

I am pleased that this month will mark the beginning of the House's ongoing observation of a moment of silence for those killed or wounded in Iraq or Afghanistan. I thank Speaker PELOSI for making this right and fitting tribute a part of the regular order of the House.

This moment of silence will serve as a solemn reminder of the more than 4,000 killed and more than 30,000 wounded in Iraq and Afghanistan and a thank you from a grateful Nation. For their courage and selfless commitment to duty, these servicemembers, and their families, deserve our unending support.

Again, I want to thank Speaker PELOSI, and Catlin O'Neill on her staff, for working with me to make this remembrance a reality for the families of those who have sacrificed for our Nation.

SECURE RURAL SCHOOLS PROGRAM

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

Mr. DEFAZIO. Mr. Speaker, tomorrow, this House will take up a critical piece of legislation, H.R. 3058. This legislation would extend the secure rural schools program for 4 years. If this legislation is not adopted, we expect that more than 7,000 teachers in rural districts across the United States of America will be laid off. We expect that in more than 600 counties critical services such as sheriffs deputy patrols, jail deputies who perform services in the jail, and other critical emergency services will end. Road funds will be impacted in terms of critical road and bridge maintenance. This is must-pass legislation.

But we also recognize that the United States of America is in a fiscal bind here. So the Democrats have reimposed something pretty simple most Americans live by called pay-as-you-go. So we had to figure out a way to pay for this. We've gone through a whole ream of proposals, and we've found one that works, and I think in this time of record-high oil and gas prices, it's particularly appropriate.

We would have in place a renegotiation of existing leases which omitted a price trigger at \$35 a barrel or impose a conservation resource fee if those companies would renegotiate. A number of good citizen companies have renegotiated, including Shell, BP and Conoco. A number of other not-so-good citizen companies, those which are extorting incredible amounts of money from the American consumer, such as ExxonMobil, have refused to renegotiate, and they're trying to take their unintended windfall.

Now, many on the other side of the aisle are going to say this is unconsti-

tutional. Well, I would urge my Republican colleagues to read the CRS Report for Congress, No. RL 33974. It addresses those issues in depth. It's not a taking. It doesn't violate the doctrine of unconstitutional conditions. It doesn't violate substantive due process and equal protection. And it doesn't cause a breach of contract.

In fact, CRS finds that the government, but of course not this administration, the Bush administration, may have a cause of its own under a section called unilateral and mutual mistake.

Everyone admits these provisions, these triggers are supposed to be in the bill. At \$35 a barrel, that's about \$100 a barrel ago, the subsidies were supposed to go away for these oil companies. They didn't because some bureaucrat messed up. So, in fact, the preponderance of evidence is that the government has a cause of action to reinstate lawful charges against those oil companies. This bill would do that, and it would assure the future of more than 600 counties, hundreds of school districts, 7,000 teachers.

If we don't pass this, if you lean on the slender read, if you're concerned about the wealth of the oil companies, I refer you to ExxonMobil's and others' most recent statements. I refer you to the Wall Street Journal to look at the price of oil hovering in the upper \$120 a barrel when this fee was supposed to come in at \$35 a barrel.

You can't lean on the unconstitutional read, but if you do want to side with the oil companies over and above rural schools, public safety, maintenance of roads, bridges and highways in rural counties across America, then you will side with the oil companies in this vote tomorrow.

I hope a majority of my colleagues join me on the right side of this issue.

GAS PRICES

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. Mr. Speaker, every year I conduct town hall meetings in each of the 69 counties that comprise the First District of Kansas. I want to hear what's on the minds of my constituents and receive my marching orders that I bring back to Washington, D.C.

And so now for the 12th year, I've made the rounds, some 5,000 miles with 69 town hall meetings, and I'm here on the floor tonight to visit one of those issues that has certainly been raised by Kansas voices, and I want to make certain that those voices are heard and that the commonsense that my constituents have is part of the debate on the issues that we face here in the Nation's capital.

While the issues that Kansans talk to me about every year—they change I

guess from year to year a bit—one thing remains the same. Folks want to see good things happen in their own communities, and they want to see good things happen in their country.

This year, the issue I heard the most about was the high cost of energy. I heard from Kansans who can't take much more pain at the pump. Right now, prices which are expected only to increase are too high for Kansans, and it's past time in their opinion, and mine as well, for Congress to pay attention.

Farmers, truckers, manufacturers, teachers, seniors, all shared with me that something needs to change or they just can't make it. This is what I heard all across our State. Kansans are trying to get by, and their employers are struggling to keep them employed.

And it's not just about economics. It's about our foreign policy. We can look at the nightly news and see that our own foreign policy is distorted because of national security issues that are presented by the fact that we're at the mercy of oil-rich countries, many of them who despise us.

Kansans understand that technology changes with time and so should environmental and energy policies. Exploring and drilling can be done with limited environmental impact. China, with Cuba's permission, is tapping our natural resources, our natural gas fields, right off our own coasts, where our companies are banned. They are banned even with advanced technologies and a strong commitment to see that there is no ecological disaster.

While I support increasing the domestic supply of oil and gas, I know it's not the only answer. We need to meet our country's energy needs in a diverse way. It's capturing the power of the sun. It's harnessing the wind that blows across my State of Kansas. It's using heat from within the Earth to generate electricity. All of these and many more energy sources are completely renewable. Renewable energy can create jobs at home and help our economy, improve our environment, and reduce our dependence upon foreign oil.

Energy conservation can also help. Too many of us have gotten away from the things that we always knew. Growing up, it was considered a sin in my family to leave the lights on when you weren't in the room. We need to get back to that mentality of being responsible with our energy use.

Across Kansas, folks are recognizing the benefits of conservation. Farmers are transitioning to no-till practices, which reduce the number of times the tractor passes through the field. Commuters are carpooling. Every gallon that we conserve, every degree we don't heat or cool, every empty room that doesn't have a light on, helps us reduce the demand.

I'm taking steps in my own congressional office to reduce energy use.