

spend on the schools that our kids go to, those things are determined by the basics that we do not have to spend more than a small amount of our income on either food or energy.

Mr. Speaker, House bill 6, the energy bill, really begins to address the fact that jobs are being sent overseas because of high energy costs but it also addresses the more relevant fact of the cost of energy in our homes. I had some high school students in my office today. They asked, what is your position on drilling in ANWR? I said absolutely, that I supported it in my campaign, and that I have supported it since I got here. They asked, why would you do that? And they seemed to be asking it in good faith. You could tell that they had had discussions in their school and they were asking for my opinion because they had received the other side. I said, it is very simple. You hear your parents talking about how much it costs to fill up their car with gasoline, about \$40 to \$50 to \$60 now depending on what size tank you have. I said, you have heard your parents talk about it. Yes, yes, it is very much higher. The fact is that we are talking about supply and demand and they were a little curious about that. They did not really understand it fully. I said, it is simply like cell phones. When cell phones first came out, the supply was very limited so you might pay \$450 or \$500 for a cell phone but today they will give them to you just to get the business. That is because as the supply of cell phones has increased, the price has gone down. Petroleum is exactly the same way.

If in 1995 President Clinton would have signed the ANWR drilling bill that was put in front of him, both House and Senate in 1995 passed that bill, if he had signed that, today we would have 1.5 million new barrels of oil coming down the Alaska pipeline and into our shores. What our attempt is today to lower the price of gasoline in our cars is we have gone to the Saudi Arabians and we are asking them on bended knee, we the United States is asking Saudi Arabia on bended knee to increase production by somewhere between 1 and 2 million barrels per day. We know that at that figure, the price would come back down to what Americans are used to paying for a gallon of gasoline. But instead, President Clinton vetoed the bill that was passed by the House and by the Senate, he vetoed the bill, so today instead of having the 1.5 million barrels that we are asking the Saudi Arabians for, that 1.5 million barrels would have been produced on American soil and with American jobs, instead it is being produced somewhere else and then we have the higher energy costs and we are more dependent on foreign oil.

My friend from Nebraska talked about the high price of natural gas. There are some very compelling things in the price of natural gas. It is being pushed up because the Federal Government is requiring that many of our

electrical generating plants convert from coal into the clean-burning natural gas. The Federal Government demands that we convert electric plants over to natural gas, therefore, pushing the demand up while at the same time the Federal Government at the insistence of some of the extreme environmentalists is beginning to limit access to the natural gas drilling that is available. The drilling that they are stopping, the drilling that the extreme environmentalists are stopping is not in pristine areas. They are exactly in areas on Federal land that have been drilled before. There is no reason to say that we cannot drill there except the extremists believe in their heart that America has too much.

Mr. TIAHRT. Mr. Speaker, to wrap up as our time expires, we call our plan to bring jobs back to America "Careers for the 21st Century." This week we have been talking about tonight is the energy self-sufficiency and security. Next week we are going to talk about research and development.

ABUSES OF POWER: ENERGY TASK FORCE

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, House Republicans are making a mockery of the House floor this week. They are bringing up at least four pieces of legislation they claim will address our Nation's energy needs and begin the process of lowering prices at the pump but the American people should not be fooled. Over the past 3 years, the Bush administration and congressional Republicans have done nothing to help consumers who are now struggling to pay higher gas prices. Instead, the Bush administration is in the pocket of the oil and gas companies and House Republicans are doing their dirty work.

Mr. Speaker, Republicans are claiming the energy legislation they passed last year which we are again voting on this week will provide some much-needed relief at the pump. What Republicans will not say is that a study from the Energy Information Administration concluded the Republican bill would actually increase the average gasoline price by three cents per gallon. Congressional Republicans and the Bush administration are not interested in lowering gas prices. One might ask why, and that is because high gas prices mean high profits for big oil and gas companies. In fact, it was the executives at these very companies that worked in secret with Vice President CHENEY in crafting the Republican energy bill that Republicans are now touting this week. For 3 years now, the Vice President has done everything he can to keep the records of his energy task force secret. This secret task force

developed President Bush's energy policy, a policy that was then made into legislation here in Congress, legislation that has now stalled in the other body. Nevertheless, the end result was bad energy policy. There is no doubt that the energy industry succeeded with its influence during these secret closed-door meetings in crafting a policy that benefited them rather than benefiting Americans now that Americans are paying that price at the pump. For 3 years, the Vice President has refused to let the American people know who made up his energy task force. For 3 years now, the Vice President has refused to let the American people know how and why the task force came to the conclusions that it did. Finally, after 3 years of hiding the information, it appeared that we would finally get some of the information CHENEY was fighting so hard to keep secret thanks to the Sierra Club and the conservative group Judicial Watch who sued Vice President CHENEY in the courts. The two groups wanted to find out exactly who from the energy industry participated in crafting the Bush administration's destructive energy policy. A district court ordered the administration to provide the information last year but the Bush administration still refuses to turn it over. The administration's reason, constitutional immunity from such inquiries. The district court rejected that contention, pointing out that the administration was attempting, and I quote, to cloak what is tantamount to an aggrandizement of executive power with the legitimacy of precedent where none exists.

But, Mr. Speaker, as we know, the Vice President refused to give in. He has appealed the district court decision to the U.S. Supreme Court and last December the Supreme Court agreed to take the case and heard arguments this spring. I have to point out that it does not make any sense to me why the Vice President would be so concerned about keeping his energy task force records secret. I would like to know or ask the congressional Republicans why they continue to allow the Bush administration to get away with this secrecy. Could it be that they know if the records are ever made public that the American people would finally realize that the Republican energy bill was never intended to help the American consumer but instead from the very first day its main goal was to provide oil and gas companies billions of dollars in tax breaks?

Mr. Speaker, I wanted to point out a problem with a potential conflict of interest, I think clearly a conflict of interest with regard to Justice Scalia and the Supreme Court. It appears in my opinion that Vice President CHENEY will do anything to keep these documents of the energy task force secret. That is why I think that what happened is that 3 weeks after the Supreme Court announced it would hear Vice President CHENEY's appeal of the case, Justice Scalia accompanied Vice

President CHENEY on an Air Force Two flight from Washington, D.C. to Morgan City, Louisiana for a duck hunting visit. There, according to news reports, Justice Scalia and the Vice President were guests of Wallace Carline, president of an energy services company. Neither the Vice President nor Justice Scalia made this duck hunting vacation public. Had it not been for the investigative work of the L.A. Times, we might still not know that these two spent several days together hunting duck in Louisiana. One would think that these two bright men would realize how such a vacation would look to the American people if it ever became public but unfortunately it does not seem like either one of them cared.

□ 2340

What happened is, and I think there is no doubt, that this vacation serves as a conflict of interest, and because of that, I believe that Justice Scalia should recuse himself from hearing the Cheney case in the Supreme Court. But even more importantly, Vice President CHENEY should have realized how this would look and should have cancelled the trip before he even went.

But regardless of that, there is no disputing that Justice Scalia should recuse himself on ruling on the case involving the energy task force. The Sierra Club asked Justice Scalia to do just that, but Justice Scalia continues to refuse to recuse himself. What he did instead was to defend his decision in a 21-page memo. In the memo Scalia describes how he enjoyed going hunting every year with his friend Wallace Carline. And Scalia writes: "During my December, 2002, visit, I learned that Mr. Carline was an admirer of Vice President CHENEY. Knowing that the Vice President, with whom I am well acquainted, is an enthusiastic duck hunter, I asked whether Mr. Carline would like to invite him to our next year's hunt."

And Scalia continues in this memo that "The answer was yes. I conveyed the invitation, with my own warm recommendation, in the spring of 2003 and received an acceptance, subject, of course, to any superseding demands on the Vice President's time. The Vice President said that if he did go to Louisiana, I would be welcome to fly down with him."

Mr. Speaker, just think about this explanation that Justice Scalia is giving for not recusing himself in this case involving Vice President CHENEY. Think about the apparent relationship these two men have, a relationship between two men who have worked in Washington for so many years and even worked in the Ford administration together.

And then try to look at it another way. The columnist E.J. Dionne did a Washington Post column earlier this year, and he said: "Imagine you were in a bitter court fight with a former business partner. Would you want the judge in your case to be someone who

went duck hunting with your opponent and flew to the hunt on your opponent's plane?" That is the reality here.

Dionne continues: "And now consider that you, as a citizen, have a right to know with whom Cheney consulted in writing an energy bill that was overwhelmingly tilted toward the interests of an industry in which the Vice President was once a central player." Scalia admits that recusal might be in order where the personal fortune or the personal freedom of the friend is at issue. And Dionne writes that one should not worry because what is at stake here are only CHENEY's political fortunes, the interests of the industry that CHENEY once worked for, and the public's right to know, and that is no big deal.

But it is a big deal. Vice President CHENEY should have realized the conflict of interest and declined to join the Supreme Court Justice once he knew the Supreme Court would be hearing CHENEY's case. I do not know. It just does not seem like Vice President CHENEY cares and he just basically will do anything to ensure that the records of his energy task force are never made public.

I would like to ask a question because, again, this is the energy task force, remember, put together by the Vice President that put together the energy legislation that my colleagues on the other side are saying is a good bill and is something that we should pass here again this week. But I have to say if all that is true, if it is such a great bill and if they continue to tout, as my colleagues did just before I spoke tonight, how wonderful this legislation is that came out of this task force, then what are they trying to hide? What is the Vice President trying to hide? Why does he not just say who was on the task force and when the task force met and what they did? Why would anybody have a problem with it if my colleagues on the Republican side think that this is such a great bill that is going to benefit the American people?

But I think we have to think about it. Would it be an embarrassment maybe to the Bush administration to have to admit that every member of this task force was an oil or gas executive? I do not think so. I mean I think that is pretty obvious. I do not think they are trying to hide that in any way. I think that would be nothing new. So there has to be something else that they are trying to hide. What is so damaging in these documents?

And I would venture to ask could it be that somewhere within these documents there is proof that the Bush administration was looking at taking out Iraqi leader Saddam Hussein in order to take control of that nation's rich oil reserves? I am not just saying that as a matter of speculation. There is some evidence that that may be, in fact, the case.

Former Treasury Secretary Paul O'Neill stated in a book that he wrote recently that Vice President CHENEY

strongly suggested U.S. intervention in Iraq well before the terrorist attacks of September 11. Then this spring President Bush's former top anti-terrorism adviser also talked about how almost from day one the Bush administration was consumed with taking out Saddam Hussein.

It began back in 2001, months after the new administration came to power. Clarke says that he had been trying to schedule a cabinet-level priority meeting on terrorism. His first opportunity was a meeting with Deputy Secretary of Defense Paul Wolfowitz, and Clarke said that he started the meeting by saying that we needed to deal with bin Laden. And Wolfowitz's response: "No. No. No. We don't have to deal with al Qaeda. Why are we talking about that little guy? We have to talk about Iraqi terrorism against the United States."

Clarke then responded to Wolfowitz: "Paul, there hasn't been any Iraqi terrorism against the United States in 8 years." Clarke turned to the deputy director of the CIA, who agreed with his assessment.

This conversation took place 3 months after Bush and CHENEY took control of the White House. Clarke's assessment seems to support that of former Treasury Secretary Paul O'Neill.

Clarke goes on to detail conversations with both President Bush and Defense Secretary Rumsfeld after 9-11. Both wanted to go after Iraq and Saddam Hussein. Additional evidence exists that CHENEY played an early planning role in the war in a National Security Council document dated February 3, 2001, months before September 11. According to a report in New Yorker Magazine, the document, written by a high National Security Council staffer, directed the NSC staff to cooperate fully with the energy task force as it considered the melding of two seemingly unrelated areas of policy: the review of operational policies towards rogue states, such as Iraq, and actions regarding the capture of new and existing oil and gas fields.

So now we have the melding of the national security policy and the energy task force policy. This document that I mentioned is essentially instructing the National Security Council staff to fully cooperate with the energy task force in melding together two different policies, one, a foreign policy towards Iraq versus an energy policy towards Iraq, and once again the document mentions the review of actions regarding the capture of new and existing oil and gas fields.

Does this mean, Mr. Speaker, that somewhere within the energy task force documents there is a possible strategy towards taking control of Iraqi oil and gas fields? Keep in mind this was before 9-11 and well before the administration now claims it began looking into the possibility of going to war against Iraq.

So my question is, Mr. Speaker, does Vice President CHENEY want to keep

his energy task force secret because he does not want to admit that the administration was exploring ways of taking out Saddam Hussein before 9-11 strictly for the purpose of taking control of Iraq's oil fields?

I do not know the answer to that question, Mr. Speaker, and I do not think the American people know either. But the reason we do not know is because Vice President CHENEY again refuses to allow the American people to see these documents of the energy task force.

Another possibility, and again I am not just speculating, there is some evidence, is whether these energy task force documents were potentially hiding documents involving Enron. Could it be that the Bush administration also wants to keep the records of its energy task force secret because it wants to continue to distance itself from the Enron scandal? According to a 2002 report by the Committee on Government Reform, seven of the eight recommendations that then Enron Chairman Ken Lay gave to Vice President CHENEY miraculously made their way into the final energy task force report. Back in January, 2002, the San Francisco Chronicle released a memo given by Enron Chairman Lay to Vice President CHENEY at a meeting on April 17, 2001. Enron's memo contains recommendations in eight areas. In total, the White House energy plan adopts all or significant portions of Enron's recommendations in seven of these eight areas. Enron representatives had six meetings with the White House energy task force, including four meetings that occurred before release of the final report. The White House has consistently refused to disclose what Enron requested during these meetings. And despite all these meetings and the fact that Enron Chairman Ken Lay was President Bush's largest financial supporter, another reason the administration may want to keep these documents secret is that they do not want the American people to see more collaboration between the Bush administration and former Enron executives.

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Now, once again, Mr. Speaker, I do not know whether or not these documents would reveal the collaboration between Enron and President Bush, and neither do the American people. But we will never find out if the documents continue to remain secret.

Mr. Speaker, I would like to conclude this evening, and, of course, I listened to some of the comments that my colleagues on the Republican side made earlier before I spoke about energy policy, but I wanted to say, Mr. Speaker, if the Republicans really want to address our Nation's current energy crisis, which they say they do, then they should finally wrestle legislation authorship away from the oil and gas executives and craft bipartisan legislation between Democrats and Republicans that truly modernizes our Na-

tion's energy needs and finally ends our dependence on foreign oil.

The Republicans have to get away from the special interests and get away from writing legislation that just is for the benefit of the oil and gas executives. Otherwise, we are never going to see something pass here that actually helps the average American.

The facts about the Republican energy bill are clear: It provides billions in benefits to companies run by over 20 executives who have raised more than \$100,000 each for the President's reelection campaign. One thing we do know, is when the policy was being written, the task force met with 118 energy groups, but only 13 environmental groups, and only one consumer group. Based on those statistics, who do you really think would benefit from this Republican energy bill?

For over 3 years, Democrats have been fighting for a short-term plan to bring down high prices and a long-term plan for energy independence. We want to create a more reliable power grid, reduce our dependence on foreign oil and encourage research on new energy technologies and alternative fuels. Democrats want to lower gas prices. We want to force OPEC to make a meaningful increase in production, and we want to defer deliveries of oil to the Strategic Petroleum Reserve and put it into the marketplace.

Lastly, and maybe most important, we want the FTC, the Federal Trade Commission, to investigate, to make sure that oil and gas companies are not working together to keep prices high.

In my opinion, Mr. Speaker, the Republicans are doing everything they can to create a diversion. This week with their Energy Week they are creating a diversion and trying to shift attention away from their failed energy policy. I have often said they are in the majority; they are the majority here, they are in the majority in the other House, and they also have a Republican President. If they pass a bill here which they think is a good bill, then why is it they cannot pass it in the Senate where they have the majority?

Why is it they cannot collectively pass a good energy bill? The reason is, it is not a good bill. It is a terrible bill. The other body will not pass it because they know it is not a good bill.

What we have here is a failed energy policy, and this Republican Energy Week is nothing more than an effort to create a diversion, to keep passing the same old legislation in different forms. But, again, it is not working. This is a ruse by the Republican leadership. Americans know that it is not working, and they are reminded of it every time they fill their tank and see the high gas prices.

So I would say to the Republicans, stop fooling around; stop with this mockery, if you will, of the legislative process by keep passing the same failed legislation. Nobody out there is paying any attention. Americans realize that gas prices are high and that nothing is

happening here in Congress to make a difference.

Instead, the Republicans should sit down with the Democrats on a bipartisan basis and try to put together an energy policy that will really work to lower gas prices and to reduce our dependence on foreign oil, particularly Mideast oil, and, until they do that, no one is going to seriously believe that their so-called Energy Week really matters or makes any difference.

RECESS

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 55 minutes p.m.), the House stood in recess subject to the call of the Chair.

NOTICE OF ADOPTION OF AMENDMENTS TO THE PROCEDURAL RULES

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, June 16, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This transmittal letter supersedes the transmittal letter of June 15, 2004.

Section 303(a) of the Congressional Accountability Act of 1995 ("Act"), 2 U.S.C. 1383(a), the Executive Director of the Office of Compliance shall, "subject to the approval of the Board [of Directors of the Office of Compliance], adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner." The Executive Director and Board of Directors of the Office of Compliance are transmitting herewith the enclosed Amendments to the Procedural Rules of the Office of Compliance for publication in both the House and Senate versions of the Congressional Record on the first day on which both Houses of Congress are in session following this transmittal. See 303(b) of the Act, 2 U.S.C. 1383(b).

The amendments to the Procedural Rules of the Office of Compliance shall be deemed adopted by the Executive Director with the approval of the Board of Directors on the date of publication of this Notice of Adoption of Amendments to Procedural Rules on both the House and Senate versions of the Congressional Record.

Any inquiries regarding this Notice should be addressed to the Executive Director, Office of Compliance, 110 2nd Street, S.E., Room LA-200, Washington, DC 20540; 202-724-9250, TDD 202-426-1912.

Sincerely,

SUSAN S. ROBFOGEL,
Chair of the Board of
Directors.

WILLIAM W. THOMPSON II,
Executive Director.

NOTICE OF ADOPTION OF AMENDMENTS TO PROCEDURAL RULES

INTRODUCTORY STATEMENT

On September 4, 2003, a Notice of Proposed Amendments to the Procedural Rules of the Office of Compliance was published in the Congressional Record at S11110, and H7944.