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Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
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Markey
Marshall
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McCarthy (MO)
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McGovern
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McKeon
McNulty
Meehan
Meek (FL)
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Menendez
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Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
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Moran (KS)
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Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
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Price (NC)
Pryce (OH)
Putnam
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Ramstad
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Rehberg
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Reyes
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Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
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Scott (GA)
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Smith (MI)
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Wilson (NM)
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Woolsey
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Young (AK)
Young (FL)

NOT VOTING—24

Ballenger
Boyd
Brady (TX)
Cardoza
Carson (OK)
Cubin
DeMint
Dingell
Ehlers
Fletcher
Gephardt
Gilchrest
Jenkins
Kaptur
Lantos
Larsen (WA)
Murphy
Ortiz
Pelosi
Pitts
Radanovich
Royce
Sanders
Toomey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1300

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

1300

APPOINTMENT OF CONFEREES ON H.R. 2673, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the Chair appoints the following conferees:

Messrs. Young of Florida, REGULA, LEWIS of California, WOLF, WALSH, HOBSON, BONILLA, KINGSTON, FRELINGHUYSEN, NETHERCUTT, LATHAM, GOODE, LAHOOD, OBEY, MURTHA, MOLLOHAN, Ms. KAPTUR, Mr. SERRANO, Ms. DELAURO, and Messrs. HINCHEY, FARR, BOYD and FATTAH.

There was no objection.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. HASTINGS of Washington. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 443 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 443

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the ranking minority member of the Committee on Rules, the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. HASTINGS of Washington. Madam Speaker, House Resolution 443 is a rule providing for the consideration of the conference report to accompany H.R. 6, the Energy Policy Act of 2003. The rule waives all points of order against the conference report and its consideration and provides that the conference report shall be considered as read.

Over the past several months, more and more Americans have experienced firsthand the crippling effects of America's outdated energy systems. For example, natural gas supply shortages resulting from conflicting government policies have caused home heating bills to skyrocket and forced businesses to lay off thousands of workers. In addition, this summer's great blackout exposed the vulnerability of our Nation's deteriorating electricity grids. It is absolutely critical that Congress approve a comprehensive national energy bill this year so that all Americans will have access to more efficient, affordable, and environmentally responsible energy supplies. As a Nation, we simply cannot afford to wait any longer for this important legislation.

I am pleased, therefore, that later today the House will have an opportunity to pass a conference report on H.R. 6 that clearly meets these imperatives. The conference agreement improves our Nation's electricity transmission capacity and reliability. It promotes a cleaner environment by encouraging new innovation and the use of alternative power sources.

The bill also authorizes $200 million for the Clean Cities program, which will provide grants to State and local governments to acquire alternative fueled vehicles. The agreement promotes clean coal technology and provides incentives for renewable sources such as biomass, wind, solar, geothermal and hydroelectricity. It also provides leadership in energy conservation by establishing new mandatory efficiency requirements for Federal buildings and higher standards and stricter labeling for a variety of energy-consuming commercial products.

The conference report allows for stepped up natural gas exploration and development in the Gulf of Mexico and permits construction of a natural gas pipeline from Alaska's North Slope to the Lower 48. The bill also decreases America's dangerous dependence on foreign oil by increasing domestic oil and gas exploration and development on nonpark Federal lands and by expanding the Strategic Petroleum Reserve capacity to 1 billion barrels.

The bill encourages more nuclear and hydropower production by authorizing the Department of Energy to develop accelerated programs for the production and supply of energy and sets the stage for building badly needed nuclear power plants by reauthorizing the Price-Anderson Act.

Finally, Mr. Speaker, as a Member who represents a region heavily dependent on hydroelectric power, I am pleased that the conferees included bipartisan reforms of the lengthy and costly hydrorelicensing process. These reforms will maintain environmental standards while providing utilities the flexibility to reduce their costs in achieving those standards.

Mr. Speaker, the Nation needs this energy bill, and it needs it now. Accordingly, I urge my colleagues to support both the rule and the underlying conference report.

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

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

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

Mr. FROST. Mr. Speaker, we live in a dangerous world, a place where America's major oil supplies can be disrupted by Middle East dictators. And here at home, we have seen the economic disruption that resulted from the distortion of the domestic delivery of electricity by those eager to game the system. We all agree that a comprehensive energy policy could help move this country toward greater energy independence and could prevent the kind of high rates that victimized millions of people throughout the West several years ago.

So, Mr. Speaker, I share the disappointment that so many Members feel about the nearly 1,000-page energy conference report that Republicans released just before 3 a.m. this morning, only a few short hours ago. Make no mistake, it contains some good provisions, like tax incentives for small, independent oil and gas producers. It also gives the Federal Energy Regulatory Commission new authority to establish mandatory reliability standards for utilities, as well as the power to sanction utilities that do not comply with them. And I am glad that Democrats have beaten back the Republican plan to spoil the Arctic National Wildlife Refuge. But it represents a missed opportunity, and it demonstrates the dangerous arrogance of this all-Republican government.

Mr. Speaker, Democrats support a balanced, comprehensive energy policy. We have proposed a plan to increase America's energy independence, strengthen the economy, and protect the clean air and water that we all value. Over and over again, we have tried to work with Republicans to pass such a plan but, true to form, Republicans have repeatedly refused to work with us. For this conference, they retreated to the secrecy of the back room to hold their discussions. They hid their negotiations in little rooms not open to anyone but a very few and shut out Members who were legitimately part of the conference process.

In doing so, Republicans ignored Members who represent nearly half of America, Members with extensive expertise in energy policy. They brought in Vice President CHENEY to broker deals but refused to work with the dean of the House, the gentleman from Michigan (Mr. DINGELL), a man who has probably passed more energy legislation than anyone in American history. They even shut out those Democratic conferees who voted for the original legislation when it passed the House.

Ultimately, that is why this conference report is so disappointing in so many respects. For instance, Republicans refuse to pay for even the $23 billion that the tax provisions will cost U.S. taxpayers. Instead, they are simply increasing a Republican budget deficit that is already hovering around $500 billion, and that will raise the Republican debt tax on all Americans.

Mr. Speaker, it would be interesting to hear Republicans explain why they refuse to pay for energy tax breaks, especially since they have repeatedly blocked needed financing for veterans health care and homeland security by insisting that those priorities be paid for. But I am sure that that explanation will not be part of the Republican talking points today. Instead, we are going to see Republican Members march down here to the floor to blithely sing the praises of a nearly 1,000-page bill that almost none of them have read.

The truth is, almost no one knows what is really in this conference report. And almost no one knows which special interest got what special favor, and how much it will ultimately cost American taxpayers. That is because this bill ended as it started, in secrecy. It began in 2001 with Vice President CHENEY's infamous energy task force. And since the White House still refuses to come clean with the American people about its secret dealings with Big Energy executives, it should come as no surprise that this bill was finally pasted together last week in the back room of some Capitol hideaway, far removed from the scrutiny of the public.

Neither should it surprise anyone that one of the provisions buried in this massive bill would permanently establish Mr. CHENEY's energy task force in the White House, guaranteeing for it the secrecy the Bush administration so adamantly demands. Or that Republicans have violated the rules in order to sneak into the conference report numerous provisions that were not part of the original bills passed by either the House or the Senate.

Yesterday, Rules Committee Democrats wrote Chairman DREIER asking for a list of all the new provisions that violate the rules of the House, but Republicans refuse to publicize them. We do know that Republicans waived a Clean Air Act requirement aimed at cleaning up air pollution in metropolitan areas like my Dallas-Fort Worth home, despite my opposition and that of other area officials, like the gentlewoman from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON) who led the fight against it in the House. And it will not surprise anyone when we discover, long after this bill has passed, that this conference report contains other hidden special favors for Republican special interests that had access to the final back-room negotiations that were closed to everyone else.

Mr. Speaker, that is the danger that some of my Republican colleagues on the Committee on Rules warned of a few years ago. In a 1993 report entitled, ''The Decline of Deliberative Democracy in the People's House,'' Chairman DAVID DREIER and Representatives PORTER GOSS, DEBORAH PRYCE, and LINCOLN DIAZ-BALART wrote, ''The House and Senate have been repeatedly embarrassed over the years by conference reports on voluminous pieces of legislation which have been voted on before even properly printed or distributed, let alone understood. Only after their enactment have some of the provisions come back to haunt the Congress.''

Mr. Speaker, that is why Democrats on the Committee on Rules yesterday, and this morning, urged Republicans to allow Members, the public and the press 3 days to examine the final conference report in detail. That is what the rules of the House require, and it is the only way to allow Members to make an informed decision about this conference report. But, apparently, Republicans do not want anyone to read this massive bill. Because instead of giving Members more time to examine it, they are waiving the House rules to rush it through the House today. It was nearly 3 a.m. today, Mr. Speaker, before House Republicans made the final conference report available, leaving Members with just a few short hours to read all 1,000 pages before voting on it. This is not just an outrageous abuse of the process; it is an insulting attempt to pull the wool over the eyes of the American people.

Mr. Speaker, Members have only one way to defend the public against this abuse, by voting ''no'' on the important parliamentary vote known as the previous question. If it is defeated, I will amend the rule to ensure that all Members have 3 days to examine the nearly 1,000 pages of this conference report before voting on it, as the rules of the House require.

Make no mistake, a ''no'' vote on the previous question will not defeat this conference report. It will only give Members a chance to actually read it. But a ''yes'' vote will allow Republican leaders to circumvent the rules of the House for no reason except to keep Members, the public, and the press in the dark.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to engage in a colloquy with the chairman of the Committee on Energy and Commerce concerning provisions of the conference report of importance to the citizens of the Pacific Northwest who receive the majority of their electricity from hydroelectric dams.

Mr. Speaker, I commend the chairman and conferees for agreeing to section 231 of the conference report, a set of long overdue reforms to the process for the relicensing of non-Federal hydroelectric projects. However, I want to ensure that these provisions are intended to apply immediately. Can the chairman provide this assurance?

Mr. TAUZIN. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Yes, I can. The conferees intend that section 231 of the conference agreement shall go into effect immediately upon enactment and be available to license applicants in all ongoing and future hydroelectric licensing proceedings under the Federal

Power Act. The conferees also note that section 231 is intended to complement, not undo, the reforms to the licensing process recently implemented by the Federal Energy Regulatory Commission.

Mr. HASTINGS of Washington. I thank the chairman for these clarifications and his leadership in the development of national energy legislation.

Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Ohio (Ms. PRYCE), a member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I would like at this point to engage the chairman in a colloquy as well.

Mr. Chairman, I seek clarification of section 704 which amends section 303(c) of the Energy Policy Act. I understand there are basically two ways vehicles are procured by Federal agencies. Either GSA acquires the vehicles and sells or leases them to agencies or in some cases agencies may acquire the vehicles directly.

□ 1315

Is it the intent of this provision to require GSA to allocate the incremental cost of all alternative vehicles it procures for other agencies, either by lease or purchase, so that the costs are allocated on a Federal Government-wide basis and not just across the vehicles procured by an individual agency? In other words, under this amendment will GSA be required to allocate the incremental cost of all alternative fuel vehicles it procures each year across the entire fleet it is responsible for?

Mr. TAUZIN. Mr. Speaker, will the gentlewoman yield?

Ms. PRYCE of Ohio. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Speaker, that is indeed our intent. Our purpose in requiring GSA to spread this incremental cost across the entire Federal fleet is, in fact, to remove the cost disincentive for some Federal agencies, to improve EPACT compliance, and to minimize the overall cost to the Federal fleet.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the chairman for that clarification, and I will proceed with my statement.

I thank the gentleman for yielding me this time. I rise today in support of this rule and the underlying bill that will make much needed improvements in the efficiency and security of our Nation's energy supply. Three months ago we experienced a blackout in the Midwest and Northeast unlike anything we have seen in almost 20 years. We never want to see a dark day like that again, a day where storefronts are dark, factories are shuttered, and the economy is brought to a halt. The repercussions of that day stretched far beyond the cities directly affected. They made every American feel vulnerable. They made every American wonder if their city was next. And after the lights came back on, everyone agreed on one thing, that the crisis could have been prevented if the system had not been neglected. If reliability had been fostered, and if the correct incentives for maintenance, modernization, and expansion of our electricity grid had been created by an energy policy. Americans would not have been left hunting for candles or stranded in subway cars. The lack of a modern and coherent energy policy to ensure a consistent supply of energy left us very vulnerable. Approving a comprehensive overhaul of our energy system will accomplish two very important objectives: It will enhance our national security, and it will strengthen our economy through job creation.

We are making incredible progress on a prescription drug bill that will pass in a few days, I believe, but before our seniors can worry about drugs, they have to be able to keep themselves warm at night. So the leadership of this House has worked tirelessly to ensure that we formulate an energy policy that keeps the lights on while lighting the fire of our economy. This bipartisan plan will create nearly 1 million jobs in the energy and manufacturing sectors, recovering some of the lost jobs that high energy prices have stripped from Americans. This plan will put construction workers back to work. It will put truck drivers back on the road transporting raw materials for our energy needs and engineers back on their jobs designing a modern energy system that will propel us into the 21st century. This is how it should be. This is how our economy and our energy sector should work together, strengthening, rather than weakening, each other.

And, lastly, this bill will increase our supply and use of renewable fuels and, very importantly to Ohio, ethanol. Ethanol makes our gas burn more cleanly and helps our skies become more clear. The bill contains important steps towards fixing the ethanol tax penalty on the Highway Trust Fund. This fix could mean more than $100 million for Ohio's transportation needs alone.

Now is the time when the rubber meets the road. Let us pass this bill without further ado and demonstrate our commitment to keeping the lights on in America's homes and businesses and our commitment to keeping Americans at work.

Mr. Speaker, I urge adoption of this fair rule and look forward to what I expect to be a very spirited debate today.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, the health of the American public could be seriously threatened. All across the United States for the past 30 years, a cancer-causing chemical has contaminated our drinking water. In New York State alone, over 1,500 sites have been contaminated. This carcinogen, MTBE, has been added to gasoline as an octane enhancer since the 1970's, and over these past 30 years, the public has learned that MTBE can cause, among other things, lymphoma, liver, testicular and kidney tumors. Outrageously, the MTBE industry knew of the chemical's environmental dangers before putting it into widespread use, according to the United States Conference of Mayors.

Responding to the serious public health threat posed by MTBE, the New York legislature passed, and Governor Pataki signed, legislation to ban the use, sale, or importation of fuels containing MTBE. Upon signing the legislation, Governor Pataki said that ''the use of MTBE in gasoline has significant environmental impacts on groundwater'' and ''New Yorkers deserve clean air and water.''

Mr. Speaker all Americans deserve and expect clean water and clean air, but unfortunately while New York and other States like California and Connecticut are taking steps to protect our water, this energy bill conference report would take steps not to protect the public, but to protect the MTBE manufacturers at the expense of their health.

The 1,700-page conference report on the Energy Policy Act, finalized in the dark this morning, hands the MTBE manufacturers a lucrative gift of liability protection. Manufacturers are shielded from lawsuits for making a defective product, and they are handed a $2 billion check during a 10-year phase-out period. The legal immunity bestowed upon MTBE manufacturers protects these producers from any case filed in the future and all cases previously filed.

I could go ahead about this, but the fact is that there were about four champions here who have had MTBE made in their districts in Texas and Louisiana. I want to urge all New Yorkers who hear my voice to vote against this bill because there is a $29 billion unfunded mandate that goes to the people of the country to pay because we make sure the manufacturer does not.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of the rule and the conference report on H.R. 6, the Energy Policy Act. After a series of fits and starts over the past 3 years, Congress now stands ready to approve the first comprehensive national energy policy in more than a decade. As chairman of the Energy Subcommittee of the House Committee on Science, I am honored to have helped develop this legislation which addresses not only our immediate energy problems, but also makes a much-

needed and sustained investment in basic science and applied energy research that will lead to future energy solutions.

The national energy policy proposed by President Bush 2 years ago, and this conference report, both emphasize the use of advanced technology to expand and diversify our energy supply, meet growing demand and reduce the environmental impact of energy production and use. Advanced energy technologies grow out of basic-science and applied-energy research like that supported by the Department of Energy at our universities and national laboratories. It is this kind of R and D that will be strengthened by the passage of this conference report.

America now has the motivation perhaps like no other time since the oil crisis of the 1970's to find newer and better ways to meet our energy needs. But America also has the ingenuity and the expertise to meet our future energy demands and promote energy conservation, and we can do so in environmentally responsible ways that set a standard for the world.

Mr. Speaker, I do not believe that affordable energy and a clean and safe environment are mutually exclusive. We can have both at the same time if we put technology to work and cut some of the 1970's-style government red tape that has stifled the development of new supplies and infrastructure.

I urge my colleagues to support this rule and the conference report which uses science and technology to put America on the path toward a more secure and independent energy future.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member of the committee.

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

Mr. DINGELL. Mr. Speaker, as a ranking member of the House conferees on this energy bill, I would observe that like most of the other House conferees on the Democratic side, I was a conferee in name only. We had a ceremonial meeting to start it out, created no change in the bill. It was followed by a ceremonial meeting last night in which, again, no significant changes were made in the bill, which was written in the dark by, for, and with the assistance of the different special interests.

The conference on this bill does not reflect well on this body. Questions began early when the Senate decided to pass last year's energy bill and then to ignore its contents. Since the conference began, Democratic conferees were not invited to any substantive discussions. We have been forced to read the papers to find out what is in the bill.

The Record must be clear. Democrats were only provided drafts of certain titles of the bill at the same time they are made available to the public. Democratic staff made comments, but significant recommendations were diligently ignored. I suspect the comments of lobbyists were met with vastly more success.

With regard to the controversial provisions of the bill relating to electricity, ethanol, and taxes, Democrats were never allowed to see any drafts until Saturday. We had no input in these matters. The rule waives the 3-day layover rule for conference reports, yet one more attempt to prevent Members of this body from having adequate opportunity to review the bill.

My Republican colleagues have decided to totally ignore any rules on scope. For example, there are amendments to the Clean Air Act that are neither bill. They have salted the report with dozens of special interest provisions, many of which were put in the tax title. Speaking of the tax title, it has grown like Topsey to $23 billion, nearly three times the amount requested by the administration. So much for Republican fiscal discipline.

We held a conference meeting yesterday that helped shed some light on the bill, but little more. The Senate adopted seven amendments on a bipartisan basis. Within minutes, however, of the beginning of the debate on these recommendations on the House side, my Republican colleagues moved to reject all but two of the provisions they had previously worked out, and without debate the Senate then agreed.

I note the conference report includes a 139-page statement of the managers, nearly all of which relate to the tax portions. These pages on taxes were not made available to the conferees before the report was made available.

I am unable to support this bill for a number of substantive reasons, and I cannot recommend that the House should do so. I will discuss them during the debate on the conference report. The bill is an assault upon the Nation's environment. Rollbacks of the Clean Air Act and Clean Water Act, attacks on the Nation's rivers and the conservation provisions that protect fish and wildlife, abusive new provisions conferring special benefits on electrical utilities. The bill harms consumers and investors by repealing the Public Utility Holding Company Act and refuses to address the abuses of Enron and other companies that gouge consumers in California and other States west of the Rockies. Finally, the bill includes unattainable and massive subsidies to industry that are unlikely to affect the energy needs of the country.

I have worked on a lot of comprehensive energy and environmental bills during my time in this Chamber. All of them were the result of extensive bipartisan cooperation. This is the first energy bill I have had to oppose, and I regret that we were not permitted to develop a bipartisan bill that will bring real benefits to all Americans. Instead, we have before us a mishmash of controversial special interest proposals that were drafted in the dark of the night with little participation by anybody, including the American public and the Members of this body, especially on this side of the aisle. This is an outrageous rule. Vote no on the rule. Vote no on the previous question. And when the Members get a chance, vote no on this outrageous legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. TAUZIN), chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman for yielding me this time.

First of all, let me thank the Committee on Rules for the expeditious handling of this rule so that we can get to the final vote, we hope, on the energy conference report, which was approved last night in open conference on a voice vote on the House side and was approved on the Senate side by a ten to three bipartisan vote.

I wish to remind my colleagues that when this bill passed the House in April that it indeed was a bipartisan vote that sent it into the conference. And despite some of the rhetoric on the bill, let me give the House some actual facts.

The facts are that this is not at all a bill written in some dark room like conferees meeting in secret. There were nine public meetings to debate the comprehensive national energy bill since the year 2002.

□ 1330

That comprised about 24 hours and 47 minutes of meetings. In fact, since 2001, there have been 28 hearings, public meetings and hearings on this bill. In 2003, there was 7 hours and 22 amendments considered in the Committee on Energy and Commerce alone, not counting all the other committees of the House that have worked on this bill. The full committee markup took 15 hours, with 58 amendments considered. And again, last night in the conference, we considered another dozen or so amendments, several of which were adopted as we made our final offer to the Senate.

So, indeed, there have been a lot of public meetings and a lot of discussion. This process has gone on now for 3 years. Much of the conference committee report was worked out in conference with the Senate in last year's session in which about 60 or 70 percent of the conference work was done. In addition to which, in this year, in this conference, there were over 10 meetings between Republican and Democratic staff to work out details of the draft; and, in fact, there were 48 hours of discussion in those 10 meetings.

In short, there have been extensive public hearings and debate, and today I hope we will have the final debate on the most comprehensive energy policy perhaps this country has ever seen, certainly in the last 10 years, at a time when this country desperately needs energy security, affordability, and reliability. Never has there been a downturn in the U.S. economy that has not

been related to some prices in energy; and the downturn we recently experienced has been associated with high prices, shortages, blackouts, and, in some cases, a loss of jobs and loss of personal security, because plants have shut down and begun to talk about moving out of this great country. This bill is critical to stopping that job loss, to building another 800,000 to 1 million new jobs in this economy, and to creating new initiatives in conservation and renewable fuels and vast new initiatives to make sure that we burn cleaner fuels and that, in fact, this country is better off as we move into an economic future that all of us want and desire for our country.

Mr. Speaker, I urge adoption of the rule, and later I will urge adoption of the bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HALL).

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

Mr. HALL. Mr. Speaker, I thank the ranking member for yielding me this time.

I am pleased that the conference has included the Ultra-deepwater and Unconventional Onshore Natural Gas Research and Development program in the conference report to accompany H.R. 6. This important provision would establish a new research and development program for these technically challenged regions to help the U.S. to meet its midterm gas demand with domestic resources.

As the original author in the last Congress and as coauthor this year, I am also pleased that the language in the report generally follows the intent and substance of the provision as reported from the Committee on Science.

Mr. Speaker, natural gas prices have eased somewhat as we enter this fall, but we should not be complacent about the need to invest in securing future supplies of natural gas. The Energy Information Administration says demand for natural gas will rise by over 50 percent in the next 2 decades. Let us be clear about our options for supply. The United States is not running out of natural gas. We have nearly 1,500 trillion cubic feet of technically-recoverable reserves, more than a 50-year supply.

Let us also be clear about the nature of these remaining reserves. Many of them are on Federal lands and are off limits to production by virtue of rules, regulations, and other things. These legal access restrictions are addressed elsewhere in H.R. 6, but almost all of these regions, with the exception of the shallow and deepwater regions under various moratoria, are subject to access restrictions; and without investment in research and development, physical access to these technically challenged regions will not produce a single cubic foot of natural gas.

We have this opportunity to address this problem through the ultra-deepwater program in H.R. 6. The program will establish a unique partnership between government and industry to help ensure its objectives to meet midterm gas demand through development of these two technically challenged, but potentially prolific, provinces. Further, the program would pay for itself.

Mr. Speaker, too often government research programs are limited by size and scope and vagaries of the budget cycle and lack of incentives, but this type of focus and deadline will encourage the kind of ruthless execution we will need to meet the U.S. gas demand over the next decade.

Mr. Speaker, I am pleased that the conference has included the Ultra-deepwater and Unconventional Onshore Natural Gas Research and Development Program in the conference repro to accompany H.R. 6. This important provision would establish a new research and development program for these technically challenged regions to help the US to meet its midterm gas demand with domestic resources.

As the original author in the last Congress and coauthor with chairman BOEHLERT this year, we are also pleased that the language of the report generally follows the intent and substance of the provision as reported from the Science Committee.

Mr. Speaker, natural gas prices have eased somewhat as we enter the fall. But we should not be complacent about the need to invest in securing future supplies of natural gas. The Energy Information Administration says demand for natural gas will rise by over 50 percent in the next two decades. Let's be clear about our options for supply. The United States is not running out of natural gas. We have nearly 1,500 trillion cubic feet of technically recoverable reserves—more than a 50-year supply.

Let's also be clear about the nature of these remaining reserves. Many of them are on Federal lands and are off limits to production by virtue of rules, regulations and outright moratoria. These legal access restrictions are addressed elsewhere in H.R. 6.

But almost all of these regions—with the exception of the shallow and deepwater regions under various moratoria—are subject to access restrictions of the ''technological variety.'' Without investment in research and development, physical access to these technically challenged regions with not produce a single cubic foot of natural gas.

We have this opportunity to address this problem through the Ultra-deepwater and Unconventional Onshore Natural Gas Supply Research and Development program in H.R. 6. The program would establish a unique partnership between government and industry to help ensure its objectives—to meet midterm gas demand through development of these two technically challenged but potentially prolific provinces. Further, the program would pay for itself. The increased production as a result of this R&D will mean significant increases in royalties to the Federal Treasury. A healthy royalty stream is critical to the future of other programs that rely on royalty funding such as the Land and Water Conservation Fund.

Finally, this new program would address the inadequacy of current research models, particularly in the applied energy R&D area. Too often, government research programs are limited by size and scope, the vagaries of the budget cycle, and the lack of incentives for public/private partnerships. In the energy arena especially, industry leadership and input is critical to success. Further, the program is terminated after 10 years. This type of focus and deadline will encourage the kind of ''ruthless execution'' we will need to meet U.S. gas demand over the next decade.

Permit me to make several points on specific congressional intent relative to the program. The program has two large subparts: the Ultra-deepwater Program and the Unconventional Onshore Program.

It has always been the intent of the authors that the Ultra-deepwater Program would be managed through a program consortium of academia, industry and research institutions, selected through a competitive solicitation managed by the Department of Energy. The expertise in the ultra-deepwater resides with academia, researchers and industry, not with the government; this knowledge and experience is critical to the success of the program. We further intend that the program consortium should, to the maximum extent possible, manage this program through large research consortia that will drive toward high-level production and royalty revenue goals.

The Unconventional Onshore R&D program would be managed by the Department of Energy, which has previous experience in managing such programs. It is our clear intent however, that DOE manage this program through substantial research consortia that are resource-based—as opposed to regionally based—and that are large enough, in both funding and participation, to make a substantial difference in gas and other petroleum production. A historic example of successful research consortia is found in the industry/academia/Gas Research Institute effort on coalbed methane that after roughly 10 years and a $140 million investment, transformed coalbed methane from a hazard into approximately 8 percent of our domestic gas production.

It is our responsibility in Congress to do everything we can to ensure consumers and businesses that energy supplies will be abundant, affordable, and reliable, as well as produced and consumed in ways that minimize environmental impacts. It's also our responsibility to make certain that every Federal dollar is spent wisely as we provide for the public good.

The importance of natural gas was abundantly clear this year when the House Energy and Commerce Committee held a hearing to emphasize just how critical natural gas is to our economy and the Nation's energy supply. The Ultra-deepwater and Unconventional Gas Supply R&D provisions in H.R. 6 will add new natural gas supplies quickly to help ensure our Nation's energy security. I thank my colleagues for working with us in the development of this program and urge their support in the adoption of the Conference Report.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Texas (Mr. BARTON), the subcommittee chairman handling this legislation.

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

Mr. BARTON of Texas. Mr. Speaker, if we look at the marble slab behind

the Speaker's rostrum, it starts out with the quote, ''Let us develop the resources of our great land,'' and it goes on in some detail. That is by Daniel Webster.

If there was ever a time that we were before this body fulfilling that wish of Daniel Webster, it is today. This energy bill that is before us touches every energy source in our country.

If my colleagues think that we need to do more to develop our conventional resources of oil, gas, nuclear, coal, and hydro, it is in this bill. If my colleagues think we need to do more to develop our renewable resources like solar and hydroelectric and biomass and wind power, it is in this bill. If my colleagues think we need to focus on the future and try to find new alternative sources of energy like hydrogen, it is in this bill. If my colleagues think that we need to do something to structure the reform, the basic energy systems of our country like the electricity grid, it is in this bill.

I could go on and on and on, but I will simply say that this is the most comprehensive energy bill that has ever been before a Congress of the United States of America, and it is long overdue.

I am very proud of this bill. I have been working on it in some shape, form, or fashion for 19 years that I have been in the Congress. As subcommittee chairman of the Subcommittee on Energy and Power, I have been working on it for almost 6 years. So I think it is an excellent bill. It passed the House in a bipartisan fashion back in April. As the chairman of the committee has pointed out, the Senate conferees voted for it in the conference report 10 to 3 last evening. When we get the bill to the floor later this evening, it will pass in a very bipartisan fashion with 50 to perhaps even as many as 100 Democrats voting for it.

Mr. Speaker, I want to thank our chairman for his excellent work, the gentleman from Louisiana (Chairman TAUZIN). We could not have had a better senior negotiator for the House position than him. I want to thank Senator DOMENICI in the other body for his excellent work. And I want to thank the committee staffs who have worked so hard on the bill: Dan Brouillette, Jim Barnette, Mark Menezes, Andy black, Jason Bentley, Dwight Cates, Bill Cooper, Sean Cunningham, Bob Meyers and, on my staff, Ryan Long and Joby Fortson.

This is a good bill. Vote for the rule, vote against the motion to recommit, and vote for final passage.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

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

Mr. RAHALL. Mr. Speaker, fool me once, shame on you. Fool me twice, shame on me. I say to the White House, wake up, because you just lost West Virginia. You got us once, but not again.

This bill contains nothing for the coal miner and coal field communities. It seeks to lull us into complacency with false promises of future spending for clean coal technology that maybe, perhaps, some day will translate into real money. This bill says to us in the coal fields, go trolling for dollars while we bust open the doors of the Treasury and shovel out loads of cash and tax breaks to Big Oil. Billions of dollars. This bill digs deep into the pockets of West Virginians, and we get nothing in return.

We sought to have provisions inserted into this bill to reclaim our abandoned coal mine lands so that we can rebuild our coal field economies. Just payment. Just payment for the coal that we produced that fired the industrial revolution, took us through a war, and sparked the technological revolution. And we sought to have provisions inserted for promised coal miner health care. They gave their all to produce the coal in back-breaking conditions that made this country the world power that it is that helps produce domestic energy security.

Yet, the pleading voices of coal miners and their widows hailing from southern West Virginia to the Powder River Basin met deaf ears in this conference. Why? I will tell my colleagues why. Because it does not involve handing out goodies to multinational energy corporations. Then it is not in this bill, if it does not involve that.

Believe you me, they are partying today in the corporate boardrooms of America, but in the hills and hollers of Appalachia, this is no laughing matter. You take us for a fool. You try to play the coal miner for a fool. You are going to get burned for that, I say to the White House. You are going to get burned if you continue to try to do that.

In the words of my senior Senator, fie on the White House, fie on the White House. Shame on you. Let us defeat this terrible piece of legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I want to thank the gentleman for yielding me this time. I want to congratulate all of the people who have worked so hard on this bill. America has waited far too long for a comprehensive, coordinated energy policy. There are a lot of good things I could say about this bill, but I want to talk just specifically about the renewable fuel standard and what it will mean to rural America, what it will mean to energy independence and, ultimately, what it will mean for a cleaner environment.

Last week we in the House had a little hiatus and one of the things I did is I took a trip to the western part of my district. Out in the western part of my district we have what is called the Buffalo Ridge. Literally, from as far as the eye can see in one direction and the other direction, you see these wind farms going up, making clean, clean energy, using the wind. It is an amazing thing.

I also stopped at a little town called Brewster where we are now building the largest, I think perhaps in the world, biodiesel plant in Brewster, Minnesota. It is going to be farmer owned.

Let me just talk about some of the things this renewable fuel standard is going to do. With the requirements that are in here for 5 billion gallons of ethanol and biodiesel by 2012, let me just explain what it will mean to rural America. It will reduce our crude oil imports by 1.6 billion barrels. It will reduce the foreign trade deficit by $34 billion. It will create 214,000 good-paying jobs here in America. It will increase U.S. household income by $51.7 billion. It will create $5.3 billion in new investment, in renewable fuel production facilities; and it will increase the demand for grain, mostly corn, by an average of 1.4 billion bushels of corn and soybeans per year.

Mr. Speaker, this is a good bill. It is overdue, it is timely, it is time that we have a coordinated energy policy. I think I speak on behalf of those who breathe our air, those who are concerned about energy independence and saying that one of the best parts about this bill is the renewable fuel standard and what it will mean for rural America and what it will mean for our environment.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, what we are seeing with this energy bill is the result of a highly partisan, secretive process in which Republicans have been talking only to other Republicans and the oil and the gas and the nuclear and the coal and the electric utility industry. Well, they have treated the Democratic minority and the environmental and consumer groups with the maximum possible disregard and with political arrogance. It is the final stages of the implementation of the secret energy task force meetings that began in Vice President CHENEY's office.

This bill is the worst piece of legislation that has been brought before this legislative body in many decades. It is an appalling concoction of tax breaks, subsidies, and pork barrel spending for wealthy oil, natural gas, nuclear, coal, and utilities industries. It turns over control of the American people's lands to energy companies that will be free to ravage and rape the environment with little or no restraint.

It pays polluters, pays polluters to clean up the messes that they have created and subsidizes them to pollute some more. It will make our Nation's air dirtier. It will make our water dirtier, and it will make ordinary people pay higher energy bills for the privilege of having dirtier air and dirtier water, more asthmas, more cancers, and more deaths due to pollution. And

all of this done with $138 billion in borrowed money from the Social Security and Medicare trust fund because our country is in deficit and it must borrow the money.

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And worst of all, it dishonors the sacrifice made by 130,000 of our young men and women in Iraq today, guarding oil fields. We know we now import 60 percent of our oil from overseas. If we do not do something that deals with the amount of oil that we consume in our SUVs and our automobiles, if we do not do something about fuel economy for air conditioners, then in another 10 years we will be 80 percent dependent upon imported oil from overseas. That is where we are heading.

This bill does nothing to deal with where we put oil in our country. We put it into gasoline tanks. We ignore that fact. It deals not with the fact that 70 percent of peak demand in the summer goes for air conditioning. Are we kidding ourselves out here today? This bill is a disaster. And meanwhile, there is $138 billion worth of subsides in tax breaks, in new authorizations for which industries? Oil, gas, coal, nuclear, the wealthiest industries getting all of these tax breaks.

This is a terrible bill. Vote no on the rule and no on final passage.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I rise today to thank and commend the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Texas (Mr. BARTON) for what I think is excellent work in the House and in the conference. This is landmark legislation. I think it absolutely defines the word comprehensive.

It is going to decrease dependence on foreign oil. It enhances the electricity grid ensuring reliability and protecting native load. It is a boon for our consumers. After dozens, upon dozens, upon dozens of hearings over the last 3 years, and a few empty trips to the red zone, we are now on the goal line today.

Vote yes to score a victory, ladies and gentlemen, for the American consumers.

Mr. Speaker, with the balance of my time I would like to enter into a colloquy with the gentleman from Louisiana (Mr. TAUZIN).

I have a couple of questions regarding the native load provision of section 1236 that I was hoping that the distinguished chairman might be able to answer.

Mr. TAUZIN. Mr. Speaker, if the gentleman will yield, I will be happy to try.

Mr. NORWOOD. Mr. Speaker, it is my understanding that the provision requires FERC to allow utilities with service obligations to reserve sufficient transmission capacity to serve the power supply needs of existing native load customers as well as the future growth needs of those customers and that the commission regulations must conform to this intent. Is that correct, Mr. Speaker?

Mr. TAUZIN. Mr. Speaker, the gentleman from Georgia (Mr. NORWOOD) is absolutely correct.

Mr. NORWOOD. Mr. Speaker, how about section 217(c), does that allow FERC to compel load-serving entities to give up any transmission rights that are not covered by section 217(a)?

Mr. TAUZIN. Mr. Speaker, it does not. These entities can continue to use their transmission rights as now allowed under the Federal Power Act.

Mr. NORWOOD. And lastly, Mr. Speaker, I would like to inquire of the gentleman about the section 1242, the participant funding. Would this provision allow a transmission provider to charge all of his transmission customers, including the party requesting an upgrade, the same embedded cost transmission charges?

Mr. TAUZIN. Mr. Speaker, yes, it does. And it is a little complex, so let me try to explain. Briefly the requester would, in fact, pay the same transmission cost as any other transmission customer. The embedded cost language simply clarifies that in the up-front lump-sum payment to fund the upgrade, the requester is not required to pay both the cost of the physical upgrade and the entire future cost of any monetary credits or the compensation the requester will later receive.

The embedded cost of the physical upgrade is not rolled into the rate base because it is paid for up front by the requester. The cost of the upgrade in terms of the monetary credits used to compensate the requester, however, are rolled into the rate base. Thus, these costs are included in the imbedded cost transmission charges on a prorated base as the credits are provided to the requester. All transmission customers, of course, must pay this transmission charge.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman for that clarification. Once again, let me not just thank the chairman, but the Committee on Energy and Commerce and the hard work of all our staffs. This is fine work. I encourage everybody to vote for this rule and the final bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I urge my colleagues to oppose this rule. As a Republican Member of the other body stated the other day, this bill should be called ''Leave No Lobbyist Behind.'' This bill is an inappropriate vehicle for amending the Clean Air Act. It makes absolutely no sense to protect the MTBE manufacturers from civil liability while opposing a phase out of the dangerous carcinogenic chemical. This has been going on since the court order in 1996 getting one waiver after another.

The provisions in this bill will mean more asthma attacks, hospital visits, and premature deaths for residents of ozone nonattainment areas such as Dallas/Fort Worth.

Mr. Speaker, we have about 88,000 children with asthma in the Dallas/Fort Worth area. The bill will force my constituents and everyone else's constituents in the Dallas/Fort Worth area to breathe dirty air, unhealthy air until 2012.

In their desire to pass any comprehensive energy bill, some of my colleagues may be willing to overlook the massive damage this bill would do to existing clean air policies, but we must not pass a bill with great shortfalls simply because we need to pass a bill. We need a fair bill that protects us all. We should not, and we must not, endanger ourselves or our children.

I urge my colleagues that want clean air to oppose this rule and this porker of a bill. This bill is a waste of taxpayer's dollars. It is a first-class ticket to fossil fuel dependence. It is an invitation to destroy the lungs of 127 million Americans who already breathe in air that violates Federal standards.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Louisiana (Mr. TAUZIN).

Mr. Speaker, since 1992 section 212(j) of the Federal Power Act has provided very important protections for the Tennessee Valley Authority and all the people and businesses of the TVA region from one-way competition from other suppliers as an equitable balance to those provisions of the TVA Act which greatly restrict TVA's ability to sell excess power outside the TVA region.

I wanted to verify that it was not the intention of the conference committee for any provision of the Energy Policy Act of 2003 to be construed to repeal the protections from such one-way competition provided by section 212(j).

Mr. TAUZIN. Mr. Speaker, the gentleman from Tennessee (Mr. DUNCAN) is correct. It was not the intention of the conference committee for any provision to repeal the protections provided by section 212(j).

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I rise in opposition to this rule and to the bill. It is ludicrous to have only 1 hour of debate on the rule and 1 hour on such an important bill.

America faces real problems with its energy needs. We need to reduce our dependence on foreign oil. But instead of pursuing the program of energy efficiency, we have a bill that pursues a policy of political payback and corporate welfare. My Republican colleagues are constantly saying they do not like wealth distribution, but this bill will suck dollars out of the pockets of New Yorkers and others to pay for unnecessary ethanol subsides to huge Agra businesses.

The majority has talked to a good game against unfunded mandates. This bill was a case of ''do as I say, not as I do.'' There is a liability shield for MTBE makers so that New York taxpayers could be forced to pay for cleanups, but this bill also provides $2 billion in subsides for the MTBE makers to transition to other work.

This bill takes us back in time by weakening the Clean Air Act and Clean Water Act. Why are we letting polluters make policy? Why we going to weaker standards? I think we know the answer: Because oil and gas companies find it cheaper to pollute and push off the true cost of their activities to the real people in this country. This bill is a disgrace. I am sick and tired of coddling polluters and sticking the average Joe with the cost of fixing polluters' problems. We should stand up for America and stand up for energy independence and future generations and vote down this rule and this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentlemen from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I rise in strong support for the rule and strong support for the conference report, H.R. 6, the Energy Policy Act of 2000.

I serve as a conferee between the Senate and House. We gave developed, in my opinion, a very balanced, sensible bill with production initiatives with conservation. The electricity portion of the bill, one of the most controversial items we have dealt with, sets the stage, I believe, for investment and reliable operations to bring our energy markets into the 21st century.

The bill also provides incentives for renewable energy production, clean coal technology, low-income energy assistance, provides for certainty and reliable operation of our energy markets, and increased domestic production.

As this graph shows, renewable energy, providing new solutions like hydrogen fuel cells, will provide economic and environmentally safe energy solutions and prevent blackouts.

This bill promotes investment in critical electric transmission capacity and efficiency. So I commend my colleagues the gentleman from Texas (Mr. BARTON) and the gentleman from Louisiana (Mr. TAUZIN) and their staff. They have done yeoman's service in bringing this bill to the floor. I urge my colleagues to support this legislation.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, this is an energy bill that will do nothing to help the families living in southern Nevada with the cost of their power. Whatever good provisions may be in the bill are buried under billions of dollars in subsides for the nuclear industry.

I am appalled that this Nation would spend one cent more on nuclear energy when there is no safe way to ship and no safe way to store radioactive nuclear waste. There is also no provision in this legislation to address this Nation's dependence on foreign oil. We will be importing just as much oil if this bill passes as we are today. And we will continue our unholy alliance with Middle East countries that export terrorism and finance terrorists.

Finally, I am disappointed that the overwhelming majority of tax incentives in this bill are reserved for nuclear, coal, oil and natural gas. This subsides come at the expense of renewable energy sources such as wind, solar, and geothermal that must be a major component of any long-term energy policy for this Nation if this Nation is to ever be energy independent.

Mr. Speaker, I urge my colleagues to oppose this rule, oppose the legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I rise in strong support of the rule and strong support of final passage of this legislation which is so important to the economy of our country. I also wish to commend the gentleman from Louisiana (Chairman TAUZIN) of my committee for his leadership.

Mr. Speaker, for 3 years this work, this legislation has been in the making, which, of course, is too long. But I would like to point out that a key component of this legislation as we work towards energy independence is conservation. And we think about who consumes energy in America, 20 percent of the energy we consume in our Nation is consumed in our homes by residential consumption of energy.

I would note in this legislation, there is an important provision which provides an energy efficient homes tax credit rewarding homeowners and homebuilders for investing in better insulation and better windows and better doors and sealing their home, and encouraging homebuilders when they build a new house to use more energy efficient technologies in heating and cooling. This is important legislation.

This tax credit provides individuals and businesses up to $2,000 tax credit, which means the first 20 percent of the first $10,000 they invest they can recover by reducing their tax burden to the Federal Government. The bottom line is we need to provide incentives for our homeowners and those who build homes, provide for more energy-efficient house.

When I talk with those who build homes, they tell me that often a consumer will come in, if they are going to spend a little extra money, they want to invest that money in a nicer bathroom or nicer kitchen, something they can see, and that energy efficiency and energy conservation is a second thought.

What is monumental about this legislation that is before us today is we provide a real incentive for homebuilders and homeowners to invest in making their homes more energy efficient by providing for up to a $2,000 tax credit in energy-efficient homes. Bottom line, this is good legislation, deserves bipartisan support. I urge an aye on the rule and an aye on final passage.

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Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman yielding me time.

Whether it has been 3 years or 6 years, the fact is the Committee has produced a comprehensive bill. You do not have a comprehensive energy policy. $138 billion in total costs may buy support, but it is not going to buy energy independence. It avoids meaningful energy conservation that would have permanent savings for every American every year. It avoids meaningful investment in renewables. Simply defining nuclear energy as a ''renewable energy source'' is not an adequate alternative.

The $138 billion pales in comparison to the hidden cost to our environment, to our air, our water, and increased global warming. It will extend our dependence on fossil fuels for decades to come. Three years, 6 years, 12 years, and hidden Republican only conference meetings produced a huge, special interest driven bill. What you have lost is an opportunity to have a comprehensive energy policy that would make this country safer, cleaner and more economically secure.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, I want to congratulate the gentleman from Louisiana (Mr. TAUZIN) on, I think, a very good bill, controversial but weaving a lot of disparate sections together. I thank him and the others for the hard work and determined effort that went into the completion of this conference report.

I want to point out two sections in particular under my committee's jurisdiction which demonstrate the value we have gotten in adding flexibility to government contracting. First, we have the energy savings performance contracts that we make permanent in this legislation. Energy savings performance contracts, ESPCs, allow agencies to contract with energy service companies to upgrade and retrofit existing Federal buildings with modern, energy-efficient equipment. The agencies pay for this upgrade using the energy savings generated by the upgrade themselves.

These contract mechanisms enable the Federal agencies to improve energy efficiency of their facilities without depending on annual congressional appropriations for capital improvements. From 1988 to 2000, agencies using ESPCs to leverage an estimated $795 million in private sector financing for

energy improvements in Federal buildings, resulted in a 20-percent savings. This legislation makes ESPCs permanent.

I also want to describe a new acquisition authority granted in this legislation. This is the authority granted by the Department of Energy to engage in what are called Other Transactions in certain circumstances. Other Transactions, OTs, are contractual arrangements that support research and development without using standard procurement contract grants or cooperative agreements. They have been used successfully in the Department of Defense for a number of years.

Firms who are understandably hesitant to conduct research for the government because of government patent rules, accounting practices, and business requirements are willing to consider working with us under these arrangements. Some companies that have tried to work with the government under normal procurement rules have found it impossible to remain competitive in the private sector and contract under standard government restrictions and rules.

It is time to recognize the government needs the best, the most innovative research available. We need to become increasingly self-reliant in the energy field. We need to engage inventive firms that have until now refused to do business with the Federal Government because of arcane and inflexible standards.

This new flexibility is a major step toward harnessing the magic of America's research and development center in our quest for energy independence. I urge an ''aye'' on the rule and an ''aye'' on the bill.

The SPEAKER pro tempore (Mr. QUINN). The Chair would state that the gentleman from Washington (Mr. HASTINGS) has 2 minutes remaining. The gentleman from Texas (Mr. FROST) has 4 minutes remaining.

Mr. FROST. Mr. Speaker, does the gentleman have multiple speakers or only one speaker?

Mr. HASTINGS of Washington. Mr. Speaker, I will be closing, so I have one more speaker.

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

Mr. Speaker, it seems to me that every Member of this House, whether or not they are supporting this bill, should be concerned that we are about to cast a vote on a major piece of legislation that only a small handful of House Members have read.

This conference report is over 1,000 pages long. I cannot understand why the Republican majority is insisting that this conference report be voted on today when its provisions could have such a direct impact on energy securities of the United States and Members have not been given an adequate opportunity to read and digest its contents.

Mr. Speaker, the rules of the House give Members 3 days to read a conference report after it is filed. Clause 8(a)(1)(a) of rule XXII states that ''it shall not be in order to consider a conference report until the third calendar day on which the conference report and the accompanying joint explanatory statement have been made available to Members in the CONGRESSIONAL RECORD.''

Those who are insisting that the House proceed with all due haste will argue that the text has been on the Web site of the Committee on Ways and Means since this weekend, late Saturday night to be exact.

Mr. Speaker, what was posted Saturday night was not the final version of the agreement and the statement of managers was not included. A fine point, perhaps, but an important one.

The wholesale denial of the rights of Members to know what they are voting on is something Republicans complained of bitterly when they were in the minority. Well, I would argue that the Republicans might have been crying wolf because now that they have controlled this Chamber for nearly 9 years, they seem to have completely forgotten what they once said.

So in an attempt to remedy the wrong they have complained of in the past and that they are now so eager to perpetrate, I am asking Members to vote ''no'' on the previous question so this rule can be amended to give each Member the opportunity to find out what is in a bill that is written in closed meetings and secret places. That is only fair, Mr. Speaker.

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

Mr. HASTINGS of Washington. Mr. Speaker, this is an important bill and it will be a historic step when we vote on the bill after we dispose with the rule.

Let me just go through the extensive hearings that the committees involved with this have had over this year. As was mentioned by the chairman, the Committee on Energy and Commerce Committee held 28 public hearings, four markups, 43 hours in total, and considered 159 amendments. The Committee on Resources held 32 hearings, three markups, over 100 hours, and considered 38 amendments. The Committee on Science held 16 public hearings, two markups. They have considered 21 amendments. The Committee on Ways and Means held six hearings, four markups, and they had six amendments offered to their part of the bill.

It is an important bill, Mr. Speaker. I urge the Members to support the rule, defeat the previous question, and support the underlying legislation.

Mr. FROST. Mr. Speaker, I ask unanimous consent to insert the text of the amendment at this point in the RECORD.

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

There was no objection.

The material previously referred to by Mr. FROST is as follows:

PREVIOUS QUESTION ON H. RES. 443, RULE FOR H.R. 6, THE CONFERENCE REPORT ON THE ENERGY POLICY ACT

Strike all after the resolving clause and insert in lieu thereof the following:

''That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes. All points of order against the conference report and against its consideration (except those arising under clause 8(a)(1)(A) of rule XXII) are waived.''

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

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

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

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 193, not voting 16, as follows:

[Roll No. 628]

YEAS—225

Aderholt	Collins	Hart
Akin	Cox	Hastings (WA)
Alexander	Crane	Hayes
Bachus	Crenshaw	Hayworth
Baker	Cubin	Hefley
Ballenger	Culberson	Hensarling
Barrett (SC)	Cunningham	Herger
Bartlett (MD)	Davis, Jo Ann	Hobson
Barton (TX)	Davis, Tom	Hoekstra
Bass	Deal (GA)	Hostettler
Beauprez	DeLay	Houghton
Bereuter	Diaz-Balart, L.	Hulshof
Biggert	Diaz-Balart, M.	Hunter
Bilirakis	Doolittle	Hyde
Bishop (UT)	Dreier	Isakson
Blackburn	Duncan	Issa
Blunt	Dunn	Istook
Boehlert	Ehlers	Janklow
Boehner	Emerson	John
Bonilla	English	Johnson (CT)
Bonner	Everett	Johnson (IL)
Bono	Feeney	Johnson, Sam
Boozman	Ferguson	Jones (NC)
Boucher	Flake	Keller
Bradley (NH)	Foley	Kelly
Brady (TX)	Forbes	Kennedy (MN)
Brown (SC)	Fossella	King (IA)
Brown-Waite, Ginny	Franks (AZ)	King (NY)
	Frelinghuysen	Kingston
Burgess	Gallegly	Kirk
Burns	Garrett (NJ)	Kline
Burr	Gerlach	Knollenberg
Burton (IN)	Gibbons	Kolbe
Buyer	Gillmor	LaHood
Calvert	Gingrey	Latham
Camp	Goode	LaTourette
Cannon	Goodlatte	Leach
Cantor	Goss	Lewis (CA)
Capito	Granger	Lewis (KY)
Carter	Graves	Linder
Castle	Green (WI)	LoBiondo
Chabot	Greenwood	Lucas (OK)
Chocola	Gutknecht	Manzullo
Coble	Hall	McCotter
Cole	Harris	McCrery

McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—193

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Boyd
Carson (OK)
DeMint
Fattah
Fletcher
Gephardt
Gilchrest
Jackson-Lee (TX)
Jenkins
Kaptur
Lantos
Meeks (NY)
Pitts
Radanovich
Sanders
Toomey

□ 1429

Messrs. LYNCH, BACA, THOMPSON of Mississippi, HINCHEY, ORTIZ and RUSH changed their vote from ''yea'' to ''nay.''

Mrs. JOHNSON of Connecticut, Ms. ROS-LEHTINEN, Ms. PRYCE of Ohio, and Messrs. CARTER, SESSIONS, JOHN and TERRY changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. QUINN). The question is the resolution.

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 167, not voting 19, as follows:

[Roll No. 629]

AYES—248

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jefferson
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matsui
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOES—167

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Johnson, E. B.
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—19

Boyd
Burr
Carson (OK)
DeMint
Fattah
Fletcher
Gephardt
Gilchrest
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Jones (OH)
Kaptur
Lantos
Meeks (NY)
Pitts
Radanovich
Sanders
Toomey

□ 1437

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FATTAH (at the request of Ms. PELOSI) for today after 1:30 p.m. on account of personal reasons.

Ms. JACKSON-LEE of Texas (at the request of Ms. PELOSI) for today after 2:00 p.m. on account of official business in the district.

Mr. ORTIZ (at the request of Ms. PELOSI) for today before 1:30 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, November 19, 20, 21.

Mr. NUSSLE, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, November 19.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1743. An act to permit reviews of criminal records of applicants for private security office employment; to the Committee on Education and the Workforce; in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. BURTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until tomorrow, Wednesday, November 19, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5421. A letter from the Secretary, Department of Agriculture, transmitting the Department's draft bill entitled, ''To make technical ammendments to the Commodity Promotion, Research, and Information Act of 1996''; to the Committee on Agriculture.

5422. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tebufenozide; Extension of Tolerance for Emergency Exemptions [OPP-2003-0329; FRL-7330-2] received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5423. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Air Force, Case Number 99-01, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

5424. A letter from the Acting, Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting four quarterly Selected Acquisition Reports (SARs) for the quarter ending September 30, 2003, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

5425. A letter from the Director, Office of Management and Budget, transmitting appropriations reports containing OMB cost estimates for P.L. 108-26 and P.L. 108-27, which became law on May 28, 2003, P.L. 108-40, which became law on June 30, 2003, and P.L. 108-74, which became law on August 15, 2003; to the Committee on the Budget.

5426. A letter from the Chairperson, National Council on Disability, transmitting the Council's report entitled ''Olmstead: Reclaiming Institutionalized Lives,'' pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and the Workforce.

5427. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Regional Haze Rules to Correct Mobile Source Provisions in Optional Program for Nine Western States and Eligible Indian Tribes Within that Gegraphical Area; Direct Final Rule, Removal of Amendments. [FRL-7579-6] received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5428. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Revisions to Stage I and Stage II Vapor Recovery at Gasoline Dispensing Facilities [DE067-1041a; FRL-7586-2] received November 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5429. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Kansas Update to Materials Incorporated by Reference [KS-192-1192; FRL-7580-6] received November 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5430. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval And Promulgation of Implementation Plans; Texas; Revisions to Regulations for Permits by Rule, Control of Air Pollution by Permits for New Construction or Modification, and Federal Operating Permits [TX-154-1-7590; FRL-7585-8] received November 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5431. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District; San Joaquin Valley Unified Air Pollution Control District [CA261-0420a; FRL-7582-2] received November 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5432. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Final Approval Of Operating Permit Program Revision; Michigan [MI 82-02; FRL-7585-3] received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5433. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Non-attainment New Source Review (NSR): Reconsideration [FRL-7583-7, E-Docket ID No. A-2001-0004 (Legacy Docket ID No. A-90-37)] received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5434. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Trade Secrecy Claims for Emergency Planning and Community Right-to-Know Information; and Trade Secret Disclosures to Health Professionals; Amendment [SFUND-1988-0002; FRL-7584-8] received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5435. A letter from the Deputy Secretary, Department of State, transmitting the annual report of the activities of the United Nations and of the participation of the United States therein during the calendar year 2002, pursuant to 22 U.S.C. 287b; to the Committee on International Relations.

5436. A letter from the Assistant Secretary for Legislative Affairs, Department of State,