The SPEAKER pro tempore. The question is on the passage of the bill 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 229, nays 186, not voting 18, as follows:

[Roll No. 242]

YEAS-229

Garrett (NJ) Abercrombie Nunes Aderholt Gibbons Nussle Gillmor Akin Ortiz Alexander Gingrey Osborne Bachus Gonzalez Ose Baker Goode Otter Goodlatte Ballenger Oxlev Barrett (SC) Goss Paul Bartlett (MD) Granger Pearce Barton (TX) Graves Pence Green (TX) Peterson (MN) Bass Beauprez Green (WI) Peterson (PA) Bereuter Greenwood Petri Gutknecht Pickering Berry Biggert Pitts Platts Hall Harris Bilirakis Bishop (GA) Hart Pombo Bishop (UT) Hastings (WA) Porter Blackburn Haves Portman Blunt Hayworth Pryce (OH) Hefley Hensarling Boehner Putnam Bonilla Quinn Radanovich Bonner Herger Bono Hinojosa Regula Boozman Hobson Rehberg Hoekstra Boswell Renzi Boyd Hostettler Reyes Bradley (NH) Houghton Reynolds Hulshof Brady (TX) Rodriguez Brown (SC) Hunter Rogers (AL) Brown-Waite, Rogers (KY) Hvde Isakson Ginny Rogers (MI) Burgess Tssa. Rohrabacher Istook Burns Ross Burr Jackson-Lee Royce Burton (IN) (TX) Rush Ryan (WI) Buyer Jenkins Calvert Ryun (KS) John Johnson Sam Camp Sandlin Cannon Jones (NC) Schrock Cantor Keller Sensenbrenner Kennedy (MN) Capito Sessions Carter King (IA) Shadegg Chabot King (NY) Shaw Chocola Kingston Sherwood Coble Kline Shimkus Cole Knollenberg Shuster Cox Kolbe Simpson LaHood Smith (MI) Cramer Crane Lampson Smith (TX) Crenshaw Souder Latham Cubin LaTourette Stearns Culberson Leach Stenholm Lewis (CA) Sullivan Cunningham Davis (AL) Lewis (KY) Sweeney Davis, Jo Ann Davis, Tom Linder Tancredo Lucas (KY) Taylor (NC) Deal (GA) Lucas (OK) Terry DeLav Manzullo Thomas Diaz-Balart, M. Marshall Thornberry Dooley (CA) McCotter Tiberi Doolittle McCrery Towns Dreier McHugh Turner (OH) Duncan McInnis Upton Dunn McKeon Vitter Walden (OR) Edwards Mica Miller (FL) Emerson Walsh English Miller (MI) Wamp Weldon (FL) Evans Miller, Gary Everett Moran (KS) Weller Whitfield Feeney Murphy Musgrave Wicker Wilson (NM) Foley Myrick Nethercutt Wilson (SC) Forbes Fossella Neugebauer Wvnn Franks (AZ) Young (AK) Nev Northup Young (FL) Gallegly

NAYS—186

Berman Bishop (NY) Ackerman Capps Allen Capuano Andrews Blumenauer Cardin Baca Boehlert Cardoza Baird Boucher Case Brady (PA) Castle Baldwin Recerra Brown (OH) Chandler Brown, Corrine Berkley Clay

Kaptur Clyburn Pomeroy Conyers Kelly Price (NC) Cooper Kennedy (RI) Rahall Costello Kildee Ramstad Kilpatrick Crowley Rangel Davis (CA) Kind Rothman Davis (FL) Kirk Roybal-Allard Davis (IL) Kleczka Ruppersberger Davis (TN) Kucinich Rvan (OH) DeFazio Langevin Sabo DeGette Lantos Sánchez, Linda Larsen (WA) Delahunt Т. DeLauro Larson (CT) Sanders Dicks Lee Saxton Dingell Levin Schakowsky Lewis (GA) Doggett Schiff Doyle Lipinski Scott (GA) Emanuel LoBiondo Scott (VA) Engel Lofgren Serrano Eshoo Shays Etheridge Lynch Sherman Majette Farr Fattah Maloney Simmons Skelton Ferguson Markey Filner Matheson Slaughter Matsui McCarthy (MO) Ford Smith (NJ) Frank (MA) Smith (WA) Frelinghuysen McCarthy (NY) Snyder Frost McCollum Solis Gephardt McDermott Spratt McGovernGerlach Stark McIntyre Gilchrest Strickland McNulty Gordon Stupak Grijalva Meehan Tanner Gutierrez Meek (FL) Tauscher Meeks (NY) Harman Taylor (MS) Hastings (FL) Menendez Thompson (CA) Herseth Michaud Thompson (MS) Hill Miller (NC) Tierney Turner (TX) Miller, George Hinchey Hoeffel Mollohan Udall (CO) Holden Moore Udall (NM) Moran (VA) Holt Van Hollen Honda Murtha Velázquez Hooley (OR) Nadler Visclosky Napolitano Hoyer Waters Inslee Neal (MA) Watt Israel Oberstar Waxman Jackson (IL) Obey Weiner Jefferson Olver Johnson (CT) Weldon (PA) Owens Johnson (IL) Pallone Wexler Wolf Johnson, E. B. Pastor Jones (OH) Payne Woolsev Kanjorski Pelosi Wu

NOT VOTING-18

Bell	Diaz-Balart, L.	Sanchez, Loretta
Carson (IN)	Ehlers	Tauzin
Carson (OK)	Millender-	Tiahrt
Collins	McDonald	Toomev
Cummings	Norwood	Watson
DeMint	Pascrell	11 000011
Deutsch	Ros-Lehtinen	

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

□ 1632

So the bill is passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, I was not present for rollcall vote 236, a vote on the previous question on H. Res. 671; rollcall vote 237, H. Res. 671 a rule to provide for consideration of the Energy Policy Act (H.R. 4503) and the United States Refinery Revitalization Act (H.R. 4517); rollcall vote 238, a vote on the previous question; rollcall vote 239, H. Res. 672 a rule providing for the consideration of Environmental Review for Renewable Energy Project (H.R. 4513) and Arctic Coastal Plain and Surface Mining Improvement Act (H.R. 4529); rollcall vote 240, a motion to recommit the Energy Policy Act (H.R. 4503);

rollcall vote 241, final passage of the Energy Policy Act (H.R. 4503) and rollcall vote 242, final passage of Renewable Energy Project Siting Improvement (H.R. 4513).

Had I been present, I would have voted "yea" for rollcall votes 236, 237, 238, 239, 241, and 242. I would have voted "nay" on rollcall vote 240.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the chamber today during rollcall votes No. 236, No. 237, No. 238, No. 239, No. 240, No. 241, and No. 242.

Had I been present, I would voted "Aye" on No. 240, and "Nay" on No. 236, No. 237, No. 238, No. 239, No. 241, and No. 242.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

□ 1630

COMMUNICATION FROM THE HON-ORABLE WALLY HERGER, MEM-BER OF CONGRESS

The SPEAKER pro tempore (Mrs. BIGGERT) laid before the House the following communication from the Honorable Wally Herger, Member of Congress:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES, Washington, DC, June 15, 2004.

Hon. J. Dennis Hastert,

Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Trinity County Superior Court.

After consultation with the Office of General Counsel, I have determined that partial compliance is consistent with the privileges and precedents of the House.

Sincerely,

WALLY HERGER
Member of Congress

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will postpone further proceedings today on the additional motion 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

Any record vote on the postponed question will be taken tomorrow.

THE GASOLINE PRICE REDUCTION ACT OF 2004

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4545) to amend the Clean Air Act to reduce the proliferation of boutique fuels, and for other purposes.

The Clerk read as follows: H.R. 4545

Be it enacted by the Senate and House of Renresentatives of the United States of America in Congress assembled

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Gasoline Price Reduction Act of 2004".

SEC. 2. WAIVER OF FUEL PROVISIONS IN CASE OF FUEL SUPPLY DISRUPTION.

Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended by adding the following at the end thereof: "The Administrator may waive the provisions of any applicable implementation plan approved under this subparagraph with respect to a fuel or fuel additive if the Administrator, in consultation with the Secretary of Energy, determines that such waiver is necessary by reason of a significant fuel supply disruption in any area subject to such plan. Such waiver shall remain in effect in the area concerned for such period as the Administrator, in consultation with the Secretary of Energy, deems necessary by reason of such fuel supply disruption. No State or person shall be subject to an enforcement action, penalties, or liability solely arising from actions taken pursuant to the issuance of a waiver under this section."

SEC. 3. CAP AND REDUCTION OF BOUTIQUE FUELS.

(a) EPA APPROVAL OF STATE PLANS WITH BOUTIQUE FUELS.—Section 211(c)(4) of the Clean Air Act (42 U.S.C. 7545(c)(4)) is amended by adding the following at the end there-

"(D) In the case of gasoline, after the enactment of this subparagraph, the Administrator may give a preference to the approval of State implementation plan provisions described in subparagraph (C) if the control or prohibition in such provisions requires the use of either of the following:

"(i) Reformulated gasoline as defined in subsection (k).

"(ii) Gasoline having a Reid Vapor Pressure of 7.0 or 7.8 pounds per square inch (psi) for the high ozone season (as determined by the Administrator).

The Administrator shall have no authority, when considering State implementation plan revisions under subparagraph (C), to approve any fuel or fuel additive if the effect of such approval would be to increase the total number of fuels and fuel additives approved in all State implementation plans nationwide prior to June 1, 2004.".

(b) CROSS REFERENCE.—Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended by adding the following at the end thereof: "After the date of enactment of subparagraph (D) of this paragraph, any State implementation plan revision under this subparagraph involving gasoline shall be considered only pursuant to both this subparagraph and subparagraph (D)."

(c) STUDY.—The Administrator of the Environmental Protection Agency, in cooperation with the Secretary of Energy, shall undertake a study of the effects on air quality, on the number of fuel blends, on fuel availability, and on fuel costs of the State plan provisions adopted pursuant to section 211(c)(4)(D) of the Clean Air Act. In carrying out such study, the Administrator shall obtain comments from affected parties. The Administrator shall submit the results of such study to the Congress not later than 18 months after the enactment of this Act. together with any recommended legislative changes to the list of fuels in section 211(c)(4)(D), which, if expanded, shall not exceed 10 fuels.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Maine (Mr. ALLEN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. BARTON of Texas. Madam 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 Texas?

There was no objection.

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

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

Mr. BARTON of Texas. Madam speaker, I rise in support of H.R. 4545, the Gasoline Price Reduction Act of 2004. This bill cosponsored by the gentleman from Missouri (Mr. BLUNT) and the gentleman from Wisconsin (Mr. RYAN) has three distinct provisions. One, it expressly gives the Administrator of the EPA, or the Environmental Protection Agency, in consultation with the Secretary of Energy, waiver authority with respect to fuels and fuel additives requirements in State implementation plans in the event of a significant fuel supply disruption.

The second section of the bill would give the Administrator of the EPA a preference as to which of three types of fuel could be required when considering approval of State implementation plans, while at the same time capping the total number of fuels or fuel additives at the nationwide number in existence as of June 1, 2004, and I believe that number is 48.

The third thing the bill would do would be to require the administrator of the EPA, again in cooperation with the Secretary of Energy, to undertake a study to determine the effect of State plan provisions on air quality, on the number of fuel blends, on fuel availability and on fuel costs. The results of this study are to be reported to the Congress within 18 months after enactment, with recommendations on legislative changes to the list of preferred fuels which, if expanded, shall not exceed 10 fuels.

Over time, we have specialized our fuels in nonattainment areas in different regions of the country to the point that every talking head on every news show speaks of the Balkanization of the fuel supply; the dividing of our fuel blends into smaller and smaller groupings.

This bill will not provide overnight relief, but it would represent a good start to limiting the proliferation of fuels so numerous that it takes a hightech society just to keep up with them.

I would urge the passage of this important legislation, H.R. 4545, the Gasoline Price Reduction Act of 2004.

Madam Speaker, I ask unanimous consent that the gentleman from Missouri (Mr. Blunt), the primary author of the bill, the majority whip, a member of the Committee on Energy and Commerce on leave, be able to control the balance of the time that I normally would control.

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

There was no objection.

Mr. BLUNT. Madam Speaker, I vield myself such time as I may consume.

I thank the chairman for yielding and look forward to the discussion of this bill with my friends and others on the floor.

Mr. Speaker, this is Energy Week. and I think most American families can tell us that what they really want to see is some common sense at the gas pump. Every summer we see wild spikes in the prices of gasoline at stations nationwide. This summer is one of the worst on record. Prices in some areas are peaking at \$3.11 per gallon, according to my California colleagues.

Communities across the country can use close to 45 different blends of gasoline. These so-called specialty boutique fuels are specially formulated as these fuel requirements are necessary to meet air quality standards in certain areas. To make matters even worse, even more special blends of these special blends are often required, depending upon the season.

When supply cannot meet demand for one of these boutique blends, prices spike, sometimes overnight, and families and commerce suffers. States use numerous blends and grades of fuel to meet clean air standards. This approach results in islands within our country that use a gasoline used by no other community. These areas prohibit other blends of gasoline, even in times of shortage. In other words, if they run low they cannot run next door to borrow a little fuel that is easily available somewhere else. Instead, consumers see tight supply and rising prices.

Mr. Speaker, in my home State of Missouri, a person can fill their gas tank in Springfield, where I am from, and drive 3½ hours to St. Louis. When they get there they would be filling their tank up again, but probably after they have burned all the gas that they bought somewhere else in that community. They would buy a different type of gasoline, but if St. Louis ever runs short of gasoline, they cannot go just right across the river to East St. Louis, Illinois. They cannot use the gasoline that is available 25 miles from downtown, outside of that attainment area, but of course the people that buy gas in those places can drive to St. Louis eas-

The essential Balkanization of the country in terms of fuel prices just does not make any sense. So the gentleman from Wisconsin (Mr. RYAN) and others and I have introduced the Gasoline Price Reduction Act to do something about this. Our legislation would

assure a more reliable supply of gas nationwide.

Essentially, we do four things. One is we create a waiver system if the refinery that serves a community for some reason is not able to produce gasoline.

We cap the current number of fuel blends at a number around 45, and I say around 45 because there are so many blends out there one of the things we need to do is figure out exactly how many blends there are today and cap that number at that rate.

We also encourage EPA to come up with three recommended blends that they would use in the country and, in the meantime, to have a study that would really determine the number of fuel blends that could be made available in a more efficient market, in a more efficient way.

I hope our colleagues join us today, not only in the healthy discussion of this bill but also as we move to pass this legislation.

Madam Speaker, I need to go off the floor for a second, and I ask unanimous consent that the gentleman from Wisconsin (Mr. RYAN) be allowed to manage my time.

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

There was no objection.

Mr. ALLEN. Madam Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Madam Speaker, if we had a rule prohibiting false or misleading short titles on legislation, I would offer a point of order that the Gasoline Price Reduction Act being brought before the body today is a blatant violation of honesty and presentation of legislation because the bill does absolutely nothing to deal with the real causes of the increase in the price of gasoline at the pump.

With this bill the Republicans have identified a problem. Gas prices are too high. The consumers are paying an arm for regular. They are paying a leg for plus, and for their first born they get premium.

We need to do something, says the Republicans. The Democrats agree, but the Republicans have offered up a false solution. They say, let us waive the Clean Air Act. We have 24 million Americans with asthma. We have 8 million children in America with asthma. Is the solution to high gasoline prices waiving the Clean Air Act?

We have a dramatic rise in breast cancer, in prostate cancer in America, much of it environmentally related, what we breathe in the air, but what is the Republican solution to that? They say, well, let us regulate softly and carry a big inhaler. That is the message to the children of our country.

So what is the problem? Well, the Saudi Arabians, of course, took about 1 million barrels of oil off the market a year ago, and we heard just a little whisper from this White House that the Saudi Arabians were playing games with the oil prices in our country. The

GAO actually did a study a year ago that indicated that all the oil company mergers in the 1990s led to a dramatic increase in gasoline prices.

Are they investigating all these oil company mergers in America? Are they investigating what the Saudi Arabians are doing? Have we seen those hearings? No. Their answer is that it is the clean air that children are breathing in the United States that is the problem.

We hear the complaints from the Republican Party, the air is too clean, the water in America is getting too clean: that is the problem, not what is going on in OPEC, not what is going on with the oil companies. What is their solution? Their solution is whenever there is a significant fuel supply disruption that the Environmental Protection Agency and the Bush administration, every polluter's ally EPA, is able to waive the Clean Air Act requirements to protect the children's air in America. That is what this bill is, the Gasoline Price Reduction Act. The Increase in Pollution Children Breathe Act is what it really is.

Now, we say to the Republicans, we say to the White House, will you please deploy the Strategic Petroleum Reserve of 600 million gallons that the American people have purchased as a weapon against price gouging by the oil companies and by OPEC? They say, oh, no, that would be a disruption in the free market if we actually use the oil in the Strategic Petroleum Reserve to drive down prices.

□ 1645

Their answer is to increase pollution in the air that the children breathe, that the seniors breathe in our country. That is what this bill is all about.

And how long will the EPA have to keep this reduction in clean air protections on the books? Forever, indefinite. So we could have the worst possible supply disruption, and this administration says it will never deploy the Strategic Petroleum Reserve, but will immediately take the Clean Air Act off the books.

So the language is actually whenever the EPA, in consultation with the Secretary of Energy, deems necessary by reason of such fuel supply disruption. So GOP, it used to stand for Grand Old Party, now it stands for Gas and Oil Party, now it stands for Gang of Polluters. Their solution to high gasoline prices is to pollute, not to go to OPEC, not to go to the oil companies. It is to pollute.

This bill is absolutely atrocious. I beg Members, please do not be misled. This bill is nothing more than something that will result in more and more children in our country needing inhalers. Members should not vote for it. There is a direct correlation between the amount of pollution that goes in the air and the amount of disease we see in our country. We do not have to find this false solution to deal with the problem when it is so obvious what is going wrong in the oil markets, our OPEC allies.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

That was a very interesting speech. I do not think the speech really applied to the bill we have on the floor, though. I would first mention that this waiver authority is nothing different than the current waiver authority the EPA has. Last year when we had a pipeline break in Arizona when they could not get a lot of gasoline, the EPA waived certain parts of the Clean Air Act so they could get gas supplies to meet the demand that was occurring because they had a huge supply shock.

Now, I would like to set this issue up in the following way. What this bill does is recognize the fact that we can have cheap gas and clean gas in America. The goal here is to improve the Clean Air Act, make it function better and make our gas more affordable while maintaining every ounce of environmental standards that we already have on the books. This bill will help make it easier to meet the Clean Air Act, but let me put this issue in perspective.

When we started the Clean Air Act, we had a good idea. The idea in the Clean Air Act at the time was if your area has dirty air, you need to clean it up. One of the things you need to do is burn cleaner gasoline through your cars. A very good idea. The problem is when they wrote this law, they did not think of the fact that if they allow cities, counties, States to select their own kinds of gasoline, that they would cause this huge problem we have today. Here is the problem.

Please, Madam Speaker, look at this chart. What this chart shows is the map of America. It looks like a piece of modern art. It shows all of the different blends of gasoline that are required to occur in the summer in America. There are 16 different base blends of gasoline which translate today into 45 different fuels in America.

However, we have a pipeline and refinery infrastructure system in America that has not been upgraded since the 1970s. No new refineries have been built since 1976, and when we built that system we had one kind of gasoline flowing through America. Now because of the Clean Air Act, a very good law, but one that does not take into account this problem, when we go from winter-blend gasoline, which is basically conventional gas, to summerblend gasoline, we move from one kind of gas to 45 different blends of gasoline required around America.

When we have our refinery capacity running at 96 percent, any little hiccup in supply, any little refinery fire that has happened all across America, a problem with the pipeline breaking like in St. Louis or Arizona, we have huge supply shortages and giant price spikes. What is more is all of these different blends of gasoline, we can have four different blends by going from Green Bay, Wisconsin, to St. Louis,

Missouri. In Green Bay, they may have conventional gas; in Kenosha, they may have reformulated gas. Springfield, Illinois, may have a low RVP conventional gas. East St. Louis may have 7.0 RVP. Across the river in West St. Louis, they may have 7.2 RVP.

The problem is these gas lines are not fungible, even though in Detroit and Chicago and Milwaukee and St. Louis and Kansas City and Minneapolis we have the same environmental requirements. They are out of compliance with the Clean Air Act. They have the same requirements with respect to the fuel standards they have to achieve, but they all have different blends of gasoline, proprietary blends of gasoline.

What we want to do is bring common sense to this system. What this legislation does is it simply says we are going to have now a preferred list of fuels that people can choose from, local governments can choose from when they select their new gasoline blends to come into compliance with the Clean Air Act. We are capping the amount of boutique fuels so we do not proliferate more blends, but especially now when we go to the new 8-hour ozone requirement and we now recognize the fact that we have 42 areas of America, as we see on this chart, which have 45 different fuel blends, we are adding 82 new areas of America this year that are going to be out of compliance with the Clean Air Act because of the new 8hour ozone standard.

As we add these new 82 areas, do we want to have that many more different kinds of fuel in America? No, we simply want to bring some common sense to the system so that when all these new areas of America have to come into compliance with the Clean Air Act, we want to give them guidance so they can pick from a list of preferred clean blends of fuel that are compliant with the Clean Air Act that are standard blends of fuel so we can standardize not only the kinds of fuels we use in America, but stabilize our supply of gasoline in America.

Why does that matter? Because gas is priced like any other commodity. It is priced based upon its supply. If we can stabilize the supply of gas, we can stabilize the price of gasoline and bring down the price of gasoline.

What the intent of this legislation is to do is to make sure in the short term if we have huge supply problems, a refinery fire or a pipeline break, we have the authority to meet those supply problems; but in the medium term and long term, make sure we standardize our blends of gasoline so we can comply with the Clean Air Act and have inexpensive, affordable, clean-burning gasoline.

What I believe this bill will actually achieve at the end of the day will be less expensive and more clean gas around America, even in areas that do not have to have clean gasoline. I think this is going to help us clean up our air, and it is going to help us have affordable gasoline.

Madam Speaker, I reserve the balance of my time.

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

First, perhaps not in the dramatic fashion of the gentleman from Massachusetts (Mr. Markey), but I do want to point out that this is probably the finest title I have seen to a bill in a very long time, the Gasoline Price Reduction Act. That is a marvelous title. If it did not have any text, I would vote for it. If we changed the text so it actually reduced gasoline prices, I would vote for it, and so would my colleagues on this side; but that is not the case.

Let me begin with a couple of responses to the gentleman from Wisconsin (Mr. RYAN). He said this legislation is not different from the current waiver authority of the EPA. We disagree entirely. It is true there are occasions when EPA has not enforced what would otherwise be violations of the Clean Air Act, but that is enforcement discretion. What this legislation does is it puts into legislation language unlimited waiver authority for the EPA administrator.

Let me go through a couple of other points here. Part of the problem with this bill is process. This bill was never considered by the Committee on Energy and Commerce. I got onto the Committee on Energy and Commerce so we could deal with these important types of energy and environmental issues, but here we did not even bother. This was simply brought to the floor by the leadership. We have no testimony from the Bush administration indicating we need this bill. We have no testimony from industry to explain how this bill would address our ever-increasing demand for fuel. We have seen no research from the Energy Information Administration estimating the effect of this bill on fuel prices. We have no studies by the EPA quantifying the human health impact of this Clean Air Act repeal; and that is what it is, a repeal of critical portions of the Clean Air Act.

The Washington Post today had a telling comment. Here is the quote from The Post today: "Some are calling this Congress' answer to high gasoline prices. But if this is the answer, maybe it is time to ask whether Congress even understands the question. The Gasoline Price Reduction Act would give the EPA administrator permission to waive the Clean Air Act for unlimited periods of time at its own discretion in the case of a gasoline supply disruption."

Once again, the majority thinks that the Clean Air Act costs too much, but the Clean Air Act is not the problem. We agree that a gasoline supply disruption such as a refinery or pipeline shutting down unexpectedly can cause significant shortage of needed fuels. As a result, the EPA already may issue short-term waivers for some fuels under current regulations, not these, but some fuels. The administrator can and has used this regulatory authority

in an appropriate manner, and that is why it has not been challenged.

This authority, this legislation, gives the administrator broad authority to issue waivers that undermine the Clean Air Act. The bill does not define "significant fuel supply disruption," but it allows the administrator to define the term.

Furthermore, here is a reading from the bill: "Such waiver shall remain in effect for such period as the administrator, in consultation with the Secretary of Energy, deems necessary by reason of such fuel supply disruption."

There is no limit on the length of the waivers; therefore, the administrator has free rein to waive cleaner burning gasoline or diesel requirements in the Clean Air Act anywhere at any time. This bill would make enforcement of the Clean Air Act optional. That is what it does. It makes enforcement of the Clean Air Act optional.

Now it also does cap the number of boutique fuels that may be approved to the number that currently exist. Frankly, there are about 43 or 45 different blends and we agree, we agree that that number should be capped at around that number because there are too many blends, and it does make it difficult for refineries to meet demand in different States at different times. But this is not the way to go. This language that the gentleman from Wisconsin (Mr. Ryan) referred to has never been reviewed in a hearing. There is no way to know whether the provision will have the intended effect.

We conclude on our side of the aisle this bill is about politics, not sound legislation. The title is wonderful; the text undermines the Clean Air Act in fundamental ways; and the Clean Air Act is simply too important to our citizens to allow this important piece of legislation to pass.

Madam Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself 1 minute to respond.

Madam Speaker, this is the same kind of waiver authority they already have under law. This is included in the Bush administration energy plan. This was in the Bush administration energy policy recommendations to solidify and consolidate boutique fuels. We have had numerous studies on this issue. A very comprehensive study was done on this issue by the Environmental Protection Agency in 2001, which recommended doing exactly this. We had another study by the National Association of Convenience Stores recommending doing exactly this. Plus, we have already had multiple sources of testimony from gasoline marketers, from gasoline wholesalers, all talking about the need to consolidate the fuel blends. So this has been done based upon studies; this is a policy endorsed by the Bush administration. This is a policy talked about, vetted, and had hearings on for 3 years now.

Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN), a cosponsor of this legislation.

Mr. GREEN of Wisconsin. Madam Speaker, I thank the gentleman for yielding me this time and salute him for his tireless advocacy on behalf of lower gas prices.

Our drivers have been through the ringer in recent years. Gas prices are far too high. Some of the reasons for those high prices do lie overseas. This legislation is not the answer by itself. There is so much more we should do.

□ 1700

But some of the problems lie here at home. In fact, they lie in this very body. We have cobbled together a patchwork system of hopelessly complicated, confusing and complex rules and regulations that make sense only to bureaucrats. Take a look at this map here that we have in front of us, this little colored patch area on the map that tells you that the blend of gasoline used from Milwaukee, Wisconsin to Chicago is unique in the entire world. There is no other place on the face of the Earth that uses it. What that means is when there is a disruption in the pipeline, or in the refining process, the price of gasoline skyrockets overnight. It makes our gasoline more expensive. It makes our prices more volatile. Simply put, under this crazy system, this Stalinist system, supply cannot move to meet demand.

Madam Speaker, it is very clear today our drivers want relief. They are turning to us for help. It seems obvious to me that some people in this body are willing to respond to those drivers who are asking for help simply with fearmongering and scare tactics. This legislation does not weaken the Clean Air Act. It makes it work. It offers real help to our drivers, particularly drivers in these areas who are suffering because of government imposed barriers. Shame on us. We are the ones that have made gasoline more expensive in these areas. We are the ones who have made prices more volatile. It is time for us to take this commonsense approach to lowering the price.

Mr. ALLEN. Madam Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. Solis).

Ms. SOLIS. Madam Speaker, I thank the gentleman for yielding me this time on this very important piece of legislation which I am astounded to know that we did not hear in our committee. The energy bill before us and the other legislative activities this week in my opinion are a scam. Republicans will try to mislead Americans. to try to hide their connections to the oil industry, H.R. 4545 will do nothing to reduce volatility in the gas markets, nothing to help America become independent and, most importantly, do nothing to help working families cope with the high cost of gasoline.

While working families shell out money so they can get their kids to

school, get themselves to work and buy their groceries, big oil companies are striking gold with high gas prices. The administration and the Republican-led Congress are letting their partners in crime rob working families and seniors blind.

In the first 3 months of 2004, ChevronTexaco quadrupled its earnings from the first 3 months of 2003. British Petroleum reported a 165 percent increase in profits. Conoco-Phillips reported a 44 percent increase in profits. Exxon-Mobil reported a 125 percent increase in profits. Yet here we are today not asking why companies are raking in enormous profits and why consumers are having to pay the highest prices in the last 23 years.

Why are we not discussing these commonsense things to reduce gas prices for Americans today? One of the things we can do is investigate bad faith practices in the market. In California, gas prices went up faster than the Federal Trade Commission anticipated they possibly could. In my own district in Los Angeles, gasoline prices have been steady at \$2.39, upwards of \$2.50 a gallon for the last 2½ months. We saw something similar with electricity prices also in 2000 during the western energy crisis. Again that situation was ignored as well.

We cannot let the situation repeat itself because working families and businesses will once again become the victims. But just as with the western energy crisis and even the Northeast blackout, those in charge of the Republican-led Congress are choosing to ignore the real situation. Instead of helping to lower gas prices, ensure stability in the market, guarantee American independence and set America on a responsible course of energy policy, the Republicans provide us with legislation that undermines the public process, risks public health and does nothing to help working families.

This process is a sham, and it is a shame that the American public will have to suffer once again.

Mr. ALLEN. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Texas (Mr. Green).

Mr. GREEN of Texas, Madam Speaker, H.R. 4545 is a well-meaning but ineffective attempt to address a serious problem, the problem of multiple blends of fuels required under our Clean Air Act. I believe the map that was shown earlier illustrated that we do have too many boutique fuels in our country to be able to have it and with the dwindling refinery supply to be able to do all this mixture of fuels. Supplies can be tight during high demand and prices will rise. But waiver authorities for specific areas and capping the number of boutique fuels are not a solution when compared to the provisions in the comprehensive energy bill we just passed. EPA already gives out waivers from the oxygenate requirement. The comprehensive energy bill contains a comprehensive study of the boutique fuel options and markets.

The comprehensive energy bill contains limited liability for MTBE. If you are worried about supply and prices of boutique fuels, support the comprehensive energy bill. This legislation is an unnecessary distraction when the real issue should be the bill that this House just passed.

H.R. 4545 pales in comparison with the comprehensive energy bill when it comes to dealing with boutique fuels.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. I thank the gentleman for yielding me this time.

Madam Speaker, I rise in support of this legislation. American citizens every summer are assaulted by increased prices at the pump. They need to know that one of the factors that drive those summer prices up is switching from one blend of gasoline for the whole country to more than 40 blends of gasoline for the whole country. And to say that we are repealing the Clean Air Act in this bill is absurd. The Clean Air Act is a big bill. It covers a whole bunch of issues. This is a small fraction of it. This recommendation to go over to three different types of cleaner fuels for the summer months is a recommendation that was made by a GAO study and it is a recommendation that is being currently put forward by the industry and it will help keep prices down and it will not cause the air to get dirtier or kids to get asthma. This is an absolute ridiculous assertion. It is the right thing for us to do for our Nation.

The American consumer is suffering right now. Many families on a limited budget are having difficulty making ends meet. This is the right thing for us to do.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Madam Speaker, I find it ironic to stand here on the floor and I am not one that is so lucky to be on the Committee on Energy and Commerce but I am one that spends weekends at home every week. I am amazed to stand here on the floor and hear the comments from the other side which offer absolutely no solution whatsoever to an abatement of the price of gasoline that we pay today. None whatsoever. There is an old saying in Washington that oftentimes legislation comes forward in search of a problem. The response from the minority party today is that they come forward with testimony in search of a policy. They have nothing. At least we are over here trying. The testimony we have heard this afternoon about the boutique fuels across the country, there is no refuting that. That is an absolute fact. It is directly related to an outgrowth of the passage of a policy that has been refined and perfected by the Members of that side of the aisle when they were in the majority. The people of America are paying a price in the form of higher prices for gas on the basis of policies they put into place. We are trying to reverse those. We are trying to increase refinery capacity. We are trying to reduce the number of boutique fuels that exist across this country and increase the fungibility of gasoline between markets so that people in Maine or people in California or people in Wisconsin or Missouri can all buy gasoline that is essentially the same.

They have not come forward with a single material improvement to the infrastructure that exists today. They resist us on fixing the permitting process for refiners. They resist us on fixing the permitting process for pipelines. They resist us on fixing the permitting process to bring gasoline into the country in the form of refined products.

They resist, they resist, they resist. I understand their policy. I applaud them for it. There is an election every 2 years. I hope the voters are paying attention.

I rise today to discuss H.R. 4545, the "The Gasoline Price Reduction Act of 2004," introduced by Messrs. BLUNT and RYAN. I welcome this legislation today because I share their concerns over high gasoline prices and the proliferation of boutique fuels.

Today's gasoline market is comprised of many types of gasoline that serve different regional markets to meet varying Federal and State environmental requirements. At last count, there were approximately 19 different types of gasoline in the U.S. Arguably, there are almost 60 types if you take into account that each is made into three different octane blends. Although these numerous fuel blends are seen as an efficient means of cleaning the air, the increase in boutique fuels adds a level of complexity into production, distribution, and storage of gasoline.

The result of this targeted approach to air quality has been to balkanize the gasoline market and to create gasoline market islands. The primary examples are in my home State of California and the Chicago/Milwaukee area, in which the required gasoline blends are unique, and only a limited number of refineries make the products. Small disruptions in production, such as refinery outages or pipeline ruptures, can severely limit the supply of gasoline in these areas, causing artificial shortages and price spikes.

Over the last four years, my Government Reform Energy Policy Subcommittee has held four hearings on gasoline markets (in June 2001, April 2002, July 2003, and May 2004). What I have learned from these hearings is that we should not be in the business of mandating what goes into a gallon of gasoline. Instead of dictating gasoline components, we should set high performance standards for what comes out of the tailpipe and let industry meet them.

Anyone who knows anything about the gasoline problems in California can tell you that the de facto ethanol mandate in California is significantly affecting gasoline supply and is not necessarily improving the environment. In fact, using ethanol in California may actually degrade air and water quality. Despite ample scientific data, and letters from the California delegation, including two I sent as Subcommittee Chairman in February 2004 and April 2004, the Environmental Protection Agency has yet to approve California's oxygen

waiver request, which is environmentally and economically sound.

From these hearings, I have also learned that several measures need to be taken to address the gasoline supply issues in the U.S. One measure that is key to increasing supply is the expansion and enhancement of the entire petroleum infrastructure, which is currently stressed and at its limits. Addressing the constraints and bottlenecks within the petroleum infrastructure, which includes refineries, pipelines, storage tanks, and port facilities, is important because each component of the system must function properly and efficiently to ensure consumers receive an adequate and affordable supply of gasoline.

Given the ever-widening gap between gasoline supply and demand in the U.S., we should look at ways to simplify the various infrastructure permitting processes and to reduce the costs and uncertainty associated with Federal and State regulations. If we fail to do so, we will be faced with increasing imports, increasing gasoline prices, or both. I venture to say that no American would be pleased with these outcomes

Additionally, we must consider ways to reduce the regulatory burden facing the refining industry. Refiners will need to invest about \$20 billion in the next decade to comply with Federal and State environmental regulations. As a result, less capital will be available for refinery maintenance and expansion, and some smaller refineries may close. We must examine ways to achieve our desired environmental results without putting companies out of business.

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

I certainly hope the voters are paying attention as well, because we do have a policy. We do have a plan. We presented it. Part of it was in the motion to recommit where we made a proposal dealing with the SPR. This debate is a good example of why this is not a can-do Congress, this is a can'tdo Congress, because this legislation is not that difficult. If we had had hearings, if it had been worked out on a bipartisan basis in the committee, it would come to the floor and pass overwhelmingly, because what we are really arguing about is whether or not the waiver that is given to the EPA Administrator in this legislation should be unlimited as it is in this legislation or whether it should be time limited. That is the core of the debate that we are having right now, and the fact that this bill has been brought to the floor with no limit on the waiver authority of the EPA Administrator, no consultation with us, no hearings, that is what has led to our opposition.

Let me run through a few things. The majority speakers have been saying we have got a problem with the number of boutique fuels. So do we. We think we need to contain the number of boutique fuels that are out there. It is reasonable to work that out. We do not object to doing that. But we do have a policy and it is real clear. Let me tell you what should be in this legislation if we were going to actually reduce gasoline prices and not just have legislation with a title that says we should reduce gasoline prices.

We need legislation that would hold refineries accountable for market manipulation and market concentration. We need legislation that would at least deal with the question of how to think about and how to use the Strategic Petroleum Reserve when gas prices are so high. We need action by this administration that would create stability in the Middle East and other oil-producing regions. We certainly do not have that now. We need to help families increase the efficiency of their homes and thereby reduce oil use. There is nothing of that in this legislation. This legislation does not require or create incentives to increase fuel efficiency in our vehicle fleet, which is at its lowest level since 1980. That issue has been brought up in front of the Committee on Energy and Commerce time and again to increase and improve CAFE standards and save fuel and it has been voted down.

This legislation does not invest in hybrid and hydrogen technology. I drive a hybrid vehicle. I get 45 miles to the gallon. I tell all my constituents, next time you buy a vehicle make sure that you pay attention to how efficient it is in terms of fuel. This legislation does not extend the tax breaks for the purchase of high efficiency vehicles. It does not end the tax breaks for Hummers and large SUVs. It does not reduce heavy truck idling. It does not improve air traffic management.

What we have got is what we said at the beginning. We have got a title. We have one of the best titles for legislation ever to come before this Congress, at least this year. We just do not have the text to go with it.

Just a couple of additional points. There was talk about we have held hearings. The truth is there have not been any hearings on this legislation. Sure we have had hearings on energy issues but not on this waiver authority put forth in here. There was one other comment I wanted to respond to. This legislation, one speaker said, is so small, it is so short that it cannot possibly repeal the Clean Air Act. All you need to do is to give the EPA Administrator the authority, the simple authority to waive, on a broad base, parts of the Clean Air Act and you have made enforcement of the Clean Air Act. optional. It does not take much to undermine the Clean Air Act. It does not take much to do that in a way that risks the health of our population. That is what this legislation does. That is why we believe it should be defeated.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds. This does not give any extra waiver authority to the EPA that it does not already have.

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This bill does not do a lot of the things he mentioned. It does very few things. What the intent of this bill is, is to have a preapproved list of fuels by the EPA for areas to choose from that

are clean fuels so that we consolidate the fuel blends we have in America. That is it. And then study and make sure we are doing it right. And if the study says there is another way to do it better, we will do that. That would be the fourth study we would have on this matter.

Mr. Speaker, I yield the balance of my time to the gentleman from Missouri (Mr. BLUNT), the majority whip and cosponsor of this legislation, for the purpose of closing.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding me this time and for the debate.

Both my friend from Wisconsin who feels strongly about this and my friend from Maine who has come to the floor, we have had a good debate on part of this bill, but only a very small part of this bill.

I would like to make a couple of points. Some of the things that my friend from Maine pointed out that we needed, we agree that we need many of those things. In fact, that is why we have the energy bill. We voted on it again today. We voted on it in both of the last two Congresses. We clearly do need energy policy. We encourage all those on this side of the building to work hard to try to get that done. We have voted on an energy conference report now, and now we voted on a bill today that was very much like it.

This brings one significant, but not very complicated, issue to the floor. I think, in fact, the center focus of this bill is so unarguable that nobody really argued about it. We have got too many fuel blends. Refineries have needlessly become profit centers in the distribution because there are too many fuel blends out there. Nobody really challenged that concept.

I heard a lot of discussion about one principle, the waiver principle, whether that was good or not. Let me tell the Members the waiver is very good if the refinery that services their area is somehow shut down. In fact, the waiver is desperately good, and we do not have that kind of ability now to just simply allow families and commerce to continue when one of these very unique fuels is suddenly unavailable anywhere. That is what the waiver is supposed to take care of.

But really the more central focus of this bill I did not really hear any real debate on. I am encouraged by that. I hope as we move forward with all kinds of energy legislation that we take strong consensus that there are too many fuel blends. We need a study to determine how we get a smaller number, and then we need to look for ways to encourage that smaller number of blends to become the number of fuel blends that communities look at in the future. We can make this system much more efficient. We can make it work more effectively. This is not designed to solve all the energy problems in the world; but if we adopted this bill, it would reduce gas prices. That is what the title calls for. I think we moved this debate forward today, and I appreciate everybody's participation that postponed. was part of it.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 4545, the "Gasoline Price Reduction Act." I urge my colleagues to vote against this bill, which relaxes Clean Air Act requirements and which has not been the subject of any hearings or markups by the Committee on Energy and Commerce.

Because of the lack of hearings or markups, we have no idea whether the bill is actually necessary or whether its effect on gasoline prices will be positive or negative. We have no idea of the extent of its impact on air quality, except to note that its effect clearly cannot be positive.

This bill is very poorly drafted, which reflects the lack of input or review by anybody except its sponsors. We do not know what the benefits and cost of this bill will be and we do not have any analysis from the executive agencies, such as the Department of Energy and the Environmental Protect Agency (EPA), who could tell us whether it is a good or bad idea.

The bill allows EPA to waive Clean Air Act requirements in the event of a "significant fuel supply disruption." Yet the meaning of this term is not supplied. Nor are there limits placed on the length of the waiver or on the overall detriment to air quality that could occur. Nothing in the bill would require anyone to either analyze or ameliorate the impacts on air quality in any way, regardless of how easily or inexpensively that could be done.

The bill instructs EPA to give "preference" to particular fuels in approving state implementation plans, but what does it mean to give preference to a particular fuel? The bill also sets a cap on the total number of "fuels" in existence as of June 1, 2004. How many fuels is that? What is the definition of a "fuel"? Would this cap apply to more desirable fuels, such as low-sulfur diesel, or to renewable fuels, such as biodiesel or ethanol? How would this bill affect supply, energy dependence, and price structure in particular regional markets, such as Michigan?

High gas prices are of concern to all, but this bill is not the solution. We should examine the possible relationship between "boutique fuel" requirements and gas prices and determine, through regular committee process, an appropriate solution with in put from all interested parties. I would welcome legislation that would lead to cleaner fuels and greater fungibility in the fuel supply.

I urge my colleagues to vote against this bill, and to give the Committee on Energy and Commerce a chance to address these matters properly.

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill, H.R. 4545.

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. ALLEN. 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 motion will be postponed.

INTENT TO ENTER INTO FREE TRADE AGREEMENT WITH BAH-RAIN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–193)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, (Public Law 107–210; the "Trade Act"), I am pleased to notify the Congress of my intent to enter into a Free Trade Agreement (FTA) with the Government of Bahrain.

This agreement will create new opportunities for America's workers, farmers, businesses, and consumers by eliminating barriers in trade with Bahrain. Entering into an FTA with Bahrain will not only strengthen our bilateral ties with this important ally, it will also advance my goal of a U.S.-Middle East Free Trade Area (MEFTA) by 2013.

Consistent with the Trade Act, I am sending this notification at least 90 days in advance of signing the United States-Bahrain FTA. My Administration looks forward to working with the Congress in developing appropriate legislation to approve and implement this free trade agreement.

George W. Bush. The White House, June~15,~2004.

NATO NEEDS TO AUGMENT INTER-NATIONAL SECURITY ASSIST-ANCE FORCE IN AFGHANISTAN

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, following the stirring address of the President of Afghanistan this morning, this Member rises to address the urgent need for NATO to augment the International Security Assistance Force, or ISAF.

This Member cannot overstate how critical the next few weeks will be for the future of Afghanistan and for the credibility of the North Atlantic Alliance. Unless the NATO allies quickly remedy the grave shortfalls in military personnel and equipment, the NATO mission in Afghanistan faces a real danger of failure. There will be no security for the upcoming elections in the hinterland of Afghanistan.

Actually, this is a crucial failure of will, political will, purely and simply. We are not coming up in other countries with the pledged personnel and equipment. Make no mistake about it,