

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from Michigan (Mr. DINGELL) and a Member opposed each will each control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, I yield myself such time as I may consume.

Under the unanimous consent request, I assume, then, that I have offered it; and I yield to the gentleman from the great State of Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding to me. And I would simply say that the gentleman from Minnesota (Mr. OBERSTAR), the ranking member on the Committee on Transportation and Infrastructure, has offered an amendment that would authorize \$20 million for the administrator of General Services Administration to proceed with the Sun Wall design project, and the majority is prepared to accept it and work with the gentleman from Michigan (Mr. DINGELL) and the gentleman from Minnesota (Mr. OBERSTAR) to maintain it in conference with the Senate.

I urge a "yes" vote.

Mr. DINGELL. Mr. Chairman, reclaiming my time and continuing my comments, I rejoice that the gentleman has accepted it. I commend him for having done so.

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

Mr. OBERSTAR. Mr. Chairman, I rise to express my appreciation to the gentleman from Michigan for offering the amendment I had planned to and was designated to offer, and to the gentleman from Texas for accepting the amendment.

Mr. Chairman, I rise in support of the Oberstar-Norton amendment. The amendment authorizes the Administrator of the General Services Administration to install a photovoltaic solar energy system (photovoltaics) in accordance with the Sun Wall Design Project on the Forrestal Building, the headquarters building of the Department of Energy located on Independence Avenue in Washington, D.C.

The Sun Wall is an engineering and architectural marvel; 24,750 square feet of power generating panels installed on the building's south facing wall. It is also visually exciting, reaching 300 feet wide and 130 feet high. In fact, the Sun Wall design was selected as the winning design in an national contest sponsored jointly by the Department of Energy and the National Renewable Fuels Laboratory. The project design was completed 5 years ago, in 2000. The project design is ready to go. All that is left to do is provide funding for the project so that construction of the Sun Wall can begin.

With ever rising oil prices and our country's ever-increasing dependence on oil, the time has come for the federal government to get serious about

alternative, renewable fuels. In fact, the time is long past overdue. The federal government is the Nation's largest energy consumer, a typical office building is estimated to spend one-third of its operating expenses on energy costs. Using alternative sources of energy will help us reduce these costs.

Photovoltaics are a proven, reliable source of energy. Simply put, photovoltaic systems convert solar energy into electricity. They not only reduce the consumption of fossil fuels, but they are highly efficient and have no moving parts, so the need for maintenance is virtually non-existent. Because they emit no harmful pollutants, they are a clean, environmentally-friendly energy source.

H.R. 6 does include provisions aimed at increasing energy efficiency in our public buildings. I am especially pleased to see in the bill section 205 (regarding the procurement and installation of photovoltaics in federal buildings generally), which I offered, and which was accepted, as an amendment during consideration of the energy bill last Congress.

Over 25 Federal buildings throughout the country, from Boston, Massachusetts to San Francisco, California, already use photovoltaics to great effect. We ought to add the national headquarters of the Department of Energy to that list.

The Sun Wall Project is an opportunity to have the Department of Energy Headquarters building in our Nation's capital—the building where energy policy is debated and refined—stand as a testament to the utility and promise of photovoltaics. In a city of monuments, the Sun Wall Project would be a monument to America's commitment to advanced technologies, alternative energy and a cleaner environment.

I urge my colleagues to support the amendment.

Mr. DINGELL. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

The amendment was agreed to.

REQUEST TO OFFER AMENDMENT NO. 9

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to be able to go back to that amendment.

Mr. BARTON of Texas. Mr. Chairman, I reserve the right to object, and I will not object.

The Acting CHAIRMAN. The gentleman will have to offer his amendment in the full House. We cannot go back to the amendment.

Mr. BARTON of Texas. Mr. Chairman, I reserve the right to object.

The Acting CHAIRMAN. The Chair is not entertaining the motion because we cannot go back to the amendment.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Chairman, parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may inquire.

Mr. BARTON of Texas. Mr. Chairman, since the gentleman from California is a member of the committee of jurisdiction and since he offered this in committee and it was made in order by the Committee on Rules to be offered, even though he was somewhat tardy in arriving, would a unanimous consent request, if made and not objected to, give him the right to offer the amendment now?

The Acting CHAIRMAN. Such a request may only be entertained in the full House.

Mr. BARTON of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLAKE) having assumed the chair, Mr. SIMPSON, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy, had come to no resolution thereon.

MAKING IN ORDER AT ANY TIME  
WAXMAN AMENDMENT NO. 9  
DURING FURTHER CONSIDERATION OF H.R. 6, ENERGY POLICY ACT OF 2005

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that Waxman amendment No. 9 be allowed to be offered at any time to H.R. 6.

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

There was no objection.

ENERGY POLICY ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 219 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy, with Mr. SIMPSON (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 10 printed in House Report 109-49 offered by the gentleman from Michigan (Mr. DINGELL) had been disposed of.

AMENDMENT NO. 9 OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. WAXMAN:  
At the end of title I, add the following new subtitle and make the necessary conforming changes in the table of contents:

**Subtitle E—Plan to Reduce Oil Demand**

**SEC. 151. PRESIDENTIAL ACTIONS.**

(a) **PROPOSED ACTIONS.**—For purposes of reducing waste of oil and decreasing demand for foreign oil, not later than 6 months after the date of enactment of this Act, appropriate Federal Departments and agencies, as identified by the President, shall propose voluntary, regulatory, and other actions sufficient to reduce demand for oil in the United States by at least 1.0 million barrels per day from projected demand for oil in 2013.

(b) **REQUEST TO CONGRESS.**—If the President determines that the Departments and agencies referred to in subsection (a) lack authority or funding to implement the actions proposed under subsection (a), the President shall request the necessary authority or funding from Congress no later than 9 months after the date of enactment of this Act.

(c) **FINAL ACTIONS.**—No later than 12 months after the date of enactment of this Act, the Departments and agencies referred to in subsection (a) shall finalize the actions proposed pursuant to subsection (a) for which they have authority and funding.

(d) **PRESIDENTIAL DETERMINATION.**—The Departments and agencies referred to in subsection (a) may finalize regulatory and other actions pursuant to subsection (c) that achieve demand reductions less than the demand reduction specified in subsection (a) if the President, after public notice and opportunity for comment, determines that there are no practical opportunities for the nation to further reduce waste of oil.

(e) **CAFE.**—Nothing in this section shall mandate any changes in average fuel economy standards ("CAFE" standards) prescribed under chapter 329 of title 49 of the United States Code.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. WAXMAN).

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Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Before I discuss the merits of this amendment that I seek to offer, I want to extend my appreciation to the Chairman of the Committee on Energy and Commerce, the gentleman from Texas (Mr. BARTON), for his courtesy to me in allowing me to offer this amendment. I hope that I can convince him and my colleagues to support this amendment.

A balanced energy bill should not just be production of more energy, but it should be conservation, reduction of the demand side of the equation, and I feel that the legislation is lacking in that regard. What my amendment would seek to do is to reduce the amount of oil that is wasted every single year.

Let me tell my colleagues what the amendment does not do. It does not mandate anything. It does not mandate an increase in the CAFE standards for automobiles, although I think that is a good idea, but we do not mandate it. It

does not mandate any new, burdensome regulations or expensive technologies, and it does not force Americans to change their personal habits. It simply calls on the President to come up with a plan to lead in an effort to reduce the waste of oil.

Now, in this House, even this is controversial, as amazing as it may seem. This seems to be the only place in America where trying not to waste oil is a bad thing. The other body voted on this very same amendment, and they voted to accept it 99 to 1.

Now, I know we are going to hear in a minute that this is a back-door way to impose new standards or regulations. That is nonsense. The amendment only asks the President to come up with some ideas for not wasting oil, and there are a lot of different things that can be done: keeping tires properly inflated, improving air traffic management, ensuring that we reduce heavy truck idling, use fuel-efficient engine oil, weatherize homes that use heating oil.

Now, all that we have to have the President do is to come up with ideas and to appeal to the American people on a patriotic basis that they simply should be more conscious of the waste and perhaps shut off their cars when they run into a Starbucks. I have no doubt the American people would respond.

It worked in California. When we had our energy crisis a few years ago, we had a real energy crunch, and the people in California pitched in and, almost overnight, reduced energy waste by 4 to 10 percent, depending on whose numbers you accept. Overnight, with no preparation, California achieved the small reduction that this amendment calls for. That is the least we can do.

This legislation that is before us overall is going to increase the amount of oil we are going to have to bring in from the Middle East. We are going to be more and more dependent. For our national security's sake, we ought to simply reduce some of the waste in oil that goes on every single year.

I am particularly struck that at a time when we have so many brave American men and women serving overseas, willing to sacrifice everything for us, we may not be able to muster the political will to ask the American people to chip in a little and reduce the waste of oil.

If we defeat this amendment, we are waving the white flag. We are waving that white flag to surrender to the oil companies and the other special interests. We will be saying we simply will not even try. The greatest country in the world cannot even find the will to achieve small reductions in the waste of oil. I do not think that is the message we want to send.

I would ask that my colleagues support this. This is a minimal step. It is common sense. At least it can put us on the side of trying to reduce waste. The President is simply called on to exert that leadership to come up with a

plan. If he does not think he can do it, well, he does not have to do it. But if he has some ideas, let us try to do at least the minimum we can do to reduce the waste of oil that is causing us to bring in and use, and in fact overuse, oil that we have to bring in from overseas.

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

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

It may seem odd that I would ask the House to rise to give the gentleman the right to offer an amendment that I am going to oppose, but I think it is worthy of debate. We had a debate in the Committee on Energy and Commerce on this amendment, and I glanced at it, and it appears to be the identical amendment.

Is it the identical amendment from the Committee on Energy and Commerce?

Mr. WAXMAN. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, yes, it is.

Mr. BARTON of Texas. It looked to me like it was. We had a good debate on it there and it was rejected, and I honestly hope that the House does the same.

Mr. Chairman, I want to read a part of the amendment. It says under section 151, "Presidential actions. For purposes of reducing waste of oil and decreasing demand for foreign oil, not later than 6 months after the date of enactment of this act, appropriate Federal departments and agencies identified by the President shall propose voluntary, regulatory, and other actions," other actions, "sufficient to reduce the demand for oil in the United States by at least 1 million barrels per day from projected demand for oil in 2013."

Now, let us go through that. The gentleman is stating that we are wasting oil. I guess when I hop in my pickup truck to go to the store to get some milk, then I am wasting gasoline. But my wife does not think I am wasting it, my children or stepchildren do not think I am wasting it when they get to drink the milk that I go get, but I guess maybe we are. So I do not know how we would identify this waste, but I assume there would be some Federal commission that could identify the waste of oil.

Of course, it talks about decreasing the demand for foreign oil. Well, oil is oil. We do get about 14 million barrels a day from overseas, and God bless us that we do. Our economy would come to a halt if we did not. So I am not sure how we would work on that.

It talks about being voluntary, regulatory, but then it says "other actions." "Other" could be mandatory. "Other" could be whatever the President of the United States says it is.

But the gentleman from California goes on to say, in subsection B, "If the

President determines that the departments and agencies lack the authority or funding to implement the actions proposed," in the section I just read, "then the President should come to the Congress and request the necessary authority."

Now, here we have an economy that in the last year in the United States, demand for energy has gone up, not down. The price of gasoline in nominal dollars has doubled in the last year. Demand has gone up 2 percent. We have doubled the price and demand has gone up. But yet, somehow, the gentleman from California (Mr. WAXMAN) thinks if we accept this amendment, that we are going to be able to wave some magic wand at the presidential level, and maybe at the congressional level, and reduce demand for oil by 1 million barrels.

We are only producing around 7 or 8 million barrels a day domestically, but somehow, just by having a group hug in the Federal agencies, we are going to find a way to reduce demand by 1 million barrels.

I do not think it is going to work that way. We can emote all we want, but we have a growing economy, a growing population, and we are probably going to continue to need more oil, not less. So the way to do it is to find ways to produce more and to find real-world ways to consume less and get more bang for the buck.

This amendment does not get us there, with all due respect. I hope we would oppose it. I strongly support the gentleman's right to offer it, but I just as strongly support my right to oppose it, and I hope at the appropriate time the House will vote "no" on the Waxman amendment.

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

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from California has 30 seconds remaining.

Mr. WAXMAN. Mr. Chairman, I yield myself the remaining time.

This only calls on the President to come up with some ideas talking to the people that are heading up his agencies. If he thinks he needs legislative authority, he should ask for it. But at least it makes him focus on not wasting oil, and there is a lot of waste that goes on. And the President can simply appeal to people: tune up your motors, promote oil savings in the industrial sector, keep vehicles properly tuned, improve the tire inflations, improve air traffic management. Some of these small things can add up to savings, and the savings we call for are the savings based on projections of future oil.

I ask for an "aye" vote.

Mr. BARTON of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. WAXMAN) will be postponed.

It is now in order to consider Amendment No. 11 printed in House report 109-49.

AMENDMENT NO. 11 OFFERED BY MR. ABERCROMBIE

Mr. ABERCROMBIE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. ABERCROMBIE:

In title II, subtitle A, add at the end the following new section:

**SEC. 209. SUGAR CANE ETHANOL PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term "program" means the Sugar Cane Ethanol Pilot Program established by subsection (b).

(2) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(b) ESTABLISHMENT.—There is established within the Department of Energy a program to be known as the "Sugar Cane Ethanol Pilot Program".

(c) PROJECT.—

(1) IN GENERAL.—In carrying out the program, the Secretary shall establish a pilot project that is—

(A) located in the State of Hawaii; and

(B) designed to study the creation of ethanol from cane sugar.

(2) REQUIREMENTS.—A pilot project described in paragraph (1) shall—

(A) be limited to the production of ethanol in Hawaii in a way similar to the existing program for the processing of corn for ethanol to show that the process can be applicable to cane sugar;

(B) include information on how the scale of production can be replicated once the sugar cane industry has site located and constructed ethanol production facilities; and

(C) not last more than 3 years.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$8,000,000, to remain available until expended.

The Acting Chairman. The gentleman from Hawaii (Mr. ABERCROMBIE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. ABERCROMBIE. Mr. Chairman, I do not believe, if the gentleman from Texas (Mr. BARTON) would corroborate here, that there is going to be opposition to this amendment.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. ABERCROMBIE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I am supportive, but my understanding is that the gentleman from Arizona is going to be nonsupportive.

Mr. ABERCROMBIE. Well, he has not heard me speak yet.

Mr. BARTON of Texas. Hopefully, the gentleman from Hawaii and I, together, can overcome him. I do support the gentleman's amendment at the appropriate time.

Mr. ABERCROMBIE. Mr. Chairman, the sheer weight of logic plus our considerable mutual charm I think has some hope in that direction.

Mr. Chairman, I rise today in favor of this amendment. Please allow me to say two things before I proceed. First, I want to express my gratitude to the gentleman from Texas (Mr. BARTON) and to the gentleman from California (Mr. POMBO) and their committee staffs. Believe me, a lot of work went into this in the midst of all of the other pressures of various other items that were before them. This means a great deal.

In every one of these bills, particularly in this energy bill, people have things to which they are deeply committed, including my good friend, the gentleman from Arizona (Mr. FLAKE), with respect to both the philosophy involved and what the consequences might be from any given item.

Now, in the great scheme of things, this might not seem like a lot to a lot of people, but for those of us who understand what it is, if we can actually grow our own renewable energy with sugarcane in the form of biomass can actually provide by being converted to ethanol. That is why this is here.

I am not certain, and the gentleman from Hawaii (Mr. CASE) will speak shortly about it too, as to whether there are larger, logistical issues involved or political issues. But I can tell my colleagues this: Whatever arguments there are out there about whether sufficient time or funds are being committed to renewable energy, alternative energy, this is something that we can do. And this is something where we are getting support from the oil and gas companies in Texas, in Louisiana.

Hawaii and Florida can join in, because we are growing sugarcane, sugarcane can become ethanol, ethanol can help reduce the dependency on oil and gas. And we can work with the oil and gas companies to see to it that we have blends that will allow us to reduce our dependency on foreign oil, on foreign sources. That is what this is about.

We can grow our own energy in Hawaii if we get the chance to do this. And the gentleman from Texas (Mr. BARTON) and the gentleman from California (Mr. POMBO) have recognized this. They are going to give us the chance, and if this works, I am in contact with people, for example, like at Southern University in Louisiana, just speaking with them tonight, with the idea that perhaps we can take the sugarcane industry, and instead of always having to be in the position of having to defend ourselves against wage slavery around the rest of the world, that we will be able to have good jobs, good income in the United States of America, and be growing our own energy.

That is what this is about, and that is why I ask for the support of my colleagues on this.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. ABERCROMBIE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I support the amendment, and I strongly encourage the majority to support it, and we will work with the gentleman in conference to maintain it if he will promise to work with his Hawaiian Senators to get them to do that also.

Mr. ABERCROMBIE. I will do that, Mr. Chairman.

Mr. BARTON of Texas. I am in support of the Abercrombie amendment and hope that the House accepts it.

Mr. ABERCROMBIE. Mr. Chairman, this is a very, very big opportunity and challenge for us that I think we will be able to meet.

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

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Mr. FLAKE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from Arizona (Mr. FLAKE) controls 5 minutes.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

I rise today in opposition to the sugar cane ethanol pilot program. This proposal, the problem with it is that it combines two programs, and both waste taxpayer money.

First, the sugar subsidy artificially raises the price of sugar that you buy every day. Whenever you eat a candy bar or drink a can of 7-Up, you are paying more because the government artificially raises the price of sugar.

Now, if you want to raise the cost of gas by forcing taxpayers to put fuel mixed with processed subsidized sugar in your tank, it just seems strange in this bill, because I thought the purpose of this bill was actually to lower the cost of energy.

Second, ethanol is simply another taxpayer subsidy that could only find support in Congress, certainly not in the marketplace. Study after study demonstrates that it actually uses more energy to produce than it actually yields at the end.

And ethanol subsidies came about decades ago. It was just to jump-start the industry. And soon it will be on its own; the market will take over. Well, guess what, decades later we are still subsidizing ethanol. Well, why in the world should we do this and turn this to sugar now?

When grain-producing States have long found a way to keep ethanol alive, now sugar-producing States want into the act. My district has a great supply of prickly pear. Now, some people will eat it; it is sold at the airports. I would submit that is just as good a source of sugar for ethanol. If you use enough energy, you can turn anything into ethanol. But should we do it on the

taxpayer's dime? I would say, no, we should not.

Mr. ABERCROMBIE. If the gentleman will yield, I will be happy to bring in prickly pears.

Mr. FLAKE. I enjoy it when the gentleman brings macadamia nuts into the committee; we enjoy those a lot. But I would not propose that we make ethanol out of it. It simply makes no sense at all to try to turn sugar, or for that matter corn, into gasoline.

Additionally, those of us who oppose ethanol need to stand up today to oppose this amendment because what may seem like a small program now, once sugar States discover what corn States have discovered, it will become much, much bigger and spending will become more and more and more. 10 million will become 20 and then 30 and then soon it is hundreds of millions of dollars.

This comes at the detriment of taxpayers who will pay more at the pump. Again, let me say that the purpose of this bill, the stated purpose, is during an energy crisis to bring down the cost of energy. And here we are employing programs that will simply make you pay, one, more at the pump, and, two, more in taxes because you are supporting this kind of subsidy.

I thought it was kind of strange, when I was a kid the worse prank you could play, it was hardly a prank, it was property damage, but was to put sugar in someone's tank. That was the worst thing you could do. And here you are going to ask the taxpayers to pay for it. It just seems wrong to me.

With all deference to my good friend from Hawaii, I just do not think that I can support this amendment. I am under no illusion, given the committee's support, the Republican's support for the amendment that I can beat it. But someone needs to stand up and say what this really is. It is another taxpayer subsidy that is going to raise the cost of energy.

For that reason I oppose it. Let us keep sugar out of your gas tank.

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

Mr. ABERCROMBIE. Mr. Chairman, will the gentleman from Arizona (Mr. FLAKE) yield his remaining time to me?

The Acting CHAIRMAN. The gentleman from Hawaii (Mr. ABERCROMBIE) has 1½ minutes remaining.

Mr. FLAKE. Mr. Chairman, I yield my remaining time to the gentleman from Texas (Mr. BARTON).

The Acting CHAIRMAN. Without objection, the gentleman from Texas (Mr. BARTON) will control 1½ minutes.

There was no objection.

Mr. ABERCROMBIE. Mr. Chairman, I yield myself such time as I might consume.

Might I just say for the edification of my good friend, the gentleman from Arizona (Mr. FLAKE), that when you take those two cans of Coke that you are talking about, just tell me whether the Diet Coke is cheaper than the other

one that has sugar in it. I do not think so. You are not saving any money that way. That is not going to work.

But I would be happy some other time perhaps to have a full blown discussion about this at another point.

Chairman Dreier, Ranking Member Slaughter and the Members of the Committee on Rules. I offer this amendment to H.R. 6 with the hope of reducing our nation's reliance on oil and advancing our efforts in Hawaii to become more energy self-sufficient. This is philosophically consistent with other provisions of H.R. 6 encouraging energy production.

My amendment authorizes a 3-year demonstration program for the production of ethanol from sugar cane in Hawaii. Specifically, \$8.0 million would fund a \$1.00 per gallon payment to refiners and 8.0 million gallons of ethanol fuel. This pilot program would parallel the existing corn program to show that the process can be applicable to cane sugar and can be replicated on a larger scale.

Nationally, the sugar cane industry is currently formulating a program to process 700,000 tons of cane sugar into ethanol. With a large domestic surplus of sugar, and the possibility of additional imported sugar being allowed into the domestic market through free trade agreements, a program of such size would stabilize domestic markets and produce a significant volume of ethanol.

This pilot project will provide invaluable insight on problems that may arise with a national program. The State of Hawaii has passed a law that goes into effect on April 1, 2006, mandating a 10 percent ethanol blend for gasoline consumption in the state. Oil refineries are building ethanol storage and blending facilities in anticipation of meeting the requirement. Locally produced ethanol would be less expensive than importing the estimated 45 million gallons of ethanol needed to fulfill the 10 percent requirement.

Because of the relatively low domestic price of sugar, Hawaii producers for some time been considering and now planning ethanol production from the cane sugar that would otherwise have gone into the domestic sugar market. The State of Hawaii is prepared to take advantage of this within months. However, this amendment is also supported by the other sugar cane growers who would like to identify any problems that might result from the large scale production of sugar cane ethanol.

This amendment was developed after the House Energy and Commerce Committee completed its markup but the amendment has been signed off by the majority side of the Energy Committee. I urge my colleagues to allow floor debate on this demonstration project and rule this amendment in order. Thank you very much for your consideration.

Mr. Chairman, I yield my remaining time to the gentleman from Hawaii (Mr. CASE).

The Acting CHAIRMAN. The gentleman from Hawaii is recognized for 1½ minutes.

Mr. CASE. Mr. Chairman, let me make four quick points on this amendment. First of all, I completely and wholeheartedly support it.

Second, the credit for this amendment goes to my colleague and the senior Democrat, the gentleman from Hawaii (Mr. ABERCROMBIE) who I thank. Since I have almost all of the agriculture in my particular district, this shows teamwork.

Third, this morning, in Kahalui, Maui, the price of a premium gallon of gas was \$2.98 per gallon. Across the street from that gas station, stands one of the most highest yield sugar plantations in the whole world, a sugar plantation that is threatened across the way, threatened across the board.

If we can produce ethanol from that sugar plantation, we can kill a bunch of birds with one stone. We can preserve agriculture in this country. This is revolutionary. If we can produce meaningful energy from prickly pears, or whatever you want, from sugar, all power to it; it is going to work for all of us. If we can save the sugar industry by producing energy from the sugar industry, it will be good for us, and it will be good for many of the other issues that we care so much about. I urge adoption of this amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield 30 seconds of my minute and a half, which was Mr. FLAKE's minute and a half, to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me the time. I just want to point out the cost of a can of 7-Up or Coke does cost more because we inflate the price of sugar.

The cost of a candy bar, I believe, is four cents more than you would pay otherwise because of subsidized sugar prices.

And the problem is what economists call concentrated benefits, diffuse costs. Nobody is going to come here to Washington to lobby against a subsidy that only costs them four cents; but, boy, the sugar industry, which reaps millions and millions of dollars in benefits from subsidized sugar is surely going to come to Washington, and that is why we are going to have this kind of amendment today.

Mr. BARTON of Texas. Mr. Chairman, I yield 30 seconds to my good friend, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I rise in support of the Abercrombie amendment. What we are engaged in today is just trying to find commonsense suggestions to really sustain the American way of life. Affordable energy, affordable agriculture are two things that sustain the American way of life.

This accomplishes good work toward both. I will submit more comments for the RECORD. But I do want to support the amendment.

Mr. Chairman, I rise today in support of the Abercrombie Amendment. This amendment will authorize a modest program to develop ethanol from sugar cane, which would be added to fuel in Hawaii to meet the EPA Clean Air Act requirements for oxygenated fuels. The State of Hawaii also mandated a 10 percent ethanol blend for gasoline in the state in order to improve the state's air quality.

Hawaii must meet Federal standards for clean air by mandating clean burning fuel. Ethanol is currently the only acceptable ingredient to blend with gasoline to meet Clean Air Act requirements.

Unfortunately for Hawaii the dominant crop is sugar instead of corn. If Hawaii grew corn,

they would already be receiving tax credits for ethanol production like almost every other state in the nation. According to the Congressional Research Service the tax credits for ethanol production will total more than \$1.4 billion. Congress annually provides tax credits, research funding and grants to turn rice straw, biomass, agriculture waste, woody debris and corn into ethanol.

Congress is spending billions to increase our nation's production and consumption of ethanol from every source imaginable. Congress has decided ethanol production is worthwhile, and has provided at least \$10 billion in incentives and tax credits since 1978 when an alcohol tax exemption was made law. Congress should pass this amendment in order to have a consistent ethanol policy.

Mr. Chairman, I urge passage of this amendment.

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

I just want to say that we are supporting all forms of energy. We accepted amendments in the committee for animal methane, livestock methane. This is a pilot program. It is a nominal amount of dollars. I honestly do not know whether sugar cane will be economical to turn into ethanol, but it is well worth the 3-year pilot program to see if it is.

I actually hope that it is. I would want it to be successful. But this is a very, very small, nominal program. And I would also point out there are not many States that can grow sugar cane. Hawaii would be one. I guess Florida would be one. Perhaps Louisiana. Maybe even Texas, although I do not think we have.

So I would hope we would support the Abercrombie amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii (Mr. ABERCROMBIE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 10-94.

AMENDMENT NO. 12 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Ms. KAPTUR:

In title III, subtitle A, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 305. STRATEGIC FUELS RESERVE.**

The Energy Policy and Conservation Act is amended—

(1) in section 2(2) (42 U.S.C. 6201(2)), by striking "Strategic Petroleum Reserve" and inserting "Strategic Fuels Reserve";

(2) in section 3 (42 U.S.C. 6202)—

(A) in paragraph (8)(C), by striking "petroleum products" each place it appears and inserting "fuel products"; and

(B) by adding at the end the following new paragraph:

"(11) The term 'fuel products' means petroleum products and alternative fuels, including ethanol and biodiesel.";

(3) in title I (42 U.S.C. 6212 et seq.) by striking "Strategic Petroleum Reserve" each

place it appears and inserting "Strategic Fuels Reserve";

(4) in part B of title I (42 U.S.C. 6231 et seq.)—

(A) by striking "petroleum products" each place it appears, including headings (and the corresponding items in the table of contents), and inserting "fuel products";

(B) by striking "petroleum product" each place it appears, including headings (and the corresponding items in the table of contents), and inserting "fuel product"; and

(C) by striking "Petroleum products" each place it appears and inserting "Fuel products";

(5) in section 165 (42 U.S.C. 6245)—

(A) in paragraph (5), by striking "of petroleum" and inserting "of fuel"; and

(B) in paragraph (7), by striking "Petroleum Accounts" and inserting "Fuel Accounts"; and

(6) in section 167 (42 U.S.C. 6247)—

(A) in the section heading (and the corresponding item in the table of contents), by striking "SPR Petroleum" and inserting "SFR Fuel"; and

(B) in subsection (a), by striking "SPR Petroleum" and inserting "SFR Fuel".

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume.

The over-reliance of the United States on imported petroleum creates a major strategic vulnerability for our Nation, with nearly half the energy supply of our country now imported, and that reliance grows every day.

My amendment has a goal of taking a small step toward energy independence in the following way: we have something called a Strategic Petroleum Reserve managed by the Department of the Interior, which has in that reserve about 700 million barrels of oil, allowing us to maintain a temporary shield from increased costs on oil.

The purpose of my amendment only allows, it does not require, the Secretary of Energy the discretion of including ethanol, biodiesel, and other alternative fuels in the Strategic Fuel Reserve. So it takes the word "petroleum" out, although petroleum will remain the major fuel; but it offers some encouragement, albeit mild, to try to get us to think differently about a new future for our country.

Every one of us has that responsibility, including the Secretaries of the Interior and Energy. This amendment is neutral. If the Secretary decided to secure alternative fuels, it would be paid for by the exchange or sale of crude oil from the existing reserve.

Ethanol and other bio-based fuels are two of the ways in which America can truly become more self-sufficient in fuel production and usage. This chart shows, just over the last 20 years or so, our petroleum consumption and how much more of it is imported, to now well over half.

It is projected in another 15 years our imported petroleum will rise to 75 percent. By 2050, most easily drawn-down reserves in the world will have been

drawn down, not just by our country but by nations like China, for example, which are using more and more petroleum every year.

We simply cannot live in the 20th century any more. It is now the 21st century. If we look where we are importing our crude reserves, they are coming largely from the Middle East, followed by Mexico, Venezuela, Nigeria, many places that have difficulties politically.

Increasing use of renewable fuels will result in significant economic benefits to our Nation as well. For example, biodiesel production is dramatically increasing, going from about 5 million gallons in 2001 to five times that much this past 2003.

And Congress expanded the existing reserve in 2000 to include the Northeast Home Heating Oil Reserve. There is absolutely no reason that biodiesel cannot ultimately become part of that reserve and help us to transition off our increasing reliance on petroleum.

The use of biofuels makes environmental sense, allowing us to better preserve our natural environment. Biodiesel, for example, contains no sulfur, or aromatics associated with air pollution, and the use of something like biodiesel provides a 78.5 percent reduction in CO<sub>2</sub> emissions when compared to petroleum diesel.

Currently the SPR, the reserve, contains a number of domestic and foreign crude oils, and those fuels are stored separately. Adding additional storage capacity for other fuels could be planned very easily by the Secretary of Energy and the Secretary of the Interior.

The National Farmers Union, for example, is supporting this effort. People across this country really know America has to change. This is one small baby step. It is just encouraging language. It asks that those responsible for the current strategic reserve think more creatively, take the time to look at these alternative fuels, and help put America on a more energy-independent course.

Without question, the farmers across this country need new value added; and with the price of oil skyrocketing, and it really will not go down, it has not gone down in the last 30 years if you look at the progression of oil pricing in the spot markets, for example. And now these fuels are competitive.

There are many States taking the lead. Take Minnesota, take Iowa, take Nebraska, take the Dakotas. There are many places that have seen the future and are developing it. I think we here in Congress should respond to that inventiveness and that desire of the American people to invent their way to a new fuel future.

And, in fact, when you come to my part of the country and you look across the fields, you can see part of America's future in the fields of the future, and fuels of the future that will be produced on them and are being produced on them more and more every day.

Why should the Departments of Energy and the Interior not help us to move America forward. I would ask for favorable consideration of this amendment. And I thank the gentleman from Texas (Mr. BARTON) for allowing the amendment and the Rules Committee for granting it.

Mr. BARTON of Texas. Mr. Chairman, I rise in respectful opposition.

The Acting CHAIRMAN. The gentleman from Texas (Mr. BARTON) will control 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume. I think we have shown today, and we certainly have shown in committee, that the majority is looking for reasons to say yes to as many ideas and amendments as Members have, whether in the minority or the majority.

So I have had every reason to try to find a way to say yes to the gentlewoman of Ohio's (Ms. KAPTUR) amendment; but unfortunately I cannot, because it is just not practical.

Oil in the crude state lasts indefinitely. You can store it underground for long periods of time. And if we ever need it, pump it out, refine it, and use it. These alternative fuels that the gentlewoman from Ohio's (Ms. KAPTUR) amendment would refer to are refined and they have a much shorter shelf life, 30 days, 60 days, 90 days.

□ 2030

If we accept the gentlewoman's amendment, it would become law. What we would create is a situation where we would be refining product that we would be putting into reserve that you would continually have to be changing. And so what you would do is just create another intermediate step in the marketplace because the strategic refined reserve would really never be permanent. You would always be changing it.

In the case of ethanol, today ethanol is not put into the gasoline until it is ready to go to the service station because of its very short shelf life. So with ethanol you mix it with the gasoline and then you send it to the station, and then it is consumed immediately. So the ethanol reserve, I am not even sure if you could do that or not.

So the intentions of the gentlewoman from Ohio (Ms. KAPTUR) are certainly in the right direction, but this is an idea that is just not practical. I wish it were. If I thought it were, we would try to find a way to accept it, but I do not think it would be helpful, and so, reluctantly, I oppose it.

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

Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from Texas (Mr. BARTON) has 3 minutes remaining.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR) to close on her amendment.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time.

If the gentleman and my colleagues could read the amendment, it does not prescribe any format for the Secretaries of Energy or Interior to use in creating this reserve. In fact, the reserve could actually be stored in the form of the raw material which is processed very easily and can be done immediately because the processing technology is on line.

So it literally could be the type of Commodity Credit Corporation booking that we use for other grains in our country and other material that we use in refining of alcohol-based fuels. So it does not say to the Secretary that they have to buy it in this form or store it in a given form. They could actually store the grain and use the powers of the Commodity Credit Corporation, for example, to broker those reserves. But nonetheless it would be available in the country.

We are talking about a process that actually is simpler than refining petroleum and refining crude and one that is much less dirty. So if I could beg the gentleman as we move towards conference, perhaps, I would like to move forward with this amendment in some form to find a manner in which it can work and with which the gentleman is comfortable.

NATIONAL FARMERS UNION,  
April 19, 2005.

Hon. MARCY KAPTUR,  
House of Representatives,  
Washington, DC.

DEAR CONGRESSWOMAN KAPTUR: On behalf of the over 260,000 members of the National Farmers Union, we write in strong support of your amendment to H.R. 6 which will establish renewable fuel reserves as an important foundation to lessening our dependence on foreign oil.

Thanks to your leadership your legislation can help store renewable fuels in case of possible future consumer disruptions. We applaud your efforts and we want to work closely with you on making this amendment part of H.R. 6.

We look forward to working with you on this issue and commend you for your dedication to renewable fuels.

Sincerely,  
DAVID J. FREDERICKSON,  
President.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I wish I could find a way to say "yes." Unfortunately, I cannot.

I think the underlying bill which has an authorization to increase the crude Strategic Petroleum Reserve and build it out to a billion barrels and also try to build some new refineries in this country, if we take those two things together, we will have the same effect as the gentlewoman's intent, which is to create the ability, if we ever need the SPR, to move the large amounts more quickly and to refine them more quickly and thus disrupt the American economy as little as possible.

I continue to oppose the gentlewoman's amendment. I urge a "no" vote.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Ms. KAPTUR) will be postponed.

The Acting CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 109-49.

AMENDMENT NO. 13 OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. CONAWAY:

In title III, subtitle B, add at the end the following new section:

**SEC. 334. OIL, GAS, AND MINERAL INDUSTRY WORKERS.**

Congress recognizes that a critical component in meeting expanded domestic oil and gas supplies is the availability of adequate numbers of trained and skilled workers who can undertake the difficult, complex, and often hazardous tasks to bring new supplies into production. Years of volatility in oil and gas prices, and uncertainty over Federal policy on access to resources, has created a severe shortage of skilled workers for the oil and gas industry. To address this shortage, the Secretary of Energy, in consultation with the Secretary of Labor, shall evaluate both the short term and longer term availability of skilled workers to meet the energy security requirements of the United States, addressing the availability of skilled labor at both entry level and at more senior levels in the oil, gas, and mineral industries. Within twelve months of the date of enactment of this Act, the Secretary of Energy, the Secretary of Labor, and the Secretary of the Interior shall submit to Congress a report with recommendations as appropriate to meet the future labor requirements for the domestic extraction industries.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

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

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment to address what is a critical shortage of labor within the oil and gas industry and the mineral industries.

Since 1999 there has been a significant drop in the number of jobs in the oil field. As the price of oil and natural gas have fluctuated, workers have come and gone in this industry. We are now at a point where we are at a critical shortage of workers across the spectrum, roughnecks, well service hands, pulling unit hands and others,

as well as the technical engineers, geologists, geophysicists. They are key to continuing the search for domestic production.

As an example, one community in my district, Kermit, Texas, in 1998-1999 had some 9,000 people living there. As a result of the downturn in those years and the loss of jobs, that community now has 6,000 people living there. Even with the significant increases in the price of natural gas and crude oil that we are experiencing today, those people have not come back to Kermit, Texas. We are facing this critical shortage.

My amendment would simply require the Energy Department, in consultation with the Interior Department as well as the Labor Department, to conduct a study of the impact that this shortage is having and to present possible solutions to the shortage.

By way of trying to be a bit dramatic, each barrel of oil we import, each MCF of natural gas we import, adds to our trade deficit each and every day. The need to import a barrel of oil or the need to import an MCF of natural gas causes us to remain dependent on those foreign sources.

I speak in favor of this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico (Mr. PEARCE), a former oil and gas company owner.

Mr. PEARCE. Mr. Chairman, I thank the gentleman for yielding me time.

I would support the amendment. As an oil and gas service company, we did not actually own oil and gas wells, but we owned a company that repaired the wells. My wife and I faced the problem daily of where to find employees and how to retain those employees.

In the 1999-2000 period, the price of oil fell to \$6 for New Mexico type of oil. Revenues in service companies like ours fell to 20 percent of the original values. Although my wife and I were able to keep every employee for the duration of that period of time, about 11 months, many, many of the firms laid off 68 to 70 percent of their employees and gave pay cuts in the industry.

That is the sort of cyclical thing that we face in the oil and gas industry, and now that the price has come back up, literally there are no workers to be had because they do not wanted to come back to a cyclical industry. We face limitations on production based on the lack of availability of labor.

So I think that this important study should be done to find out where we can get labor, where we can get solutions to simply keep our oil fields working. The viability of our oil fields really is going to determine the price of natural gas and petroleum in this economy.

I think the gentleman's amendment is well placed, and again, I would heartily endorse it and request Members to vote for it.

Mr. CONAWAY. Mr. Chairman, I reserve the balance of my time.

Mr. STUPAK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise in support of the Conaway amendment.

I come from an energy State. I come from a State that produces oil and gas. It produces not only oil and gas, but it produces jobs for our local economy. And I rise in support of this amendment because it is a jobs amendment.

In the 1980s and the 1990s we saw a great fluctuation in the price of oil and gas. We lost some jobs and some of those jobs never came back. Even though today we have higher oil and gas prices, some of those folks that were involved in the industry never came back. That tax base has been lost, and young people are not entering into the industry like they were before. They are not entering into the PLM programs, the programs that are so vital to our industry.

So it is very important that we support this amendment so that we have more tool pushers, more roughnecks and more truck drivers in places like Oklahoma.

I would ask each Member to vote for this amendment.

Mr. CONAWAY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON), the chairman of the Committee on Energy and Commerce.

The Acting CHAIRMAN. The gentleman from Texas (Mr. CONAWAY) has 2 minutes remaining.

Mr. BARTON of Texas. Mr. Chairman, I rise in support of the Conaway amendment. I think it adds to the bill. It is a study to ask the Department of Energy and the Department of Labor to see what the supply of labor is in the oil field industry, both in the short term and the long term.

You hear stories that all the landmen have retired and the geophysicists have retired, and you even hear some stories that we do not have the roughnecks to go out and operate the rigs. There is a big natural gas plague going on in Texas right now. There is some oil production drilling going on.

So I think this is a useful element, and I hope we would support it. I thank the gentleman from Midland, Texas (Mr. CONAWAY), for offering it.

Mr. STUPAK. Mr. Chairman, I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to close with one statistic. In 1981 there were some 1.6 million people employed in the oil and gas industry. Today, at the end of 2004, that number now just barely reaches 500,000. A dramatic decrease in the number of good, solid jobs in this economy and jobs in an industry that is clearly vital to our national interest.

I encourage my colleagues to vote in favor of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by

the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 14 printed in House Report 109-49.

AMENDMENT OFFERED BY MS. SOLIS

Ms. SOLIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows: follows:

Amendment No. 14 offered by Ms. SOLIS:

Strike subtitle D of title III (relating to refinery revitalization) and make the necessary conforming changes in the table of contents.

The Acting CHAIRMAN. Pursuant to House Resolution 219, the gentlewoman from California (Ms. SOLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, I yield myself such time as I may consume.

Today I rise to offer my amendment to strike the refinery revitalization provisions in H.R. 6. The refinery revitalization provisions are the biggest environmental and public health injustices that the Congress and Bush administration can perpetrate on the American people. The bill would strip our States and communities and local air boards and other Federal agencies of existing authorities and give these authorities to the Department of Energy. The energy czar is then required to establish refinery revitalization zones in more than 1,200 counties and, in each instance, can veto our States and communities.

This language is crafted on false premises. In two separate letters in the summer and fall of 2004, the EPA stated that it was not aware of any pending permits under the public health laws we are undermining. According to the 2005 Energy Information Administration's annual energy outlook, refining capacity is expected to grow through 2025 under existing laws.

The refinery revitalization provisions are opposed by a wide variety of groups. The following are 15 national entities representing public entities, health care entities and civil rights organizations:

The National Association of Counties, the National Conference of State Legislatures, the National League of Cities, the U.S. Conference of Mayors, the Environmental Council of States, the State and Territorial Air Pollution Program Administrators, the Association of Local Pollution Control Officials, the South Coast Air Quality Management District in California, all major environmental and public health groups including the League of Conservation Voters, the National Hispanic Environmental Council, the National Council of La Raza, and the League of United Latin American Citizens.

Most of the neighborhoods in refinery communities are low-income minority communities with the least availability to defend themselves from corporate pollution, and most are vulner-

able to environmental and public health problems, yet are targets in this very language.

More than 70 percent of Latinos and African Americans live in counties with dirty air. Latino children have asthma at a much higher rate than non-Latino children, and death rates from asthma among African Americans are 2.5 times higher than for whites. Yet this language would put the Department of Energy in charge of protecting our health.

Perhaps before we harm the health of most underserved populations, before we strip States and communities of their rights to protect themselves, and before we turn a good part of this Nation into a refinery revitalization zone, perhaps we should have a real dialogue, that would have tremendous impacts in our communities, that would truly represent those concerns and voices we represent.

I urge my colleagues to support my amendment to protect our communities and support the amendment to strike this egregious language.

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

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

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have not built a new refinery in the United States since 1976. Now, we have expanded some existing refineries, but we have closed dozens, if not hundreds, of small refineries.

□ 2045

We are importing refined product because we do not have the ability to meet our needs for refined petroleum products with our existing refinery base. Our refineries are operating at 95 percent capacity every day.

Now, this amendment that the gentlewoman from California wants to strike would say that we are going to go out and do an inventory of existing refinery sites that have been closed or manufacturing sites that have been closed where there is high unemployment, high unemployment. So you have to have two things. You have to have an existing refinery site or a manufacturing site that is no longer in use, and you have to have very high unemployment.

We think there are around 100 of those sites. I think the exact number is 96; and under this part of the bill, if a community wants to solicit a refinery, we set up an expedited procedure that is led by the Department of Energy where you can go and request all the number of permits. We do not waive any permit. We do not eliminate any permit.

We are not mandating that anybody has to seek one of these, but I think it would be a positive to build 5, 6, 7 million barrels of new refinery capacity in this country using state-of-the-art

technology so that we can meet 100 percent of our refined product needs, take some load off the existing refinery base, and, yes, create some jobs in America. I think that would be a good thing, not a bad thing.

So I strongly oppose this amendment and would encourage all the other Members to oppose the amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I reluctantly rise in opposition because the gentlewoman from California (Ms. SOLIS) is a good member of our committee, and we work on lots of issues together.

I represent a blue collar district. We have probably more refineries in the district I represent now than anyone else in the country and those are our jobs, are our tax base and what economic development we have, and they are blue collar jobs. They are minority jobs in our district.

I am concerned, though, about what is happening in our country. We continually transfer our blue collar industrial capacity overseas. My concern is we are seeing the same thing happen whether it be with refineries or petrochemical plants just like we have seen with our textiles. It would not be very difficult to move a chemical plant to where they are still flaring natural gas or to have a refinery ship us refined product.

That is why I think the provision of the bill is really good, and I think the amendment does a disservice maybe to our whole country because we need to expand our refining capacity, again, reopening those, make them get the permits, but also make sure that we keep those jobs in our country instead of moving overseas.

Ms. SOLIS. Mr. Chairman, I would like to inquire how much time is remaining.

The Acting CHAIRMAN (Mr. SIMPSON). The gentlewoman from California (Ms. SOLIS) has 2½ minutes remaining.

Ms. SOLIS. Mr. Chairman, I yield 1¼ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, refinery emissions cause asthma. Since the refineries pose a threat to human health, they are regulated under the Clean Air Act; but this energy bill undermines EPA's ability to enforce clean air standards at refining facilities. The provision moves the task of environmental protection from the EPA to the Department of Energy where it does not belong.

The bill would place the Secretary of Energy in charge of the permitting process, the official record and the only environmental review document. DOE is even given the power to issue permits which EPA and State governments have denied.

EPA's three decades of expertise would be supplanted by an agency without experience enforcing the Clean

Air Act. It may be time to expand existing refineries or build new ones, but EPA is not the problem. EPA has no outstanding refinery permit requests; and if there were a problem, there would be a backlog, and there is none.

Putting DOE in charge will create more bureaucracy, not more refineries. EPA's Clean Air Act knowledge is an asset in expedited permitting, not a liability, because the DOE is much more likely to issue permits that will be struck down in court.

Please vote for the Solis amendment. Mr. BARTON of Texas. Mr. Chairman, I yield myself the balance of the time.

Again, I oppose the Solis amendment. I was at the White House earlier this week and was briefing the President on the energy bill that came out of the various committees; and when I mentioned this particular element, which I consider to be an important element of the bill, something that we did not have in last year's bill, his initial, off-the-cuff reaction was, A, it was very good; and, B, could we add abandoned military bases.

Obviously, it is not in order to change the amendment on the floor, but when we go to conference, if the President decides that the official position of the White House is to support the amendment plus add abandoned military bases, we will have a debate in the conference and hopefully add that.

But the bottom line on this is we need more refinery capacity. We need it in this country. Why not put it at old refinery sites or old manufacturing sites where they have high unemployment and we can create some good jobs for America, and oh, yes, by the way, most of these jobs will be union jobs.

I would urge a "no" vote on the Solis amendment. Let us vote for jobs in America.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The gentlewoman from California (Ms. SOLIS) has 1¼ minutes remaining.

Ms. SOLIS. Mr. Chairman, I yield for a unanimous consent request to the gentleman from Ohio (Mr. KUCINICH) to allow him to enter his statement into the RECORD.

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

Mr. KUCINICH. Mr. Chairman, I enter my statement in the RECORD in support of the Solis amendment.

Mr. Chairman, no one wants an oil refinery in their neighborhood. So in order to force one open, this bill encourages them to be established in neighborhoods with high unemployment or recent layoffs.

The University of Texas and the Houston Chronicle studied the air near refineries in the Houston area. The paper wrote that they "found the air . . . so laden with toxic chemicals that it was dangerous to breathe." Houston is not alone.

Multiple penalties of hundreds of thousands of dollars for environmental violations have been handed to refineries so far this year. And we surely have not forgotten last month's BP refinery explosion that killed 15 people.

Let's employ the unemployed but not at the expense of their families' health and wellbeing. That is kicking them when they're down.

Ms. SOLIS. Mr. Chairman, I yield 1¼ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I thank the gentlewoman for yielding me time.

I could well envision a procedure that would require the EPA to coordinate in a consultative process with the Department of Energy to resolve environmental issues, but the crafters of this bill have I would say knowing the gentleman from Texas not intentionally but unintentionally overreached. They extend this authority for the Secretary of Department of Energy to overturn a range of Federal laws.

The Corps of Engineers regulates activities that would have adverse effect on navigable waters of the United States. Private parties could locate wharves, docks, other structures in the water that would obstruct commerce; but the Corps of Engineers has permitting authority that says, no, you cannot do that.

With this language, the Secretary of Energy could throw out a century of regulatory authority, for example, in the case where a refinery has been denied a permit to build a structure in a navigable waterway. The applicant would appeal to the Secretary of Energy who would just simply overturn the corps.

Refineries often are not located near navigable waterways to facilitate barge traffic. If the corps said, no, you are going to do something that is going to obstruct navigation, the Secretary of Energy could overturn the corps.

I do not think that is intended, and this authority goes even further to FAA and other agencies under the jurisdiction of our committee. It should be defeated.

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the Solis amendment to the energy bill.

This amendment ensures that the Federal laws and regulations that pertain to ensuring clean air and water and a solid quality of life for our constituents are not stripped out just because they or their community is facing some economic distress.

Specifically, the Solis amendment would strip out language that cynically allows refineries to move into economically distressed communities, override Federal environmental laws, trample on local zoning laws and ignore community opposition to set up shop.

The fact that this bill allows the oil companies to ride roughshod over those communities facing tough economic times is a travesty.

Urban and rural communities facing tough times cannot and should not serve as dumping grounds for the oil industry.

Just because a community is facing an economic downturn is no reason to say that population can now be exposed to refineries and their byproducts in their community—and that these people do not deserve the protections of the Clear Air Act as just one example.

The House has the opportunity to strip out the special rights and ensure equal rights for all of our constituents.

While I represent New York City and do not see any oil refineries planning to set up shop there any time soon, this amendment is an attack on all communities facing tough times and will lead to greater victimization of people suffering.

Please support the Solis amendment and strip out the damaging special rights for refineries in this bill.

The Acting CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. SOLIS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. SOLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. SOLIS) will be postponed.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

amendment No. 14 by Ms. SOLIS of California;

amendment No. 12 by Ms. KAPTUR of Ohio;

amendment No. 9 by Mr. WAXMAN of California;

amendment No. 7 by Mr. BISHOP of New York;

amendment No. 6 by Mr. MIKE ROGERS of Michigan to the amendment of Mrs. JOHNSON of Connecticut;

amendment No. 5 by Mrs. JOHNSON of Connecticut;

amendment No. 4 by Mr. BOEHLERT of New York;

amendment No. 3 by Mr. MARKEY of Massachusetts;

amendment No. 2 by Mr. DINGELL of Michigan.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 14 OFFERED BY MS. SOLIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SOLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 248, not voting 4, as follows:

[Roll No. 115]

## AYES—182

Abercrombie Honda  
Ackerman Hooley  
Allen Hoyer  
Baird Inslee  
Baldwin Israel  
Bean Jackson (IL)  
Becerra Jackson-Lee  
Berkley (TX)  
Berman Jefferson  
Bishop (NY) Johnson (IL)  
Blumenauer Johnson, E. B.  
Boehlert Jones (OH)  
Brady (PA) Kanjorski  
Brown (OH) Kaptur  
Brown, Corrine Kennedy (RI)  
Butterfield Kildee  
Capps Kilpatrick (MI)  
Capuano Kind  
Cardin Kucinich  
Carnahan Langevin  
Carson Lantos  
Case Larsen (WA)  
Castle Larson (CT)  
Chandler Leach  
Clay Lee  
Cleaver Levin  
Clyburn Lewis (GA)  
Conyers Lipinski  
Crowley LoBiondo  
Cummings Lofgren, Zoe  
Davis (AL) Lowey  
Davis (CA) Lynch  
Davis (FL) Maloney  
Davis (IL) Markey  
DeFazio Marshall  
DeGette Matsui  
DeLauro McCarthy  
Dicks McCollum (MN)  
Dingell McDermott  
Doggett McGovern  
Doyle McIntyre  
Ehlers McKinney  
Engel McNulty  
Eshoo Meehan  
Etheridge Meek (FL)  
Evans Meeks (NY)  
Farr Menendez  
Fattah Michaud  
Filner Millender  
Fitzpatrick (PA) McDonald  
Frank (MA) Miller (NC)  
Gerlach Miller, George  
Gilchrest Mollohan  
Gonzalez Moore (KS)  
Green, Al Moore (WI)  
Grijalva Moran (VA)  
Gutierrez Murtha  
Hastings (FL) Nadler  
Higgins Napolitano  
Hinchey Neal (MA)  
Holden Oberstar  
Holt Obey

## NOES—248

Aderholt Brown-Waite,  
Akin Ginny  
Alexander Burgess  
Baca Burton (IN)  
Bachus Buyer  
Baker Calvert  
Barrett (SC) Camp  
Barrow Cannon  
Bartlett (MD) Cantor  
Barton (TX) Capito  
Bass Cardoza  
Beauprez Carter  
Berry Chabot  
Biggert Chocola  
Bilirakis Coble  
Bishop (GA) Cole (OK)  
Bishop (UT) Conaway  
Blackburn Cooper  
Blunt Costa  
Boehner Costello  
Bonilla Cox  
Bonner Cramer  
Bono Crenshaw  
Boozman Cubin  
Boren Cuellar  
Boswell Culberson  
Boucher Cunningham  
Boustany Davis (KY)  
Boyd Davis (TN)  
Bradley (NH) Davis, Jo Ann  
Brady (TX) Davis, Tom  
Brown (SC) Deal (GA)

Oliver  
Owens  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Rothman  
Roybal-Allard  
Rush  
Ryan (OH)  
Sabo  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Schwartz (PA)  
Scott (VA)  
Serrano  
Shays  
Sherman  
Simmons  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stark  
Strickland  
Stupak  
Tauscher  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Wilson (NM)  
Woolsey  
Wu  
Wynn

Granger  
Graves  
Green (WI)  
Green, Gene  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Herseht  
Hinojosa  
Hobson  
Hoekstra  
Hostettler  
Hulshof  
Hunter  
Hyde  
Inglis (SC)  
Issa  
Istook  
Jenkins  
Jindal  
Johnson (CT)  
Johnson, Sam  
Jones (NC)  
Keller  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kuhl (NY)  
LaHood  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo

Andrews  
Delahunt

Marchant  
Matheson  
McCaull (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Melancon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Muggrave  
Myrick  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Ortiz  
Osborne  
Otter  
Oxley  
Paul  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pombo  
Pomeroy  
Porter  
Portman  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds

## NOT VOTING—4

Emanuel  
Kelly

□ 2120

Messrs. OTTER, GRAVES, FORD and Ms. HARMAN changed their vote from “aye” to “no.”

Ms. WASSERMAN SCHULTZ, Mr. GILCHREST and Mr. GONZALEZ changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 12 OFFERED BY MS. KAPTUR

The Acting CHAIRMAN (Mr. SIMPSON). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 239, not voting 9, as follows:

[Roll No. 116]

## AYES—186

Abercrombie Harman  
Ackerman Hastings (FL)  
Baird Herseth  
Baldwin Higgins  
Barrow Hinchey  
Bean Holden  
Becerra Holt  
Berkley Honda  
Berman Hooley  
Berry Hostettler  
Bishop (GA) Hoyer  
Bishop (NY) Inslee  
Blumenauer Israel  
Boswell Jackson (IL)  
Boucher Jones (OH)  
Boyd Kanjorski  
Brady (PA) Kaptur  
Brown (OH) Kennedy (MN)  
Brown, Corrine Kennedy (RI)  
Butterfield Kildee  
Capps Kilpatrick (MI)  
Capuano Kind  
Cardin Kucinich  
Carnahan Langevin  
Carson Lantos  
Case Larsen (WA)  
Chandler Larson (CT)  
Clay LaTourette  
Cleaver Leach  
Clyburn Lee  
Conyers Lewis (GA)  
Crowley Lipinski  
Cummings Lofgren, Zoe  
Davis (AL) Lowey  
Davis (CA) Lynch  
Davis (FL) Maloney  
Davis (IL) Markey  
DeFazio Marshall  
DeGette Matsui  
DeLauro McCarthy  
Dicks McCollum (MN)  
Dingell McDermott  
Doggett McGovern  
Doyle McIntyre  
Ehlers McKinney  
Engel McNulty  
Eshoo Meehan  
Etheridge Meek (FL)  
Evans Meeks (NY)  
Farr Menendez  
Fattah Michaud  
Filner Millender  
Ford McDonald  
Frank (MA) Miller (NC)  
Gilchrest Miller, George  
Gordon Miller, George  
Green (WI) Moore (KS)  
Gutierrez Moore (WI)  
Gutknecht Moran (VA)  
Nussle Murtha  
Oberstar Nadler  
Obey Napolitano  
Pelosi Neal (MA)  
Peterson (MN) Price (NC)  
Pomeroy Rahall  
Rangers Sanchez, Linda  
Rangel T.  
Ross Sanchez, Loretta  
Rothman Sanders  
Roybal-Allard Schakowsky  
Ruppersberger Schiff  
Rush Schwartz (PA)  
Ryan (OH) Scott (GA)  
Sabo Scott (VA)  
Sánchez, Linda T.  
Sanchez, Loretta  
Sanders Serrano  
Schakowsky Sherman  
Schiff Simmons  
Schwartz (PA) Skelton  
Leach Slaughter  
Lee Smith (WA)  
Lewis (GA) Snyder  
Lipinski Solis  
Lofgren, Zoe Souder  
Lowey Spratt  
Lynch Stark  
Maloney Strickland  
Markey Stupak  
Marshall Tauscher  
Matsui Tanner  
McCarthy Thompson (CA)  
McCollum (MN) Tierney  
McDermott Udall (CO)  
McGovern Udall (NM)  
McIntyre Van Hollen  
McKinney Velázquez  
Meek (FL) Visclosky  
Meeks (NY) Wasserman  
Menendez Schultz  
Michaud Waters  
Miller (NC) Watson  
Miller, George Watt  
Moore (KS) Waxman  
Moore (WI) Weiner  
Moran (VA) Wexler  
Murtha Wilson (NM)  
Nadler Woolsey  
Napolitano Woolsey  
Neal (MA) Wu  
Nussle Wynn

## NOES—239

Aderholt Buyer  
Akin Calvert  
Alexander Camp  
Allen Cannon  
Baca Cantor  
Baker Capito  
Barrett (SC) Cardoza  
Barrow Carter  
Bartlett (MD) Castle  
Barton (TX) Chabot  
Bass Chocola  
Beauprez Coble  
Berry Cole (OK)  
Biggert Conaway  
Bilirakis Cooper  
Bishop (UT) Crenshaw  
Blackburn Blunt  
Blunt Boehlert  
Boehner Boehner  
Bonilla Bonilla  
Bonner Bonner  
Bono Bono  
Boozman Boozman  
Boren Boren  
Boustany Boustany  
Bradley (NH) Bradley (NH)  
Brady (TX) Brady (TX)  
Brown (SC) Brown (SC)  
Brown-Waite, Ginny  
Burgess  
Burton (IN)

Doolittle  
Drake  
Dreier  
Duncan  
Edwards  
English (PA)  
Everett  
Feeney  
Ferguson  
Fitzpatrick (PA)  
Flake  
Foley  
Forbes  
Fortenberry  
Fossella  
Foxy  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Granger  
Graves  
Green, Al  
Green, Gene

Hall	McCaul (TX)	Rohrabacher	[Roll No. 117]	Hobson	Meeks (NY)	Royce
Harris	McCotter	Ros-Lehtinen		Hoekstra	Melancon	Ruppersberger
Hart	McCrery	Royce	AYES—166	Holden	Mica	Ryan (WI)
Hastings (WA)	McHenry	Ryan (WI)		Hostettler	Miller (FL)	Ryun (KS)
Hayes	McHugh	Ryun (KS)		Hulshof	Miller (MI)	Salazar
Hayworth	McKeon	Salazar		Hunter	Miller, Gary	Schwarz (MI)
Hefley	McMorris	Saxton		Hyde	Mollohan	Scott (GA)
Hensarling	Melancon	Schwarz (MI)		Inglis (SC)	Moore (KS)	Sensenbrenner
Herger	Mica	Sensenbrenner		Issa	Moran (KS)	Sessions
Hinojosa	Miller (FL)	Shadegg		Istook	Murphy	Shadegg
Hobson	Miller (MI)	Shaw		Jackson-Lee	Murtha	Shaw
Hoekstra	Miller, Gary	Shays		(TX)	Musgrave	Sherwood
Hulshof	Moran (KS)	Sherwood		Jefferson	Myrick	Shimkus
Hyde	Murphy	Shimkus		Jenkins	Neugebauer	Shuster
Inglis (SC)	Musgrave	Shuster		Jindal	Ney	Simmons
Issa	Myrick	Simmons		Johnson (CT)	Northup	Simpson
Istook	Neugebauer	Simpson		Johnson, E. B.	Norwood	Smith (TX)
Jackson-Lee	Ney	Smith (NJ)		Johnson, Sam	Nunes	Sodrel
(TX)	Northup	Smith (TX)		Jones (NC)	Nussle	Souder
Jefferson	Norwood	Sodrel		Kanjorski	Ortiz	Stearns
Jenkins	Nunes	Stearns		Keller	Osborne	Strickland
Jindal	Ortiz	Sullivan		Kennedy (MN)	Otter	Stupak
Johnson (CT)	Osborne	Sweeney		Kildee	Oxley	Sullivan
Johnson (IL)	Otter	Tancredo		King (IA)	Paul	Sweeney
Johnson, E. B.	Oxley	Tancredo		King (NY)	Pearce	Tancredo
Johnson, Sam	Paul	Taylor (NC)		Kingston	Pence	Tanner
Jones (NC)	Pearce	Thomas		Kline	Peterson (MN)	Taylor (NC)
Keller	Pence	Thornberry		Klone	Peterson (PA)	Terry
King (IA)	Peterson (PA)	Tiahrt		Knollenberg	Pickering	Thomas
King (NY)	Petri	Tiberi		Kolbe	Pitts	Thornberry
Kingston	Pitts	Towns		Kuhl (NY)	Porter	Tiberi
Kirk	Platts	Turner		LaHood	Portman	Towns
Kline	Poe	Upton		Latham	Price (GA)	Turner
Knollenberg	Pombo	Walsh		Levin	Price (OH)	Upton
Kolbe	Porter	Wamp		Lewis (CA)	Putnam	Visclosky
Kuhl (NY)	Portman	Wasserman		Lewis (KY)	Radanovich	Walden (OR)
LaHood	Price (GA)	Schultz		Linder	Rahall	Wamp
Lucas	Pryce (OH)	Weldon (FL)		Lucas	Regula	Weldon (FL)
Latham	Putnam	Weldon (PA)		Lungren, Daniel	Rehberg	Weldon (PA)
Levin	Radanovich	Weller		E.	Reichert	Weller
Lewis (CA)	Ramstad	Westmoreland		Mack	Reichart	Westmoreland
Lewis (KY)	Regula	Whitfield		Manzullo	Reyes	Whitfield
Linder	Rehberg	Wicker		Marchant	Reynolds	Wicker
LoBiondo	Reichert	Wilson (NM)		Matheson	Rogers (AL)	Wilson (NM)
Lucas	Reichart	Wilson (SC)		McCauley (TX)	Rogers (KY)	Wilson (SC)
Lungren, Daniel	Renzi	Wolf		McCotter	Rogers (MI)	Wolf
E.	Reyes	Young (AK)		McCrery	Rohrabacher	Wynn
Mack	Reynolds	Young (FL)		McHenry	Ros-Lehtinen	Young (AK)
Manzullo	Rogers (AL)			McHugh	Ross	Young (FL)
Marchant	Rogers (KY)			McKeon		
Matheson	Rogers (MI)			McMorris		
				Meek (FL)		

## NOT VOTING—9

Andrews	Gohmert	Kelly
Bachus	Grijalva	Mollohan
Emanuel	Hunter	Pickering

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2126

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 9 OFFERED BY MR. WAXMAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 262, not voting 6, as follows:

Abercrombie	Gutierrez	Owens
Ackerman	Harman	Pallone
Allen	Herseth	Pascarell
Baird	Higgins	Pastor
Baldwin	Hinchey	Payne
Barrow	Holt	Pelosi
Bartlett (MD)	Honda	Platts
Bass	Hooley	Pomeroy
Bean	Hoyer	Price (NC)
Becerra	Inslee	Ramstad
Berkley	Israel	Rangel
Berman	Jackson (IL)	Rothman
Bishop (NY)	Johnson (IL)	Roybal-Allard
Blumenauer	Jones (OH)	Rush
Boehlert	Kaptur	Ryan (OH)
Bradley (NH)	Kennedy (RI)	Sabo
Brown (OH)	Kilpatrick (MI)	Sánchez, Linda
Brown, Corrine	Kind	T.
Butterfield	Kirk	Sanchez, Loretta
Capps	Kucinich	Sanders
Capuano	Langevin	Saxton
Cardin	Lantos	Schakowsky
Cardoza	Larsen (WA)	Schiff
Carnahan	Larson (CT)	Schwartz (PA)
Carson	Leach	Schott (VA)
Case	Lee	Serrano
Clyburn	Lewis (GA)	Shays
Conyers	Lipinski	Sherman
Cooper	LoBiondo	Skelton
Costa	Lofgren, Zoe	Smith (NJ)
Costello	Lowe	Smith (WA)
Crowley	Lynch	Snyder
Cummings	Maloney	Solis
Davis (AL)	Markley	Spratt
Davis (CA)	Matsui	Stark
Davis (FL)	McCarthy	Tauscher
Davis (IL)	McCollum (MN)	Taylor (MS)
Davis, Tom	McDermott	Thompson (CA)
DeFazio	McGovern	Thompson (MS)
DeGette	McIntyre	Tierney
DeLauro	McKinney	Udall (CO)
Dicks	McNulty	Udall (NM)
Doggett	Meehan	Van Hollen
Ehlers	Menendez	Velázquez
Engel	Michaud	Walsh
Eshoo	Millender-	Wasserman
Etheridge	McDonald	Schultz
Evans	Miller (NC)	
Farr	Miller, George	
Fattah	Moore (WI)	
Filner	Moran (VA)	
Fitzpatrick (PA)	Nadler	
Ford	Napolitano	
Frank (MA)	Neal (MA)	
Gilchrest	Oberstar	
Grijalva	Obey	
	Oliver	

## NOES—262

Aderholt	Capito	Ferguson
Akin	Carter	Flake
Alexander	Castle	Foley
Baca	Chabot	Forbes
Baker	Chandler	Fortenberry
Barrett (SC)	Chocola	Fossella
Barton (TX)	Clay	Fox
Beauprez	Cleaver	Franks (AZ)
Berry	Coble	Frelinghuysen
Biggert	Cole (OK)	Gallegly
Bilirakis	Conaway	Garrett (NJ)
Bishop (GA)	Cox	Gerlach
Bishop (UT)	Cramer	Gibbons
Blackburn	Crenshaw	Gillmor
Blunt	Cubin	Gingrey
Boehner	Cuellar	Gohmert
Bonilla	Culberson	Gonzalez
Bonner	Cunningham	Goode
Bono	Davis (KY)	Goodlatte
Boozman	Davis (TN)	Gordon
Boren	Davis, Jo Ann	Granger
Boswell	Deal (GA)	Graves
Boucher	DeLay	Green (WI)
Boustany	Dent	Green, Al
Boyd	Diaz-Balart, L.	Green, Gene
Brady (PA)	Diaz-Balart, M.	Gutknecht
Brady (TX)	Dingell	Hall
Brown (SC)	Doolittle	Harris
Brown-Waite,	Doyle	Hart
Ginny	Drake	Hastings (FL)
Burgess	Dreier	Hastings (WA)
Burton (IN)	Duncan	Hayes
Buyer	Edwards	Hayworth
Calvert	Emerson	Hefley
Camp	English (PA)	Hensarling
Cannon	Everett	Herger
Cantor	Feeney	Hinojosa

## NOT VOTING—6

Andrews	Emanuel	LaTourette
Bachus	Kelly	Slaughter

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2134

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 117, had I been present, I would have voted “aye.”

## AMENDMENT NO. 7 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIRMAN (Mr. SIMPSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 259, not voting 5, as follows:

[Roll No. 118]

AYES—170

Abercrombie	Hinchey	Olver
Ackerman	Holden	Owens
Allen	Holt	Pallone
Baca	Honda	Pascarell
Baird	Hookey	Pastor
Baldwin	Hoyer	Payne
Barrow	Inslee	Pelosi
Bean	Israel	Platts
Becerra	Jackson (IL)	Price (NC)
Berkley	Jefferson	Rahall
Berman	Johnson, E. B.	Rangel
Bishop (GA)	Jones (OH)	Rothman
Bishop (NY)	Kanjorski	Roybal-Allard
Blumenauer	Kaptur	Ruppersberger
Boswell	Kennedy (RI)	Rush
Brady (PA)	Kildee	Ryan (OH)
Brown (OH)	Kilpatrick (MI)	Sabo
Brown, Corrine	Kind	Salazar
Butterfield	Kirk	Sánchez, Linda
Capps	Kucinich	T.
Capuano	Langevin	Sanchez, Loretta
Cardin	Lantos	Sanders
Carnahan	Larsen (WA)	Schakowsky
Carson	Larson (CT)	Schiff
Case	LaTourette	Schwartz (PA)
Chandler	Lee	Scott (VA)
Cleaver	Levin	Serrano
Clyburn	Lewis (GA)	Shays
Conyers	Lipinski	Sherman
Cooper	Lofgren, Zoe	Slaughter
Crowley	Lowey	Smith (WA)
Cummings	Lynch	Snyder
Davis (AL)	Maloney	Solis
Davis (CA)	Markey	Spratt
Davis (FL)	Matsui	Stark
Davis (IL)	McCarthy	Strickland
DeFazio	McColum (MN)	Stupak
DeGette	McGovern	Tauscher
Delahunt	McKinney	Thompson (CA)
DeLauro	McNulty	Thompson (MS)
Dicks	Meehan	Tierney
Dingell	Meek (FL)	Udall (CO)
Doggett	Menendez	Udall (NM)
Doyle	Michaud	Van Hollen
Engel	Millender	Velázquez
Eshoo	McDonald	Visclosky
Etheridge	Miller (NC)	Wasserman
Evans	Miller, George	Schultz
Farr	Mollohan	Waters
Fattah	Moore (KS)	Watson
Filner	Moore (WI)	Watt
Ford	Moran (VA)	Waxman
Frank (MA)	Murtha	Weiner
Grijalva	Nadler	Wexler
Gutierrez	Napolitano	Woolsey
Harman	Neal (MA)	Wu
Hastings (FL)	Oberstar	Wynn
Higgins	Obey	

NOES—259

Aderholt	Burton (IN)	Diaz-Balart, M.
Akin	Buyer	Doolittle
Alexander	Calvert	Drake
Bachus	Camp	Dreier
Baker	Cannon	Duncan
Barrett (SC)	Cantor	Edwards
Bartlett (MD)	Capito	Ehlers
Barton (TX)	Cardoza	Emerson
Bass	Carter	English (PA)
Beauprez	Castle	Everett
Berry	Chabot	Feeney
Biggert	Chocola	Ferguson
Bilirakis	Coble	Fitzpatrick (PA)
Bishop (UT)	Cole (OK)	Flake
Blackburn	Conaway	Foley
Blunt	Costa	Forbes
Boehlert	Costello	Fortenberry
Boehner	Cox	Fossella
Bonilla	Cramer	Fox
Bonner	Crenshaw	Franks (AZ)
Bono	Cubin	Frelinghuysen
Boozman	Cuellar	Gallely
Boren	Culberson	Garrett (NJ)
Boucher	Cunningham	Gerlach
Boustany	Davis (KY)	Gibbons
Boyd	Davis (TN)	Gilchrest
Bradley (NH)	Davis, Jo Ann	Gillmor
Brady (TX)	Davis, Tom	Gingrey
Brown (SC)	Deal (GA)	Gohmert
Brown-Waite,	DeLay	Gonzalez
Ginny	Dent	Goode
Burgess	Diaz-Balart, L.	Goodlatte

Gordon	Marchant	Rogers (KY)
Granger	Marshall	Rogers (MI)
Graves	Matheson	Rohrabacher
Green (WI)	McCaul (TX)	Ros-Lehtinen
Green, Al	McCotter	Ross
Green, Gene	McCrery	Royce
Gutknecht	McHenry	Ryan (WI)
Hall	McHugh	Ryun (KS)
Harris	McIntyre	Saxton
Hart	McKeon	Schwarz (MI)
Hastings (WA)	McMorris	Scott (GA)
Hayes	Meeks (NY)	Sensenbrenner
Hayworth	Melancon	Sessions
Hefley	Mica	Shadegg
Hensarling	Miller (FL)	Shaw
Herger	Miller (MI)	Sherwood
Hersefth	Miller, Gary	Shuster
Hinojosa	Moran (KS)	Shimkus
Hobson	Murphy	Simpson
Hoekstra	Musgrave	Skelton
Hostettler	Myrick	Smith (NJ)
Hulshof	Neugebauer	Smith (TX)
Hunter	Ney	Sodrel
Hyde	Northup	Souder
Inglis (SC)	Norwood	Stearns
Issa	Nunes	Sullivan
Istook	Nussle	Sweeney
Jackson-Lee	Ortiz	Tancred
(TX)	Osborne	Tanner
Jenkins	Otter	Taylor (MS)
Jindal	Oxley	Taylor (NC)
Johnson (CT)	Paul	Thomas
Johnson (IL)	Pearce	Thornberry
Johnson, Sam	Pence	Tiahrt
Jones (NC)	Peterson (MN)	Tiberi
Keller	Peterson (PA)	Towns
Kennedy (MN)	Petri	Turner
King (IA)	Pickering	Upton
King (NY)	Pitts	Walden (OR)
Kingston	Poe	Walsh
Kline	Pombo	Wamp
Knollenberg	Pomeroy	Weldon (FL)
Kolbe	Porter	Weldon (PA)
Kuhl (NY)	Portman	Weller
LaHood	Price (GA)	Westmoreland
Latham	Pryce (OH)	Whitfield
Leach	Putnam	Wicker
Lewis (CA)	Radanovich	Wilson (NM)
Lewis (KY)	Ramstad	Wilson (SC)
Linder	Regula	Wolf
LoBiondo	Rehberg	Young (AK)
Lucas	Reichert	Young (FL)
Lungren, Daniel	Renzi	
E.	Reyes	
Mack	Reynolds	
Manzullo	Rogers (AL)	

NOT VOTING—5

ANNOUNCEMENT BY THE ACTING CHAIRMAN  
The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2141

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ROGERS OF MICHIGAN TO AMENDMENT NO. 5 OFFERED BY MRS. JOHNSON OF CONNECTICUT

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) to the amendment offered by the gentlewoman from Connecticut (Mrs. JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 259, noes 172, not voting 3, as follows:

[Roll No. 119]

AYES—259

Aderholt	Gibbons	Northup
Akin	Gillmor	Norwood
Alexander	Gingrey	Nunes
Baca	Gohmert	Nussle
Bachus	Gonzalez	Ortiz
Baker	Goode	Osborne
Barrett (SC)	Goodlatte	Otter
Barton (TX)	Gordon	Oxley
Bass	Granger	Pastor
Beauprez	Graves	Paul
Berry	Green (WI)	Pearce
Bilirakis	Green, Al	Pence
Bishop (GA)	Green, Gene	Peterson (MN)
Bishop (UT)	Gutknecht	Pickering
Blackburn	Hall	Pitts
Blunt	Harman	Poe
Boehner	Harris	Pombo
Bonilla	Hart	Porter
Bonner	Hastings (FL)	Portman
Bono	Hastings (WA)	Price (GA)
Boozman	Hayes	Pryce (OH)
Boren	Hayworth	Putnam
Boswell	Hensarling	Radanovich
Boucher	Herger	Rahall
Boustany	Hersefth	Rangel
Boyd	Hobson	Rehberg
Brady (PA)	Hoekstra	Reichert
Brady (TX)	Holden	Renzi
Brown (SC)	Hostettler	Reyes
Brown-Waite,	Hoyer	Reynolds
Ginny	Hulshof	Rogers (AL)
Burgess	Hunter	Rogers (KY)
	Inglis (SC)	Rogers (MI)
	Issa	Rohrabacher
	Istook	Ros-Lehtinen
	Jackson-Lee	Ross
	(TX)	Royce
	Jefferson	Ruppersberger
	Jenkins	Rush
	Jindal	Ryan (OH)
	Johnson, E. B.	Ryan (WI)
	Johnson, Sam	Ryun (KS)
	Jones (NC)	Salazar
	Jones (OH)	Schwarz (MI)
	Kanjorski	Scott (GA)
	Keller	Scott (VA)
	Kennedy (MN)	Sensenbrenner
	Kildee	Sessions
	Kilpatrick (MI)	Shadegg
	King (IA)	Shaw
	Kingston	Shimkus
	Kline	Shuster
	Knollenberg	Simpson
	Kuhl (NY)	Smith (TX)
	Latham	Sodrel
	LaTourette	Souder
	Levin	Stearns
	Lewis (CA)	Strickland
	Lewis (KY)	Stupak
	Linder	Sullivan
	Lucas	Tancred
	Lungren, Daniel	Tanner
	E.	Taylor (MS)
	Mack	Taylor (NC)
	Manzullo	Terry
	Marchant	Thomas
	McCaul (TX)	Thompson (MS)
	McCotter	Thornberry
	McCrery	Tiahrt
	McHenry	Tiberi
	McHugh	Turner
	McIntyre	Upton
	McKeon	Visclosky
	McMorris	Walden (OR)
	Meek (FL)	Walsh
	Meeks (NY)	Watt
	Melancon	Weldon (FL)
	Miller (FL)	Weller
	Miller (MI)	Westmoreland
	Miller, Gary	Whitfield
	Mollohan	Wicker
	Moran (KS)	Wilson (NM)
	Murphy	Wilson (SC)
	Murtha	Wynn
	Musgrave	Young (AK)
	Myrick	Young (FL)
	Neugebauer	
	Ney	

NOES—172

Abercrombie	Allen	Baldwin
Ackerman	Baird	Barrow

NOT VOTING—3			The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.		
Andrews	Emanuel	Kelly	□ 2156		
ANNOUNCEMENT BY THE ACTING CHAIRMAN			Messrs. GUTIERREZ, BLUMENAUER, and MEEHAN changed their vote from “aye” to “no.”		
The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.			Ms. ZOE LOFGREN of California, Mr. CARNAHAN, and Ms. BERKLEY changed their vote from “no” to “aye.”		
□ 2148			So the amendment, as amended, was agreed to.		
Mr. WAMP changed his vote from “aye” to “no.”			The result of the vote was announced as above recorded.		
Mr. MEEK of Florida changed his vote from “no” to “aye.”			AMENDMENT NO. 4 OFFERED BY MR. BOEHLERT		
So the amendment was agreed to.			The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BOEHLERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.		
The result of the vote was announced as above recorded.			The Clerk will redesignate the amendment.		
The Acting CHAIRMAN (Mr. SIMPSON). The question is on the amendment offered by the gentlewoman from Connecticut (Mrs. JOHNSON), as amended.			The Clerk redesignated the amendment.		
The question was taken; and the Acting Chairman announced that the ayes appeared to have it.			RECORDED VOTE		
RECORDED VOTE			The Acting CHAIRMAN. A recorded vote has been demanded.		
Mrs. JOHNSON of Connecticut. Mr. Chairman, I demand a recorded vote.			A recorded vote was ordered.		
A recorded vote was ordered.			The Acting CHAIRMAN. This will be a 5-minute vote.		
The vote was taken by electronic device, and there were—ayes 346, noes 85, not voting 3, as follows:					

The vote was taken by electronic device, and there were—ayes 177, noes 254, not voting 3, as follows:

[Roll No. 121]

# AYES—177

Abercrombie	Harman	Olver
Ackerman	Harris	Owens
Allen	Hastings (FL)	Pallone
Baird	Hefley	Pascrell
Baldwin	Herseeth	Pastor
Barrow	Higgins	Payne
Bartlett (MD)	Hinchey	Pelosi
Bean	Holt	Peterson (MN)
Becerra	Honda	Petri
Berkley	Hookey	Platts
Berman	Inglis (SC)	Price (NC)
Biggart	Inslee	Ramstad
Bilirakis	Israel	Rangel
Bishop (NY)	Jackson (IL)	Reynolds
Blumenauer	Johnson (CT)	Rothman
Boehlert	Johnson (IL)	Roybal-Allard
Boyd	Johnson, E. B.	Ryan (OH)
Brady (PA)	Kennedy (RI)	Sabo
Brown (OH)	Kind	Sánchez, Linda
Brown, Corrine	King (NY)	T.
Butterfield	Kirk	Sanchez, Loretta
Capps	Kucinich	Sanders
Capuano	LaHood	Saxton
Cardin	Langevin	Schakowsky
Cardoza	Lantos	Schiff
Carnahan	Larsen (WA)	Schwartz (PA)
Carson	Larson (CT)	Serrano
Case	LaTourette	Shaw
Cooper	Leach	Shays
Costa	Lee	Sherman
Costello	Lewis (GA)	Skelton
Crowley	Lipinski	Slaughter
Davis (CA)	LoBiondo	Smith (NJ)
Davis (FL)	Lofgren, Zoe	Smith (WA)
Davis, Tom	Lowey	Snyder
DeFazio	Lynch	Solis
DeGette	Maloney	Spratt
Delahunt	Markey	Stark
DeLauro	Matheson	Tauscher
Dicks	Matsui	Taylor (MS)
Doggett	McCarthy	Thompson (CA)
Ehlers	McCollum (MN)	Tiberi
Engel	McDermott	Tierney
English (PA)	McGovern	Udall (CO)
Eshoo	McKinney	Udall (NM)
Etheridge	McNulty	Van Hollen
Evans	Meehan	Velázquez
Farr	Menendez	Wasserman
Fattah	Michaud	Schultz
Filner	Millender	Waters
Fitzpatrick (PA)	McDonald	Watson
Foley	Miller (NC)	Watt
Ford	Miller, George	Waxman
Frank (MA)	Moore (WI)	Weiner
Frelinghuysen	Moran (VA)	Weldon (PA)
Gerlach	Nadler	Wexler
Gilchrest	Napolitano	Wolf
Grijalva	Neal (MA)	Woolsey
Gutierrez	Oberstar	Wu
Gutknecht	Obey	Young (FL)

# NOES—254

Aderholt	Burton (IN)	Davis (TN)
Akin	Buyer	Davis, Jo Ann
Alexander	Calvert	Deal (GA)
Baca	Camp	DeLay
Bachus	Cannon	Dent
Baker	Cantor	Diaz-Balart, L.
Barrett (SC)	Capito	Diaz-Balart, M.
Barton (TX)	Carter	Dingell
Bass	Castle	Doolittle
Beauprez	Chabot	Doyle
Berry	Chandler	Drake
Bishop (GA)	Chocola	Dreier
Bishop (UT)	Clay	Duncan
Blackburn	Cleaver	Edwards
Blunt	Clyburn	Emerson
Boehner	Coble	Everett
Bonilla	Cole (OK)	Feeney
Bonner	Conaway	Ferguson
Bono	Conyers	Flake
Boozman	Cox	Forbes
Boren	Cramer	Fortenberry
Boswell	Crenshaw	Fossella
Boucher	Cubin	Fox
Boustany	Cuellar	Franks (AZ)
Bradley (NH)	Culberson	Gallely
Brady (TX)	Cummings	Garrett (NJ)
Brown (SC)	Cunningham	Gibbons
Brown-Waite,	Davis (AL)	Gillmor
Ginny	Davis (IL)	Gingrey
Burgess	Davis (KY)	Gohmert

Gonzalez	Manzullo	Rogers (AL)
Goode	Marchant	Rogers (KY)
Goodlatte	Marshall	Rogers (MI)
Gordon	McCaull (TX)	Rohrabacher
Granger	McCotter	Ros-Lehtinen
Graves	McCrery	Ross
Green (WI)	McHenry	Royce
Green, Al	McHugh	Ruppersberger
Green, Gene	McIntyre	Rush
Hall	McKeon	Ryan (WI)
Hart	McMorris	Ryun (KS)
Hastings (WA)	Meek (FL)	Salazar
Hayes	Meeks (NY)	Schwarz (MI)
Hayworth	Melancon	Scott (GA)
Hensarling	Mica	Scott (VA)
Herger	Miller (FL)	Sensenbrenner
Hinojosa	Miller (MI)	Sessions
Hobson	Miller, Gary	Shadegg
Hoekstra	Mollohan	Sherwood
Holden	Moore (KS)	Shimkus
Hostettler	Moran (KS)	Shuster
Hoyer	Murphy	Simmons
Hulshof	Murtha	Simpson
Hunter	Musgrave	Smith (TX)
Hyde	Myrick	Sodrel
Issa	Neugebauer	Souder
Istook	Ney	Stearns
Jackson-Lee	Northup	Strickland
(TX)	Norwood	Stupak
Jefferson	Nunes	Sullivan
Jenkins	Nussle	Sweeney
Jindal	Ortiz	Tancred
Johnson, Sam	Osborne	Tanner
Jones (NC)	Otter	Taylor (NC)
Jones (OH)	Oxley	Terry
Kanjorski	Paul	Thomas
Kaptur	Pearce	Thompson (MS)
Keller	Pence	Thornberry
Kennedy (MN)	Peterson (PA)	Tiahrt
Kildee	Pickering	Towns
Kilpatrick (MI)	Pitts	Turner
King (IA)	Poe	Upton
Kingston	Pombo	Visclosky
Kline	Pomeroy	Walden (OR)
Knollenberg	Porter	Walsh
Kolbe	Portman	Wamp
Kuhl (NY)	Price (GA)	Weldon (FL)
Latham	Pryce (OH)	Weller
Levin	Putnam	Westmoreland
Lewis (CA)	Radanovich	Whitfield
Lewis (KY)	Rahall	Wicker
Linder	Regula	Wilson (NM)
Lucas	Rehberg	Wilson (SC)
Lungren, Daniel	Reichert	Wynn
E.	Renzi	Young (AK)
Mack	Reyes	

# NOT VOTING—3

Andrews	Emanuel	Kelly
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# ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2202

So the amendment was rejected.

The result of the vote was announced as above recorded.

# AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 231, not voting 3, as follows:

[Roll No. 122]

# AYES—200

Abercrombie	Harman	Obey
Ackerman	Hastings (FL)	Olver
Allen	Higgins	Owens
Baird	Hinchey	Pallone
Baldwin	Holden	Pascrell
Barrow	Holt	Pastor
Bartlett (MD)	Honda	Payne
Bass	Hookey	Pelosi
Bean	Hoyer	Petri
Becerra	Inglis (SC)	Pomeroy
Berkley	Inslee	Price (NC)
Berman	Israel	Rahall
Biggart	Jackson (IL)	Ramstad
Bilirakis	Jackson-Lee	Rangel
Bishop (NY)	(TX)	Reichert
Blumenauer	Johnson (CT)	Rothman
Boehlert	Johnson (IL)	Roybal-Allard
Boswell	Johnson, E. B.	Ruppersberger
Boucher	Jones (OH)	Rush
Bouchier	Kaptur	Ryan (OH)
Bradley (NH)	Kennedy (MN)	Sabo
Brown (OH)	Kennedy (RI)	Salazar
Brown, Corrine	Kildee	Sánchez, Linda
Butterfield	Kilpatrick (MI)	T.
Capps	Kind	Sanchez, Loretta
Capuano	Kirk	Sanders
Cardin	Kucinich	Saxton
Cardoza	Langevin	Schakowsky
Carnahan	Lantos	Schiff
Carson	Larsen (WA)	Schwartz (PA)
Case	Larson (CT)	Schwarz (MI)
Cooper	Leach	Scott (GA)
Costa	Lee	Scott (VA)
Costello	Levin	Sensenbrenner
Crowley	Lewis (GA)	Serrano
Davis (CA)	Lipinski	Shays
Davis (FL)	LoBiondo	Sherman
Davis, Tom	Lofgren, Zoe	Simmons
DeFazio	Lowey	Slaughter
DeGette	Lynch	Smith (NJ)
Delahunt	Maloney	Smith (WA)
DeLauro	Markey	Snyder
Dicks	Marshall	Solis
Doggett	Matheson	Spratt
Ehlers	Matsui	Stark
Engel	McCarthy	Strickland
English (PA)	McCollum (MN)	Stupak
Eshoo	McDermott	Tauscher
Etheridge	McGovern	Thompson (CA)
Evans	McIntyre	Thompson (MS)
Farr	McKinney	Tierney
Fattah	McNulty	Udall (CO)
Ferguson	Meehan	Udall (NM)
Filner	Meek (FL)	Van Hollen
Fitzpatrick (PA)	Meeks (NY)	Velázquez
Ford	Menendez	Visclosky
Frank (MA)	Michaud	Walsh
Frelinghuysen	Millender	Wasserman
Gerlach	McDonald	Schultz
Gilchrest	Miller (NC)	Waters
Gonzalez	Miller, George	Watson
Gordon	Moore (KS)	Watt
Grijalva	Moore (WI)	Waxman
Gutierrez	Moran (VA)	Weiner
	Nadler	Wexler
	Napolitano	Woolsey
	Neal (MA)	Wu
	Oberstar	Wynn

# NOES—231

Aderholt	Brown (SC)	Davis (AL)
Akin	Brown-Waite,	Davis (KY)
Alexander	Ginny	Davis (TN)
Baca	Burgess	Davis, Jo Ann
Bachus	Burton (IN)	Deal (GA)
Baker	Buyer	DeLay
Barrett (SC)	Calvert	Dent
Barton (TX)	Camp	Diaz-Balart, L.
Beauprez	Cannon	Diaz-Balart, M.
Berry	Cantor	Doolittle
Biggart	Capito	Drake
Bilirakis	Cardoza	Dreier
Bishop (GA)	Carter	Duncan
Bishop (UT)	Chabot	Edwards
Blackburn	Chocola	Emerson
Blunt	Coble	English (PA)
Boehner	Cole (OK)	Everett
Bonilla	Conaway	Feeney
Bonner	Costa	Flake
Bono	Cox	Foley
Boozman	Cramer	Forbes
Boren	Crenshaw	Fortenberry
Boustany	Cubin	Fossella
Boyd	Cuellar	Fox
Brady (PA)	Culberson	Franks (AZ)
Brady (TX)	Cunningham	Gallely

Garrett (NJ) Lucas Renzi  
Gibbons Lungren, Daniel Reyes  
Gillmor E. Reynolds  
Gingrey Mack Rogers (AL)  
Gohmert Manzullo Rogers (KY)  
Goode Marchant Rogers (MI)  
Goodlatte McCaul (TX) Rohrabacher  
Granger McCotter Ros-Lehtinen  
Graves McCrery Ross  
Green (WI) McHenry Royce  
Green, Al McHugh Ryan (WI)  
Green, Gene McKeon Ryan (KS)  
Gutknecht McMorris Sessions  
Hall Melancon Shadegg  
Harris Mica Shaw  
Hart Miller (FL) Sherwood  
Hastings (WA) Miller (MI) Shimkus  
Hayes Miller, Gary Shuster  
Hayworth Mollohan Simpson  
Hefley Moran (KS) Skelton  
Hensarling Murphy Smith (TX)  
Herger Murtha Sodrel  
Hersteth Musgrave Souder  
Hinojosa Myrick Stearns  
Hobson Neugebauer Sullivan  
Hoekstra Ney Sweeney  
Hostettler Northup Tancred  
Hulshof Norwood Tanner  
Hunter Nunes Taylor (MS)  
Hyde Nussle Taylor (NC)  
Issa Ortiz Terry  
Istook Osborne Thomas  
Jefferson Otter Thornberry  
Jenkins Oxley Tiahrt  
Jindal Paul Tiberi  
Johnson, Sam Pearce Towns  
Jones (NC) Pence Turner  
Kanjorski Peterson (MN) Upton  
Keller Peterson (PA) Walden (OR)  
King (IA) Pickering Wamp  
King (NY) Pitts Weldon (FL)  
Kingston Platts Weldon (PA)  
Kline Poe Weller  
Knollenberg Pombo Westmoreland  
Kolbe Porter Whitfield  
Kuhl (NY) Portman Wicker  
LaHood Price (GA) Wilson (NM)  
Latham Pryce (OH) Wilson (SC)  
LaTourette Putnam Wolf  
Lewis (CA) Radanovich Young (AK)  
Lewis (KY) Regula Young (FL)  
Linder Rehberg

## NOT VOTING—3

Andrews Emanuel Kelly

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 2209

Mr. HALL changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 2 OFFERED BY MR. DINGELL

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. DINGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 243, not voting 3, as follows:

[Roll No. 123]  
AYES—188  
Abercrombie Grijalva Obey  
Ackerman Gutierrez Oliver  
Allen Harman Owens  
Baca Hastings (FL) Pallone  
Baird Higgins Pascarell  
Baldwin Hinchey Pastor  
Barrow Holt Payne  
Bean Honda Pelosi  
Becerra Hooley Peterson (MN)  
Berkley Hoyer Petri  
Berman Inslee Price (NC)  
Berry Israel Rahall  
Bishop (NY) Jackson (IL) Rangel  
Blumenauer Jackson-Lee Ross  
Boehlert (TX) Rothman  
Boucher Jefferson Roybal-Allard  
Boyd Johnson, E. B. Ruppertsberger  
Brady (PA) Jones (OH) Rush  
Brown (OH) Kaptur Ryan (OH)  
Brown, Corrine Kennedy (RI) Sabo  
Butterfield Kildee Salazar  
Capps Kilpatrick (MI) Sanchez, Linda  
Capuano Kind T.  
Cardin Kucinich Sanchez, Loretta  
Cardoza Langevin Sanders  
Carnahan Lantos Schakowsky  
Carson Larsen (WA) Schiff  
Case Larson (CT) Schwartz (PA)  
Clay Lee Scott (VA)  
Cleaver Levin Sensenbrenner  
Clyburn Lewis (GA) Serrano  
Conyers Lipinski Shays  
Cooper Lofgren, Zoe Sherman  
Costa Lowey Skelton  
Costello Lynch Slaughter  
Cramer Maconey Smith (WA)  
Crowley Markey Snyder  
Cummings Marshall Solis  
Davis (CA) Matheson Spratt  
Davis (FL) Matsui Stark  
Davis (IL) McCarthy Strickland  
Davis (TN) McCollum (MN) Stupak  
DeFazio McDermott Tanner  
DeGette McGovern Tauscher  
Delahunt McKinney Taylor (MS)  
DeLauro McNulty Thompson (CA)  
Dicks Meehan Thompson (MS)  
Dingell Meek (FL) Tierney  
Doggett Meeks (NY) Towns  
Doyle Menendez Udall (CO)  
Ehlers Michaud Udall (NM)  
Engel Millender- Van Hollen  
Eshoo McDonald Velázquez  
Etheridge Miller (NC) Wasserman  
Evans Miller, George Schultz  
Farr Mollohan Waters  
Fattah Moore (KS) Watson  
Filner Moore (WI) Watt  
Ford Moran (VA) Waxman  
Frank (MA) Murtha Weiner  
Gonzalez Nadler Wexler  
Gordon Napolitano Woolsey  
Graves Neal (MA) Wu  
Green, Al Oberstar Wynn

## NOES—243

Aderholt Burton (IN) Doolittle  
Akin Drake  
Alexander Dreier  
Bachus Duncan  
Baker Edwards  
Barrett (SC) Emerson  
Bartlett (MD) English (PA)  
Barton (TX) Carter  
Bass Castle  
Beauprez Chabot  
Biggert Chandler  
Bilirakis Chocoma  
Bishop (GA) Coble  
Bishop (UT) Cole (OK)  
Blackburn Conaway  
Blunt Cox  
Boehner Crenshaw  
Bonilla Cubin  
Bonner Cuellar  
Bono Culberson  
Boozman Cunningham  
Boren Davis (AL)  
Boswell Davis (KY)  
Boustany Davis, Jo Ann  
Bradley (NH) Davis, Tom  
Brady (TX) Deal (GA)  
Brown (SC) DeLay  
Brown-Waite, Dent  
Ginny Diaz-Balart, L.  
Burgess Diaz-Balart, M.

Green (WI) Mack  
Green, Gene Manzullo  
Gutknecht Marchant  
Hall McCaul (TX)  
Harris McCotter  
Hart McCrery  
Hastings (WA) McHenry  
Hayes McHugh  
Hayworth McIntyre  
Hefley McKeon  
Hensarling McMorris  
Herger Melancon  
Hersteth Mica  
Hinojosa Miller (FL)  
Hobson Miller (MI)  
Hoekstra Miller, Gary  
Holden Moran (KS)  
Hostettler Murphy  
Hulshof Musgrave  
Hunter Myrick  
Hyde Neugebauer  
Inglis (SC) Ney  
Issa Northup  
Istook Norwood  
Jenkins Nunes  
Jindal Nussle  
Johnson (CT) Ortiz  
Johnson (IL) Osborne  
Johnson, Sam Otter  
Jones (NC) Oxley  
Kanjorski Paul  
Keller Pearce  
Kennedy (MN) Pence  
King (IA) Peterson (PA)  
King (NY) Pickering  
Kingston Pitts  
Kirk Platts  
Kline Poe  
Knollenberg Pombo  
Kolbe Pomeroy  
Kuhl (NY) Porter  
LaHood Portman  
Latham Price (GA)  
LaTourette Pryce (OH)  
Leach Putnam  
Lewis (CA) Radanovich  
Lewis (KY) Ramstad  
Linder Regula  
LoBiondo Rehberg  
Lucas Reichert  
Lungren, Daniel  
E. Reyes

## NOT VOTING—3

Andrews Emanuel Kelly

## ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2217

Mr. BOEHLERT changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. HALL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. SIMPSON, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy, had come to no resolution thereon.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 810

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 810.

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