

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. HASTINGS 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 8 of rule XX, further proceedings on this question are postponed.

**PROVIDING FOR CONSIDERATION OF H.R. 4503, ENERGY POLICY ACT OF 2004, AND H.R. 4517, UNITED STATES REFINERY REVITALIZATION ACT OF 2004**

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 671 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 671**

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4503) 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. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources; and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit.

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

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. Mr. Speaker, House Resolution 671 is a rule providing for the consideration of H.R. 4503, the Energy Policy Act of 2004; and H.R. 4517, the United States Refinery Revitalization Act of 2004.

The rule provides for 1 hour of general debate on H.R. 4503, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule also provides one motion to recommit.

Section 2 of the rule provides for 1 hour of general debate on H.R. 4517 to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule also provides one motion to recommit H.R. 4517.

Mr. Speaker, the first bill provided for under the rule, H.R. 4503, reflects the conference report on H.R. 6 that passed the House this November by a vote of 246 to 180. It is a bipartisan, comprehensive energy plan that is focused on providing a secure and diverse energy supply for our Nation.

There is bipartisan agreement on this plan to modernize our power generation systems, improve conservation and promote the development of renewable energy resources. The predominant source of energy varies among the different regions of our country. The bipartisan energy plan is comprehensive and addresses energy produced from oil, natural gas, wind, biomass, solar, coal, nuclear, and hydro.

In my area, the Pacific Northwest, Mr. Speaker, our primary source of power comes from hydroelectric dams. Clean, low-cost hydropower was critical to building the Northwest's economy. Whether it was electricity to irrigate central Washington's farms or to build airplanes in Seattle, it was vital to our economy.

This bipartisan agreement includes reforms to the lengthy and costly dam relicensing process that is critical to maintaining our region's low-cost hydropower. Environmental protections are preserved while providing flexibility to reduce costs and delays. Getting this plan enacted into law will help keep prices lower for Northwest families and for job-creating businesses.

An adequate, affordable energy supply is vital for a growing economy and job creation, and we need to get this plan enacted into law.

Mr. Speaker, today, the United States imports nearly 60 percent of its oil. This energy plan contains provisions to reduce our dependence on oil from the Middle East. The second bill provided for under this rule, H.R. 4517, will also help increase our Nation's energy independence.

The United States Refinery Revitalization Act would responsibly encourage the opening of previously closed refineries in the United States and the construction of new refineries to increase the domestic supply of gasoline which would help lower the price at the pump.

American demand for gasoline and refined fuels currently outpaces the capacity of our Nation to produce these needed products, and consumption of gasoline is expected to rise as our economy grows over the next 2 decades. Our choice as a Nation is to either increase our dependence on foreign sources of fuel or to help ensure refineries are built in America, which will create jobs here rather than at refineries in other countries.

Mr. Speaker, it is time to act and get a bipartisan energy plan enacted into law. It is time to increase America's energy independence. Accordingly, I encourage my colleagues to support both the rule, H. Res. 671, and the two underlying bills, H.R. 4503 and H.R. 4517.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Washington for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to House Resolution 671, which is the rule for the consideration of H.R. 4503, the Energy Policy Act of 2004, which is masquerading today as the energy conference report of 2003; and H.R. 4517, the U.S. Refinery Revitalization Act.

Mr. Speaker, this summer Americans all across the country are flooding into movie theaters to see the much-anticipated sequels to such blockbuster films as "Shrek," "Spider Man," and "Harry Potter."

□ 1130

So far the early reviews and box office returns for these sequels suggest Hollywood has actually managed to improve on the original versions by adding exciting new characters and interesting new plot lines.

Sadly, that is not so here in the House of Representatives. This summer, the Republican leadership is forcing us to vote on the same tired old reruns of bad bills that we have already seen and voted on once before. The consideration of H.R. 4503 actually marks the sixth time this year that this House has passed a bill for the second time.

Mr. Speaker, I include for the RECORD a listing of the bills that the House has voted on at least twice this year.

(1) Bankruptcy. The House passed its bankruptcy reform bill on March 19, 2003 (H.R. 975, vote No. 74) and passed it again on January 28, 2004 when it substituted the text of

the already-passed H.R. 975 into a non-controversial Senate family farmer bankruptcy bill (S. 1920, vote No. 10).

(2) Medical Malpractice. The House passed medical malpractice reform legislation on March 13, 2003 (H.R. 5, vote No. 64) and then passed it again on May 12, 2004, as part of the GOP's so-called "health security agenda" (H.R. 4280, vote No. 166).

(3) Association Health Plans. The House passed legislation creating Association Health Plans (AHPs) on June 19, 2003 and then passed the same bill again in May 13, 2004, as part of the GOP's so-called "health security agenda" (H.R. 4281, vote No. 174).

(4) Teacher Training. The House passed the "Ready to Teach" Act on July 9, 2003 (H.R. 2211, vote No. 340) and then passed it again under a new bill number on June 2, 2004 under suspension of the rules (H.R. 4409, voice voted, then inserted by H. Res. 656 into H.R. 444).

(5) Graduate School Grants. The House passed a bill to reauthorize programs that award grants to U.S. graduate students under suspension of the rules on October 21, 2003 (H.R. 3076, voice voted) and then passed it again under a new bill number on June 2, 2004 under suspension of the rules (H.R. 4409, voice voted, then inserted by H. Res. 656 into H.R. 444).

Mr. Speaker, there are no exciting new characters, no interesting new plot lines, just the same old story: special interests meet Congress; Congress rolls over; special interests destroy environment and Congress weakens the Nation's energy policy. End of story.

In fact, all that can be said of H.R. 4503 is that with each passing day, we discover something new about the original energy conference report that further confirms how bad that bill was and still is. Since the House passed the energy conference report in November last year, new details about the 1,100-page bill have come to light.

For example, the bill lifts tariffs on Chinese-made ceiling fans, a provision which is widely acknowledged to benefit Home Depot of Atlanta, Georgia. It includes a \$500,000 grant for the Georgia carpet industry to research the burning of industrial carpet waste in the manufacture of cement, and it contains a tax-exempt "green bond" program that will finance the construction of a mall in Shreveport, Louisiana, which will house a Hooter's restaurant.

This bill is so laden with special interest money that no less than Grover Norquist and the Americans for Tax Reform and the National Taxpayers Union have said that the energy conference report is "chockful of subsidies, pork barrel projects, and unnecessary spending that have little, if anything, to do with our Nation's energy needs."

An in-depth analysis of the energy conference report conducted by the well-respected Energy Information Administration of the Department of Energy concluded the following: that the energy conference report's energy provisions will not reduce the overall amount of energy consumption in the United States over the next 15 years and furthermore, its transportation fuel provisions will cause the average

gas prices in the year 2015 to be 3 to 8 cents higher than they would be under current law.

Mr. Speaker, I imagine that is a surprise ending that not even the Republicans who single-handedly wrote the energy conference report would enjoy. Imagine, after handing out \$23 billion in tax breaks and subsidies to the oil and gas industry, we are actually going to pay more for gas at the pump.

I can tell Members my constituents in Massachusetts will be demanding their money back after seeing that surprise ending. In Massachusetts, the average cost of gasoline this month will be \$2.10 per gallon. This is 58 cents higher than a year ago at the same time. At that rate, motorists in the Worcester, Massachusetts, area will pay \$29 million more for gasoline this summer driving season than they did last summer. That is \$200 more for the average family between Memorial Day and Labor Day.

Meanwhile, the Republican leadership's response to this very real national crisis is to bring us a repeat of the same failed energy bill which has been stalled in negotiations with the other body for nearly 7 months, a so-called energy security act that will not secure our future energy supply by enhancing our independence or reducing our demand, a bill that does not include a renewable energy portfolio standard, but does include a \$2 billion bail-out and liability protection for producers of MTBE.

Mr. Speaker, since the Republican leadership of this House seems bent on bringing the same bills to the floor, I am compelled to respectfully repeat the same suggestion that I have offered them before: instead of shamelessly using the legislative calendar here to send a message to the other body, perhaps the House leadership could walk across the Capitol and simply confer with their fellow Republican leaders. It is not that far, and I will remind them that the House is under Republican control and so is the other body. They should go over and talk to each other and try to work these things out.

If that is too much trouble, maybe at a minimum the House leadership could make in order thoughtful, responsible amendments offered by their own Members, such as the climate change amendment offer by the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Massachusetts (Mr. OLVER) in the Committee on Rules last evening, an amendment that would have established a voluntary, and I repeat voluntary, greenhouse gas registry and database. This would be something different, something worth watching for.

Mr. Speaker, the truly amazing thing about the House leadership is that when they are not bringing bills to the floor that we have already voted on, they are bringing bills to the floor that have never had a hearing.

This rule also provides for the consideration of H.R. 4517, the U.S. Refinery

Revitalization Act. This bill was filed on June 4 and referred to the House Committee on Energy and Commerce. On June 7, the bill was promptly offered to the Subcommittee on Energy and Air Quality. Exactly one week later, it was before the Rules Committee, and today it is on the floor. No committee hearings or markup.

To his credit, the chairman of the Committee on Energy and Commerce conceded this point in the Committee on Rules last evening, going so far as to say that the ranking member's request for a hearing on the bill was reasonable.

I do not doubt that the lack of domestic refinery capacity has been discussed before in the Committee on Energy and Commerce, and I will not dispute the statistics regarding the number of refineries currently operating in the United States that are cited in the findings of this bill. However, it seems to me that there is considerable and legitimate debate over the causes for this shrinking capacity. In fact, some fuel economists argue that there are fewer refineries today because they are run more efficiently than in the past.

Now, in light of this, I think it is reasonable to allow the committees of jurisdiction to examine these issues before we rush bills to the floor that make sweeping changes to the permitting process for these facilities.

H.R. 4517 gives extraordinarily broad powers to the Secretary of Energy to grant approval for building new refineries and reactivating idle refineries. It allows the DOE to force other State and Federal agencies to make decisions within 6 months and allows the DOE to override the objections of a Governor of a State or the EPA on such projects. The bill also allows the DOE to ignore the provisions of the Clean Air Act that limit the emissions of the toxic air pollutants that refineries produce.

Mr. Speaker, H.R. 4517 is intended to streamline and expedite the permitting process for refineries, but the rule under which the bill is being considered is intended to deliberately circumvent and subvert the legislative process. That is not only unacceptable; it is appalling, and it should concern every single Member of this body regardless of his or her party affiliation.

Accordingly, I urge my colleagues to vote "no" on this rule and to put an end to this charade of bringing bills to the floor that we have either voted on before, or alternately have never been before a committee.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think probably the right thing to do is just review back to how we got to this point. Let us remind ourselves we have not had an energy policy in this country for several decades, and we need to have an energy policy. This House has passed three energy bills, and the other body has not acted on those three energy bills.

The last energy bill, however, did get to a conference where we worked out the disagreements between both of the bodies, and the ensuing conference report was then passed by this body and then went to the other body and was subject to a filibuster which, of course, is in their rules. In order to break that filibuster, it takes 60 votes. They got 58 votes. The presumption would be if they had a chance to vote up or down on the bill that perhaps they would have enough votes to pass the energy bill.

But I think it is even more instructive to go back and reflect on how we got to this point of the conference report. In the House alone in the last 3 years, we had 80 public hearings on energy policy in this country. We had 11 markups in the various committees on this energy bill. They considered 224 amendments, and we had 5 days of floor debate with 39 amendments in this body.

In the other body, there were 37 hearings, there were eight markups, and they had weeks of debate on the floor. When they finally got to conference, which of course is the final product which will develop the bill which will ultimately be the policy of this country, there were nine public hearings, there were 24 hours of debate. On a bipartisan basis, there were 10 staff meetings working out some of the details, and to say that this was not made public totally misses the point because there were 14 titles and 1,163 pages of text posted on the Web.

It is not surprising then with this background that the conference report dealing with our energy policy would pass on a bipartisan basis: 246 in this body to 180 against.

So I would just remind the gentleman from Massachusetts (Mr. McGOVERN) that there was a great deal of work that went into this. We are simply bringing the bill back again with the idea to pass an energy bill that we need, and we need it very badly. It has been reflected, of course, in the higher prices of gasoline, which, I might add, are starting to reduce because of market pressures; and I am in favor of that.

With that, Mr. Speaker, I think to set the record straight there has been a great deal of work that has gone into the original bill and into this bill. I urge my colleagues to vote for the rule and the underlying bills.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS). The Chair would remind Members to refrain from characterizations of the actions of the Senate, such as use of the term "filibuster."

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

Mr. Speaker, let me just say to the gentleman from Washington (Mr. HASTINGS) that this process is lousy. H.R. 4503, the bill the gentleman was referring to, Members on the Demo-

cratic side were not even allowed to participate in the conference where this bill was negotiated. The process here is awful, and it really is indefensible.

I also remind the gentleman from Washington (Mr. HASTINGS) that this rule is not only for the consideration of H.R. 4503, it is also for the consideration of H.R. 4517, the U.S. Refinery and Revitalization Act. There were no hearings at all in the committee of jurisdiction on that bill. There was no markup by the Members of the committee of jurisdiction on that bill.

I think we need to say something in defense of the Members, both Democrat and Republican, who are on that committee of jurisdiction that they should have an opportunity to be present at hearings and ask questions and to be able to make suggestions to make that bill better. So this process is indefensible. It is indefensible not only by the fact that people are getting locked out and bills are being rushed to the floor without hearings and without markups, but also this is bad policy. I think almost everybody knows it.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. ESHOO).

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

Mr. Speaker, we are debating an energy bill which does plenty for energy companies, but does precious little for energy consumers.

The elephant in the room is still the failure to address the 2000-2001 western energy crisis. Two weeks ago, CBS News broadcast tapes of conversations in which Enron employees bragged about stealing money from California during the energy crisis. They talked about shutting off power plants, they bragged about all of the money they stole from "those poor grandmothers in California." Some of the language was so profane it could not be broadcast. The language was shocking and the facts in the transcripts chilling. They are part of a litany of widespread market manipulation.

Today, we have the smoking gun memos in which Enron admitted how it gamed the market. We have today the transcripts of employees of Reliant Energy describing how they gamed the market. We have today 3,000 pages produced by the State of California. We have today the Department of Justice's indictments and plea agreements with many energy traders and producers. We have today even the language that FERC found "significant market manipulation."

□ 1145

What we do not have are refunds for the consumers who were gouged to the tune of \$8.9 billion and \$1.1 billion in the Pacific Northwest.

The law requires that this money be refunded, but for 4 years consumers are still waiting. For 4 years this Congress has failed to investigate, and the administration has continued to per-

petrate the myth first stated by Vice President CHENEY that "The basic problem in California was caused by Californians."

Have you listened to the tapes, Mr. Vice President? For 4 years, the administration has lectured consumers about supply and demand and free markets. Now the Enron tapes make it clear that consumers in the West were robbed.

I want to repeat that. Consumers in the West were robbed. Once again, in this bill the House is turning its back on these consumers by doing nothing to hold industry accountable, but then again we are living in an era of total unaccountability. It is a culture of unaccountability.

I urge my colleagues to oppose this bill. It is deeply flawed, and it does nothing for consumers in this country.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Florida (Mr. LINDER) from the Committee on Rules.

Mr. LINDER. Mr. Speaker, H. Res. 671 provides for the consideration of H.R. 4503 under a closed rule as well as providing for the consideration of H.R. 4717 under a closed rule. I urge my colleagues in the House to join me in supporting this rule so that the full House can proceed to consider the merits of the underlying legislative measures.

In particular, I want to urge the House to approve H.R. 4503, which is a comprehensive energy plan that focuses on developing and implementing new energy technologies, as well as increasing current energy reserves through cutting edge methods and technologies. It closely follows the text of H.R. 6, the final version which the House passed last year but which has fallen victim to a filibuster by the minority of the other body's membership.

In recent months gas prices have increased from an average of \$1.34 to over \$2 per gallon. Furthermore, the average family is paying 25 percent more for energy than they were in 1998.

We must take action, but more importantly Congress needs to take the right kind of action. Increasing the supply of energy will help bring prices down, while imposing governmental mandates and requirements will simply drive energy prices higher.

The ability of our economy to continue growing and creating jobs, as it has for the last several quarters, depends on affordable energy prices. H.R. 4503, H.R. 4517, and 2 other energy-related measures that the House will consider later today are explicitly designed to increase energy supplies, bring prices down and make the United States more energy independent.

Energy drives the American economy, and this legislation would allow us to reiterate our commitment to the economy and send the message to the American people that our consumers and businesses need a new far-sighted, free, market-oriented energy policy.

Mr. Speaker, I urge my colleagues to join me in supporting this rule so we

may proceed to debate the underlying legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS). The Chair would admonish Members to avoid improper references to the Senate.

Mr. MCGOVERN. Mr. Speaker, I yield 3½ minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, this rule is not just ineffective. It is not just inefficient. It is not just unfair. It perpetuates one of the largest frauds on consumers in American history. It aids and abets the rip-off by Enron of over \$1 billion of American consumers of electricity in the West Coast of the United States in the last 4 years.

This rule does nothing about that. This rule allows Enron to keep their billion dollars they took away from our people, and this is clear. We have heard the tapes. We have heard the Enron traders saying let us jam a million dollars here to the grandmothers of California. Let us rip off the Washington ratepayers for \$500,000. Let us stick Snohomish County for \$152 million. Let us let California burn, baby, burn. And your rule does nothing about that. This rule is in bed with Enron. It aids and abets Enron. It is written for and by Enron, and it should be rejected.

Now, we have offered an amendment that will allow ratepayers relief, give ratepayers in Snohomish County that \$122 million back, give ratepayers in California over hundreds of millions of dollars in relief back, and the Republican Party said, no, we are on the side of Enron.

Now, why did they do that? Well, this administration has not lifted a finger to help the ratepayers of the West Coast, not a finger. They have got all the efficiency of the Keystone cops and the aggressiveness of Barney Fife when it comes to enforcing the laws of this country.

In fact, when we met with the Vice President during the height of the energy crisis in 2000, we explained to the Vice President that Enron had turned off a third of the generating capacity in the West Coast and driven the prices sky high. And you know what he did? He looked at us, Members of Congress, and he said, "You know what your problem is? You just do not understand economics."

Well, we do understand economics. We just do not understand Enronomics. We do not understand why the majority party will not allow us to do anything to get relief back from the customers who are gouged by Enron. Why will not they allow this Chamber even the right to vote on the measure to recover some sense of justice? Why do they lay down with Enron? Why do they get in bed with Ken Lay? Why are you motivated to do that? We cannot understand it.

What I know is the people of my district deserve relief. They deserve a re-

fund. The Snohomish County ratepayers deserve that \$122 million back. So I want to ask my friend, the gentleman from Washington (Mr. HASTINGS), a friendly question, if I can. Today the gentleman is denying us the opportunity to get relief for ratepayers of the State of Washington and Enron.

When will the Republican Party bring to the floor of this House a measure to allow us to get refunds from Enron of the millions of dollars they stole from Washington and Oregon and California?

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I tell my friend from Washington that I am outraged as he is and other speakers have been by the revelation of the traders at Enron. No question about that. It is in black and white.

Mr. INSLEE. Reclaiming my time, if the gentleman will just kindly answer my gentlemanly question. When will you bring a bill to the House to allow a refund by Enron? Just give me an answer.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this combined rule. This rule governs debate on H.R. 4503, an energy policy bill, and on H.R. 4517, a refinery revitalization bill. Everyone is well aware that H.R. 4503 is identical to the conference version of H.R. 6, which the House already adopted in November and is pending before the Senate. So that part of this exercise is a complete waste of time.

With that said, in my view H.R. 4503 will do little if anything to achieve energy independence or enhance national security. I had and still do have extensive environmental concerns with that bill. I voted against that bill last year and I will vote against this rule and that bill again today. But I want to take this time to highlight one of the most glaring oversights of H.R. 4503, its failure to address the issue of climate change.

Last night, I brought a bipartisan amendment to the Committee on Rules with the gentlemen from the First and Eighth Districts of Maryland (Mr. GILCHREST) and (Mr. VAN HOLLEN). Our amendment would have done 2 things. First it would have required the development of a national climate change strategy with the basic goal to stabilize greenhouse gas concentrations in our atmosphere. Second, it would have established a voluntary greenhouse gas reductions registry and information system to provide data to be used by

public and private policymakers to develop effective greenhouse gas stabilization and reduction strategies. If, after 5 years, less than 60 percent of emissions were being reported to the registry, emissions reporting by large greenhouse gas producers would become mandatory.

Mr. Speaker, the facts are simple. Greenhouse gases are accumulating in the Earth's atmosphere. These accumulations are substantially caused by human activities. Temperatures are rising at the Earth's surface. All of these statements have been confirmed by our own National Academy of Sciences and by the work of thousands of international scientists and American scientists together through the Intergovernmental Panel on Climate Change. Impacts are fully observable. The time to act is now.

The amendment was really very moderate. This language was passed by the Senate by voice vote and it was included in the Senate-passed energy bill of 2002. It is a modest start, but at least it is a start. Not only was this amendment rejected, all amendments were rejected by the Committee on Rules. So this is a sham exercise and a sham debate.

I urge a no vote on the rule and a no vote on H.R. 4503 when it comes forward.

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

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

Mr. BARTON of Texas. I thank the gentleman from Washington for yielding me this time.

Mr. Speaker, I rise in support of the rule before us. There are several bills that we are going to bring up today under this rule. The first has been renumbered, but it is the comprehensive energy conference report that this body passed last November by a vote of 246-180 on a bipartisan basis. If the other body had been willing to bring that up, I feel very comfortable that it would have passed and the President would have signed it and it would be law by now. That particular bill reforms our electricity grid, it provides much needed R&D dollars for clean coal technology, provides some incentives for oil and gas development in this country, and has several provisions for renewable energy, including the President's hydrogen fuel initiative. That is a bill that has already passed this body once and hopefully if we pass it again today, the other body might be willing to bring it up and at least let there be a vote.

The second bill is the Refinery Revitalization Act. This is a piece of legislation that is needed because the number of refineries in the United States has fallen by 53 percent in the last 20 years. We are now having to import refined products. Somewhere between 5

and 10 percent of our refined products are being imported and are not being refined in the United States. This bill is in an area that has 20 percent employment higher than the national average, would have an expedited procedure coordinated by the Department of Energy, would not waive any existing environmental restrictions but would set up a coordinated effort. If you wanted to refurbish an old, shutdown refinery or modernize an existing refinery or even build a new refinery in certain brownfield areas, you would have an expedited method of doing so.

This would maintain jobs in the United States and hopefully create new jobs in the United States and also make us less dependent on imported refined products which is a growing problem for this country.

I would ask for a yes vote on both of these rules and I would also ask for a yes vote on the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, rather than have a thoughtful discussion about ways to reduce American dependency on foreign oil, this body is again recycling bad legislation, in this case a series of corporate subsidies and environmental rollbacks that indemnify companies that would poison our water, encourage the polluting of our air, and waste taxpayer dollars.

Two provisions would have the gravest of impacts upon my State. The first permits a controversial Long Island Sound energy cable, the Cross Sound Cable, to be reactivated despite having been turned off by the Secretary of Energy earlier this year. The cable is in violation of State and Federal environmental permits. The bill disregards pending litigation by the Connecticut Attorney General and stifles the regulatory authority of Connecticut and the Army Corps of Engineers, who share jurisdiction over the installation of such transmission cables.

□ 1200

This bill would also sound a death knell for States' abilities to regulate the siting of natural gas pipelines by eliminating the ability of State environmental departments to prevent the damaging environmental effects of pipeline siting. It would grant FERC, the Federal Energy Regulatory Commission, the sole authority to make these decisions. Remember, FERC is charged with protecting consumers; but as the people in California and the Pacific Northwest know very well, they abdicated that responsibility in support of the industry. They gave the industry every break and not one for the consumer.

If we grant FERC this authority, it paves the way for the construction of Islander East, the gas pipeline, across the Long Island Sound, stretching from Branford, Connecticut, to Shoreham, New York. The results will be that Is-

lander East, that pipeline, would be installed over and above the objections of the Army Corps of Engineers and the Connecticut Department of Environmental Protection.

This is a slippery slope, Mr. Speaker, I will tell the Members, because this will run roughshod over State authority. These provisions disregard the needs of Connecticut's economy, its environment, and the voices of millions of Connecticut citizens who will be directly affected by these provisions. By not even allowing for the amendments to address these concerns, the leadership insisted once again that it is they and not the Connecticut citizens, who are elected officials, who know what is best for our State.

The Republican leadership does not know what is best for the State of Connecticut. If we want to reduce dependence on foreign oil, if we are serious about saving taxpayers' money, we should have a real debate in this body, if we are serious about what constitutes good energy policy instead of more corporate giveaways like this in this bill.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, we need a comprehensive national energy bill to reduce our dangerous dependence on foreign oil by investing in cleaner, safer ways to power America. The bill attached to this rule absolutely fails to reduce our growing demand for oil and will only increase our vulnerability by making us more dependent on foreign oil in the future.

We need an energy policy that restores electric system reliability; keeps consumers' energy bills affordable; promotes energy conservation; provides more power from clean, renewable sources; and tackles global warming. Again, this bill fails miserably on every count.

This energy bill is the most anti-consumer, anti-environment, pro-polluter, pro-corporate welfare legislation that I have seen in the 12 years that I have served in this House. It could cost consumers as much as \$136 billion in subsidies to polluting industries and corporate handouts. The bill rewards energy companies with billions in subsidies while sticking taxpayers with the bill and the pollution and the bill for that pollution, which right now comes to about \$167 billion in monetized health care costs cross the country.

It eliminates consumer protections and subsidizes the construction of new nuclear power plants that most people do not want. The bill fails to take any step whatsoever to require that the Nation reduce its dependence on oil or improve the fuel economy of our cars, trucks, and SUVs. The conference even removed the Senate-passed provision to reduce U.S. energy demands by 1 billion barrels a daily.

It nullifies lawsuits by cities, States, and others filed on or after September 5, 2003, seeking compensation for contamination of groundwater by MTBE, which is a very heavily suspected carcinogen. This forces State and local communities to pay the cost that was originated by the polluters. And then the bill provides 2 billion in taxpayer dollars for these MTBE manufacturing companies to transition themselves into a new line of work, more corporate welfare.

It violates the "polluter pays" principle by forcing taxpayers, rather than polluters, to pay for the cleanup of contamination from leaking underground storage tanks. Taxpayers, rather than polluters, will pay another \$2 billion to compensate the polluters rather than having them to pay the bill. The bill does nothing to address the serious damage caused by global warming. It dramatically increases air pollution and global warming with huge new incentives for burning fossil fuels. It allows more smog pollution for longer than the current Clean Air Act currently authorizes. This means more kids and others breathing dirty air for longer periods of time, more cases of asthma, more public health problems.

It undermines the Clean Water Act. It threatens drinking water supplies, public health, and the environment by exempting hydraulic fracturing, a drilling technique which injects chemicals into the groundwater.

This is an absolutely atrocious presentation. The rule should be defeated, and the bill should be defeated.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I am certain that the people watching the floor today are feeling like they are having *deja vu* all over again; and, yes, they are right. We did do this before; and, no, there is nothing new here.

What we should be talking about is renewable energy. We should be talking about decreasing our dependence on foreign oil. We should be talking about ensuring that catastrophes like Enron's cheating the west coast out of billions of dollars never happen again. We should be talking about improving our electrical transmission lines so that the blackouts we experienced last summer do not happen again this summer.

We should be talking about how to make our buildings more energy efficient, and we should be talking about the high price of gas and how to bring relief to the American people.

Instead, we are talking about the same flawed energy bill that has already passed the House. That bill was not good the first time, and it is not good this time. This is the exact same energy bill that allows companies to pollute our air and contaminate our water while giving huge tax incentives to big oil and gas companies, the same companies that are today gouging the American people with high gas prices at the pumps.

Mr. Speaker, enough is enough. I urge my colleagues to join me in opposing this rule and these bills and to get on with the work of a real energy policy, one that will bring us independence from foreign fuels; one that will protect our environment and ensure that we are no longer depending on fossil fuels.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I rise again to support comprehensive energy legislation.

I think it is ironic that we are having to do this for the third time when gas prices are at historic high levels in our country; and I do not know what message it will give to two thirds of the Senate to say we need a national energy, one that applies for more energy, domestic sources of energy.

I know we need more energy, whether it be from crude oil for our gasoline in our cars. We need lower natural gas prices. We have some of the highest in the world. And yet we still have people in this country who do not want to produce in our own Nation.

The nation of Cuba can drill 60 miles off Key West, and yet the Governor of Florida does not want American companies drilling with zero emission platforms 100 miles away. Obviously ANWR is an issue. We need to drill domestically and produce it, and that way we will not become dependent on foreign oil.

I support passing this bill, again, Mr. Speaker; and I would hope that the bipartisan majority of the House would support it also.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would remind Members it is inappropriate to urge action on the part of the Senate.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

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

Mr. Speaker, this House is becoming a place where the rules are constantly being broken and a place where the process is constantly being ignored. No hearings, no markups, no amendments made in order. How cynical on an issue so important.

We need an energy policy in this country, Mr. Speaker. But this is not it. What we are being presented with today really is a giveaway to big campaign contributors. This bill does nothing to lower gas prices. This bill does nothing to have us become less dependent on foreign oil. It does nothing to support, in a meaningful way, renewable energy sources.

This bill is having a tough time for all the right reasons, because it is a bad bill. And rather than trying to fix it and rather than trying to negotiate with the other body, here we are again going through the same old routine.

Mr. Speaker, it is not just people like me who have problems with this bill.

Let me read just a section from a letter signed by the president of Taxpayers for Common Sense Action, the president of the Council for Citizens against Government Waste, the President of the National Taxpayers Union, the president of the Americans for Tax Reform, and the president of the American Conservative Union. They recently sent all of us a letter. Let me just quote from one paragraph.

They say: "There is too much waste to describe in one letter," contained in this bill. "Suffice it to say, the energy bill touches everyone and everything, from giving billions to ethanol producers to 'green' bonds for shopping malls, from billions to the nuclear and coal industries to billions in loan guarantees for an Alaska natural gas pipeline. There are also millions for various pet projects at colleges across this country. The oil and gas industry alone reaps more than a quarter of the bill's funding."

Mr. Speaker, I could go on and on, and I will insert this letter in the RECORD.

Mr. Speaker, we could do so much better, and I would urge my colleagues on both sides of the aisle to reject this rule, to force the committees of jurisdiction to do their job, to go back and meet again and to come up with an energy bill that we all can be proud of.

DECEMBER 1, 2003.

POP THE BALLOONING ENERGY BILL

DEAR SENATOR: On behalf of our members, the undersigned groups urge you to oppose H.R. 6, the so-called "Energy Policy Act of 2003." We are concerned that at every opportunity the energy bill has been larded up with more and more waste and inappropriate taxpayer-funded subsidies. Between initial passage on the floor of the House of Representatives and the bill's emergence from the sequestered conference committee, the bill's price tag ballooned from \$46 billion to over \$72 billion in authorized spending. That is a 50% increase in authorized spending in just a few months. Our organizations will strongly consider including votes on this bill in our end-of-the-year scorecards.

H.R. 6 is chock full of subsidies, pork barrel projects, and unnecessary spending that have little, if anything, to do with our nation's energy needs. Even supporters of the legislation have admitted that it is not real comprehensive energy policy, but merely a goodie bag of various projects and policies. The Wall Street Journal called this bill "one of the great logrolling exercises in recent Congressional history" and that to get the bill through, leadership has "greased more wheels than a Nascar pit crew." The Washington Post also editorialized against the bill, calling on lawmakers to "make sure the bill doesn't become law." We echo that sentiment.

There is too much waste to describe in one letter. Suffice it to say, the energy bill touches everyone and everything, from giving billions to ethanol producers to "green" bonds for shopping malls, from billions to the nuclear and coal industries to billion in loan guarantees for an Alaska natural gas pipeline. There are also millions for various pet projects at colleges across the country. The oil and gas industry alone reaps more than a quarter of the bill's funding.

Again, we urge you to oppose H.R. 6 and we will strongly consider including votes on this wasteful legislation in our organizations'

end-of-year scorecards. We would be happy to discuss these issues with you further. Please contact Aileen Roder at Taxpayers for Common Sense Action at (202) 546-8500 x130 or aileen@taxpayer.net with questions or comments.

Sincerely,

JILL LANCELOT,  
President, Taxpayers  
for Common Sense  
Action.

TOM SCHATZ,  
President, Council for  
Citizens against  
Government Waste.

JOHN BERTHOUD,  
President, National  
Taxpayers Union.

GROVER G. NORQUIST,  
President, Americans  
for Tax Reform.

RICHARD LESSNER, Ph.D.,  
Executive Director,  
American Conserv-  
ative Union.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to comment on the revelations that came to light last week regarding the tapes on the Enron traders. As I started to say earlier, that is pretty black and white, and it is bad. There is absolutely no question about that. And FERC is responsible for that. FERC has been working on this for some time. They have been. I think, frankly, they have been moving rather slowly. But now that this new information is out, I think FERC has to move much more quickly on this issue because there is an awful lot at stake for the rate payers in the western part of my State and certainly in my State and, indeed, the whole northwest. So I share concerns with my colleagues on the west coast that FERC needs to act immediately, and I hope that they would.

I might also add that since these revelations came to light last week about the trading, the Department of Justice has now weighed in, as they properly should. So we will get to the bottom about this. I do not think there is any question about that. But there is no way that anybody in this body can condone what we heard that was made public with those tapes.

So with that, getting back to the business at hand, I urge my colleagues to support the rule and the underlying bills.

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. MCGOVERN. Mr. Speaker, I object to the vote on the grounds 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 clauses 8 and 9 of rule XX, this 15-minute vote on ordering the previous question on H. Res. 671 will be followed by 5-minute votes, as ordered, on adopting H. Res. 671; ordering the previous question on H. Res. 672; and adopting H. Res. 672.

The vote was taken by electronic device, and there were—yeas 218, nays 197, not voting 18, as follows:

[Roll No. 236]

#### YEAS—218

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

#### NAYS—197

Abercrombie	Baca	Berkley
Ackerman	Baird	Berman
Alexander	Baldwin	Berry
Allen	Becerra	Bishop (GA)
Andrews	Bell	Bishop (NY)

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

#### NOT VOTING—18

Bishop (UT)	Collins	Millender-
Brown-Waite,	DeMint	McDonald
Ginny	Deutsch	Olver
Burton (IN)	Diaz-Balart, M.	Pascrell
Cardoza	Ehlers	Terry
Carson (IN)	Carson	Watson
Carson (OK)	Lampson	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1237

Messrs. POMEROY, DAVIS of Illinois, BRADY of Pennsylvania, BACA, DAVIS of Tennessee, ACKERMAN, GORDON, WEINER, SHAYS, and RANGEL, and Mrs. NAPOLITANO and Ms. KAPTUR changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 193, not voting 15, as follows:

[Roll No. 237]

#### AYES—225

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

#### NOES—193

Abercrombie	Baldwin	Bishop (NY)
Ackerman	Becerra	Blumenauer
Alexander	Bell	Boswell
Allen	Berkley	Boucher
Andrews	Berman	Boyd
Baca	Berry	Brady (PA)
Baird	Bishop (GA)	Brown (OH)

Brown, Corrine  
Capps  
Capuano  
Cardin  
Cardoza  
Case  
Castle  
Chandler  
Clay  
Clyburn  
Conyers  
Cooper  
Costello  
Cramer  
Crowley  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doyle  
Edwards  
Emanuel  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Ford  
Frank (MA)  
Frost  
Gephardt  
Gordon  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hersteth  
Hill  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hoyer

## NOT VOTING—15

Brown-Waite,  
Ginny  
Burton (IN)  
Carson (IN)  
Carson (OK)  
Collins

DeMint  
Deutsch  
Ehlers  
John  
Lampson

Millender-  
McDonald  
Pascarell  
Turner (TX)  
Waters  
Watson

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1246

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.

# PROVIDING FOR CONSIDERATION OF H.R. 4513, RENEWABLE ENERGY PROJECT SITING IMPROVEMENT ACT OF 2004, AND H.R. 4529, ARCTIC COASTAL PLAIN SURFACE MINING IMPROVEMENT ACT OF 2004

The SPEAKER pro tempore. The pending business is the question on ordering the previous question on House Resolution 672 on which further proceedings were postponed earlier today.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 198, not voting 14, as follows:

[Roll No. 238]  
YEAS—221

Aderholt  
Akin  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bereuter  
Biggert  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Burgess  
Burns  
Burr  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Carter  
Castle  
Chabot  
Chocola  
Coble  
Cole  
Cox  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Dreier  
Duncan  
Dunn  
Emerson  
English  
Everett  
Feeney  
Ferguson  
Flake  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey

Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (WI)  
Greenwood  
Gutknecht  
Hall  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hyde  
Isakson  
Issa  
Istook  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Keller  
Kelly  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Latham  
LaTourette  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Manzullo  
McCotter  
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

## NAYS—198

Abercrombie  
Alexander  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Beckerra  
Bell  
Berkley

Cooper  
Costello  
Cramer  
Crowley  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doyle  
Edwards  
Emanuel  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Ford  
Frank (MA)  
Frost  
Gephardt  
Gonzalez  
Gordon  
Green (TX)  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hersteth  
Hill  
Hinchey  
Hinojosa  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hoyer

## NOT VOTING—14

Ackerman  
Brown-Waite,  
Ginny  
Burton (IN)  
Carson (IN)  
Carson (OK)

Collins  
DeMint  
Deutsch  
Ehlers  
Lampson

Peterson (MN)  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Sherman  
Matheson  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Solis  
McDermott  
McGovern  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Pallone  
Pastor  
Payne  
Pelosi

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON)(during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1256

So the previous question was ordered.  
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

## RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 193, not voting 14, as follows:

Brown, Corrine  
Capps  
Capuano  
Cardin  
Cardoza  
Case  
Chandler  
Clay  
Clyburn  
Conyers