people and the magnified moods of missionary-minded judges.

Constitutional jurisprudence must be more than the inevitable byproduct of different political and social milieus. In the traditional enterprise of constitutional law, the meaning of the Constitution is seen to be a legitimate question for historical interpretive inquiry. I would argue this should not change.

Madam Speaker, our Declaration and Constitution are worth celebrating here tonight because of the unique framework they give us to govern ourselves to prosper by offering ourselves economically, socially, and societally according to the rule of law and to attempt to discern the common good. It also allows individual citizens and communities the capacity and volition to decide for themselves whether to shrink from or rise to doing their duty as citizens and individuals, since republicanism empowers the people.

So this is our challenge. As de Tocqueville said, ''in Democratic times especially, the true friends of freedom and human greatness must be on guard because an inordinate amount of individualism can lead to self-seclusion, fear, and temerity.

□ 1930

But it doesn't have to be this way. As Harvey Mansfield has reminded us, our constitutional system allows for democratic greatness to appear in individuals with extraordinary knowledge, vision and ability, but such individuals are always constrained by constitutional boundaries.

More importantly, since our system recognizes the fallibility of our human nature, it does not depend on honor and virtue being constantly present in the executive or in positions of legislative or judicial leadership. Thankfully, our constitutional system allows for ideas and societal passions to be filtered through the vortex of time, transparency and deliberation.

As Federalist No. 10 says, ''As long as the reason of man continues fallible and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other and the former will be objects to which the latter will

attach themselves. The diversity in the faculties of men from which the rights of property originate is not less an insuperable obstacle to the uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors ensues a division of the society into different interests and parties.''

And then he says something very interesting. ''The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity according to the different circumstances of civil society. It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interests which one party may find in disregarding the rights of another or the good of the whole.''

So, Madam Speaker, given the potential for evil intrinsic within human nature, our framers were wise not to give man too much credit, but not so pessimistic as to regulate themselves to fatalistic hopelessness.

Our system of checks, balances and federalism allows for the refining and enlarging of public views. As Madison writes in Federalist 55, ''As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust, so there are other qualities in human nature which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form. Were the pictures which have been drawn by the political jealousy of some among us faithful likenesses of the human character, the inference would be that there is not sufficient virtue among men for self-government; and that nothing less than the chains of despotism can restrain them from destroying and devouring one another.''

Madam Speaker, the history of the past 220 years teaches us that we do not need the chains of despotism to restrain ourselves from self-mutilation. Our Constitution has served and continues to serve us well in times of intense societal debate and in times of relative calm.

Herman Belz has written that ''the framers intended the Constitution as a permanent instrument of government for the American people and that instrument has proven to be quite remarkable.''

Several years ago, a former Associate Justice of our Supreme Court said that ''the Union survived the Civil War, the Constitution did not. In its place arose a new, more promising basis for justice and equality, the 14th amendment.''

I would humbly disagree with that assessment. The Constitution is the Constitution because of its amendability, whereby it allowed for just such a development as the 14th amendment to take place, fulfilling its original purpose, that is, to devise a system of government presupposing the equality of persons under the law.

One current Justice has recently said that ''the Constitution evolves and should reflect changes in society; that going back to what was meant originally when they wrote, for instance, 'We the People' makes little sense.''

I disagree. It does make sense. ''We the People'' did institute this government, or else under what court and government does the Justice now serve, since this government is the one constituted in 1789 and in continuation to this day? Thankfully, we, unlike any other government then established on earth, set up a constitutional framework that allowed for changes to be made according to the orderly deliberation of society through representation and the legitimacy of the legislative process.

Let us not forget, as Akhil Amar has said, that ''the framers themselves also were, after all, revolutionaries who risked their lives, their fortunes, and their sacred honor to replace an Old World monarchy with a New World order unprecedented in its commitment to popular self-government. Later generations of reformers repeatedly amended the Constitution so as to extend its liberal foundations, dramatically expanding liberty and equality.''

Thankfully, throughout our history we have had leaders and statesmen who were committed to constitutionalism and not to power and might. After all, as Lincoln said in his first inaugural, ''If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution.''

As Federalist 71 stated, ''The Republican principle demands that the deliberate sense of the community should govern the conduct of those to whom they entrust the management of their affairs, but it does not require an unqualified complacence to every sudden breeze of passion or to every transient impulse which the people may receive.''

Madam Speaker, none of us has the right to oppress minorities, let majorities rule tyrannically or turn the Constitution into a grab bag of personal policy preferences and arbitrary power grabs. We all have a responsibility to study the Constitution and attempt to humbly delineate the contours of confluence between constitutional principle and our contemporary realities to which it has applied.

Each of us has a duty to do this. After all, each member of the three representative branches takes an oath to ''support and defend,'' or to ''preserve, protect and defend'' the Constitution of the United States. We must take those oaths seriously. We must take the 9th amendment seriously, which states, ''The enumeration of the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.''

We must take the 10th amendment seriously, which states, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

These are important clauses and should not be forgotten, lest we forget the accumulation instead of the dispersion of power is the very reason we sought our independence, unless we assume self-government is free, easy, and passively perpetual.

And in this regard, I would refer to Alexander Hamilton's words in the Federalist Papers No. 78, where he described his vision of the judiciary as one of the three major branches. And these are his words: ''Whoever attentively considers the different departments of power,'' they referred to the branches as ''departments,'' ''whoever attentively considers the different departments of power, must perceive that in a government in which they are separated from each other the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution.''

He goes on to say, ''It proves incontestably that the judiciary is beyond comparison the weakest of the three departments of power, that it can never attack with success either of the other two, and that all possible care is requisite to enable it to defend itself against attack.''

But then he goes on to make an interesting point that is often lost. He says, ''As liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.''

What he is saying in current vernacular is that if the judiciary ever trespasses on the proper powers of the other two branches, it will become the most dangerous. He is suggesting that in the area of the activity of the democratic branches of government, that is those who are elected by the people and most readily subject to their action, the executive, and particularly the legislative, that if any of their power is encumbered, encroached, trespassed upon or poached by the judiciary, it would become, rather than the weakest, the most dangerous branch of government.

That is why I would suggest that we ought to look at the words of Chief Justice Roberts when he was up for his confirmation hearings in the Senate. When asked what his philosophy was, among other things he said, ''One of judicial modesty.'' I have often used the word ''judicial humility,'' and what I

mean by that is a recognition of the limitations of the expanse of their power.

Judge Andrew Kleinfeld of the Ninth Circuit Court of Appeals in his dissent in Compassion in Dying v. State of Washington case in 1996 said these words: ''That a question is important does not imply that it is constitutional. The Founding Fathers did not establish the United States as a democratic republic so that elected officials would decide trivia while all great questions would be decided by the judiciary. That an issue is important does not mean that the people through their democratically elected representatives do not have the power to decide it. One might suppose that the general rule in a democratic republic would be the opposite, with a few exceptions.''

One of the proper understandings of the Constitution, Madam Speaker, is that there are limitations for all three branches of government, including the judiciary, and that the judiciary, if it makes a mistake of reaching beyond what its role ought to be, destroys the intrinsic value and purpose of the other two.

To put it another way, Justice Scalia said a number of years ago in a speech, he said when he was a kid growing up and you saw something that you didn't like or you thought that was wrong, your response was there ought to be a law. But he says, today if you see something you don't like or something you think is wrong, your response is, it is unconstitutional.

Now, those are just a few words changed in your response. Your emotional response to the situation is the same, maybe even your intellectual response to the substance is the same, but your response in terms of the manner by which you address the problem is so different that it radically changes the substance as well as the environment.

What do I mean by that? When an issue is determined to be constitutional, it becomes ultimately the final decisionmaking arena of the courts. It is taken out of the hands of the democratic branches, because the democratic branches cannot, unless they enact a formal amendment to the Constitution, cannot do anything to overturn that decision by the court.

So if we define every important issue as a constitutional issue, we are rendering impotent to a degree both the executive, but, more importantly in my judgment, Madam Speaker, the legislative branch, and particularly the House of Representatives.

□ 1945

So as we should understand the reach and limits of our branch, as the executive branch should understand the reach and limitations of their branch, so ought the judicial branch.

Madam Speaker, today, because of the Declaration and the Constitution, we do not live under the perverted political thumb of the divine right of kings, under the specter of religious persecution and bloody religious wars, under monarchy, or feudalism. For that we are thankful.

We are not a blood and soil Nation. We are a propositional Nation, committed to the equal natural rights of all citizens to life, to liberty, to the pursuit of happiness, not to the immediate satisfaction of momentary appetites. We are a Constitutional system in a multifaceted society that guards against the twin evils that may be found in popular democratic government: Majority tyranny on the one hand, and demagoguery on the other. Our mediating institutions, whether they are families, whether they are churches, and our voluntary associations are so important because they temper our unrestrained passions.

Madam Speaker, the Declaration and Constitution can edify and teach Americans about our history as a people. Ours is a history that includes millions of honorable citizens and numerous men and women of extraordinary contribution:

Men like Roger Sherman, who was one of only two men who signed the Declaration, the Articles of Confederation, and the Constitution. He was a delegate to the first and second Continental Congresses. He was a member of the five-man committee formed to draft the Declaration of Independence, and a member of the Committee of Thirteen formed to comprise the Articles of Confederation. At the Constitutional Convention in 1787, he actually delivered more speeches than all but three others. He was instrumental in the Great Compromise, was a Member of the first U.S. House of Representatives, later served in the Senate, where he played important roles in the debate over the Bill of Rights and the national bank.

Or men like John Dickinson, a Quaker from Delaware and Pennsylvania who served both States as the elected chief executive. Dickinson wrote the instrumental Letters From a Farmer in Pennsylvania, which circulated in 1767 and 1768; was a delegate to the Stamp Act Congress in October of 1765, where he drafted the Declaration of Rights and Grievances. A member of the first and second Continental Congresses, Dickinson was a principal draftsman of the Declaration of the Causes and Necessity of Taking Up Arms issued in July 1775, and one of Delaware's delegates to the Constitutional Convention of 1787.

Or, finally, men like James Wilson, who made more speeches than anyone at the Constitutional Convention, than Governor Morris, served on the Supreme Court and articulated so eloquently the principles of natural rights our Declaration and Constitution were meant to protect.

Madam Speaker, a few years ago, the esteemed historian Bernard Bailyn wrote a short series of essays which he entitled To Begin the World Anew. Taking his title from the hopes and pens of Thomas Paine, in this splendid and fascinating collection of essays he explained how the Founders, including those just like the ones I mentioned, were provincial, they were isolated, they were unaristocratic; yet their perseverance, imagination, and vision were not inhibited, leading to what Carol Berkin has called, ''A brilliant solution: Our Constitution.'' Indeed, it was and is.

Several years ago, it was written that, ''At the dawn of a new millennium, constitutional law is at risk of losing touch with the Constitution itself. A dense doctrinal grid threatens to obscure the document with generally unfortunate consequences. The Constitution is wiser than the Court. The document will outlast many of today's doctrines, and it provides a stable fulcrum from which to criticize some of the Court's less admirable adventures.''

Let this always be the case. For as John Ely has written, ''Though the identification of a constitutional connection is only the beginning of analysis, it is a necessary beginning. The Court is under an obligation to trace its premises to the charter from which it derived its authority. It should do this for many reasons, none other than the fact that what the American people have said and done in the Constitution is often more edifying, inspiring, and sensible than what the justices have said and done in the case law.''

Madam Speaker, today our Declaration and Constitution should be celebrated, not as mere icons or cultural symbols that immature societies need to give them cultural and simplistic cohesion. No, the Declaration and the Constitution should be celebrated for what they really are, demarcations of our commitments as a people to as wise a system as possible, given our human fallibility of government here on Earth.

I happen to agree with a current Member of the Senate who said, ''I have a deep-seated belief that America is unique, strong and great, because of a commitment to personal freedom, in our economic system and our politics. We are a free people who consented to be governed, not vice versa.''

I would also agree with the aspiration of Justice John Marshall Harlan, who wrote, ''In the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is colorblind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved.''

Madam Speaker, 1776 was not a year free of bloodshed and hardship. It was anything but. We are now over 22 decades removed from those events, 22 decades which have seen our great country

grow, prosper, suffer, mourn, rejoice, exalt, and contemplate while our lives and the lives around us were changed by technological, political, international, and societal change.

We today honor those who sacrificed on the fields and hills of Lexington, Concord, Breed's Hill, Princeton, Saratoga, and Yorktown. We honor all those who sweated, debated, argued, thought, reasoned, wrote, and ratified the document by which we all do our collective best and our collective business here in Congress, in the White House, in the Supreme Court, and in this great country and society full of families, communities, localities, counties, and States.

So let our twin pillars always guide, always steer, and always stay firm, tall, and strong as we continue to humbly exist as one of the many on this earth, yet one incomparable as to the rest. The Declaration and the Constitution, let us always declare, and let us continue to constitute our experiment in republican self-government in such a way that we pay due deference to those who have come before, and make proud those who will come after.

Happy birthday, United States of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOSWELL (at the request of Mr. HOYER) for July 9 and today.

Mr. CONYERS (at the request of Mr. HOYER) for today after 2 p.m.

Mr. HILL (at the request of Mr. HOYER) for today on account of family emergency.

Mr. FRELINGHUYSEN (at the request of Mr. BOEHNER) for today on account of a family funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KUCINICH) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 17.

Mr. PAUL, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, July 17.

Mr. KIRK, for 5 minutes, today.

Mrs. MYRICK, for 5 minutes, today.

Mr. DREIER, for 5 minutes, today.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. CALVERT, for 5 minutes, July 14, 15 and 16.

Mr. DUNCAN, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today, July 14, 15, 16 and 17.

Mr. PRICE of Georgia, for 5 minutes, today.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6331. An act to amend titles XVII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

ADJOURNMENT

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until Monday, July 14, 2008, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7437. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Major General James R. Helmly, United States Army Reserve, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7438. A letter from the Acting General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2009; to the Committee on Armed Services.

7439. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's report on the progress toward compliance with destruction of the U.S. stockpile of lethal chemical agents and munitions by the extended Chemical Weapons Convention (CWC) deadline of April 29, 2012 and not later than December 31, 2017, pursuant to Public Law 110-181, section 922; to the Committee on Armed Services.

7440. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's annual report for FY 2007 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7441. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting a copy of the semiannual report on activities of the Inspector General for the period October 1, 2007 through March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7442. A letter from the Executive Vice President, Financial Information Group, Federal Home Loan Bank of Chicago, transmitting the 2007 management report and statements on system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7443. A letter from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting the 2007 management report of the Federal Home Loan Bank of Dallas, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7444. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7445. A letter from the Senior Vice President & Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2007 management report of the Federal Home Loan Bank of New York, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7446. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Pittsburgh, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7447. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7448. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's report on new proposed systems of records subject to the Privacy Act, pursuant to Office of Management and Budget Circular No. A-130; to the Committee on Oversight and Government Reform.

7449. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Activities Inventory Reform (FAIR) Act Inventory Summary as of June 30, 2007; to the Committee on Oversight and Government Reform.

7450. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800 and -900 Series Airplanes [Docket No. FAA-2007-28355; Directorate Identifier 2007-NM-062-AD; Amendment 39-15495; AD 2008-09-14] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7451. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-0046; Directorate Identifier 2007-NM-173-AD; Amendment 39-15496; AD 2008-09-15] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7452. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. FAA-2007-29043; Directorate Identifier 2007-NM-177-AD; Amendment 39-15494; AD 2008-09-13] (RIN:

2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7453. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -300, and -300ER Series Airplanes [Docket No. FAA-2007-28664; Directorate Identifier 2007-NM-007-AD; Amendment 39-15492; AD 2008-09-11] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7454. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Taylorcraft, Inc. Models A, B, and F Series Airplanes [Docket No. FAA-2008-0177; Directorate Identifier 2007-CE-093-AD; Amendment 39-15499; AD 2008-09-18] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7455. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes [Docket No. FAA-2008-0266; Directorate Identifier 2008-NM-013-AD; Amendment 39-15506; AD 2008-09-25] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7456. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No. FAA-2008-0268; Directorate Identifier 2008-NM-050-AD; Amendment 39-15504; AD 2008-09-23] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7457. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Przedsiebiorstwo Doswiadczalno-Produkcyjne Syzbownictwa ''PZL-Bielsko'' Model SZD-50-3 ''Puchacz'' Gliders [Docket No. FAA-2008-0216; Directorate Identifier 2008-CE-004-AD; Amendment 39-15489; AD 2008-09-08] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7458. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A109A, A109A II, and A109C Helicopters [Docket No. FAA-2008-0431; Directorate Identifier 2008-SW-08-AD; Amendment 39-15483; AD 2008-09-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7459. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-300, AT-301, AT-302, AT-400, and AT-400A Airplanes [Docket No. FAA-2008-0476; Directorate Identifier 2008-CE-018-AD; Amendment 39-15491; AD 2008-09-10] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7460. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228-200, 228-201, 228-202, 228-212 Airplanes [Docket No. FAA-2008-0249; Directorate Identifier 2008-CE-012-AD; Amendment 39-15490; AD 2008-09-09] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7461. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB-Fairchild SF340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No. FAA-2007-29248; Directorate Identifier 2007-NM-155-AD; Amendment 39-15487; AD 2008-09-06] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7462. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes and Model 767-200, 767-300, and 767-300F Series Airplanes [Docket No. FAA-2008-0411; Directorate Identifier 2008-NM-061-AD; Amendment 39-15488; AD 2008-09-07] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7463. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2008-0262; Directorate Identifier 2008-NM-021-AD; Amendment 39-15493; AD 2008-09-12] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7464. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC120B Helicopters [Docket No. FAA-2008-0489; Directorate Identifier 2007-SW-59-AD; Amendment 39-15507; AD 2008-10-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7465. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, and 412EP Helicopters [Docket No. FAA-2008-0490; Directorate Identifier 2008-SW-26-AD; Amendment 39-15509; AD 2008-10-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7466. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 Airplanes [Docket No. FAA-2007-0048; Directorate Identifier 2007-NM-181-AD; Amendment 39-155503; AD 2008-09-22] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7467. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 2000 Airplanes [Docket No. FAA-2008-0116; Directorate Identifier 2007-NM-257-AD; Amendment 39-15474; AD 2008-08-20] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7468. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Kelly Aerospace Power Systems Turbochargers [Docket No. FAA-2008-0314; Directorate Identifier 2008-NE-09-AD; Amendment 39-15471; AD 2008-08-17] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7469. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes and Model ERJ 190 Airplanes [Docket No. FAA-2008-0119; Directorate Identifier 2007-NM-304-AD; Amendment 39-15475; AD 2008-08-21] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7470. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes. [Docket No. FAA-2007-0049; Directorate Identifier 2007-NM-168-AD; Amendment 39-15478; AD 2008-08-24] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7471. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228-100, 228-101, 228-200, 228-201, 228-202, and 228-212 Airplanes [Docket No. FAA-2008-0197 Directorate Identifier 2008-CE-005-AD; Amendment 39-15467; AD 2008-08-15] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7472. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2007-29116; Directorate Identifier 2007-NM-064-AD; Amendment 39-15476; AD 2008-08-22] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7473. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400 Series Airplanes [Docket No. FAA-2008-0410; Directorate Identifier 2007-NM-362-AD; Amendment 39-15485; AD 2006-12-10 R1] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7474. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 1A and 1A1 Turboshaft Engines [Docket No. FAA-2007-0157; Directorate Identifier 2001-NE-23-AD; Amendment 39-15469; AD 2008-08-16] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7475. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model MD900 Series Helicopters [Docket No. FAA-2006-25983; Directorate Identifier 2006-SW-11-AD; Amendment 39-15463; AD 2008-08-11] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7476. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Model 125-02-99 Engines [Docket No. FAA-2008-0304; Directorate Identifier 2008-NE-08-AD; Amendment 39-15470; AD 2008-06-52] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7477. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Design Limited (Type Certificate No. A48EU previously held by APEX Aircraft and AVIONS PIERRE ROBIN) Model R2160 Airplanes [Docket No. FAA-2006-26490; Directorate Identifier 2006-CE-075-AD; Amendment 39-15481; AD 2008-09-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7478. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2007-29065; Directorate Identifier 2007-NM-142-AD; Amendment 39-15486; AD 2008-09-05] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7479. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes [Docket No. FAA-2008-0196; Directorate Identifier 2008-CE-002-AD; Amendment 39-15482; AD 2008-09-02] (RIN: RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7480. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400F and -400 Series Airplanes [Docket No. FAA-2006-26726; Directorate Identifier 2006-NM-205-AD; Amendment 39-15479; AD 2008-08-25] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7481. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200C Series Airplanes [Docket No. FAA-2007-29029; Directorate Identifier 2007-NM-175-AD; Amendment 39-15477; AD 2008-08-23] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7482. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2007-29063; Directorate Identifier 2007-NM-049-AD; Amendment 39-15480; AD 2008-08-26] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7483. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Gulfstream G150 Airplanes [Docket No. FAA-2008-0120; Directorate Identifier 2007-NM-327-AD; Amendment 39-15473; AD 2008-08-19] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7484. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Airplanes [Docket No. FAA-2008-0117; Directorate Identifier 2007-NM-273-AD; Amendment 39-15472; AD 2008-08-18] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REYES: Permanent Select Committee on Intelligence. Supplemental report on H.R. 5959. A bill to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 110–665 Pt. 2). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3999. A bill to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes (Rept. 110–750). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 2490. A bill to require the Secretary of Homeland Security to conduct a pilot program for the mobile biometric identification in the maritime environment of aliens unlawfully attempting to enter the United States; with amendments (Rept. 110–751). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 6098. A bill to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes; with an amendment (Rept. 110–752). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 5464. A bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes (Rept. 110–753). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 3036. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; with amendments (Rept. 110–754). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLUMENAUER (for himself and Mr. DOGGETT):

H.R. 6452. A bill to amend the Trade Act of 1974 to identify foreign country trade practices that negatively affect the environment and to take actions to address such practices; to the Committee on Ways and Means.

By Mr. LAMBORN (for himself, Mrs. MUSGRAVE, Mrs. SCHMIDT, Mr. BISHOP of Utah, Mr. LATTA, Mrs. BLACKBURN, Mr. DAVID DAVIS of Tennessee, Ms. FOXX, Mr. GINGREY, Mr. MARCHANT, Mr. KINGSTON, Mr. KING of Iowa, Mr. JORDAN, Mr. BROUN of Georgia, Mr. FEENEY, Mr. SHIMKUS, Mrs. BACHMANN, Mr. DANIEL E. LUNGREN of California, Mr. BARTLETT of Maryland, Mr. SHADEGG, Mr. DOOLITTLE, Mr. GOHMERT, Mr. CONAWAY, Mr. KLINE of Minnesota, Mrs. MCMORRIS RODGERS, Mr. FRANKS of Arizona, Mr. AKIN, Mr. PITTS, Mr. TIAHRT, Mr. PICKERING, Mr. HOEKSTRA, Mr. HENSARLING, Mr. WALBERG, Mr. PENCE, and Mr. RENZI):

H.R. 6453. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception; to the Committee on Education and Labor.

By Mr. CANNON:

H.R. 6454. A bill to extend and expand the E-verify program for employment eligibility confirmation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Science and Technology, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. CULBERSON):

H.R. 6455. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration; to the Committee on Financial Services.

By Mr. BERMAN (for himself and Ms. ROS-LEHTINEN):

H.R. 6456. A bill to provide for extensions of certain authorities of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FILNER:

H.R. 6457. A bill to amend titles II and XVI of the Social Security Act to provide for equitable treatment of disability beneficiaries with waxing and waning medical conditions by establishing, through the implementation of a sliding scale of benefits based on income, a system under which higher incomes result in lower benefits and lower incomes result in higher benefits, and work is incentivized by allowing greater total monthly income when working than could be provided by work or benefits alone; to the Committee on Ways and Means.

By Ms. SPEIER:

H.R. 6458. A bill to establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area; to the Committee on Transportation and Infrastructure.

By Mr. FATTAH (for himself and Mr. SOUDER):

H.R. 6459. A bill to establish an adoption process improvement pilot program; to the Committee on Education and Labor.

By Mr. EHLERS (for himself and Mr. OBERSTAR):

H.R. 6460. A bill to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALTMIRE (for himself, Mr. PLATTS, and Mr. RYAN of Ohio):

H.R. 6461. A bill to assist volunteer fire companies in coping with the precipitous rise in fuel prices; to the Committee on Transportation and Infrastructure.

By Mr. CARDOZA:

H.R. 6462. A bill to require the Bureau of Prisons to provide stab-resistant personal body armor to all correctional officers of the Bureau, and to require such officers to wear such armor while on duty; to the Committee on the Judiciary.

By Mrs. BACHMANN (for herself, Mrs. SCHMIDT, Mrs. MUSGRAVE, Mr.

LAMBORN, Mr. PITTS, Mr. DOOLITTLE, Mr. KINGSTON, Mr. AKIN, Mr. FRANKS of Arizona, Mr. MCHENRY, Mr. SHIMKUS, Mr. BROUN of Georgia, Mr. WESTMORELAND, Mr. LATTA, and Mr. BURTON of Indiana):

H.R. 6463. A bill to terminate or provide for suspension of the application of Federal laws that restrict exploration, development, or production of oil, gas, or oil shale, to facilitate the construction of new crude oil refineries, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa (for himself and Mr. LOEBSACK):

H.R. 6464. A bill to make certain amendments to the loan and loan guarantee program under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976; to the Committee on Transportation and Infrastructure.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 6465. A bill to amend title 38, United States Code, to extend the demonstration project on adjustable rate mortgages and the demonstration project on hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Mr. CAZAYOUX (for himself, Mr. MELANCON, Mr. ALEXANDER, and Mr. JEFFERSON):

H.R. 6466. A bill to apply an alternative payment amount under the Medicare Program for certain graduate medical education programs established to train residents displaced by natural disasters; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO:

H.R. 6467. A bill to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village; to the Committee on Agriculture.

By Mr. CUELLAR:

H.R. 6468. A bill to disqualify any individual who engages in or is convicted of human smuggling from operating a commercial motor vehicle or holding a commercial driver's license and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE (for herself, Mr. COSTA, Mr. CAMP of Michigan, Mr. CLAY, Ms. ROS-LEHTINEN, Mr. BOUCHER, Mrs. MCMORRIS RODGERS, Mr. WU, and Mr. REYES):

H.R. 6469. A bill to amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 6470. A bill to provide for the designation of certain sites in Monroe County and Wayne County, Michigan, relating to the Battles of the River Raisin during the War of 1812 as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 6471. A bill to amend title 38, United States Code, to expand the availability of health care provided by the Secretary of Veterans Affairs by adjusting the income level for certain priority veterans; to the Committee on Veterans' Affairs.

By Mr. FLAKE:

H.R. 6472. A bill to rescind certain earmark projects under SAFETEA-LU for the purpose of eliminating the shortfall in the Highway Trust Fund, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HODES (for himself, Mr. MICHAUD, Mr. ALLEN, Mr. KANJORSKI, Mr. HINCHEY, Mr. LOBIONDO, Mr. MCHUGH, Mr. LANGEVIN, Mr. SESTAK, Mr. DELAHUNT, and Mr. WELCH of Vermont):

H.R. 6473. A bill to amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home Heating Oil Reserve Account, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself and Mr. WAMP):

H.R. 6474. A bill to authorize the Chief Administrative Officer of the House of Representatives to carry out a series of demonstration projects to promote the use of innovative technologies in reducing energy consumption and promoting energy efficiency and cost savings in the House of Representatives; to the Committee on House Administration.

By Ms. ZOE LOFGREN of California (for herself and Mr. DANIEL E. LUNGREN of California):

H.R. 6475. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on House Administration.

By Mr. ROSKAM (for himself, Mrs. BIGGERT, and Mr. MANZULLO):

H.R. 6476. A bill to designate a rail right-of-way as a corridor for inter-suburban commuter rail, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN (for himself, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Ms. SUTTON, and Mr. HARE):

H.R. 6477. A bill to repeal a limitation in the Labor-Management Relations Act regarding requirements for labor organization membership as a condition of employment; to the Committee on Education and Labor.

By Ms. SOLIS (for herself, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. PRICE of Georgia, Mr. ANDREWS, Mr. BACA, Mr. FARR, Mr. GRIJALVA, Mr. HINOJOSA, Mr. KUHL of New York, Mr. SCOTT of Georgia, Ms. SUTTON, Mr. TAYLOR, and Mr. MICHAUD):

H.R. 6478. A bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 6479. A bill to provide for the establishment of the San Francisco Bay National Wildlife Refuge Complex; to the Committee on Natural Resources.

By Ms. WATSON (for herself and Mr. BERMAN):

H.R. 6480. A bill to authorize grants for nongovernmental organizations that use independently produced documentary films to promote better understanding of the United States abroad and better understanding of global perspectives and other countries in the United States; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself, Mr. OBERSTAR, Ms. LEE, Ms. WOOLSEY, Ms. KILPATRICK, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. PRICE of North Carolina, Mr. CONYERS, Ms. CLARKE, Mr. FARR, Mr. HINCHEY, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. HARE, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Mr. CLEAVER, Mr. MCDERMOTT, Mr. ABERCROMBIE, Mr. HODES, and Mr. FATTAH):

H. Res. 1329. A resolution expressing the sense of the House of Representatives that the United States should accept the Iraqi Government's stated goal of setting a timetable for withdrawal of United States Armed Forces from Iraq; to the Committee on Armed Services.

By Mr. SALI (for himself, Mr. FRANKS of Arizona, Mrs. DRAKE, Mr. CHABOT, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mrs. BLACKBURN, Mr. MILLER of Florida, Mr. DAVID DAVIS of Tennessee, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mrs. CUBIN, Mr. HALL of Texas, Mr. GINGREY, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. PEARCE, Mr. SCALISE, Mr. SHULER, Mr. BUYER, and Mr. CALVERT):

H. Res. 1330. A resolution commending the recent decision of the Supreme Court of the United States in District of Columbia v. Heller for upholding the right of the individual to keep and bear arms under the second amendment of the Constitution; to the Committee on the Judiciary.

By Mr. SOUDER:

H. Res. 1331. A resolution providing for the consideration of the bill (H.R. 1399) to restore Second Amendment rights in the District of Columbia; to the Committee on Rules.

By Mr. CARDOZA (for himself, Mr. MCDERMOTT, and Mr. FATTAH):

H. Res. 1332. A resolution recognizing the importance of connecting foster youth to the workforce through internship programs, and encouraging employers to increase employment of former foster youth; to the Committee on Education and Labor.

By Mr. ARCURI (for himself, Mr. WELCH of Vermont, Mr. MCGOVERN, Ms. MATSUI, Mr. HASTINGS of Florida, Ms. CASTOR, Ms. SUTTON, Mr. ELLSWORTH, Mr. CARNEY, Mr. MARSHALL, Mr. BERRY, Mr. DONNELLY, Ms. BEAN, Mr. CHANDLER, Mr. MATHESON, Mr. BOREN, Mr. SIRES, Mr. BARRETT of South Carolina, Mr. ISRAEL, Mr. BISHOP of New York, Mr. SPACE, Mr. ROSS, Mr. ALTMIRE, Mr. SHUSTER, Mrs. GILLIBRAND, Mr. WEINER, Ms. SHEA-PORTER, Mr. BRALEY of Iowa, Mr. MURPHY of Connecticut, Mr. SARBANES, Mr. ACKERMAN, Mr. MCNULTY, Mr. KLEIN of Florida, Mr. HODES, Mr. ROTHMAN, Mr. KENNEDY, Mr. RYAN of Ohio, Mr. PATRICK MURPHY of Pennsylvania, Mr. HARE, Ms. DEGETTE, and Mrs. LOWEY):

H. Res. 1333. A resolution supporting the goals and ideals of Tay-Sachs Awareness Month; to the Committee on Energy and Commerce.

By Mr. CHABOT:

H. Res. 1334. A resolution calling upon the Government of China to account for those detained during March 2008 protests and to recognize the fundamental human rights of

all Tibetans, including monks, nuns, and innocent civilians, currently detained by the Government of China; to the Committee on Foreign Affairs.

By Mr. HODES (for himself, Ms. GINNY BROWN-WAITE of Florida, Ms. SHEA-PORTER, Mr. RODRIGUEZ, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. THOMPSON of California, Mr. ROGERS of Michigan, Mr. FORTUÑO, Mr. LATHAM, Mr. ROGERS of Alabama, Mr. EHLERS, Mr. OLVER, Ms. KAPTUR, Mr. PORTER, Mr. REYES, Mr. WHITFIELD of Kentucky, Mr. DICKS, Mr. KANJORSKI, Mr. MICHAUD, Mr. GERLACH, Mr. CAZAYOUX, Mr. LOBIONDO, and Mr. ETHERIDGE):

H. Res. 1335. A resolution celebrating the 120-year partnership between the Government and State veterans homes; to the Committee on Veterans' Affairs.

By Mr. MCCAUL of Texas (for himself, Mr. GALLEGLY, Mr. BURTON of Indiana, Mr. CANTOR, and Mr. SHUSTER):

H. Res. 1336. A resolution encouraging the United States Secretary of State to work with the Government of Pakistan to secure the return to the United States of all American children being educated in madrassas in Pakistan; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Mr. CONYERS, Mr. DOOLITTLE, Mr. DREIER, Mr. FATTAH, Ms. TSONGAS, and Mr. HINCHEY):

H. Res. 1337. A resolution condemning the decision by the Government of Zimbabwe to hold the run-off presidential election on June 27, 2008;; to the Committee on Foreign Affairs.

By Mr. SHERMAN (for himself, Mr. PALLONE, and Mr. WELLER):

H. Res. 1338. A resolution calling on the United States Government and the international community to support a transition to sustainable peace in Sri Lanka by encouraging an international human rights monitoring presence, protecting the work of civil society and media, facilitating access of humanitarian operations, and retaining democratic principles in which rule of law and justice pervades; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

332. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 101 memorializing the Congress of the United States to allow immediate family to visit military personnel on extended deployment overseas who are in rest and relaxation period; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. KLINE of Minnesota.
H.R. 96: Mr. ROTHMAN.
H.R. 154: Mr. MILLER of North Carolina.
H.R. 211: Ms. GRANGER and Mr. HILL.
H.R. 219: Mr. FRANKS of Arizona.
H.R. 303: Mr. MARIO DIAZ-BALART of Florida.
H.R. 627: Mrs. MCCARTHY of New York.
H.R. 676: Mr. CARSON.
H.R. 699: Mr. SMITH of Texas, Mr. HULSHOF, Mr. TANCREDO, Mr. CARTER, Mr. ISSA, Mr. BLUNT, Mr. NUNES, Mr. PRICE of Georgia, and Mr. LATOURETTE.
H.R. 769: Mr. LATTA.
H.R. 882: Mr. SALAZAR.
H.R. 901: Mr. LANGEVIN.
H.R. 1078: Mr. CUMMINGS and Mrs. DRAKE.
H.R. 1185: Mr. HODES and Mr. MEEKS of New York.
H.R. 1293: Mr. BILBRAY.
H.R. 1363: Ms. CORRINE BROWN of Florida.
H.R. 1479: Mr. DEFAZIO.
H.R. 1527: Mr. HARE and Mr. SALAZAR.
H.R. 1540: Mr. MCGOVERN.
H.R. 1621: Mrs. BIGGERT.
H.R. 1655: Mrs. CAPPS.
H.R. 1665: Mr. KENNEDY.
H.R. 1742: Mr. WITTMAN of Virginia and Mr. LATHAM.
H.R. 1767: Mr COSTELLO and Mr. PICKERING.
H.R. 1772: Mr. KAGEN.
H.R. 1810: Mr. PORTER.
H.R. 1881: Mr. DOGGETT.
H.R. 1884: Mr. LANGEVIN, Mr. SPRATT, and Mr. MELANCON.
H.R. 1927: Mr. DELAHUNT.
H.R. 2020: Mr. KUHL of New York and Ms. ESHOO.
H.R. 2064: Mr. BERMAN.
H.R. 2160: Mr. LATHAM.
H.R. 2169: Mr. REICHERT.
H.R. 2205: Mr. SHADEGG and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2214: Ms. ZOE LOFGREN of California.
H.R. 2279: Mr. DEAL of Georgia, Mr. HULSHOF, Mr. ADERHOLT, Mr. TURNER, and Ms. FALLIN.
H.R. 2329: Mr. SMITH of New Jersey, Mr. PATRICK MURPHY of Pennsylvania, and Mr. HARE.
H.R. 2371: Mr. WU.
H.R. 2493: Mr. ADERHOLT, Mr. SMITH of Texas, and Ms. FALLIN.
H.R. 2677: Mr. LANGEVIN.
H.R. 2784: Mr. BARTLETT of Maryland.
H.R. 2802: Mr. HARE and Mr. FOSTER.
H.R. 2923: Mr. SESTAK and Mr. ALTMIRE.
H.R. 2994: Mr. WALSH of New York, Mr. DOGGETT, and Mr. KUHL of New York.
H.R. 3010: Mr. GEORGE MILLER of California.
H.R. 3119: Mr. GILCHREST, Mr. MARKEY, Ms. MOORE of Wisconsin, and Mr. MORAN of Virginia.
H.R. 3177: Mrs. MUSGRAVE.
H.R. 3186: Mr. WU.
H.R. 3232: Mr. MARCHANT, Mr. HASTINGS of Washington, Mr. WAMP, Mr. CRAMER, and Mr. CRENSHAW.
H.R. 3257: Mr. LYNCH.
H.R. 3289: Mr. MEEKS of New York.
H.R. 3334: Mr. KIND.
H.R. 3339: Mr. PATRICK MURPHY of Pennsylvania.
H.R. 3402: Ms. ROYBAL-ALLARD.
H.R. 3406: Mr. LANGEVIN.
H.R. 3485: Ms. SLAUGHTER.
H.R. 3618: Ms. BERKLEY.
H.R. 3622: Mr. MICA.
H.R. 3689: Mr. MARSHALL, Mr. TIERNEY, Mr. BAIRD, Mr. SNYDER, and Mr. SPRATT.
H.R. 3697: Mr. LYNCH.
H.R. 3750: Mr. SMITH of New Jersey.
H.R. 3834: Mr. UDALL of New Mexico.
H.R. 3914: Mr. SHADEGG.
H.R. 3932: Ms. MCCOLLUM of Minnesota.
H.R. 3968: Mr. MARSHALL and Mr. SNYDER.
H.R. 4001: Mr. DAVIS of Kentucky.
H.R. 4007: Mr. ROSKAM.
H.R. 4138: Mr. CUMMINGS, Mr. ARCURI, and Ms. ROYBAL-ALLARD.
H.R. 4158: Ms. MATSUI and Mr. CALVERT.
H.R. 4183: Mr. MICHAUD and Mrs. MALONEY of New York.
H.R. 4188: Mr. ALTMIRE.
H.R. 4202: Mr. KILDEE.
H.R. 4218: Mr. DAVIS of Illinois.
H.R. 4255: Mr. MCINTYRE.
H.R. 4544: Mr. LANGEVIN, Mr. PAYNE, Mr. NADLER, and Ms. MCCOLLUM of Minnesota.
H.R. 4688: Mr. HARE.
H.R. 5129: Mr. SCOTT of Virginia.
H.R. 5235: Mr. KILDEE, Mr. HOLDEN, Mr. ABERCROMBIE, Mr. REYES, Mr. MOORE of Kansas, Mr. PETERSON of Pennsylvania, Mr. TANNER, Mr. STUPAK, Mr. RAHALL, Mr. BACA, Mr. SHULER, Mr. CULBERSON, Mr. TOM DAVIS of Virginia, Mr. DEAL of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. GILCHREST, Mr. LOBIONDO, Mrs. MILLER of Michigan, Mr. TIM MURPHY of Pennsylvania, Mrs. MUSGRAVE, Mr. PETRI, Mr. REHBERG, Mr. REICHERT, Mr. SHUSTER, Mr. STEARNS, Mr. SULLIVAN, Mr. THORNBERRY, Mr. WALBERG, Mr. SIMPSON, Mr. REYNOLDS, Mr. AKIN, Mrs. DRAKE, Mr. LEWIS of Kentucky, Mr. YOUNG of Florida, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. ADERHOLT, and Mrs. CUBIN.
H.R. 5265: Ms. BERKLEY, Mr. DOYLE, Mr. BUTTERFIELD, and Mr. SPRATT.
H.R. 5268: Ms. SOLIS, Mr. NEAL of Massachusetts, Mr. PASTOR, and Mr. REYES.
H.R. 5315: Mr. SKELTON.
H.R. 5335: Mr. LINDER.
H.R. 5404: Mr. COURTNEY.
H.R. 5437: Mr. CAZAYOUX.
H.R. 5450: Mr. MARCHANT.
H.R. 5484: Mr. LYNCH.
H.R. 5560: Mr. SESTAK.
H.R. 5603: Mr. GERLACH.
H.R. 5615: Mrs. LOWEY and Ms. GIFFORDS.
H.R. 5629: Mr. HERGER.
H.R. 5635: Mrs. DRAKE.
H.R. 5636: Mr. CONYERS.
H.R. 5639: Mr. TOWNS, Mr. MCGOVERN, and Mr. GORDON.
H.R. 5652: Mr. POE, Mr. KING of Iowa, Mr. TURNER, Mr. FORBES, and Mr. BOOZMAN.
H.R. 5656: Mr. HULSHOF, Mr. BARTLETT of Maryland, and Ms. FALLIN.
H.R. 5672: Mr. HONDA and Mr. GRIJALVA.
H.R. 5684: Mr. DELAHUNT.
H.R. 5756: Mr. HINCHEY.
H.R. 5782: Mr. BOUSTANY.
H.R. 5868: Mr. MICHAUD.
H.R. 5882: Mr. MCCAUL of Texas and Mr. WATT.
H.R. 5892: Mr. HINOJOSA.
H.R. 5921: Mr. MCCAUL of Texas.
H.R. 5924: Ms. ROS-LEHTINEN, Mr. FILNER, and Ms. CASTOR.
H.R. 5949: Mr. KLEIN of Florida, Mr. ROGERS of Kentucky, Mr. SHAYS, and Mr. GOODE.
H.R. 5954: Ms. BERKLEY and Mr. HODES.
H.R. 5989: Mr. COHEN.
H.R. 6039: Mr. MCCAUL of Texas.
H.R. 6057: Mr. FARR, Mrs. LOWEY, and Mr. BERMAN.
H.R. 6083: Mr. COHEN.
H.R. 6126: Mr. WATT.
H.R. 6148: Mr. KUCINICH.
H.R. 6159: Mr. DANIEL E. LUNGREN of California.
H.R. 6180: Mr. CARNAHAN and Mr. KANJORSKI.
H.R. 6185: Mr. PLATTS.
H.R. 6201: Mr. FRANK of Massachusetts.
H.R. 6207: Mr. SAM JOHNSON of Texas.
H.R. 6209: Mr. HARE and Mr. COURTNEY.
H.R. 6210: Mr. HODES.
H.R. 6214: Mr. PAUL.
H.R. 6215: Mr. KENNEDY.
H.R. 6260: Mr. WOLF and Mr. KUHL of New York.
H.R. 6268: Mr. HAYES and Mr. PLATTS.
H.R. 6293: Mr. SARBANES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, and Mr. SPRATT.
H.R. 6294: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 6321: Mr. FATTAH.
H.R. 6326: Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. BISHOP of New York, and Ms. HIRONO.
H.R. 6328: Ms. SCHAKOWSKY.
H.R. 6339: Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, and Mr. KLEIN of Florida.
H.R. 6366: Mr. BOOZMAN.

H.R. 6371: Mr. RODRIGUEZ.
H.R. 6375: Ms. ZOE LOFGREN of California.
H.R. 6381: Mr. DAVIS of Alabama and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 6394: Mr. BISHOP of New York and Mr. BILBRAY.
H.R. 6407: Mr. WALSH of New York.
H.R. 6418: Mr. SMITH of Texas, Mr. LATTA, and Mr. CHABOT.
H.R. 6420: Mr. BURTON of Indiana, Mr. CANTOR, Mr. HOEKSTRA, Mr. CHABOT, and Mr. KUHL of New York.
H.R. 6427: Mr. MICHAUD.
H.R. 6432: Ms. DEGETTE.
H.R. 6433: Ms. DEGETTE.
H. J. Res. 93: Mr. PENCE, Ms. SCHAKOWSKY, Mr. BURTON of Indiana, Mr. SCHIFF, Mr. WELCH of Vermont, Mr. MORAN of Virginia, and Mr. HINOJOSA.
H. Con. Res. 24: Mr. CONYERS.
H. Con. Res. 33: Ms. SPEIER.
H. Con. Res. 160: Mr. CALVERT.
H. Con. Res. 214: Ms. WOOLSEY, Ms. MOORE of Wisconsin, and Mr. OLVER.
H. Con. Res. 223: Mr. RUPPERSBERGER.
H. Con. Res. 239: Mr. SESTAK.
H. Con. Res. 244: Mr. MILLER of North Carolina.
H. Con. Res. 296: Mr. MCCARTHY of California, Mr. PAYNE, Mr. OBERSTAR, and Mr. PORTER.
H. Con. Res. 333: Mr. COBLE.
H. Con. Res. 341: Mr. COHEN.
H. Con. Res. 342: Mr. TIBERI, Mr. BONNER, Ms. LINDA T. SÁNCHEZ of California, Mr. FRANK of Massachusetts, and Mr. WITTMAN of Virginia.
H. Con. Res. 352: Mr. HALL of Texas, Mr. FATTAH, and Mr. LYNCH.
H. Con. Res. 362: Mr. PATRICK MURPHY of Pennsylvania, Mr. EDWARDS of Texas, Mr. RYAN of Wisconsin, Mr. KINGSTON, Mr. SALI, Mr. CALVERT, and Ms. SPEIER.
H. Con. Res. 382: Mr. BERMAN.
H. Con. Res. 386: Mr. FRANKS of Arizona.
H. Res. 870: Mr. MARKEY, Mr. JEFFERSON, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. KENNEDY, and Mr. KUCINICH.
H. Res. 988: Ms. ROYBAL-ALLARD and Mr. ARCURI.
H. Res. 1000: Mr. CARNEY, Mr. MURTHA, Mr. FATTAH, Mr. GERLACH, Mr. HOLDEN, Mr. SHUSTER, Mr. KANJORSKI, Mr. PATRICK MURPHY of Pennsylvania,. Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, Mr. SESTAK, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. PITTS, Mr. ENGLISH of Pennsylvania, Mr. DENT, Mr. BOOZMAN, Mr. MICHAUD, Mr. STUPAK, Ms. CORRINE BROWN of Florida, Mr. LARSON of Connecticut, Mr. PASCRELL, Ms. LINDA T. SÁNCHEZ of California, Mrs. MCCARTHY of New York, Mr. ARCURI, Mr. MURPHY of Connecticut, Mr. LOEBSACK, Mr. BISHOP of Georgia, Mr. MORAN of Virginia, Mr. HONDA, Mr. TAYLOR, Mr. LANGEVIN, Mr. ABERCROMBIE, Mr. NEAL of Massachusetts, Mr. TANNER, Mr. RYAN of Ohio, Mr. LYNCH, Mr. CLYBURN, Mr. WU, Mr. WEINER, and Mr. CROWLEY.
H. Res. 1006: Mr. PASTOR.
H. Res. 1042: Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, Mr. CONAWAY, Ms. WASSERMAN SCHULTZ, Mr. TANNER, Mr. BERRY, and Mr. SHADEGG.
H. Res. 1078: Mr. FATTAH, Mr. HINCHEY, Ms. KILPATRICK, and Mr. HONDA.
H. Res. 1088: Ms. JACKSON-LEE of Texas, Mr. RAHALL, Ms. WATERS, Mr. HINCHEY, Mr. ACKERMAN, Mr. LAHOOD, Mr. WEINER, Mr. RUPPERSBERGER, Mr. KUCINICH, Mr. PETRI, Mr. CLYBURN, Mr. BUTTERFIELD, Mr. DEFAZIO, Mr. BERMAN, Ms. ZOE LOFGREN of California, Mr. WATT, Mr. COURTNEY, Mr. HARE, Mr. WELCH of Vermont, Mr. HOLT, Mr. HIGGINS, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. CLEAVER, and Mr. MCGOVERN.
H. Res. 1116: Mr. EHLERS.
H. Res. 1169: Ms. MOORE of Wisconsin and Ms. WOOLSEY.
H. Res. 1202: Mr. STUPAK and Mr. HODES.
H. Res. 1210: Ms. HERSETH SANDLIN.
H. Res. 1227: Ms. CORRINE BROWN of Florida.
H. Res. 1246: Mr. MITCHELL.
H. Res. 1254: Mr. JACKSON of Illinois.
H. Res. 1266: Mr. MCCAUL of Texas, Mr. CLAY, Mr. MICHAUD, Mr. HOLDEN, and Mr. TOWNS.
H. Res. 1273: Mr. PETRI.
H. Res. 1287: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SKELTON, Mr. PRICE of Georgia, and Mr. CAZAYOUX.
H. Res. 1302: Mr. MILLER of Florida, Mr. CANNON, and Mr. ROYCE.
H. Res. 1303: Ms. ZOE LOFGREN of California and Mr. PORTER.
H. Res. 1306: Mr. LATTA, Mr. MCHENRY, Mr. SMITH of New Jersey, Mr. GERLACH, Mr. MILLER of Florida, Mr. SAXTON, Mr. HAYES, Mr. TANCREDO, Mr. ROYCE, and Mr. ADERHOLT.
H. Res. 1307: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. COSTA, Mr. CROWLEY, Mr. DEFAZIO, Ms. DEGETTE, Mr. EHLERS, Mr. FARR, Mr. GALLEGLY, Ms. GIFFORDS, Mr. GILCHREST, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HILL, Mr. HINOJOSA, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. KIRK, Mr. MILLER of North Carolina, Mr. RODRIGUEZ, Mr. ROHRABACHER, Ms. Linda T. Sánchez of California, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. TANNER, Mr. TAYLOR, Mr. WU, Mr. PETRI, Mr. BOUSTANY, Ms. BALDWIN, Mr. WHITFIELD of Kentucky, Mr. BOUCHER, Mr. WALDEN of Oregon, Mr. CASTLE, Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, Mr. PLATTS, Mr. CRENSHAW, and Mr. HALL of Texas.
H. Res. 1308: Mr. GALLEGLY.
H. Res. 1311: Ms. MOORE of Wisconsin, Mr. PRICE of North Carolina, Mr. MORAN of Kansas, Mr. KENNEDY, Ms. KILPATRICK, Ms. SOLIS, Mr. CASTLE, Mrs. CAPITO, Ms. ROS-LEHTINEN, Mr. SCOTT of Virginia, Ms. ROYBAL-ALLARD, Ms. ZOE LOFGREN of California, Mr. MCNULTY, Mr. SCOTT of Georgia, Ms. BERKLEY, and Mr. CALVERT.
H. Res. 1316: Mr. KILDEE, Mr. LYNCH, Mr. ABERCROMBIE, Ms. CASTOR, Mr. CROWLEY, Mr. COURTNEY, Mrs. DAVIS of California, Mr. LOEBSACK, Ms. TSONGAS, Mr. UDALL of Colorado, Mr. KIND, Mr. PALLONE, Mr. CAPUANO, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mrs. TAUSCHER, Mr. OLVER, Mr. LARSEN of Washington, Ms. DEGETTE, Mrs. BOYDA of Kansas, Ms. SOLIS, Mr. HODES, Mr. HOLT, and Mr. WELCH of Vermont.
H. Res. 1323: Mr. SIRES, Mr. FLAKE, Ms. BALDWIN, Mrs. CAPPS, Ms. SOLIS, Mrs. BOYDA of Kansas, Ms. BEAN, Ms. DEGETTE, Mr. BRALEY of Iowa, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. HILL, Mr. DONNELLY, Mr. SHADEGG, Mr. SPACE, Mr. RENZI, Ms. HIRONO, and Mr. WU.
H. Res. 1324: Mr. POE.
H. Res. 1325: Mr. BROUN of Georgia, Mr. JORDAN, Mr. KING of Iowa, Mr. MARCHANT, Mr. DAVID DAVIS of Tennessee, Mr. HENSARLING, Mr. BRADY of Texas, Mr. BISHOP of Utah, Mrs. SCHMIDT, Mrs. MUSGRAVE, Mr. LAMBORN, Mr. PITTS, Mr. AKIN, Mr. FRANKS of Arizona, Mrs. MCMORRIS RODGERS, Mr. KLINE of Minnesota, Mr. CONAWAY, Mr. GOHMERT, Mr. BARRETT of South Carolina, Mr. BILBRAY, Mr. LUCAS, Mr. DOOLITTLE, Mr. SHADEGG, Mr. BARTLETT of Maryland, Mr. DANIEL E. LUNGREN of California, Mrs. BACHMANN, Mr. LATTA, Mr. SALI, and Mr. GARY G. MILLER of California.
H. Res. 1326: Mr. ELLISON, Mr. HINCHEY, Ms. BALDWIN, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. FILNER, Mr. RUSH, and Mr. STARK.
H. Res. 1327: Mr. BACA, Mr. FARR, Mr. BECERRA, and Ms. SOLIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

288. The SPEAKER presented a petition of the Town of Eastham, Massachusetts, relative to a Resolution calling on the Congress of the United States to vote only for funding for a safe and rapid withdrawal of all U.S. troops from Iraq; to the Committee on Armed Services.

289. Also, a petition of the Town of Orleans, Massachusetts, relative to a Resolution calling on the Congress of the United States to vote only for funding for a safe and rapid withdrawal of all U.S. troops from Iraq; to the Committee on Armed Services.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 12. July 9, 2008, by Mr. PETER. J. ROSKAM on H.R. 2208, was signed by the following members: Peter J. Roskam, Michele Bachmann, John R. ''Randy'' Kuhl, Jr., Robert E. Latta, Bill Sali, Lynn A. Westmoreland, John Kline, Jeb Hensarling, John R. Carter, David Davis, Ray LaHood, Jerry Lewis, Joe Wilson, John Abney Culberson, Robin Hayes, Mark E. Souder, Kenny Marchant, Joseph R. Pitts, Howard P. ''Buck'' McKeon, Greg Walden, J. Randy Forbes, Harold Rogers, Charles W. Dent, Michael T. McCaul, Pete Sessions, Tom Cole, Marsha Blackburn, K. Michael Conaway, Bob Goodlatte, Paul C. Broun, Todd Russell Platts, Mario Diaz-Balart, John T. Doolittle, Steve King, Jo Ann Emerson, Jim Jordan, Zach Wamp, Rob Bishop, Candice S. Miller, Kevin Brady, John M. McHugh, Tom Feeney, Randy Neugebauer, Ted Poe, John Shimkus, Steve Scalise, Howard Coble, Patrick T. McHenry, Dave Camp, Adam H. Putnam, Louie Gohmert, Michael K. Simpson, Ron Lewis, Tom Davis, Daniel E. Lungren, Dennis R. Rehberg, Peter Hoekstra, Tim Walberg, Tom Price, Michael R. Turner, Doug Lamborn, Robert B. Aderholt, Bill Shuster, Charles W. Boustany, Jr., Thomas M. Reynolds, Mary Bono Mack, Steve Chabot, Thelma D. Drake, Tom Latham, Mike Rogers (MI), Scott Garrett, Lincoln Diaz-Balart, Joe Knollenberg, Adrian Smith, F. James Sensenbrenner, Jr., Phil Gingrey, W. Todd Akin, Thaddeus G. McCotter, Michael C. Burgess, John Boozman, Trent Franks, Henry E. Brown, Jr., Mike Pence, Rodney Alexander, Todd Tiahrt, Robert J. Wittman, Jim Gerlach, Sam Graves, C. W. Bill Young, John B. Shadegg, Dave Weldon, Edward R. Royce, Ralph M. Hall, Nathan Deal, Marilyn N. Musgrave, Geoff Davis, Phil English, Virginia Foxx, John E. Peterson, Devin Nunes, Eric Cantor, Cathy McMorris Rodgers, Mac Thornberry, Frank D. Lucas, Dean Heller, Sue Wilkins Myrick, Stevan Pearce, Terry Everett, John J. Duncan, Jr., Cliff Stearns, Jeff Miller, Kevin McCarthy, Virgil H. Goode, Jr., Brian P. Bilbray, Judy Biggert, John L. Mica, Connie Mack, Gus M. Bilirakis, Barbara Cubin, Chris Cannon, John Sullivan, J. Gresham Barrett, Jo Bonner, Roy Blunt, Mary Fallin, Jerry Weller, Steven C. LaTourette, and Duncan Hunter.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

[Omitted from the Record of June 26, 2008]

Petition 10, by Mr. KUHL on the bill (H.R. 5656): Louis Gohmert.

[Submitted July 10, 2008]

Petition 3, by Mr. PENCE on House Resolution 694: Robert J. Wittman.

Petition 8, by Mr. WALBERG on the bill (H.R. 3089): Duncan Hunter.

Petition 10, by Mr. KUHL on the bill (H.R. 5656): Ray LaHood, Bob Goodlatte, Steve Scalise, Michael K. Simpson, Michael R. Turner, C. W. Bill Young, Edward R. Royce, Stevan Pearce, Barbara Cubin, Chris Cannon, and John Sullivan.

Petition 11, by Mr. TANCREDO on House Resolution 1240: Stevan Pearce.