

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from Michigan (Mr. DINGELL) and a Member opposed each will each control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

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

Under the unanimous consent request, I assume, then, that I have offered it; and I yield to the gentleman from the great State of Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding to me. And I would simply say that the gentleman from Minnesota (Mr. OBERSTAR), the ranking member on the Committee on Transportation and Infrastructure, has offered an amendment that would authorize \$20 million for the administrator of General Services Administration to proceed with the Sun Wall design project, and the majority is prepared to accept it and work with the gentleman from Michigan (Mr. DINGELL) and the gentleman from Minnesota (Mr. OBERSTAR) to maintain it in conference with the Senate.

I urge a "yes" vote.

Mr. DINGELL. Mr. Chairman, reclaiming my time and continuing my comments, I rejoice that the gentleman has accepted it. I commend him for having done so.

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

Mr. OBERSTAR. Mr. Chairman, I rise to express my appreciation to the gentleman from Michigan for offering the amendment I had planned to and was designated to offer, and to the gentleman from Texas for accepting the amendment.

Mr. Chairman, I rise in support of the Oberstar-Norton amendment. The amendment authorizes the Administrator of the General Services Administration to install a photovoltaic solar energy system (photovoltaics) in accordance with the Sun Wall Design Project on the Forrester Building, the headquarters building of the Department of Energy located on Independence Avenue in Washington, D.C.

The Sun Wall is an engineering and architectural marvel; 24,750 square feet of power generating panels installed on the building's south facing wall. It is also visually exciting, reaching 300 feet wide and 130 feet high. In fact, the Sun Wall design was selected as the winning design in an national contest sponsored jointly by the Department of Energy and the National Renewable Fuels Laboratory. The project design was completed 5 years ago, in 2000. The project design is ready to go. All that is left to do is provide funding for the project so that construction of the Sun Wall can begin.

With ever rising oil prices and our country's ever-increasing dependence on oil, the time has come for the federal government to get serious about

alternative, renewable fuels. In fact, the time is long past overdue. The federal government is the Nation's largest energy consumer, a typical office building is estimated to spend one-third of its operating expenses on energy costs. Using alternative sources of energy will help us reduce these costs.

Photovoltaics are a proven, reliable source of energy. Simply put, photovoltaic systems convert solar energy into electricity. They not only reduce the consumption of fossil fuels, but they are highly efficient and have no moving parts, so the need for maintenance is virtually non-existent. Because they emit no harmful pollutants, they are a clean, environmentally-friendly energy source.

H.R. 6 does include provisions aimed at increasing energy efficiency in our public buildings. I am especially pleased to see in the bill section 205 (regarding the procurement and installation of photovoltaics in federal buildings generally), which I offered, and which was accepted, as an amendment during consideration of the energy bill last Congress.

Over 25 Federal buildings throughout the country, from Boston, Massachusetts to San Francisco, California, already use photovoltaics to great effect. We ought to add the national headquarters of the Department of Energy to that list.

The Sun Wall Project is an opportunity to have the Department of Energy Headquarters building in our Nation's capital—the building where energy policy is debated and refined—stand as a testament to the utility and promise of photovoltaics. In a city of monuments, the Sun Wall Project would be a monument to America's commitment to advanced technologies, alternative energy and a cleaner environment.

I urge my colleagues to support the amendment.

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

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

The amendment was agreed to.

REQUEST TO OFFER AMENDMENT NO. 9

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to be able to go back to that amendment.

Mr. BARTON of Texas. Mr. Chairman, I reserve the right to object, and I will not object.

The Acting CHAIRMAN. The gentleman will have to offer his amendment in the full House. We cannot go back to the amendment.

Mr. BARTON of Texas. Mr. Chairman, I reserve the right to object.

The Acting CHAIRMAN. The Chair is not entertaining the motion because we cannot go back to the amendment.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Chairman, parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may inquire.

Mr. BARTON of Texas. Mr. Chairman, since the gentleman from California is a member of the committee of jurisdiction and since he offered this in committee and it was made in order by the Committee on Rules to be offered, even though he was somewhat tardy in arriving, would a unanimous consent request, if made and not objected to, give him the right to offer the amendment now?

The Acting CHAIRMAN. Such a request may only be entertained in the full House.

Mr. BARTON of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLAKE) having assumed the chair, Mr. SIMPSON, 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. 6) to ensure jobs for our future with secure, affordable, and reliable energy, had come to no resolution thereon.

MAKING IN ORDER AT ANY TIME WAXMAN AMENDMENT NO. 9 DURING FURTHER CONSIDERATION OF H.R. 6, ENERGY POLICY ACT OF 2005

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that Waxman amendment No. 9 be allowed to be offered at any time to H.R. 6.

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

There was no objection.

ENERGY POLICY ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 219 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

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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 further consideration of the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy, with Mr. SIMPSON (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 10 printed in House Report 109-49 offered by the gentleman from Michigan (Mr. DINGELL) had been disposed of.

AMENDMENT NO. 9 OFFERED BY MR. WAXMAN

Mr. WAXMAN. 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. 9 offered by Mr. WAXMAN:

At the end of title I, add the following new subtitle and make the necessary conforming changes in the table of contents:

Subtitle E—Plan to Reduce Oil Demand

SEC. 151. PRESIDENTIAL ACTIONS.

(a) **PROPOSED ACTIONS.**—For purposes of reducing waste of oil and decreasing demand for foreign oil, not later than 6 months after the date of enactment of this Act, appropriate Federal Departments and agencies, as identified by the President, shall propose voluntary, regulatory, and other actions sufficient to reduce demand for oil in the United States by at least 1.0 million barrels per day from projected demand for oil in 2013.

(b) **REQUEST TO CONGRESS.**—If the President determines that the Departments and agencies referred to in subsection (a) lack authority or funding to implement the actions proposed under subsection (a), the President shall request the necessary authority or funding from Congress no later than 9 months after the date of enactment of this Act.

(c) **FINAL ACTIONS.**—No later than 12 months after the date of enactment of this Act, the Departments and agencies referred to in subsection (a) shall finalize the actions proposed pursuant to subsection (a) for which they have authority and funding.

(d) **PRESIDENTIAL DETERMINATION.**—The Departments and agencies referred to in subsection (a) may finalize regulatory and other actions pursuant to subsection (c) that achieve demand reductions less than the demand reduction specified in subsection (a) if the President, after public notice and opportunity for comment, determines that there are no practical opportunities for the nation to further reduce waste of oil.

(e) **CAFE.**—Nothing in this section shall mandate any changes in average fuel economy standards (“CAFE” standards) prescribed under chapter 329 of title 49 of the United States Code.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. WAXMAN).

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

Before I discuss the merits of this amendment that I seek to offer, I want to extend my appreciation to the Chairman of the Committee on Energy and Commerce, the gentleman from Texas (Mr. BARTON), for his courtesy to me in allowing me to offer this amendment. I hope that I can convince him and my colleagues to support this amendment.

A balanced energy bill should not just be production of more energy, but it should be conservation, reduction of the demand side of the equation, and I feel that the legislation is lacking in that regard. What my amendment would seek to do is to reduce the amount of oil that is wasted every single year.

Let me tell my colleagues what the amendment does not do. It does not mandate anything. It does not mandate an increase in the CAFE standards for automobiles, although I think that is a good idea, but we do not mandate it. It

does not mandate any new, burdensome regulations or expensive technologies, and it does not force Americans to change their personal habits. It simply calls on the President to come up with a plan to lead in an effort to reduce the waste of oil.

Now, in this House, even this is controversial, as amazing as it may seem. This seems to be the only place in America where trying not to waste oil is a bad thing. The other body voted on this very same amendment, and they voted to accept it 99 to 1.

Now, I know we are going to hear in a minute that this is a back-door way to impose new standards or regulations. That is nonsense. The amendment only asks the President to come up with some ideas for not wasting oil, and there are a lot of different things that can be done: keeping tires properly inflated, improving air traffic management, ensuring that we reduce heavy truck idling, use fuel-efficient engine oil, weatherize homes that use heating oil.

Now, all that we have to have the President do is to come up with ideas and to appeal to the American people on a patriotic basis that they simply should be more conscious of the waste and perhaps shut off their cars when they run into a Starbucks. I have no doubt the American people would respond.

It worked in California. When we had our energy crisis a few years ago, we had a real energy crunch, and the people in California pitched in and, almost overnight, reduced energy waste by 4 to 10 percent, depending on whose numbers you accept. Overnight, with no preparation, California achieved the small reduction that this amendment calls for. That is the least we can do.

This legislation that is before us overall is going to increase the amount of oil we are going to have to bring in from the Middle East. We are going to be more and more dependent. For our national security's sake, we ought to simply reduce some of the waste in oil that goes on every single year.

I am particularly struck that at a time when we have so many brave American men and women serving overseas, willing to sacrifice everything for us, we may not be able to muster the political will to ask the American people to chip in a little and reduce the waste of oil.

If we defeat this amendment, we are waving the white flag. We are waving that white flag to surrender to the oil companies and the other special interests. We will be saying we simply will not even try. The greatest country in the world cannot even find the will to achieve small reductions in the waste of oil. I do not think that is the message we want to send.

I would ask that my colleagues support this. This is a minimal step. It is common sense. At least it can put us on the side of trying to reduce waste. The President is simply called on to exert that leadership to come up with a

plan. If he does not think he can do it, well, he does not have to do it. But if he has some ideas, let us try to do at least the minimum we can do to reduce the waste of oil that is causing us to bring in and use, and in fact overuse, oil that we have to bring in from overseas.

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

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

It may seem odd that I would ask the House to rise to give the gentleman the right to offer an amendment that I am going to oppose, but I think it is worthy of debate. We had a debate in the Committee on Energy and Commerce on this amendment, and I glanced at it, and it appears to be the identical amendment.

Is it the identical amendment from the Committee on Energy and Commerce?

Mr. WAXMAN. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, yes, it is.

Mr. BARTON of Texas. It looked to me like it was. We had a good debate on it there and it was rejected, and I honestly hope that the House does the same.

Mr. Chairman, I want to read a part of the amendment. It says under section 151, “Presidential actions. For purposes of reducing waste of oil and decreasing demand for foreign oil, not later than 6 months after the date of enactment of this act, appropriate Federal departments and agencies identified by the President shall propose voluntary, regulatory, and other actions,” other actions, “sufficient to reduce the demand for oil in the United States by at least 1 million barrels per day from projected demand for oil in 2013.”

Now, let us go through that. The gentleman is stating that we are wasting oil. I guess when I hop in my pickup truck to go to the store to get some milk, then I am wasting gasoline. But my wife does not think I am wasting it, my children or stepchildren do not think I am wasting it when they get to drink the milk that I go get, but I guess maybe we are. So I do not know how we would identify this waste, but I assume there would be some Federal commission that could identify the waste of oil.

Of course, it talks about decreasing the demand for foreign oil. Well, oil is oil. We do get about 14 million barrels a day from overseas, and God bless us that we do. Our economy would come to a halt if we did not. So I am not sure how we would work on that.

It talks about being voluntary, regulatory, but then it says “other actions.” “Other” could be mandatory. “Other” could be whatever the President of the United States says it is.

But the gentleman from California goes on to say, in subsection B, “If the

President determines that the departments and agencies lack the authority or funding to implement the actions proposed," in the section I just read, "then the President should come to the Congress and request the necessary authority."

Now, here we have an economy that in the last year in the United States, demand for energy has gone up, not down. The price of gasoline in nominal dollars has doubled in the last year. Demand has gone up 2 percent. We have doubled the price and demand has gone up. But yet, somehow, the gentleman from California (Mr. WAXMAN) thinks if we accept this amendment, that we are going to be able to wave some magic wand at the presidential level, and maybe at the congressional level, and reduce demand for oil by 1 million barrels.

We are only producing around 7 or 8 million barrels a day domestically, but somehow, just by having a group hug in the Federal agencies, we are going to find a way to reduce demand by 1 million barrels.

I do not think it is going to work that way. We can emote all we want, but we have a growing economy, a growing population, and we are probably going to continue to need more oil, not less. So the way to do it is to find ways to produce more and to find real-world ways to consume less and get more bang for the buck.

This amendment does not get us there, with all due respect. I hope we would oppose it. I strongly support the gentleman's right to offer it, but I just as strongly support my right to oppose it, and I hope at the appropriate time the House will vote "no" on the Waxman amendment.

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

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from California has 30 seconds remaining.

Mr. WAXMAN. Mr. Chairman, I yield myself the remaining time.

This only calls on the President to come up with some ideas talking to the people that are heading up his agencies. If he thinks he needs legislative authority, he should ask for it. But at least it makes him focus on not wasting oil, and there is a lot of waste that goes on. And the President can simply appeal to people: tune up your motors, promote oil savings in the industrial sector, keep vehicles properly tuned, improve the tire inflations, improve air traffic management. Some of these small things can add up to savings, and the savings we call for are the savings based on projections of future oil.

I ask for an "aye" vote.

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

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

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. WAXMAN) will be postponed.

It is now in order to consider Amendment No. 11 printed in House report 109-49.

AMENDMENT NO. 11 OFFERED BY MR. ABERCROMBIE

Mr. ABERCROMBIE. 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. 11 offered by Mr. ABERCROMBIE:

In title II, subtitle A, add at the end the following new section:

SEC. 209. SUGAR CANE ETHANOL PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term "program" means the Sugar Cane Ethanol Pilot Program established by subsection (b).

(2) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(b) ESTABLISHMENT.—There is established within the Department of Energy a program to be known as the "Sugar Cane Ethanol Pilot Program".

(c) PROJECT.—

(1) IN GENERAL.—In carrying out the program, the Secretary shall establish a pilot project that is—

(A) located in the State of Hawaii; and

(B) designed to study the creation of ethanol from cane sugar.

(2) REQUIREMENTS.—A pilot project described in paragraph (1) shall—

(A) be limited to the production of ethanol in Hawaii in a way similar to the existing program for the processing of corn for ethanol to show that the process can be applicable to cane sugar;

(B) include information on how the scale of production can be replicated once the sugar cane industry has site located and constructed ethanol production facilities; and

(C) not last more than 3 years.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$8,000,000, to remain available until expended.

The Acting Chairman. The gentleman from Hawaii (Mr. ABERCROMBIE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Hawaii (Mr. ABERCROMBIE).

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

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

Mr. ABERCROMBIE. Mr. Chairman, I do not believe, if the gentleman from Texas (Mr. BARTON) would corroborate here, that there is going to be opposition to this amendment.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. ABERCROMBIE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I am supportive, but my understanding is that the gentleman from Arizona is going to be nonsupportive.

Mr. ABERCROMBIE. Well, he has not heard me speak yet.

Mr. BARTON of Texas. Hopefully, the gentleman from Hawaii and I, together, can overcome him. I do support the gentleman's amendment at the appropriate time.

Mr. ABERCROMBIE. Mr. Chairman, the sheer weight of logic plus our considerable mutual charm I think has some hope in that direction.

Mr. Chairman, I rise today in favor of this amendment. Please allow me to say two things before I proceed. First, I want to express my gratitude to the gentleman from Texas (Mr. BARTON) and to the gentleman from California (Mr. POMBO) and their committee staffs. Believe me, a lot of work went into this in the midst of all of the other pressures of various other items that were before them. This means a great deal.

In every one of these bills, particularly in this energy bill, people have things to which they are deeply committed, including my good friend, the gentleman from Arizona (Mr. FLAKE), with respect to both the philosophy involved and what the consequences might be from any given item.

Now, in the great scheme of things, this might not seem like a lot to a lot of people, but for those of us who understand what it is, if we can actually grow our own renewable energy with sugarcane in the form of biomass can actually provide by being converted to ethanol. That is why this is here.

I am not certain, and the gentleman from Hawaii (Mr. CASE) will speak shortly about it too, as to whether there are larger, logistical issues involved or political issues. But I can tell my colleagues this: Whatever arguments there are out there about whether sufficient time or funds are being committed to renewable energy, alternative energy, this is something that we can do. And this is something where we are getting support from the oil and gas companies in Texas, in Louisiana.

Hawaii and Florida can join in, because we are growing sugarcane, sugarcane can become ethanol, ethanol can help reduce the dependency on oil and gas. And we can work with the oil and gas companies to see to it that we have blends that will allow us to reduce our dependency on foreign oil, on foreign sources. That is what this is about.

We can grow our own energy in Hawaii if we get the chance to do this. And the gentleman from Texas (Mr. BARTON) and the gentleman from California (Mr. POMBO) have recognized this. They are going to give us the chance, and if this works, I am in contact with people, for example, like at Southern University in Louisiana, just speaking with them tonight, with the idea that perhaps we can take the sugarcane industry, and instead of always having to be in the position of having to defend ourselves against wage slavery around the rest of the world, that we will be able to have good jobs, good income in the United States of America, and be growing our own energy.

That is what this is about, and that is why I ask for the support of my colleagues on this.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. ABERCROMBIE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I support the amendment, and I strongly encourage the majority to support it, and we will work with the gentleman in conference to maintain it if he will promise to work with his Hawaiian Senators to get them to do that also.

Mr. ABERCROMBIE. I will do that, Mr. Chairman.

Mr. BARTON of Texas. I am in support of the Abercrombie amendment and hope that the House accepts it.

Mr. ABERCROMBIE. Mr. Chairman, this is a very, very big opportunity and challenge for us that I think we will be able to meet.

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

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Mr. FLAKE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from Arizona (Mr. FLAKE) controls 5 minutes.

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

I rise today in opposition to the sugar cane ethanol pilot program. This proposal, the problem with it is that it combines two programs, and both waste taxpayer money.

First, the sugar subsidy artificially raises the price of sugar that you buy every day. Whenever you eat a candy bar or drink a can of 7-Up, you are paying more because the government artificially raises the price of sugar.

Now, if you want to raise the cost of gas by forcing taxpayers to put fuel mixed with processed subsidized sugar in your tank, it just seems strange in this bill, because I thought the purpose of this bill was actually to lower the cost of energy.

Second, ethanol is simply another taxpayer subsidy that could only find support in Congress, certainly not in the marketplace. Study after study demonstrates that it actually uses more energy to produce than it actually yields at the end.

And ethanol subsidies came about decades ago. It was just to jump-start the industry. And soon it will be on its own; the market will take over. Well, guess what, decades later we are still subsidizing ethanol. Well, why in the world should we do this and turn this to sugar now?

When grain-producing States have long found a way to keep ethanol alive, now sugar-producing States want into the act. My district has a great supply of prickly pear. Now, some people will eat it; it is sold at the airports. I would submit that is just as good a source of sugar for ethanol. If you use enough energy, you can turn anything into ethanol. But should we do it on the

taxpayer's dime? I would say, no, we should not.

Mr. ABERCROMBIE. If the gentleman will yield, I will be happy to bring in prickly pears.

Mr. FLAKE. I enjoy it when the gentleman brings macadamia nuts into the committee; we enjoy those a lot. But I would not propose that we make ethanol out of it. It simply makes no sense at all to try to turn sugar, or for that matter corn, into gasoline.

Additionally, those of us who oppose ethanol need to stand up today to oppose this amendment because what may seem like a small program now, once sugar States discover what corn States have discovered, it will become much, much bigger and spending will become more and more and more. 10 million will become 20 and then 30 and then soon it is hundreds of millions of dollars.

This comes at the detriment of taxpayers who will pay more at the pump. Again, let me say that the purpose of this bill, the stated purpose, is during an energy crisis to bring down the cost of energy. And here we are employing programs that will simply make you pay, one, more at the pump, and, two, more in taxes because you are supporting this kind of subsidy.

I thought it was kind of strange, when I was a kid the worse prank you could play, it was hardly a prank, it was property damage, but was to put sugar in someone's tank. That was the worst thing you could do. And here you are going to ask the taxpayers to pay for it. It just seems wrong to me.

With all deference to my good friend from Hawaii, I just do not think that I can support this amendment. I am under no illusion, given the committee's support, the Republican's support for the amendment that I can beat it. But someone needs to stand up and say what this really is. It is another taxpayer subsidy that is going to raise the cost of energy.

For that reason I oppose it. Let us keep sugar out of your gas tank.

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

Mr. ABERCROMBIE. Mr. Chairman, will the gentleman from Arizona (Mr. FLAKE) yield his remaining time to me?

The Acting CHAIRMAN. The gentleman from Hawaii (Mr. ABERCROMBIE) has 1½ minutes remaining.

Mr. FLAKE. Mr. Chairman, I yield my remaining time to the gentleman from Texas (Mr. BARTON).

The Acting CHAIRMAN. Without objection, the gentleman from Texas (Mr. BARTON) will control 1½ minutes.

There was no objection.

Mr. ABERCROMBIE. Mr. Chairman, I yield myself such time as I might consume.

Might I just say for the edification of my good friend, the gentleman from Arizona (Mr. FLAKE), that when you take those two cans of Coke that you are talking about, just tell me whether the Diet Coke is cheaper than the other

one that has sugar in it. I do not think so. You are not saving any money that way. That is not going to work.

But I would be happy some other time perhaps to have a full blown discussion about this at another point.

Chairman Dreier, Ranking Member Slaughter and the Members of the Committee on Rules. I offer this amendment to H.R. 6 with the hope of reducing our nation's reliance on oil and advancing our efforts in Hawaii to become more energy self-sufficient. This is philosophically consistent with other provisions of H.R. 6 encouraging energy production.

My amendment authorizes a 3-year demonstration program for the production of ethanol from sugar cane in Hawaii. Specifically, \$8.0 million would fund a \$1.00 per gallon payment to refiners and 8.0 million gallons of ethanol fuel. This pilot program would parallel the existing corn program to show that the process can be applicable to cane sugar and can be replicated on a larger scale.

Nationally, the sugar cane industry is currently formulating a program to process 700,000 tons of cane sugar into ethanol. With a large domestic surplus of sugar, and the possibility of additional imported sugar being allowed into the domestic market through free trade agreements, a program of such size would stabilize domestic markets and produce a significant volume of ethanol.

This pilot project will provide invaluable insight on problems that may arise with a national program. The State of Hawaii has passed a law that goes into effect on April 1, 2006, mandating a 10 percent ethanol blend for gasoline consumption in the state. Oil refineries are building ethanol storage and blending facilities in anticipation of meeting the requirement. Locally produced ethanol would be less expensive than importing the estimated 45 million gallons of ethanol needed to fulfill the 10 percent requirement.

Because of the relatively low domestic price of sugar, Hawaii producers for some time been considering and now planning ethanol production from the cane sugar that would otherwise have gone into the domestic sugar market. The State of Hawaii is prepared to take advantage of this within months. However, this amendment is also supported by the other sugar cane growers who would like to identify any problems that might result from the large scale production of sugar cane ethanol.

This amendment was developed after the House Energy and Commerce Committee completed its markup but the amendment has been signed off by the majority side of the Energy Committee. I urge my colleagues to allow floor debate on this demonstration project and rule this amendment in order. Thank you very much for your consideration.

Mr. Chairman, I yield my remaining time to the gentleman from Hawaii (Mr. CASE).

The Acting CHAIRMAN. The gentleman from Hawaii is recognized for 1½ minutes.

Mr. CASE. Mr. Chairman, let me make four quick points on this amendment. First of all, I completely and wholeheartedly support it.

Second, the credit for this amendment goes to my colleague and the senior Democrat, the gentleman from Hawaii (Mr. ABERCROMBIE) who I thank. Since I have almost all of the agriculture in my particular district, this shows teamwork.

Third, this morning, in Kahalui, Maui, the price of a premium gallon of gas was \$2.98 per gallon. Across the street from that gas station, stands one of the most highest yield sugar plantations in the whole world, a sugar plantation that is threatened across the way, threatened across the board.

If we can produce ethanol from that sugar plantation, we can kill a bunch of birds with one stone. We can preserve agriculture in this country. This is revolutionary. If we can produce meaningful energy from prickly pears, or whatever you want, from sugar, all power to it; it is going to work for all of us. If we can save the sugar industry by producing energy from the sugar industry, it will be good for us, and it will be good for many of the other issues that we care so much about. I urge adoption of this amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield 30 seconds of my minute and a half, which was Mr. FLAKE's minute and a half, to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me the time. I just want to point out the cost of a can of 7-Up or Coke does cost more because we inflate the price of sugar.

The cost of a candy bar, I believe, is four cents more than you would pay otherwise because of subsidized sugar prices.

And the problem is what economists call concentrated benefits, diffuse costs. Nobody is going to come here to Washington to lobby against a subsidy that only costs them four cents; but, boy, the sugar industry, which reaps millions and millions of dollars in benefits from subsidized sugar is surely going to come to Washington, and that is why we are going to have this kind of amendment today.

Mr. BARTON of Texas. Mr. Chairman, I yield 30 seconds to my good friend, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I rise in support of the Abercrombie amendment. What we are engaged in today is just trying to find commonsense suggestions to really sustain the American way of life. Affordable energy, affordable agriculture are two things that sustain the American way of life.

This accomplishes good work toward both. I will submit more comments for the RECORD. But I do want to support the amendment.

Mr. Chairman, I rise today in support of the Abercrombie Amendment. This amendment will authorize a modest program to develop ethanol from sugar cane, which would be added to fuel in Hawaii to meet the EPA Clean Air Act requirements for oxygenated fuels. The State of Hawaii also mandated a 10 percent ethanol blend for gasoline in the state in order to improve the state's air quality.

Hawaii must meet Federal standards for clean air by mandating clean burning fuel. Ethanol is currently the only acceptable ingredient to blend with gasoline to meet Clean Air Act requirements.

Unfortunately for Hawaii the dominant crop is sugar instead of corn. If Hawaii grew corn,

they would already be receiving tax credits for ethanol production like almost every other state in the nation. According to the Congressional Research Service the tax credits for ethanol production will total more than \$1.4 billion. Congress annually provides tax credits, research funding and grants to turn rice straw, biomass, agriculture waste, woody debris and corn into ethanol.

Congress is spending billions to increase our nation's production and consumption of ethanol from every source imaginable. Congress has decided ethanol production is worthwhile, and has provided at least \$10 billion in incentives and tax credits since 1978 when an alcohol tax exemption was made law. Congress should pass this amendment in order to have a consistent ethanol policy.

Mr. Chairman, I urge passage of this amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

I just want to say that we are supporting all forms of energy. We accepted amendments in the committee for animal methane, livestock methane. This is a pilot program. It is a nominal amount of dollars. I honestly do not know whether sugar cane will be economical to turn into ethanol, but it is well worth the 3-year pilot program to see if it is.

I actually hope that it is. I would want it to be successful. But this is a very, very small, nominal program. And I would also point out there are not many States that can grow sugar cane. Hawaii would be one. I guess Florida would be one. Perhaps Louisiana. Maybe even Texas, although I do not think we have.

So I would hope we would support the Abercrombie amendment.

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

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 10-94.

AMENDMENT NO. 12 OFFERED BY MS. KAPTUR

Ms. KAPTUR. 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. 12 offered by Ms. KAPTUR:

In title III, subtitle A, add at the end the following new section (and amend the table of contents accordingly):

SEC. 305. STRATEGIC FUELS RESERVE.

The Energy Policy and Conservation Act is amended—

(1) in section 2(2) (42 U.S.C. 6201(2)), by striking "Strategic Petroleum Reserve" and inserting "Strategic Fuels Reserve";

(2) in section 3 (42 U.S.C. 6202)—

(A) in paragraph (8)(C), by striking "petroleum products" each place it appears and inserting "fuel products"; and

(B) by adding at the end the following new paragraph:

"(11) The term 'fuel products' means petroleum products and alternative fuels, including ethanol and biodiesel.";

(3) in title I (42 U.S.C. 6212 et seq.) by striking "Strategic Petroleum Reserve" each

place it appears and inserting "Strategic Fuels Reserve";

(4) in part B of title I (42 U.S.C. 6231 et seq.)—

(A) by striking "petroleum products" each place it appears, including headings (and the corresponding items in the table of contents), and inserting "fuel products";

(B) by striking "petroleum product" each place it appears, including headings (and the corresponding items in the table of contents), and inserting "fuel product"; and

(C) by striking "Petroleum products" each place it appears and inserting "Fuel products";

(5) in section 165 (42 U.S.C. 6245)—

(A) in paragraph (5), by striking "of petroleum" and inserting "of fuel"; and

(B) in paragraph (7), by striking "Petroleum Accounts" and inserting "Fuel Accounts"; and

(6) in section 167 (42 U.S.C. 6247)—

(A) in the section heading (and the corresponding item in the table of contents), by striking "SPR Petroleum" and inserting "SFR Fuel"; and

(B) in subsection (a), by striking "SPR Petroleum" and inserting "SFR Fuel".

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

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

The over-reliance of the United States on imported petroleum creates a major strategic vulnerability for our Nation, with nearly half the energy supply of our country now imported, and that reliance grows every day.

My amendment has a goal of taking a small step toward energy independence in the following way: we have something called a Strategic Petroleum Reserve managed by the Department of the Interior, which has in that reserve about 700 million barrels of oil, allowing us to maintain a temporary shield from increased costs on oil.

The purpose of my amendment only allows, it does not require, the Secretary of Energy the discretion of including ethanol, biodiesel, and other alternative fuels in the Strategic Fuel Reserve. So it takes the word "petroleum" out, although petroleum will remain the major fuel; but it offers some encouragement, albeit mild, to try to get us to think differently about a new future for our country.

Every one of us has that responsibility, including the Secretaries of the Interior and Energy. This amendment is neutral. If the Secretary decided to secure alternative fuels, it would be paid for by the exchange or sale of crude oil from the existing reserve.

Ethanol and other bio-based fuels are two of the ways in which America can truly become more self-sufficient in fuel production and usage. This chart shows, just over the last 20 years or so, our petroleum consumption and how much more of it is imported, to now well over half.

It is projected in another 15 years our imported petroleum will rise to 75 percent. By 2050, most easily drawn-down reserves in the world will have been

drawn down, not just by our country but by nations like China, for example, which are using more and more petroleum every year.

We simply cannot live in the 20th century any more. It is now the 21st century. If we look where we are importing our crude reserves, they are coming largely from the Middle East, followed by Mexico, Venezuela, Nigeria, many places that have difficulties politically.

Increasing use of renewable fuels will result in significant economic benefits to our Nation as well. For example, biodiesel production is dramatically increasing, going from about 5 million gallons in 2001 to five times that much this past 2003.

And Congress expanded the existing reserve in 2000 to include the Northeast Home Heating Oil Reserve. There is absolutely no reason that biodiesel cannot ultimately become part of that reserve and help us to transition off our increasing reliance on petroleum.

The use of biofuels makes environmental sense, allowing us to better preserve our natural environment. Biodiesel, for example, contains no sulfur, or aromatics associated with air pollution, and the use of something like biodiesel provides a 78.5 percent reduction in CO₂ emissions when compared to petroleum diesel.

Currently the SPR, the reserve, contains a number of domestic and foreign crude oils, and those fuels are stored separately. Adding additional storage capacity for other fuels could be planned very easily by the Secretary of Energy and the Secretary of the Interior.

The National Farmers Union, for example, is supporting this effort. People across this country really know America has to change. This is one small baby step. It is just encouraging language. It asks that those responsible for the current strategic reserve think more creatively, take the time to look at these alternative fuels, and help put America on a more energy-independent course.

Without question, the farmers across this country need new value added; and with the price of oil skyrocketing, and it really will not go down, it has not gone down in the last 30 years if you look at the progression of oil pricing in the spot markets, for example. And now these fuels are competitive.

There are many States taking the lead. Take Minnesota, take Iowa, take Nebraska, take the Dakotas. There are many places that have seen the future and are developing it. I think we here in Congress should respond to that inventiveness and that desire of the American people to invent their way to a new fuel future.

And, in fact, when you come to my part of the country and you look across the fields, you can see part of America's future in the fields of the future, and fuels of the future that will be produced on them and are being produced on them more and more every day.

Why should the Departments of Energy and the Interior not help us to move America forward. I would ask for favorable consideration of this amendment. And I thank the gentleman from Texas (Mr. BARTON) for allowing the amendment and the Rules Committee for granting it.

Mr. BARTON of Texas. Mr. Chairman, I rise in respectful opposition.

The Acting CHAIRMAN. The gentleman from Texas (Mr. BARTON) will control 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume. I think we have shown today, and we certainly have shown in committee, that the majority is looking for reasons to say yes to as many ideas and amendments as Members have, whether in the minority or the majority.

So I have had every reason to try to find a way to say yes to the gentleman from Ohio's (Ms. KAPTUR) amendment; but unfortunately I cannot, because it is just not practical.

Oil in the crude state lasts indefinitely. You can store it underground for long periods of time. And if we ever need it, pump it out, refine it, and use it. These alternative fuels that the gentleman from Ohio's (Ms. KAPTUR) amendment would refer to are refined and they have a much shorter shelf life, 30 days, 60 days, 90 days.

□ 2030

If we accept the gentleman's amendment, it would become law. What we would create is a situation where we would be refining product that we would be putting into reserve that you would continually have to be changing. And so what you would do is just create another intermediate step in the marketplace because the strategic refined reserve would really never be permanent. You would always be changing it.

In the case of ethanol, today ethanol is not put into the gasoline until it is ready to go to the service station because of its very short shelf life. So with ethanol you mix it with the gasoline and then you send it to the station, and then it is consumed immediately. So the ethanol reserve, I am not even sure if you could do that or not.

So the intentions of the gentleman from Ohio (Ms. KAPTUR) are certainly in the right direction, but this is an idea that is just not practical. I wish it were. If I thought it were, we would try to find a way to accept it, but I do not think it would be helpful, and so, reluctantly, I oppose it.

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

Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from Texas (Mr. BARTON) has 3 minutes remaining.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Ms. KAPTUR) to close on her amendment.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time.

If the gentleman and my colleagues could read the amendment, it does not prescribe any format for the Secretaries of Energy or Interior to use in creating this reserve. In fact, the reserve could actually be stored in the form of the raw material which is processed very easily and can be done immediately because the processing technology is on line.

So it literally could be the type of Commodity Credit Corporation booking that we use for other grains in our country and other material that we use in refining of alcohol-based fuels. So it does not say to the Secretary that they have to buy it in this form or store it in a given form. They could actually store the grain and use the powers of the Commodity Credit Corporation, for example, to broker those reserves. But nonetheless it would be available in the country.

We are talking about a process that actually is simpler than refining petroleum and refining crude and one that is much less dirty. So if I could beg the gentleman as we move towards conference, perhaps, I would like to move forward with this amendment in some form to find a manner in which it can work and with which the gentleman is comfortable.

NATIONAL FARMERS UNION,
April 19, 2005.

Hon. MARCY KAPTUR,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN KAPTUR: On behalf of the over 260,000 members of the National Farmers Union, we write in strong support of your amendment to H.R. 6 which will establish renewable fuel reserves as an important foundation to lessening our dependence on foreign oil.

Thanks to your leadership your legislation can help store renewable fuels in case of possible future consumer disruptions. We applaud your efforts and we want to work closely with you on making this amendment part of H.R. 6.

We look forward to working with you on this issue and commend you for your dedication to renewable fuels.

Sincerely,
DAVID J. FREDERICKSON,
President.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I wish I could find a way to say "yes." Unfortunately, I cannot.

I think the underlying bill which has an authorization to increase the crude Strategic Petroleum Reserve and build it out to a billion barrels and also try to build some new refineries in this country, if we take those two things together, we will have the same effect as the gentleman's intent, which is to create the ability, if we ever need the SPR, to move the large amounts more quickly and to refine them more quickly and thus disrupt the American economy as little as possible.

I continue to oppose the gentleman's amendment. I urge a "no" vote.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

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

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Ms. KAPTUR) will be postponed.

The Acting CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 109-49.

AMENDMENT NO. 13 OFFERED BY MR. CONAWAY

Mr. CONAWAY. 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. 13 offered by Mr. CONAWAY:

In title III, subtitle B, add at the end the following new section:

SEC. 334. OIL, GAS, AND MINERAL INDUSTRY WORKERS.

Congress recognizes that a critical component in meeting expanded domestic oil and gas supplies is the availability of adequate numbers of trained and skilled workers who can undertake the difficult, complex, and often hazardous tasks to bring new supplies into production. Years of volatility in oil and gas prices, and uncertainty over Federal policy on access to resources, has created a severe shortage of skilled workers for the oil and gas industry. To address this shortage, the Secretary of Energy, in consultation with the Secretary of Labor, shall evaluate both the short term and longer term availability of skilled workers to meet the energy security requirements of the United States, addressing the availability of skilled labor at both entry level and at more senior levels in the oil, gas, and mineral industries. Within twelve months of the date of enactment of this Act, the Secretary of Energy, the Secretary of Labor, and the Secretary of the Interior shall submit to Congress a report with recommendations as appropriate to meet the future labor requirements for the domestic extraction industries.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. CONAWAY).

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

Mr. Chairman, I offer this amendment to address what is a critical shortage of labor within the oil and gas industry and the mineral industries.

Since 1999 there has been a significant drop in the number of jobs in the oil field. As the price of oil and natural gas have fluctuated, workers have come and gone in this industry. We are now at a point where we are at a critical shortage of workers across the spectrum, roughnecks, well service hands, pulling unit hands and others,

as well as the technical engineers, geologists, geophysicists. They are key to continuing the search for domestic production.

As an example, one community in my district, Kermit, Texas, in 1998-1999 had some 9,000 people living there. As a result of the downturn in those years and the loss of jobs, that community now has 6,000 people living there. Even with the significant increases in the price of natural gas and crude oil that we are experiencing today, those people have not come back to Kermit, Texas. We are facing this critical shortage.

My amendment would simply require the Energy Department, in consultation with the Interior Department as well as the Labor Department, to conduct a study of the impact that this shortage is having and to present possible solutions to the shortage.

By way of trying to be a bit dramatic, each barrel of oil we import, each MCF of natural gas we import, adds to our trade deficit each and every day. The need to import a barrel of oil or the need to import an MCF of natural gas causes us to remain dependent on those foreign sources.

I speak in favor of this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico (Mr. PEARCE), a former oil and gas company owner.

Mr. PEARCE. Mr. Chairman, I thank the gentleman for yielding me time.

I would support the amendment. As an oil and gas service company, we did not actually own oil and gas wells, but we owned a company that repaired the wells. My wife and I faced the problem daily of where to find employees and how to retain those employees.

In the 1999-2000 period, the price of oil fell to \$6 for New Mexico type of oil. Revenues in service companies like ours fell to 20 percent of the original values. Although my wife and I were able to keep every employee for the duration of that period of time, about 11 months, many, many of the firms laid off 68 to 70 percent of their employees and gave pay cuts in the industry.

That is the sort of cyclical thing that we face in the oil and gas industry, and now that the price has come back up, literally there are no workers to be had because they do not wanted to come back to a cyclical industry. We face limitations on production based on the lack of availability of labor.

So I think that this important study should be done to find out where we can get labor, where we can get solutions to simply keep our oil fields working. The viability of our oil fields really is going to determine the price of natural gas and petroleum in this economy.

I think the gentleman's amendment is well placed, and again, I would heartily endorse it and request Members to vote for it.

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

Mr. STUPAK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise in support of the Conaway amendment.

I come from an energy State. I come from a State that produces oil and gas. It produces not only oil and gas, but it produces jobs for our local economy. And I rise in support of this amendment because it is a jobs amendment.

In the 1980s and the 1990s we saw a great fluctuation in the price of oil and gas. We lost some jobs and some of those jobs never came back. Even though today we have higher oil and gas prices, some of those folks that were involved in the industry never came back. That tax base has been lost, and young people are not entering into the industry like they were before. They are not entering into the PLM programs, the programs that are so vital to our industry.

So it is very important that we support this amendment so that we have more tool pushers, more roughnecks and more truck drivers in places like Oklahoma.

I would ask each Member to vote for this amendment.

Mr. CONAWAY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON), the chairman of the Committee on Energy and Commerce.

The Acting CHAIRMAN. The gentleman from Texas (Mr. CONAWAY) has 2 minutes remaining.

Mr. BARTON of Texas. Mr. Chairman, I rise in support of the Conaway amendment. I think it adds to the bill. It is a study to ask the Department of Energy and the Department of Labor to see what the supply of labor is in the oil field industry, both in the short term and the long term.

You hear stories that all the landmen have retired and the geophysicists have retired, and you even hear some stories that we do not have the roughnecks to go out and operate the rigs. There is a big natural gas plague going on in Texas right now. There is some oil production drilling going on.

So I think this is a useful element, and I hope we would support it. I thank the gentleman from Midland, Texas (Mr. CONAWAY), for offering it.

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

Mr. CONAWAY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to close with one statistic. In 1981 there were some 1.6 million people employed in the oil and gas industry. Today, at the end of 2004, that number now just barely reaches 500,000. A dramatic decrease in the number of good, solid jobs in this economy and jobs in an industry that is clearly vital to our national interest.

I encourage my colleagues to vote in favor of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by

the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 14 printed in House Report 109-49.

AMENDMENT OFFERED BY MS. SOLIS

Ms. SOLIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows: follows:

Amendment No. 14 offered by Ms. SOLIS:

Strike subtitle D of title III (relating to refinery revitalization) and make the necessary conforming changes in the table of contents.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentlewoman from California (Ms. SOLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. SOLIS).

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

Today I rise to offer my amendment to strike the refinery revitalization provisions in H.R. 6. The refinery revitalization provisions are the biggest environmental and public health injustices that the Congress and Bush administration can perpetrate on the American people. The bill would strip our States and communities and local air boards and other Federal agencies of existing authorities and give these authorities to the Department of Energy. The energy czar is then required to establish refinery revitalization zones in more than 1,200 counties and, in each instance, can veto our States and communities.

This language is crafted on false premises. In two separate letters in the summer and fall of 2004, the EPA stated that it was not aware of any pending permits under the public health laws we are undermining. According to the 2005 Energy Information Administration's annual energy outlook, refining capacity is expected to grow through 2025 under existing laws.

The refinery revitalization provisions are opposed by a wide variety of groups. The following are 15 national entities representing public entities, health care entities and civil rights organizations:

The National Association of Counties, the National Conference of State Legislatures, the National League of Cities, the U.S. Conference of Mayors, the Environmental Council of States, the State and Territorial Air Pollution Program Administrators, the Association of Local Pollution Control Officials, the South Coast Air Quality Management District in California, all major environmental and public health groups including the League of Conservation Voters, the National Hispanic Environmental Council, the National Council of La Raza, and the League of United Latin American Citizens.

Most of the neighborhoods in refinery communities are low-income minority communities with the least availability to defend themselves from corporate pollution, and most are vulner-

able to environmental and public health problems, yet are targets in this very language.

More than 70 percent of Latinos and African Americans live in counties with dirty air. Latino children have asthma at a much higher rate than non-Latino children, and death rates from asthma among African Americans are 2.5 time higher than for whites. Yet this language would put the Department of Energy in charge of protecting our health.

Perhaps before we harm the health of most underserved populations, before we strip States and communities of their rights to protect themselves, and before we turn a good part of this Nation into a refinery revitalization zone, perhaps we should have a real dialogue, that would have tremendous impacts in our communities, that would truly represent those concerns and voices we represent.

I urge my colleagues to support my amendment to protect our communities and support the amendment to strike this egregious language.

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

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have not built a new refinery in the United States since 1976. Now, we have expanded some existing refineries, but we have closed dozens, if not hundreds, of small refineries.

□ 2045

We are importing refined product because we do not have the ability to meet our needs for refined petroleum products with our existing refinery base. Our refineries are operating at 95 percent capacity every day.

Now, this amendment that the gentlewoman from California wants to strike would say that we are going to go out and do an inventory of existing refinery sites that have been closed or manufacturing sites that have been closed where there is high unemployment, high unemployment. So you have to have two things. You have to have an existing refinery site or a manufacturing site that is no longer in use, and you have to have very high unemployment.

We think there are around 100 of those sites. I think the exact number is 96; and under this part of the bill, if a community wants to solicit a refinery, we set up an expedited procedure that is led by the Department of Energy where you can go and request all the number of permits. We do not waive any permit. We do not eliminate any permit.

We are not mandating that anybody has to seek one of these, but I think it would be a positive to build 5, 6, 7 million barrels of new refinery capacity in this country using state-of-the-art

technology so that we can meet 100 percent of our refined product needs, take some load off the existing refinery base, and, yes, create some jobs in America. I think that would be a good thing, not a bad thing.

So I strongly oppose this amendment and would encourage all the other Members to oppose the amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I reluctantly rise in opposition because the gentlewoman from California (Ms. SOLIS) is a good member of our committee, and we work on lots of issues together.

I represent a blue collar district. We have probably more refineries in the district I represent now than anyone else in the country and those are our jobs, are our tax base and what economic development we have, and they are blue collar jobs. They are minority jobs in our district.

I am concerned, though, about what is happening in our country. We continually transfer our blue collar industrial capacity overseas. My concern is we are seeing the same thing happen whether it be with refineries or petrochemical plants just like we have seen with our textiles. It would not be very difficult to move a chemical plant to where they are still flaring natural gas or to have a refinery ship us refined product.

That is why I think the provision of the bill is really good, and I think the amendment does a disservice maybe to our whole country because we need to expand our refining capacity, again, reopening those, make them get the permits, but also make sure that we keep those jobs in our country instead of moving overseas.

Ms. SOLIS. Mr. Chairman, I would like to inquire how much time is remaining.

The Acting CHAIRMAN (Mr. SIMPSON). The gentlewoman from California (Ms. SOLIS) has 2½ minutes remaining.

Ms. SOLIS. Mr. Chairman, I yield 1¼ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, refinery emissions cause asthma. Since the refineries pose a threat to human health, they are regulated under the Clean Air Act; but this energy bill undermines EPA's ability to enforce clean air standards at refining facilities. The provision moves the task of environmental protection from the EPA to the Department of Energy where it does not belong.

The bill would place the Secretary of Energy in charge of the permitting process, the official record and the only environmental review document. DOE is even given the power to issue permits which EPA and State governments have denied.

EPA's three decades of expertise would be supplanted by an agency without experience enforcing the Clean

Air Act. It may be time to expand existing refineries or build new ones, but EPA is not the problem. EPA has no outstanding refinery permit requests; and if there were a problem, there would be a backlog, and there is none.

Putting DOE in charge will create more bureaucracy, not more refineries. EPA's Clean Air Act knowledge is an asset in expedited permitting, not a liability, because the DOE is much more likely to issue permits that will be struck down in court.

Please vote for the Solis amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield myself the balance of the time.

Again, I oppose the Solis amendment. I was at the White House earlier this week and was briefing the President on the energy bill that came out of the various committees; and when I mentioned this particular element, which I consider to be an important element of the bill, something that we did not have in last year's bill, his initial, off-the-cuff reaction was, A, it was very good; and, B, could we add abandoned military bases.

Obviously, it is not in order to change the amendment on the floor, but when we go to conference, if the President decides that the official position of the White House is to support the amendment plus add abandoned military bases, we will have a debate in the conference and hopefully add that.

But the bottom line on this is we need more refinery capacity. We need it in this country. Why not put it at old refinery sites or old manufacturing sites where they have high unemployment and we can create some good jobs for America, and oh, yes, by the way, most of these jobs will be union jobs.

I would urge a "no" vote on the Solis amendment. Let us vote for jobs in America.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The gentlewoman from California (Ms. SOLIS) has 1¼ minutes remaining.

Ms. SOLIS. Mr. Chairman, I yield for a unanimous consent request to the gentleman from Ohio (Mr. KUCINICH) to allow him to enter his statement into the RECORD.

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

Mr. KUCINICH. Mr. Chairman, I enter my statement in the RECORD in support of the Solis amendment.

Mr. Chairman, no one wants an oil refinery in their neighborhood. So in order to force one open, this bill encourages them to be established in neighborhoods with high unemployment or recent layoffs.

The University of Texas and the Houston Chronicle studied the air near refineries in the Houston area. The paper wrote that they "found the air . . . so laden with toxic chemicals that it was dangerous to breathe." Houston is not alone.

Multiple penalties of hundreds of thousands of dollars for environmental violations have been handed to refineries so far this year. And we surely have not forgotten last month's BP refinery explosion that killed 15 people.

Let's employ the unemployed but not at the expense of their families' health and well-being. That is kicking them when they're down.

Ms. SOLIS. Mr. Chairman, I yield 1¼ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I thank the gentlewoman for yielding me time.

I could well envision a procedure that would require the EPA to coordinate in a consultative process with the Department of Energy to resolve environmental issues, but the crafters of this bill have I would say knowing the gentleman from Texas not intentionally but unintentionally overreached. They extend this authority for the Secretary of Department of Energy to overturn a range of Federal laws.

The Corps of Engineers regulates activities that would have adverse effect on navigable waters of the United States. Private parties could locate wharves, docks, other structures in the water that would obstruct commerce; but the Corps of Engineers has permitting authority that says, no, you cannot do that.

With this language, the Secretary of Energy could throw out a century of regulatory authority, for example, in the case where a refinery has been denied a permit to build a structure in a navigable waterway. The applicant would appeal to the Secretary of Energy who would just simply overturn the corps.

Refineries often are not located near navigable waterways to facilitate barge traffic. If the corps said, no, you are going to do something that is going to obstruct navigation, the Secretary of Energy could overturn the corps.

I do not think that is intended, and this authority goes even further to FAA and other agencies under the jurisdiction of our committee. It should be defeated.

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the Solis amendment to the energy bill.

This amendment ensures that the Federal laws and regulations that pertain to ensuring clean air and water and a solid quality of life for our constituents are not stripped out just because they or their community is facing some economic distress.

Specifically, the Solis amendment would strip out language that cynically allows refineries to move into economically distressed communities, override Federal environmental laws, trample on local zoning laws and ignore community opposition to set up shop.

The fact that this bill allows the oil companies to ride roughshod over those communities facing tough economic times is a travesty.

Urban and rural communities facing tough times cannot and should not serve as dumping grounds for the oil industry.

Just because a community is facing an economic downturn is no reason to say that population can now be exposed to refineries and their byproducts in their community—and that these people do not deserve the protections of the Clear Air Act as just one example.

The House has the opportunity to strip out the special rights and ensure equal rights for all of our constituents.

While I represent New York City and do not see any oil refineries planning to set up shop there any time soon, this amendment is an attack on all communities facing tough times and will lead to greater victimization of people suffering.

Please support the Solis amendment and strip out the damaging special rights for refineries in this bill.

The Acting CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. SOLIS).

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

Ms. SOLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. SOLIS) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

amendment No. 14 by Ms. SOLIS of California;

amendment No. 12 by Ms. KAPTUR of Ohio;

amendment No. 9 by Mr. WAXMAN of California;

amendment No. 7 by Mr. BISHOP of New York;

amendment No. 6 by Mr. MIKE ROGERS of Michigan to the amendment of Mrs. JOHNSON of Connecticut;

amendment No. 5 by Mrs. JOHNSON of Connecticut;

amendment No. 4 by Mr. BOEHLERT of New York;

amendment No. 3 by Mr. MARKEY of Massachusetts;

amendment No. 2 by Mr. DINGELL of Michigan.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 14 OFFERED BY MS. SOLIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SOLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 248, not voting 4, as follows:

[Roll No. 115]

AYES—182

Abercrombie	Honda	Olver
Ackerman	Hooley	Owens
Allen	Hoyer	Pallone
Baird	Inslee	Pascrell
Baldwin	Israel	Pastor
Bean	Jackson (IL)	Payne
Becerra	Jackson-Lee	Pelosi
Berkley	(TX)	Price (NC)
Berman	Jefferson	Rahall
Bishop (NY)	Johnson (IL)	Ramstad
Blumenauer	Johnson, E. B.	Rangel
Boehlert	Jones (OH)	Rothman
Brady (PA)	Kanjorski	Roybal-Allard
Brown (OH)	Kaptur	Rush
Brown, Corrine	Kennedy (RI)	Ryan (OH)
Butterfield	Kildee	Sabo
Capps	Kilpatrick (MI)	Salazar
Capuano	Kind	Sánchez, Linda
Cardin	Kucinich	T.
Carnahan	Langevin	Sanchez, Loretta
Carson	Lantos	Sanders
Case	Larsen (WA)	Saxton
Castle	Larson (CT)	Schakowsky
Chandler	Leach	Schiff
Clay	Lee	Schwartz (PA)
Cleaver	Levin	Scott (VA)
Clyburn	Lewis (GA)	Serrano
Conyers	Lipinski	Shays
Crowley	LoBiondo	Sherman
Cummings	Lofgren, Zoe	Simmons
Davis (AL)	Lowey	Skelton
Davis (CA)	Lynch	Slaughter
Davis (FL)	Maloney	Smith (NJ)
Davis (IL)	Markey	Smith (WA)
DeFazio	Marshall	Snyder
DeGette	Matsui	Solis
DeLauro	McCarthy	Spratt
Dicks	McCollum (MN)	Stark
Dingell	McDermott	Strickland
Doggett	McGovern	Stupak
Doyle	McIntyre	Tauscher
Ehlers	McKinney	Thompson (CA)
Engel	McNulty	Thompson (MS)
Eshoo	Meehan	Tierney
Etheridge	Meek (FL)	Towns
Evans	Meeks (NY)	Udall (CO)
Farr	Menendez	Udall (NM)
Fattah	Michaud	Van Hollen
Filner	Millender-	Velázquez
Fitzpatrick (PA)	McDonald	Visclosky
Frank (MA)	Miller (NC)	Wasserman
Gerlach	Miller, George	Schultz
Gilchrest	Mollohan	Waters
Gonzalez	Moore (KS)	Watson
Green, Al	Moore (WI)	Watt
Grijalva	Moran (VA)	Waxman
Gutierrez	Murtha	Weiner
Hastings (FL)	Nadler	Wexler
Higgins	Napolitano	Wilson (NM)
Hinchey	Neal (MA)	Woolsey
Holden	Oberstar	Wu
Holt	Obey	Wynn

NOES—248

Aderholt	Brown-Waite,	DeLay
Akin	Ginny	Dent
Alexander	Burgess	Diaz-Balart, L.
Baca	Burton (IN)	Diaz-Balart, M.
Bachus	Buyer	Doolittle
Baker	Calvert	Drake
Barrett (SC)	Camp	Dreier
Barrow	Cannon	Duncan
Bartlett (MD)	Cantor	Edwards
Barton (TX)	Capito	Emerson
Bass	Cardoza	English (PA)
Beauprez	Carter	Everett
Berry	Chabot	Feeney
Biggert	Chocola	Ferguson
Bilirakis	Coble	Flake
Bishop (GA)	Cole (OK)	Foley
Bishop (UT)	Conaway	Forbes
Blackburn	Cooper	Ford
Blunt	Costa	Fortenberry
Boehner	Costello	Fossella
Bonilla	Cox	Fox
Bonner	Cramer	Franks (AZ)
Bono	Crenshaw	Frelinghuysen
Boozman	Cubin	Gallegly
Boren	Cuellar	Garrett (NJ)
Boswell	Culberson	Gibbons
Boucher	Cunningham	Gillmor
Boustany	Davis (KY)	Gingrey
Boyd	Davis (TN)	Gohmert
Bradley (NH)	Davis, Jo Ann	Goode
Brady (TX)	Davis, Tom	Goodlatte
Brown (SC)	Deal (GA)	Gordon

Granger	Marchant	Rogers (AL)
Graves	Matheson	Rogers (KY)
Green (WI)	McCaul (TX)	Rogers (MI)
Green, Gene	McCotter	Rohrabacher
Gutknecht	McCreery	Ros-Lehtinen
Hall	McHenry	Ross
Harman	McHugh	Royce
Harris	McKeon	Ruppersberger
Hart	McMorris	Ryan (WI)
Hastings (WA)	Melancon	Ryun (KS)
Hayes	Mica	Schwarz (MI)
Hayworth	Miller (FL)	Scott (GA)
Hefley	Miller (MI)	Scott (GA)
Hensarling	Miller, Gary	Sensenbrenner
Herger	Moran (KS)	Sessions
Hinchey	Murphy	Shadegg
Hinojosa	Musgrave	Shaw
Hobson	Myrick	Sherwood
Hoekstra	Neugebauer	Shimkus
Hostettler	Ney	Shuster
Hulshof	Northup	Simpson
Hunter	Norwood	Smith (TX)
Hyde	Nunes	Sodrel
Inglis (SC)	Nussle	Souder
Issa	Ortiz	Stearns
Istook	Osborne	Sullivan
Jenkins	Otter	Sweeney
Jindal	Oxley	Tancredo
Johnson (CT)	Paul	Tanner
Johnson, Sam	Pearce	Taylor (MS)
Jones (NC)	Pence	Taylor (NC)
Keller	Peterson (MN)	Terry
Kennedy (MN)	Peterson (PA)	Thomas
King (IA)	Petri	Thornberry
King (NY)	Pickering	Tiahrt
Pitts	Kingston	Tiberi
Platts	Kirk	Turner
Poe	Kline	Upton
Pombo	Knollenberg	Walden (OR)
Pomeroy	Kolbe	Walsh
Porter	Kuhl (NY)	Wamp
Portman	LaHood	Weldon (FL)
Price (GA)	Latham	Weldon (PA)
Pryce (OH)	LaTourette	Weller
Rudan	Lewis (CA)	Westmoreland
Radanovich	Lewis (KY)	Whitfield
Regula	Linder	Wicker
Rehberg	Lucas	Wilson (SC)
Reichert	Lungren, Daniel	Wolf
Renzi	E.	Young (AK)
Reyes	Mack	Young (FL)
Reynolds	Manzullo	

NOT VOTING—4

□ 2120

Messrs. OTTER, GRAVES, FORD and Ms. HARMAN changed their vote from “aye” to “no.”

Ms. WASSERMAN SCHULTZ, Mr. GILCHREST and Mr. GONZALEZ changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MS. KAPTUR

The Acting CHAIRMAN (Mr. SIMPSON). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 239, not voting 9, as follows:

[Roll No. 116]

AYES—186

Abercrombie	Harman	Oberstar
Ackerman	Hastings (FL)	Obey
Baird	Herseth	Oliver
Baldwin	Higgins	Owens
Barrow	Hinchey	Pallone
Bean	Holden	Pascrell
Becerra	Holt	Pastor
Berkley	Honda	Payne
Berman	Hooley	Pelosi
Berry	Hostettler	Peterson (MN)
Bishop (GA)	Hoyer	Pomeroy
Bishop (NY)	Inslee	Price (NC)
Blumenauer	Israel	Rahall
Boswell	Jackson (IL)	Rangel
Boucher	Jones (OH)	Ross
Boyd	Kanjorski	Rothman
Brady (PA)	Kaptur	Roybal-Allard
Brown (OH)	Kennedy (MN)	Ruppersberger
Brown, Corrine	Kennedy (RI)	Rush
Butterfield	Kildee	Ryan (OH)
Capps	Kilpatrick (MI)	Sabo
Capuano	Kind	Sánchez, Linda
Cardin	Kucinich	T.
Carnahan	Langevin	Sanchez, Loretta
Carson	Lantos	Sanders
Case	Larsen (WA)	Schakowsky
Chandler	Larson (CT)	Schiff
Clay	LaTourrette	Schwartz (PA)
Cleaver	Lee	Leach
Clyburn	Lewis (GA)	Scott (GA)
Conyers	Lipinski	Scott (VA)
Crowley	Lofgren, Zoe	Serrano
Cummings	Lowey	Sherman
Davis (AL)	Lynch	Skelton
Davis (CA)	Maloney	Slaughter
Davis (FL)	Markey	Smith (WA)
Davis (IL)	Marshall	Snyder
DeFazio	Matsui	Solis
DeGette	McCarthy	Souder
DeLauro	McCollum (MN)	Spratt
Dicks	McDermott	Stark
Dingell	McGovern	Strickland
Doggett	McIntyre	Stupak
Doyles	McKinney	Tanner
Ehlers	McNulty	Tauscher
Engel	Meehan	Taylor (MS)
Eshoo	Meek (FL)	Thompson (CA)
Etheridge	Meeks (NY)	Thompson (MS)
Evans	Menendez	Tierney
Farr	Michaud	Udall (CO)
Fattah	Millender-	Udall (NM)
Filner	McDonald	Van Hollen
Fitzpatrick (PA)	Miller (NC)	Velázquez
Frank (MA)	Miller, George	Visclosky
Gerlach	Mollohan	Waters
Gilchrest	Moore (KS)	Watson
Gonzalez	Moore (WI)	Watt
Green, Al	Moran (VA)	Waxman
Grijalva	Murtha	Weiner
Gutierrez	Nadler	Wexler
Hastings (FL)	Napolitano	Wilson (NM)
Higgins	Neal (MA)	Woolsey
Hinchey	Oberstar	Wu
Holden	Obey	Wynn

NOES—239

Aderholt	Buyer	Doolittle
Akin	Calvert	Drake
Alexander	Camp	Dreier
Allen	Cannon	Duncan
Baca	Cantor	Edwards
Baker	Capito	English (PA)
Barrett (SC)	Cardoza	Everett
Barrow	Carter	Feeney
Bartlett (MD)	Castle	Ferguson
Barton (TX)	Chabot	Fitzpatrick (PA)
Bass	Chocola	Flake
Beauprez	Coble	Foley
Berry	Cole (OK)	Forbes
Biggert	Conaway	Fortenberry
Bilirakis	Cooper	Fossella
Bishop (UT)	Crenshaw	Fox
Blackburn	Blunt	Franks (AZ)
Blunt	Boehlert	Frelinghuysen
Boehner	Boehner	Gallegly
Bonilla	Bonilla	Garrett (NJ)
Bonner	Bonner	Gilchrest
Bono	Bono	Gibbons
Boozman	Boozman	Gillmor
Boren	Boren	Gingrey
Boustany	Boustany	Gonzalez
Bradley (NH)	Bradley (NH)	Goode
Brady (TX)	Brady (TX)	Goode
Brown (SC)	Brown (SC)	Goodlatte
Brown-Waite,	Brown-Waite,	Granger
Ginny	Ginny	Graves
Burgess	Burgess	Green, Al
Burton (IN)	Burton (IN)	Green, Gene

The vote was taken by electronic device, and there were—ayes 170, noes 259, not voting 5, as follows:

[Roll No. 118]

AYES—170

Abercrombie	Hinchey	Olver
Ackerman	Holden	Owens
Allen	Holt	Pallone
Baca	Honda	Pascarell
Baird	Hooley	Pastor
Baldwin	Hoyer	Payne
Barrow	Inslee	Pelosi
Bean	Israel	Platts
Becerra	Jackson (IL)	Price (NC)
Berkley	Jefferson	Rahall
Berman	Johnson, E. B.	Rangel
Bishop (GA)	Jones (OH)	Rothman
Bishop (NY)	Kanjorski	Royal-Allard
Blumenauer	Kaptur	Ruppersberger
Boswell	Kennedy (RI)	Rush
Brady (PA)	Kildee	Ryan (OH)
Brown (OH)	Kilpatrick (MI)	Sabo
Brown, Corrine	Kind	Salazar
Butterfield	Kirk	Sánchez, Linda
Capps	Kucinich	T.
Capuano	Langevin	Sanchez, Loretta
Cardin	Lantos	Sanders
Carnahan	Larsen (WA)	Schakowsky
Carson	Larson (CT)	Schiff
Case	LaTourette	Schwartz (PA)
Chandler	Lee	Scott (VA)
Cleaver	Levin	Serrano
Clyburn	Lewis (GA)	Shays
Conyers	Lipinski	Sherman
Cooper	Lofgren, Zoe	Slaughter
Crowley	Lowey	Smith (WA)
Cummings	Lynch	Snyder
Davis (AL)	Maloney	Solis
Davis (CA)	Markey	Spratt
Davis (FL)	Matsui	Stark
Davis (IL)	McCarthy	Strickland
DeFazio	McCollum (MN)	Stupak
DeGette	McGovern	Tauscher
Delahunt	McKinney	Thompson (CA)
DeLauro	McNulty	Thompson (MS)
Dicks	Meehan	Tierney
Dingell	Meek (FL)	Udall (CO)
Doggett	Menendez	Udall (NM)
Doyle	Michaud	Van Hollen
Engel	Millender	Velázquez
Eshoo	McDonald	Visclosky
Etheridge	Miller (NC)	Wasserman
Evans	Miller, George	Wolfe
Farr	Mollohan	Waters
Fattah	Moore (KS)	Watson
Filner	Moore (WI)	Watt
Ford	Moran (VA)	Waxman
Frank (MA)	Murtha	Weiner
Grijalva	Nadler	Wexler
Gutierrez	Napolitano	Woolsey
Harman	Neal (MA)	Wu
Hastings (FL)	Oberstar	Wynn
Higgins	Obey	

NOES—259

Aderholt	Burton (IN)	Diaz-Balart, M.
Akin	Buyer	Doolittle
Alexander	Calvert	Drake
Bachus	Camp	Dreier
Baker	Cannon	Duncan
Barrett (SC)	Cantor	Edwards
Bartlett (MD)	Capito	Ehlers
Barton (TX)	Cardoza	Emerson
Bass	Carter	English (PA)
Beauprez	Castle	Everett
Berry	Chabot	Feeney
Biggert	Chocola	Ferguson
Bilirakis	Coble	Fitzpatrick (PA)
Bishop (UT)	Cole (OK)	Flake
Blackburn	Conaway	Foley
Blunt	Costa	Forbes
Boehlert	Costello	Fortenberry
Boehner	Cox	Fossella
Bonilla	Cramer	Fox
Bonner	Crenshaw	Franks (AZ)
Bono	Cubin	Frelinghuysen
Boozman	Cuellar	Gallely
Boren	Culberson	Garrett (NJ)
Boucher	Cunningham	Gerlach
Boustany	Davis (KY)	Gibbons
Boyd	Davis (TN)	Gilchrest
Bradley (NH)	Davis, Jo Ann	Gillmor
Brady (TX)	Davis, Tom	Gingrey
Brown (SC)	Deal (GA)	Gohmert
Brown-Waite,	DeLay	Gonzalez
Ginny	Dent	Goode
Burgess	Diaz-Balart, L.	Goodlatte

Gordon	Marchant	Rogers (KY)
Granger	Marshall	Rogers (MI)
Graves	Matheson	Rohrabacher
Green (WI)	McCaul (TX)	Ros-Lehtinen
Green, Al	McCotter	Ross
Green, Gene	McCrery	Royce
Gutknecht	McHenry	Ryan (WI)
Hall	McHugh	Ryun (KS)
Harris	McIntyre	Saxton
Hart	McKeon	Schwarz (MI)
Hastings (WA)	McMorris	Scott (GA)
Hayes	Meeks (NY)	Sensenbrenner
Hayworth	Melancon	Sessions
Hefley	Mica	Shadegg
Hensarling	Miller (FL)	Shaw
Herger	Miller (MI)	Sherwood
Herse	Miller, Gary	Shimkus
Hinojosa	Moran (KS)	Shuster
Hobson	Murphy	Simmons
Hoekstra	Musgrave	Simpson
Hostettler	Myrick	Skelton
Hulshof	Neugebauer	Smith (NJ)
Hunter	Ney	Smith (TX)
Hyde	Northup	Sodrel
Inglis (SC)	Norwood	Souder
Issa	Nunes	Stearns
Istook	Nussle	Sullivan
Jackson-Lee	Ortiz	Sweeney
(TX)	Osborne	Tancredo
Jenkins	Otter	Tanner
Jindal	Oxley	Taylor (MS)
Johnson (CT)	Paul	Taylor (NC)
Johnson (IL)	Pearce	Terry
Johnson, Sam	Pence	Thomas
Jones (NC)	Peterson (MN)	Thornberry
Keller	Peterson (PA)	Tiahrt
Kennedy (MN)	Petri	Tiberi
King (IA)	Pickering	Towns
King (NY)	Pitts	Turner
Kingston	Poe	Upton
Kline	Pombo	Walden (OR)
Knollenberg	Pomeroy	Walsh
Kolbe	Porter	Wamp
Kuhl (NY)	Portman	Weldon (FL)
LaHood	Price (GA)	Weldon (PA)
Latham	Pryce (OH)	Weller
Leach	Putnam	Whitfield
Lewis (CA)	Radanovich	Wicker
Lewis (KY)	Ramstad	Wilson (NM)
Linder	Regula	Wilson (SC)
LoBiondo	Rehberg	Wolf
Lucas	Reichert	Young (AK)
Lungren, Daniel	Renzi	Young (FL)
E.	Reyes	
Mack	Reynolds	
Manzullo	Rogers (AL)	

NOT VOTING—5

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2141

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ROGERS OF MICHIGAN TO AMENDMENT NO. 5 OFFERED BY MRS. JOHNSON OF CONNECTICUT

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) to the amendment offered by the gentlewoman from Connecticut (Mrs. JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 259, noes 172, not voting 3, as follows:

[Roll No. 119]

AYES—259

Aderholt	Gibbons	Northup
Akin	Gillmor	Norwood
Alexander	Gingrey	Nunes
Baca	Gohmert	Nussle
Bachus	Gonzalez	Ortiz
Baker	Goode	Osborne
Barrett (SC)	Goodlatte	Otter
Barton (TX)	Gordon	Oxley
Bass	Granger	Pastor
Beauprez	Graves	Paul
Berry	Green (WI)	Pearce
Bilirakis	Green, Al	Pence
Bishop (GA)	Green, Gene	Peterson (MN)
Bishop (UT)	Gutknecht	Pickering
Blackburn	Hall	Pitts
Blunt	Harman	Poe
Boehner	Harris	Pombo
Bonilla	Hart	Porter
Bonner	Hastings (FL)	Portman
Bono	Hastings (WA)	Price (GA)
Boozman	Hayes	Pryce (OH)
Boren	Hayworth	Putnam
Boswell	Hensarling	Radanovich
Boucher	Herger	Rahall
Boustany	Herse	Rangel
Boyd	Hobson	Rehberg
Brady (PA)	Hoekstra	Reichert
Brady (TX)	Holden	Renzi
Brown (SC)	Hostettler	Reyes
Brown-Waite,	Hoyer	Reynolds
Ginny	Hulshof	Rogers (AL)
Burgess	Hunter	Rogers (KY)
	Inglis (SC)	Rogers (MI)
	Issa	Rohrabacher
	Istook	Ros-Lehtinen
	Jackson-Lee	Ross
	(TX)	Royce
	Jefferson	Ruppersberger
	Jenkins	Rush
	Jindal	Ryan (OH)
	Johnson, E. B.	Ryan (WI)
	Johnson, Sam	Ryun (KS)
	Jones (NC)	Salazar
	Jones (OH)	Kanjorski
	Kanjorski	Schwarz (MI)
	Keller	Scott (GA)
	Kennedy (MN)	Scott (VA)
	Kildee	Sensenbrenner
	Kilpatrick (MI)	Sessions
	King (IA)	Shadegg
	Kingston	Shaw
	Kline	Shimkus
	Knollenberg	Shuster
	Kuhl (NY)	Simpson
	Latham	Smith (TX)
	LaTourette	Sodrel
	Levin	Souder
	Lewis (CA)	Stearns
	Lewis (KY)	Strickland
	Linder	Stupak
	Lucas	Sullivan
	Lungren, Daniel	Tancredo
	E.	Tanner
	Mack	Taylor (MS)
	Manzullo	Taylor (NC)
	Marchant	Terry
	Marchant	Thomas
	McCaul (TX)	Thompson (MS)
	McCotter	Thornberry
	McCrery	Tiahrt
	McHenry	Tiberi
	McHugh	Turner
	McIntyre	Upton
	McKeon	Visclosky
	McMorris	Walden (OR)
	Meek (FL)	Walsh
	Meeks (NY)	Watt
	Melancon	Weldon (FL)
	Miller (FL)	Weller
	Miller (MI)	Westmoreland
	Miller, Gary	Whitfield
	Emerson	Wicker
	Everett	Wilson (NM)
	Feeney	Wilson (SC)
	Flake	Wynn
	Forbes	Young (AK)
	Fortenberry	Young (FL)
	Fox	
	Franks (AZ)	
	Gallely	

NOES—172

Abercrombie	Allen	Baldwin
Ackerman	Baird	Barrow

The vote was taken by electronic device, and there were—ayes 177, noes 254, not voting 3, as follows:

[Roll No. 121]

AYES—177

Abercrombie Harman Olver
Ackerman Harris Owens
Allen Hastings (FL) Pallone
Baird Hefley Pascrell
Baldwin Herseht Pastor
Barrow Higgins Payne
Bartlett (MD) Hinchey Pelosi
Bean Holt Peterson (MN)
Becerra Honda Petri
Berkley Hooley Platts
Berman Inglis (SC) Price (NC)
Biggart Inslee Ramstad
Billirakis Israel Rangel
Bishop (NY) Jackson (IL) Reynolds
Blumenauer Johnson (CT) Rothman
Boehlert Johnson (IL) Roybal-Allard
Boyd Johnson, E. B. Ryan (OH)
Brady (PA) Kennedy (RI) Sabo
Brown (OH) Kind Sánchez, Linda
Brown, Corrine King (NY) T.
Butterfield Kirk Sanchez, Loretta
Capps Kucinich Sanders
Capuano LaHood Saxton
Cardin Langevin Schakowsky
Cardoza Lantos Schiff
Carnahan Larsen (WA) Schwartz (PA)
Carson Larson (CT) Serrano
Case LaTourette Shaw
Cooper Leach Shays
Costa Lee Sherman
Costello Lewis (GA) Skelton
Crowley Lipinski Slaughter
Davis (CA) LoBiondo Smith (NJ)
Davis (FL) Lofgren, Zoe Smith (WA)
Davis, Tom Lowey Snyder
DeFazio Lynch Solis
DeGette Maloney Spratt
Delahunt Markey Stark
DeLauro Matheson Tauscher
Dicks Matsui Taylor (MS)
Doggett McCarthy Thompson (CA)
Ehlers McCollum (MN) Tiberi
Engel McDermott Tierney
English (PA) McGovern Udall (CO)
Eshoo McKinney Udall (NM)
Etheridge McNulty Van Hollen
Evans Meehan Velázquez
Farr Menendez Wasserman
Fattah Michaud Schultz
Filner Millender Waters
Fitzpatrick (PA) McDonald Watson
Foley Miller (NC) Watt
Ford Miller, George Waxman
Frank (MA) Moore (WI) Weiner
Frelinghuysen Moran (VA) Weldon (PA)
Gerlach Nadler Wexler
Gilchrest Napolitano Wolf
Grijalva Neal (MA) Woolsey
Gutierrez Oberstar Wu
Gutknecht Obey Young (FL)

NOES—254

Aderholt Burton (IN) Davis (TN)
Akin Buyer Davis, Jo Ann
Alexander Calvert Deal (GA)
Baca Camp DeLay
Bachus Cannon Dent
Baker Cantor Diaz-Balart, L.
Barrett (SC) Capito Diaz-Balart, M.
Barton (TX) Carter Dingell
Bass Castle Doolittle
Beauprez Chabot Doyle
Berry Chandler Drake
Bishop (GA) Chocola Dreier
Bishop (UT) Clay Duncan
Blackburn Cleaver Edwards
Blunt Clyburn Emerson
Boehner Coble Everett
Bonilla Cole (OK) Feeney
Bonner Conaway Ferguson
Bono Conyers Flake
Boozman Cox Forbes
Boren Cramer Fortenberry
Boswell Crenshaw Fossella
Boucher Cubin Foss
Boustany Cuellar Franks (AZ)
Bradley (NH) Culberson Gallegly
Brady (TX) Cummings Garrett (NJ)
Brown (SC) Cunningham Gibbons
Brown-Waite, Davis (AL) Gillmor
Ginny Davis (IL) Gingrey
Burgess Davis (KY) Gohmert

Gonzalez Manzullo Rogers (AL)
Goode Marchant Rogers (KY)
Goodlatte Marshall Rogers (MI)
Gordon McCaul (TX) Rohrabacher
Granger McCotter Ros-Lehtinen
Graves McCreery Ross
Green (WI) McHenry Royce
Green, Al McHugh Ruppertsberger
Green, Gene McIntyre Rush
Hall McKeon Ryan (WI)
Hart McMorris Ryun (KS)
Hastings (WA) Meek (FL) Salazar
Hayes Meeks (NY) Schwarz (MI)
Hayworth Melancon Scott (GA)
Hensarling Mica Scott (VA)
Heger Miller (FL) Sensenbrenner
Hinojosa Miller (MI) Sessions
Hobson Miller, Gary Shadegg
Hoekstra Mollohan Sherwood
Holden Moore (KS) Shimkus
Hostettler Moran (KS) Shuster
Hoyer Murphy Shumway
Hulshof Murtha Simmons
Hunter Musgrave Simpson
Hyde Myrick Smith (TX)
Issa Neugebauer Sodrel
Istook Ney Souder
Jackson-Lee Northup Stearns
(TX) Norwood Strickland
Jefferson Nunes Stupak
Jenkins Nussle Sullivan
Jindal Ortiz Sweeney
Johnson, Sam Osborne Tancred
Jones (NC) Otter Tanner
Jones (OH) Oxley Taylor (NC)
Kanjorski Paul Terry
Kaptur Pearce Thomas
Keller Pence Thompson (MS)
Kennedy (MN) Peterson (PA) Thornberry
Kildee Pickering Tiahrt
Kilpatrick (MI) Pitts Towns
King (IA) Poe Turner
Kingston Pombo Upton
Kline Pomeroy Visclosky
Knollenberg Porter Walden (OR)
Kolbe Portman Walsh
Kuhl (NY) Price (GA) Wamp
Latham Pryce (OH) Weldon (FL)
Levin Putnam Weller
Lewis (CA) Radanovich Westmoreland
Lewis (KY) Rahall Whitfield
Linder Regula Wicker
Lucas Rehberg Wilson (NM)
Lungren, Daniel Reichert Wilson (SC)
E. Renzi Wynn
Mack Reyes Young (AK)

NOT VOTING—3

Andrews Emanuel Kelly

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2202

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 231, not voting 3, as follows:

[Roll No. 122]

AYES—200

Abercrombie Harman Obey
Ackerman Hastings (FL) Olver
Allen Higgins Owens
Baird Hinchey Pallone
Baldwin Holden Pascrell
Barrow Holt Pastor
Bartlett (MD) Honda Payne
Bass Hooley Petrosi
Bean Hoyer Petri
Becerra Inglis (SC) Pomeroy
Berkley Inslee Price (NC)
Berman Israel Rahall
Bishop (NY) Jackson (IL) Ramstad
Blumenauer Jackson-Lee Rangel
Boehlert (TX) Reichert
Boswell Johnson (CT) Rothman
Boucher Johnson (IL) Roybal-Allard
Bradley (NH) Johnson, E. B. Ruppertsberger
Brown (OH) Jones (OH) Rush
Brown, Corrine Kaptur Ryan (OH)
Butterfield Kennedy (MN) Sabo
Capps Kennedy (RI) Salazar
Capuano Kildee Sánchez, Linda
Cardin Kilpatrick (MI) T.
Carnahan Kind Sanchez, Loretta
Carson Kirk Sanders
Case Kucinich Saxton
Castle Langevin Schakowsky
Chandler Lantos Schiff
Clay Larsen (WA) Schwartz (PA)
Cleaver Larson (CT) Schwarz (MI)
Clyburn Leach Scott (GA)
Conyers Lee Scott (VA)
Cooper Levin Sensenbrenner
Costello Lewis (GA) Serrano
Crowley Lipinski Shays
Cummings LoBiondo Sherman
Davis (CA) Lofgren, Zoe Simmons
Davis (FL) Lowey Slaughter
Davis (IL) Lynch Smith (NJ)
Davis, Tom Maloney Smith (WA)
DeFazio Markey Snyder
DeGette Marshall Stark
Delahunt Matheson Spratt
DeLauro Matsui Taylor (MS)
Dicks McCarthy Thompson (CA)
Dingell McCollum (MN) Tiberi
Doggett McDermott Tierney
Doyle McGovern Udall (CO)
Ehlers McIntyre Udall (NM)
Engel McNulty Van Hollen
Eshoo McNulty Velázquez
Etheridge Meehan Wasserman
Evans Meek (FL) Schultz
Farr Meeks (NY) Waters
Fattah Menendez Watson
Ferguson Michaud Watt
Filner Millender Waxman
Fitzpatrick (PA) McDonald Schultz
Ford Miller (NC) Waters
Frank (MA) Miller, George Watson
Frelinghuysen Moore (KS) Watt
Gerlach Moore (WI) Waxman
Gilchrest Moran (VA) Weiner
Gonzalez Nadler Wexler
Gordon Napolitano Woolsey
Grijalva Neal (MA) Wu
Gutierrez Oberstar Wynn

NOES—231

Brown (SC) Davis (AL)
Brown-Waite, Davis (KY)
Ginny Davis (TN)
Burgess Davis, Jo Ann
Burton (IN) Deal (GA)
Buyer DeLay
Calvert Dent
Camp Diaz-Balart, L.
Cannon Diaz-Balart, M.
Cantor Doolittle
Capito Drake
Cardoza Dreier
Carter Duncan
Chabot Edwards
Chocola Emerson
Coble English (PA)
Cole (OK) Everett
Conaway Feeney
Bonner Costa Flake
Cox Foley
Cramer Forbes
Boren Crenshaw Fortenberry
Boswell Cubin Fossella
Boucher Cuellar Foss
Boustany Culberson Franks (AZ)
Boozman Crenshaw Gallegly
Boren Fortenberry
Boustanany Cubin Fossella
Boyd Cuellar Fox
Brady (PA) Culberson Franks (AZ)
Brady (TX) Cunningham Gallegly

