

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan

Tancredo
Taylor
Thornberry
Tiahrt
Tiberi
Turner
Upton

Walberg
Wamp
Westmoreland
Wilson (SC)
Wolf
Young (FL)

Davis, Jo Ann
Doolittle
Ellison
Emerson
Engel
Fortenberry
Goode
Hastert
Hayes
Hinchey
Hinojosa
Johnson, Sam
Kaptur

Klein (FL)
Kline (MN)
Kucinich
LaHood
Langevin
Mack
Marchant
McCaul (TX)
McMorris
Rodgers
Mollohan
Oberstar
Paul

Pence
Radanovich
Rangel
Renzi
Ruppersberger
Saxton
Skelton
Souder
Waxman
Weldon (FL)
Whitfield
Wicker
Young (AK)

winners and losers and eliminates some very promising technology for alternatives fuels.

For that reason and many other reasons, I oppose this bill. I oppose the underlying bill with its tax provisions and urge all Members to think twice about this. We have to level with the American people about the energy situation and manage our strategic dependence and not deal with fantasy.

NAYS—246

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chandler
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Eshoo
Etheridge
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fossella
Frank (MA)
Gallegly
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene

Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hereth Sandlin
Higgins
Hill
Hirono
Hodes
Hoekstra
Holden
Hoit
Honda
Hooley
Hoyer
Hunter
Insee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Kirk
Kuhl (NY)
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lungren, Daniel
E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeke (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha

Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Poe
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Lee
Sires
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

□ 1016

Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. GALLEGLY, Mr. RUSH and Ms. DELAURO changed their vote from “yea” to “nay.”

Mr. SMITH of Nebraska and Mr. TURNER changed their vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 3221, NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT, AND FOR CONSIDERATION OF H.R. 2776, RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I rise in opposition to the rule and the underlying bill with its tax provisions. I think it's time that we level with the American public about this and be truthful about what we are trying to accomplish here. This bill has some good things in it, but it's not really addressing what we really need to be focused on right now. That is, the strategic management of our dependence over fossil fuels for the next 10 to 15 years as we transition.

We need to manage our strategic dependence on fossil fuels, a strategic dependence that we are going to have for the next 10, 15, maybe 20 years as these new technologies develop. Now, what does this bill do? It taxes U.S. companies working on production of oil, and making these companies less productive and less competitive, therefore, shifting more oil and gas activity into the hands of national oil companies that are not our friends. This will not bring down the price of oil and gas and not alleviate our energy concerns.

Secondly, it abrogates leases, very important leases in the Gulf of Mexico, with the stroke of a pen. Now, that's not the American way. That's not something that we would be proud of in this country, not something the American people would be proud of. It's certainly something that Hugo Chavez would be proud of.

Finally, I will say this bill is not technology neutral. It seeks to pick

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding.

Mr. Speaker, I attempted to offer an amendment to H.R. 3221, the New Direction for Energy Independence, National Security, and Consumer Protection Act, to prevent possible waste and maintain appropriate management of our government expenses. The Energy Policy Act of 2005 requires the Secretary of Energy to contract with the National Academy of Public Administration to conduct a study for assessing management practices for research, development and demonstration programs at the Department.

My amendment would simply prohibit funds in the bill to the Advanced Research Projects Agency, or ARPA-E, within the Department of Energy, until the study has been completed and it makes a recommendation that we do establish ARPA-E.

However, the Rules Committee would not accommodate my amendment and refused to make it in order. Without this amendment, we are shooting in the dark. We are authorizing \$300 million for fiscal year 2008 that may not be necessary. This is not a good way to manage the people's tax money. If the majority is going to gamble like this, we might as well put the whole Federal Treasury on green double zero and just hope for the best.

I have another concern, and that's about a new portfolio standard. The renewable portfolio standard in this bill calls for 20 percent renewable by the year 2020, and it will not include any nuclear.

Well, the Southern Company, in my district, provides about 12 to 15 percent of their power by nuclear, but, yet, that cannot be included as a renewable. So we are projecting a wind farm off the coast of Georgia bigger than Cape Wind in Massachusetts, and that would only produce 1 percent toward this renewable standard. It's almost an impossible standard to meet, if you do not let us include nuclear as a renewable source, which, surely, it is. Basically, the compliance penalty for not meeting this standard, for the Southern Company in my district, would be \$745 million.

This legislation is nothing more than a backhanded attempt to ease our Nation into a carbon trade scheme, and it victimizes Georgia by making us a donor State.

NOT VOTING—50

Abercrombie
Bachmann
Bono
Carson

Clarke
Crenshaw
Clay
Cubin
Culberson
Cummings

Costa

I ask my colleagues to vote down this rule and vote against the underlying legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, as the ranking member of the Ways and Means committee, I have tried my best to work with Chairman RANGEL to engender an atmosphere in our committee of comity, an atmosphere that engenders respect for one another's views, and to engender an atmosphere in which we can fully explore and debate and discuss issues.

We have very talented members on both sides of the aisle on the Ways and Means Committee, and we are not afraid to discuss issues and to debate differences that we have in those issues. It's a great committee.

I gave a letter to the Rules Committee citing 24 instances just since the year 2000 where on tax bills when we were in the majority we gave the minority the chance to offer a substitute, an amendment in the nature of a substitute.

Tax bills are always closed to amendments. We don't just allow willy-nilly amendments to tax bills, for good reason. But we almost always offer the minority an amendment in the nature of a substitute.

I am not pleased that the Rules Committee, and I suppose with the consent of the chairman, did not offer us an amendment in the nature of a substitute.

Vote against this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, this rule is a joke. It does nothing for supply. No renewable fuel standard, no alternative fuel standard, 7 minutes for debate by the minority side on energy policy in this country. Are you crazy?

Coal. Take it down then, take it down, if you want. This is coal, our largest resource in this country, to help decrease our reliance on imported crude oil. What will it do for the economy? Coal-to-liquid, 1,000 jobs, 2,500 construction jobs, 15 million tons of coal, up to 500 coal-mining jobs. You all say no.

What's it do for our national security, coal, to coal-to-liquid refinery, to pipelines to fuel our Air Force? Our Air Force is demanding liquified gasoline moved into jet fuel to decrease our reliance on important crude oil, and you guys won't bring up an energy bill? Shame on you.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, as a former member of the Air Resources

Board in the State of California and working on air pollution issues for decades, I was looking at the text that said this bill was going to move America forward.

This text is not moving America forward; it's moving us back to a 1970's agenda. This agenda is the same agenda we had in the environmental community in the 1970s. In the 1970s, we were doing the best we could then. But this is the best America can expect from this Congress, is 30-year-old ideas that have been proven false, and the example, this bill is going to pick winners and losers in the industry.

It is going to mandate not only the inclusion of poisons in our gasoline in places like California where in 1992 we warned you about MTBE, we warned you that ethanol was going to cause problems, but this place was bought off by special interest groups that claimed to be environmentally sensitive and forced MTBE into the fuel of America.

Later, when you realized we were right, you said, sorry. Just last, a few months ago, Harvard came out with another study about ethanol. All we are asking is, don't mandate that this poison is put in the fuel.

If you can't believe CARB, then why are the States around the north using our standards at CARB to clean up the environment? Look before you leap, but this technology that we are talking about doesn't even include zero mission generators like high pressure gas reactors, doesn't include.

The only way we are going to beat greenhouse gases is to go nuclear, but you don't have the political guts to look our friends in the eye and say we have got to move beyond the 1970s. We have got to move forward. We have got to be willing to do what is right for the environment.

If that tells Archer Daniels Midland or the extreme wackos who are always going to be against nuclear that, sorry, guys, the environment comes first, if you don't have the guts to do that, don't claim this is a green proposal. 1970 cars are polluting and wasteful. This bill is polluting and wasteful.

□ 1030

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I will be asking Members to defeat the previous question so that I may amend the rule to provide for the adoption of H. Res. 622, a resolution introduced by Mr. BLUNT to correct the injustice done to all Members of this House on August 2, 2007.

As my colleagues know, the majority engaged in a manipulation of the vote on the motion to recommit the Agriculture appropriations bill to reverse the outcome.

If we defeat the previous question, the resolution will direct the Clerk to retrieve the Agriculture appropriations bill from the Senate, add in the amendments that should have been included in the bill, and return the bill to the Senate.

While we took the important step yesterday to establish a select committee to investigate the reasons why this injustice occurred, the Agriculture appropriations bill will continue through the legislative process well before the select committee's final report is complete; meaning that we must act now to correct this injustice.

I ask my colleagues to support me in defeating the previous question and righting this wrong.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed just prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I yield 1 minute to the distinguished ranking member of the Rules Committee.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Democrats and Republicans alike have decried what took place late last Thursday night. This previous question which we are about to vote upon would allow the Democrats to erase the most unsightly of blemishes on the already tarnished record that we witnessed governing this institution. It would allow us as a body to heal, and to give democracy an opportunity to once again flourish in this hallowed institution. Mr. Speaker, this previous question vote will in fact give us as a body the opportunity to heal. I urge my colleagues to join with Mr. DIAZ-BALART in voting "no" on the previous question so we can rectify this wrong.

I thank my friend for yielding.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I urge all of our colleagues in a responsible manner, realizing the historic importance of what has transpired this week, to defeat the previous question, allow this wrong to be righted, to defeat the previous question and defeat also this unfair rule.

I yield back the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, there are two points I would like to make, one about the rule and one about the process.

I served 13 years in the Vermont State Senate, a small body, 30 members, sometimes in the minority, sometimes in the majority; and we had fierce fights about issues of enormous public concern, tax policy, environmental policy. In all of the time that I served in that State Senate, winning fights, but losing as many as I won, I never, ever saw the other side leave on an appropriations vote. Never. When you lose, you get up and you fight another day. That is what we learned. That is what all of us have learned.

There is a use of process here that has an effect of avoiding discussing substantive issues that are really of vital concern to the people of this country and the people that we represent. None of us can certify that the position we take at any given moment

is guaranteed to be the right one. We have to debate that, we have to listen to the other side. But we don't stop listening when it comes to our final decision, the ultimate responsibility that we have been given by the people who have elected us to stand in this well and to vote "yes" or "no" and to accept accountability for the "yes" or "no" vote that we take.

I do not understand, Mr. Speaker, walking out on a vote, most importantly, one involving appropriations for rural America. I don't understand the excessive use of motions to adjourn when it has no purpose, no purpose whatsoever other than to bring down the respect that the American people should have in this institution. I don't understand that. Maybe in time I will.

This bill brought forth by this rule is going to allow America to have a new debate on energy. It is that simple. The old approach on energy has been oil and fossil fuels. It has had a place and will have a place, to be sure. But the question is, are we going to continue with the public policy of this country, with subsidies as we have for mature industries like oil and nuclear, which in the 2005 legislation received \$15 billion in taxpayer subsidies. That is real money from real Americans. Yet, as that happens, global warming expands, the price of gasoline increases. It is a dead-end policy, Mr. Speaker.

And the question that is going to be raised in this legislation for the decision of each and every one of us is whether we are going to turn a page on the old energy policy to a new one that is going to allow efficiency to matter. Using less, not more, saves money. The efficiency provisions in this bill will save tax ratepayers \$300 billion. Whether we are going to use the power of tax incentives, a tax incentive budget to unleash the entrepreneurial skills, the engineering skills of people across this country in local communities, to harness wind, solar, renewable sources of energy, whether we are going to unleash the opportunity to create 3 million new jobs.

Let me say this: for all the good that is done by some of the energy policies that we have had, let's make the acknowledgment that there are many good things out there, every time a consumer in a local area, my town of Hartland, pays the light bill, most of the time that dollar that I pay gets sent hundreds, if not thousands, of miles away to a generator. And what we are trying to do in our State, what we are trying to do in many other States around the country is to have an energy policy that is going to allow consumers to spend their money locally so that the repair person that was mentioned that fixes the air conditioners, more of those people are going to have jobs. Every dollar that we keep in our local economy is strengthening our local economy.

Energy efficiency, renewable energy is about creating jobs, not just improving and cleaning out the environment.

It is about independence and strengthening of local communities, not just shipping local money to faraway corporations.

Mr. Speaker, if we needed any wake-up call about why we have to turn a page and move in a new direction, it is in this morning's newspaper report about Toyota. Let me just read one paragraph:

"Booming sales of fuel efficient cars helped lift Toyota to its biggest quarterly profit ever, and kept the maker of Prius Hybrid on pace to pass General Motors as the world's number one automaker."

That is not good news for us. What is good news for us is that we accept the challenge that is there, not run from it.

Mr. Speaker, I urge a "yes" vote on this rule and support this underlying legislation.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 615 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution insert the following new Sections:

SEC. 5. Upon adoption of this resolution, House Resolution 622 is hereby adopted.

Mr. WELCH of Vermont. 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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 220, nays 186, not voting 26, as follows:

[Roll No. 825]

YEAS—220

Abercrombie Cardoza Donnelly
Ackerman Carnahan Doyle
Allen Carney Edwards
Altmire Castor Ellsworth
Andrews Chandler Emanuel
Arcuri Cleaver Engel
Baca Clyburn Eshoo
Baird Cohen Etheridge
Baldwin Conyers Farr
Barrow Cooper Fattah
Bean Costa Filmer
Becerra Costello Frank (MA)
Berkley Courtney Giffords
Berman Cramer Gillibrand
Berry Crowley Gonzalez
Bishop (GA) Cuellar Gordon
Bishop (NY) Cummings Green, Al
Blumenauer Davis (AL) Green, Gene
Boren Davis (CA) Grijalva
Boswell Davis (IL) Gutierrez
Boucher Davis, Lincoln Hall (NY)
Boyd (FL) DeFazio Hare
Brady (PA) DeGette Harman
Braley (IA) Delahunt Hastings (FL)
Brown, Corrine DeLauro Hersted Sandlin
Butterfield Dicks Higgins
Capps Dingell Hill
Capuano Doggett Hinchey

Hirono McNerney Schwartz
Hodes McNulty Scott (GA)
Holden Meek (FL) Scott (VA)
Holt Meeks (NY) Serrano
Honda Melancon Sestak
Hooley Michaud Shea-Porter
Hoyer Miller (NC) Sherman
Inslee Miller, George Shuler
Israel Mitchell Sires
Jackson (IL) Mollohan Slaughter
Jackson-Lee Moore (KS) Smith (WA)
(TX) Moore (WI) Snyder
Jefferson Moran (VA) Solis
Johnson (GA) Murphy (CT) Space
Johnson, E. B. Murphy, Patrick Spratt
Jones (OH) Murtha Stark
Kagen Nadler Stupak
Kanjorski Napolitano Sutton
Kaptur Neal (MA) Tanner
Kennedy Obey Tauscher
Kildee Oliver Taylor
Kilpatrick Ortiz Thompson (CA)
Kind Pallone Thompson (MS)
Lampson Pascrell Tierney
Langevin Pastor Towns
Lantos Payne Perlmutter
Larsen (WA) Larsen (WA) Udall (CO)
Larson (CT) Peterson (MN) Udall (NM)
Lee Pomeroy Van Hollen
Levin Price (NC) Velázquez
Lewis (GA) Rahall Vislosky
Lipinski Rangel Walz (MN)
Loeb sack Reyes Wasserman
Lofgren, Zoe Rodriguez Schultz
Lowe Ross Waters
Lynch Rothman Watson
Mahoney (FL) Roybal-Allard Watt
Maloney (NY) Ruppersberger Waxman
Markey Rush Weiner
Marshall Ryan (OH) Welch (VT)
Matheson Salazar Wexler
Matsui Sánchez, Linda Wilson (OH)
McCarthy (NY) T. Woolsey
McCollum (MN) Sanchez, Loretta Wu
McDermott Sarbanes Wynn
McGovern Schakowsky Yarmuth
McIntyre Schiff

NAYS—186

Aderholt Duncan Lewis (KY)
Akin Ehlers Linder
Alexander Emerson LoBiondo
Bachus English (PA) Lucas
Baker Everett Lungren, Daniel
Barrett (SC) Fallon E.
Bartlett (MD) Feeney Mack
Barton (TX) Ferguson Manzanillo
Biggart Flake Marchant
Bilbray Forbes McCarthy (CA)
Bilirakis Fortenberry McCaul (TX)
Bishop (UT) Fossella McCotter
Blackburn Foxx McCreery
Blunt Franks (AZ) McHenry
Boehner Frelinghuysen McHugh
Bonner Gallegly McKeon
Bono Garrett (NJ) McMorris
Boozman Gerlach Rodgers
Boustany Gilchrest Mica
Brady (TX) Gillmor Miller (FL)
Broun (GA) Gingrey Miller (MI)
Brown (SC) Gohmert Miller, Gary
Brown-Waite, Goode Moran (KS)
Ginny Goodlatte Murphy, Tim
Buchanan Granger Musgrave
Burgess Graves Myrick
Burton (IN) Hall (TX) Neugebauer
Buyer Hastings (WA) Nunes
Calvert Heller Pearce
Camp (MI) Hensarling Pence
Campbell (CA) Herger Peterson (PA)
Cannon Hobson Petri
Cantor Hoekstra Pickering
Capito Hulshof Pitts
Carter Hunter Platts
Castle Issa Poe
Chabot Johnson (IL) Porter
Cole (OK) Jones (NC) Price (GA)
Conaway Jordan Pryce (OH)
Culberson Keller Putnam
Davis (KY) King (IA) Ramstad
Davis, David King (NY) Regula
Davis, Tom Kingston Rehberg
Deal (GA) Kirk Reichert
Dent Knollenberg Renzi
Diaz-Balart, L. Kuhl (NY) Reynolds
Diaz-Balart, M. Lamborn Rogers (AL)
Doolittle Latham Rogers (KY)
Drake LaTourrette Rogers (MI)
Dreier Lewis (CA) Rohrabacher

