

I urge a “no” vote on the Conyers amendment and an “aye” vote and passage of the bill.

Ms. BERKLEY. Mr. Speaker, I have heard a lot today about a carefully negotiated balance in this bill. I would like to know who was involved in this negotiation. I certainly wasn't. Was the horsing racing industry involved? Apparently, they were. Talk about a special interest. The lotteries? Jack Abramoff, perhaps? Because they are all getting exactly what they want with this piece of legislation.

I would like to urge a little honesty on the floor today and urge my colleagues to support the Berkley-Conyers amendment. If you are serious about banning Internet gaming, well, then, let's ban it and let's not make a major exception that can drive a truck through this.

I urge all my colleagues, before you vote on this, go online. Check out horse racing online and see the pages and pages of online betting that you can do when it comes to racing horses. There is no excuse and no reason for this exemption other than you couldn't cut a deal with the horse racing industry, so you exempted them.

I urge everyone to vote for the Berkley amendment and against the Goodlatte bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let's forget about who is on which side of this legislation and this amendment here in the House of Representatives, and let's look at the fact that 49 out of the 50 State attorneys general support this legislation. They are not in the back pocket of any industry. They are all elected, or most of them are elected by the people, and they are the chief law enforcement officers of their respective States. They say we need this legislation and they support this legislation and oppose the amendment.

The only State attorney general that doesn't is the State attorney general of Nevada. Now, which State has got the most gambling to export across State lines into other States? I would submit it is Nevada. Which State doesn't have horse racing and doesn't have a State lottery to export? It is Nevada, among others.

So I give the gentlewoman from Nevada a lot of credit for representing her State and her constituents. I don't think that is the priority of the other 49 States. It certainly is not the priority of their State attorneys general, and we ought to vote down this amendment.

Mr. SWEENEY. Mr. Speaker, I rise to day in opposition of the Berkley amendment. This amendment would outlaw all gambling online throughout the United States. This is unnecessary and would hurt the domestic horseracing industry. The domestic horseracing industry is already regulated. This amendment would put unnecessary burdens on an industry that operates above board.

A provision allowing for legal horse gambling domestically and opening the door to allow horse gambling over the Internet is included in this bill. Regulated by States though the Interstate Horseracing Act, IHA, this provision was agreed to by the Justice Department and the domestic horseracing industry.

The primary focus of H.R. 4411 is to curb illegal—primarily offshore—wagering, not regulate further the domestic horse industry. We need to allow the States to continue regulating horseracing via State racing commissions or legislatures.

Currently, ongoing discussions are occurring between Justice Department and the horseracing industry concerning horse race gambling over the Internet. The Berkley amendment would prevent this review from continuing.

The horseracing industry is a massive economic engine in our Nation, providing \$26 billion in economic activity and maintaining over 1 million jobs. In my district alone, which is home to the Saratoga Racetrack, the oldest thoroughbred track in the country, the horseracing industry brings in over \$70 million into the local economy. If this amendment passes, hard-working individuals would certainly lose their jobs. The industry sustains more than 40,000 people across my home State of New York, over 10,000 in my district.

The industry supports a large sector of small businesses and is the reason for the existence of more than 400 New York State breeding farms. During the 2005 season alone, the Saratoga Racetrack attracted 1 million people, who wagered approximately \$145 million. That equates to 1 million people in Saratoga spending \$70 million at local restaurants, stores and various other attractions. These people make Saratoga the jewel of upstate New York that it is. We ought not to punish a legitimate industry that is already regulated.

This is a responsible industry that provides jobs, pumps money into our economy and is already regulated. I urge a “no” vote on this amendment.

Mr. SENSENBRENNER. I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 907, the previous question is ordered on the bill, as amended, and on the further amendment by the gentlewoman from Nevada (Ms. BERKLEY).

The question is on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY).

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

Ms. BERKLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further consideration of H.R. 4411 will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

#### TO STUDY AND PROMOTE THE USE OF ENERGY EFFICIENT COMPUTER SERVERS IN THE UNITED STATES

Mr. ROGERS of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5646) to study and promote the use of energy efficient computer servers in the United States, as amended.

The Clerk read as follows:

H.R. 5646

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

#### SECTION 1. STUDY.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, through the Energy Star program, shall transmit to the Congress the results of a study analyzing the rapid growth and energy consumption of computer data centers by the Federal Government and private enterprise. The study shall include—

(1) an overview of the growth trends associated with data centers and the utilization of servers in the Federal Government and private sector;

(2) analysis of the industry migration to the use of energy efficient microchips and servers designed to provide energy efficient computing and reduce the costs associated with constructing, operating, and maintaining large and medium scale data centers;

(3) analysis of the potential cost savings to the Federal Government, large institutional data center operators, private enterprise, and consumers available through the adoption of energy efficient data centers and servers;

(4) analysis of the potential cost savings and benefits to the energy supply chain through the adoption of energy efficient data centers and servers, including reduced demand, enhanced capacity, and reduced strain on existing grid infrastructure, and consideration of secondary benefits, including potential impact of related advantages associated with substantial domestic energy savings;

(5) analysis of the potential impacts of energy efficiency on product performance, including computing functionality, reliability, speed, and features, and overall cost;

(6) analysis of the potential cost savings and benefits to the energy supply chain through the use of stationary fuel cells for backup power and distributed generation;

(7) an overview of current government incentives offered for energy efficient products and services and consideration of similar incentives to encourage the adoption of energy efficient data centers and servers;

(8) recommendations regarding potential incentives and voluntary programs that could be used to advance the adoption of energy efficient data centers and computing; and

(9) a meaningful opportunity for interested stakeholders, including affected industry

stakeholders and energy efficiency advocates, to provide comments, data, and other information on the scope, contents, and conclusions of the study.

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that it is in the best interest of the United States for purchasers of computer servers to give high priority to energy efficiency as a factor in determining best value and performance for purchases of computer servers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. ROGERS of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the digital economy is on the move, and we have got some great news for Michigan, a State that is very automotive dominated, with Google announcing 1,000 jobs over the next 5 years this morning to be located right outside my district in Ann Arbor, Michigan. This is a great and important, I think, announcement for our State, which has had a little bit of economic trouble, but is now embracing this new wave of digital innovation, the digital economy, the IT economy, as it spreads around this great country.

With that come some serious concerns for the IT community, for those who are involved in the digital economy, and for those of us, all of us, who depend on energy use.

According to industry analysts, the U.S. server market is expected to grow from 2.8 million units in 2005 to 4.9 million units in 2009, a growth rate, Mr. Speaker, of almost 50 percent. Data center energy costs are expected to soar, as companies deploy greater numbers of servers consuming more power and, in the process, emitting more heat that needs to be dissipated.

□ 1345

Data center electricity costs are already in the range of \$3.3 billion annually. Improved energy savings in servers will help the United States meet its energy demands to stay competitive in the global economy without having to build new generating facilities. If done right, Mr. Speaker, that is power lines that won't have to be built, it is power plants that won't have to be built just to meet the demands of what is a growing part of our economy, and that is these data centers as applies to the IT or digital economy.

Interesting, if you take a small 100,000 square foot, which is not so

small, actually, annual utility cost for a data center or a server farm, it is nearly \$6 million. If done right, efficient servers can result in as high as an 80 percent reduction in electricity demand. That is \$4.8 million in savings if we can reach that goal. That means jobs, innovation, expansion. It means taking the money and investing it in people versus electricity or energy costs. That is a win for everybody.

Mr. Speaker, this is a commonsense conservation bill that will work to reduce the need for new power plants and new transmission lines in each of our districts by driving down demand for electricity and allowing the expansion and growth of the digital economy.

There are a great number of organizations who have stepped up to support H.R. 5646, and I would like to name just a few: the Alliance to Save Energy, American Electronics Association, American Council for an Energy Efficient Economy, Electronic Industries Alliance, Information Technology Industry Council, Semiconductor Industry Association, and TechNet.

The legislation is very straightforward. It calls for a study in our ability to get ahead of this very, very important problem looming before us, and that is the expanded use of energy.

Finally, I want to thank Ms. ESHOO for her help and support and assistance in this effort, as well as that of her staff, who have worked diligently with my staff to help put this together in a timely fashion to help meet the needs of this new and exciting American economy.

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

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

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

Mr. BOUCHER. Mr. Speaker, I rise in support of H.R. 5646, a measure which will require the Environmental Protection Agency to conduct an analysis of the energy effects of the expanding use of computer servers and the concentration of computer servers in large data centers. Computer server use is rapidly growing at a rate that is estimated to be 50 percent over a mere 5 years. Servers are now used in virtually every business and every government office. And now companies with large information processing needs are aggregating servers into large data centers.

The growing use of servers has an energy consequence, and it is now estimated that server operations consume electricity valued at \$3 billion annually. In our ongoing efforts to become a more energy-efficient Nation, it is appropriate that we focus on ways to encourage more energy-efficient computer servers.

The Environmental Protection Agency and the Department of Energy are charged with the administration of the Energy Star program, which identifies and labels energy-efficient technologies in a number of business and

household products. Use of more energy-efficient products enables residential and commercial energy consumers to lower their electricity costs and also to lessen the overall national demand for electricity.

H.R. 5646 would facilitate and advance the ongoing efforts of the Environmental Protection Agency, of technology companies, and nongovernmental organizations to determine how best to measure the energy efficiency of data centers with the goal of identifying and labeling as an Energy Star product the most efficient computer server technologies.

This measure provides appropriate guidance to the EPA for use in conducting an analysis of the energy consumption of computer data centers, as well as for the identification of potential cost savings that could be achieved by identifying through the Energy Star program energy-efficient computer server systems for use in data centers.

I want to commend the gentleman from Michigan (Mr. ROGERS) and also the gentlewoman from California (Ms. ESHOO) for their careful and thorough work and for their creativity in bringing this innovative and very timely measure to the floor. It is my privilege, Mr. Speaker, to urge its passage by the House.

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

Mr. ROGERS of Michigan. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my colleague, Mr. ROGERS from the Energy and Commerce Committee, for the work he has done on this bill. I am proud to be the Democratic lead on it. I think it is a very important step for the Congress to take. Obviously, I urge all of my colleagues to vote for it.

The bill, as you have heard, directs the EPA to study the energy efficiency of computer servers and data centers within our government, the United States Government, as well as the private sector.

Data centers are facilities that house large amounts of electronic equipment, primarily computer servers that handle data for large and complex operations which continue to grow daily in our country.

These facilities can occupy an entire room, an entire floor, or an entire building. According to industry estimates, the average annual electricity cost of running a single data center is about \$6 million a year, and the cumulative energy costs for these centers is about \$3.3 billion a year. So the energy demands of these operations are going to continue to grow.

They are going to continue to expand as the market for servers is expected to expand by about 50 percent over the next 5 years. And of course the by-word of this Congress and I think future Congresses is going to be energy conservation, energy conservation, energy conservation.

The EPA, high-technology companies, and nongovernmental organizations have discussed how to measure efficiency of these data centers with an eye toward providing an Energy Star rating for the most efficient technology. It has worked with other industries. It really has been a motivator. Anyone who goes out to buy appliances for their home, you look for the energy-efficient label, and that has done much to conserve in our country.

I think the study that this bill calls for will advance this, as well as helping consumers, businesses, and the government to identify the most efficient technology to meet their needs.

The bill, H.R. 5646, has the support of high-technology companies, of environmental groups, of energy companies, including the Alliance to Save Energy, the AEA, TechNet, SIA, EIA, and the ITIC.

I want to thank Mr. ROGERS for accepting the changes that we suggested to the bill as reported by the Energy and Commerce Committee. I think the changes are going to ensure that the EPA will continue to seek input not only from industry stakeholders, but from environmental groups and outside efficiency experts.

We have also taken steps to ensure that the EPA examines the features and the capabilities of computer data centers in its report, and that the EPA has adequate time to prepare this study.

I thank Mr. ROGERS for working so hard to make sure this comes to the floor. I urge all of my colleagues to support it. This is a good bill. It is an important step.

Mr. BOUCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, along with my colleague, the gentlewoman from California (Ms. ESHOO), I represent Silicon Valley and we certainly know the need for this legislation in Silicon Valley. As Ms. ESHOO has indicated, this bill has the support of the high-tech sector, and for a very good reason.

According to a recent report, 41 percent of Fortune 500 IT executives identified power and cooling problems for their data centers. In my own district in San Jose, we had a server farm that wanted to go in. Everybody wanted it. We had to build a power plant to actually accommodate the server farm. We are looking for energy efficiencies in this sector.

We know that climate change threatens the security and stability of our planet and economy, and everything we can do to reduce power consumption and sustain energy independence is a good thing for our planet and for our society.

I would just note that we have come a long way since I was a youngster when computers took up a room and we had punch cards and the heat and power drag was incredible. If we can reduce power consumption, we can up ef-

iciency and production as well. This bill is a good step. The Energy Star program does not include this sector today, so this is an important step forward.

I hope that this measure will be supported by a wide margin in the House. There is no reason in the world that I can think of that any Member of this House should not vote for it. I commend Members on both sides of the aisle for their leadership in bringing this forward.

Mr. BOUCHER. Mr. Speaker, we have no further speakers at this time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. ROGERS) that the House suspend the rules and pass the bill, H.R. 5646, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ROGERS of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

AMENDING PUBLIC HEALTH SERVICE ACT WITH RESPECT TO NATIONAL FOUNDATION FOR THE CENTERS FOR DISEASE CONTROL AND PREVENTION

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 655) to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, as amended.

The Clerk read as follows:

S. 655

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

**SECTION 1. NATIONAL FOUNDATION FOR THE CENTERS FOR DISEASE CONTROL AND PREVENTION; ACCEPTANCE OF VOLUNTARY SERVICES; FEDERAL FUNDING.**

(a) AUTHORITY FOR ACCEPTANCE OF VOLUNTARY SERVICES; STRIKING TWO-YEAR LIMIT PER INDIVIDUAL.—Section 399G(h)(2)(A) of the Public Health Service Act (42 U.S.C. 280e-11(h)(2)(A)) is amended by striking the second sentence and inserting the following: "In the case of an individual, such Director may accept the services provided under the preceding sentence by the individual until such time as the private funding for such individual ends."

(b) REPORTS.—Section 399G(h)(7) of the Public Health Service Act (42 U.S.C. 280e-11(h)(7)) is amended—

(1) in subparagraph (A), by inserting "including an accounting of the use of amounts provided for under subsection (i)" before the period at the end of the second sentence; and

(2) by striking subparagraph (C) and inserting the following:

"(C) The Foundation shall make copies of each report submitted under subparagraph (A) available—

"(i) for public inspection, and shall upon request provide a copy of the report to any individual for a charge not to exceed the cost of providing the copy; and

"(ii) to the appropriate committees of Congress."

(c) FEDERAL FUNDING.—Section 399G(i) of the Public Health Service Act (42 U.S.C. 280e-11(i)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking "\$500,000", and inserting "\$1,250,000"; and

(B) in subparagraph (B), by striking "not more than \$500,000" and inserting "not less than \$500,000, and not more than \$1,250,000"; and

(2) by adding at the end the following:

"(4) SUPPORT SERVICES.—The Director of the Centers for Disease Control and Prevention may provide facilities, utilities, and support services to the Foundation if it is determined by the Director to be advantageous to the programs of such Centers."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 655, legislation to make needed improvements to the CDC Foundation. The CDC Foundation is a private, non-profit foundation established by Congress in 1992 to help the Centers for Disease Control and Prevention fulfill its mission on protecting health and promoting safety. It is located in my State of Georgia. The CDC Foundation is a unique private-public partnership that supports the important work of the CDC both here in the United States and around the world.

When public health emergencies strike, the CDC Foundation harnesses the know-how of the private sector to fill the gaps and get around government red tape, helping to keep Americans safe from harm.

To fulfill its mission, the CDC Foundation relies heavily on the ingenuity and resources of private donations. In the 11 years since its incorporation, the CDC Foundation has raised more than \$100 million in private donations from individuals, corporate partners, and other foundations. With the relatively small Federal investment of half a million dollars per year for operating expenses, the CDC Foundation has been able to leverage over \$15 million per