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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CHOCOLA).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 23, 2006.

I hereby appoint the Honorable CHRIS CHOCOLA to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Florida (Mr. KELLER) for 2 minutes.

COMMENDING TOM DAVIS

Mr. KELLER. Mr. Speaker, today I am happy to welcome Tom Davis to Washington, DC. He has traveled here all the way from Spring, TX, to testify before the Subcommittee on 21st Century Competitiveness, which I chair. I invited him to talk about the ways that the private sector can help increase college access for millions of Americans.

Tom Davis is already doing his part. He is the owner of Davis Brothers Con-

struction, a company of about 35 employees that builds multi-family homes. Most of his employees are hourly laborers who make a decent living but can't afford to send their kids to college. So Mr. Davis has said that, for any of his employees whose children want to go to college but can't afford it, he will pay for their tuition and books. His generosity has built fierce loyalty among his employees, and he has already sent seven kids to college who otherwise couldn't have gone.

It is because of businesses like his that I introduced the Family Friendly Employers Act which gives a tax incentive to those employers who pay for their employees' children to go to college. Our country could use more family friendly employers like Tom Davis.

GAS PRICE GOUGING

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Well, big surprise, the Bush Federal Trade Commission finds out there is no price gouging in the oil industry. No, none whatsoever. The oil men in the White House and the vice president, the oil man, their political appointees at the Federal Trade Commission finds no price gouging. The American people aren't going to believe this.

Now, let's just take one little example with Katrina. I live on the west coast of the United States; none of our oil refined products come from the southeastern United States, yet on Labor Day weekend in Oregon the prices were identical and they had gone up by 60 cents a gallon in one day. Now, isn't that interesting?

Now, how does that work? That is not price gouging? That is market-based? So they were going to build a

pipeline that day and start shipping it to the southeast, or they were going to truck it across the country? Come on. Totally separated markets. Unbelievable increase in profits. \$100 million a day for ExxonMobil, the most profitable day in the history of the world, and there was no price gouging going on.

Now, there is one commissioner who has a shred of integrity left, Commissioner John Leibowitz. He issued a sharp statement. He said a handful of refiners more than doubled operating margins in ways not attributable to increased costs after the hurricanes.

Sounds like price gouging to me. No, the entire Commission determined that the firm's conduct in response to hurricane-induced reductions was consistent with competition, adding that the Bush-appointed Federal Trade Commission doesn't back proposals to create Federal price gouging laws. There is no price gouging.

So then why wouldn't we create price gouging laws? If there isn't any, there hasn't been any, we could prevent it in the future. Or maybe there really was a little teeny bit of price gouging and the Bush appointees don't want us to be able to prosecute that in the future. I think we could substitute the word consistent with business as usual.

This is not a competitive market. There is collusion. It is organized. It has been going on for more than a decade when the American Petroleum Institute suggested to Big Oil that they shut down refineries to squeeze down capacity so that they could drive up refinery margins. And, guess what. On average they are up 255 percent in 5 years. Now, this is competition according to the Bush-appointed Federal Trade Commission. The rest of us might call it collusion, market manipulation, and price gouging. The American people are seeing it.

Now, if we took two simple steps. They say, oh, there is nothing Congress

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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could do anyway, don't worry about it. That is what the President says. Yeah, there are a couple things we could do. The experts say that 75 percent of the crude oil market is unregulated. It is traded in ways that would be illegal if it was controlled by the Commodities Future Trading Commission, like all other commodities and a quarter of the oil market. Traders swap back and forth, back and forth, back and forth just to drive up the price, no intention of actually taking a contract or taking delivery. They say we could squeeze 20 to 25 percent out of today's cost at the pump if we just regulated that market with the same rules as any other traded commodity and part of the oil market today.

Well, that would take us from \$3.20 down to \$2.56 a gallon. Not bad. I think the American people and American businesses would think that was pretty good.

And then we have the collusion to shut the refineries. Now, if we just took the refineries back to their previous margins, that was the historic margin that they got per gallon, that would knock another 50 cents a gallon off. But let's say we have got to give them an inducement to reopen the refineries that they shut, or build new ones because they tore down the ones that they shut to restrict the market to drive up the price. So with a little windfall profits tax that says these are windfall profits unless and until you invest in production and refining capacity; and if you do that, then you won't have to pay this confiscatory tax, that would take us down to somewhere around \$2.26 a gallon. Now, that would be quite a gift for the American economy, American consumers, people who live in the rural parts of my district who have to commute long distances to work.

But the Republican Congress is silent and complicit with the oil men at the White House who have manipulated the Federal Trade Commission into trying to fool the American consumers and say, oh, that wasn't price gouging, that was a market at work.

Yeah. Give me a break.

DO-NOTHING CONGRESS FAILING THE AMERICAN PEOPLE

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, the Do-Nothing Congress of 1948 is about to be replaced as the most ineffective Congress in recent times. Today, just as in 1948, the American people are looking to Congress to tackle some very important issues: The war in Iraq, rising gas prices, rising college and health care costs, the economic uncertainty resulting from the outsourcing of high-paying American jobs, and a record deficit that continues to spiral out of control.

There is so much that this Congress could be working on right now, but House Republicans refuse to address any of these concerns. In fact, it is difficult to address the concerns of the American people when Congress is never in session.

I am sure the American people will be shocked to hear that this is only the 36th day the House is scheduled to hold votes this year. With only 57 scheduled voting days until adjournment, the House is now on track to meet 15 days less than the first Do-Nothing Congress of 1948. And it is no wonder the American people are so disgusted with Congress.

Mr. Speaker, the House Republican majority is simply out of new ideas. Any time that a crisis hits, they throw out the same old ideas that haven't worked for them in the past and will not work for them in the future. And let me give you a case in point. This week, House Republicans say they are finally ready to address the record gas prices Americans have been forced to pay every time they go to the gas station. So what is the new idea House Republicans will bring to the floor this week? Drilling in the Alaska wilderness, the area known as the Arctic National Wildlife Refuge. Well, that sounds familiar. That's right. You've heard it before. It's nothing new. And it will do absolutely nothing to help American consumers with the pain they now face at the pump. In fact, they wouldn't even be able to start drilling for oil out in this Alaska wilderness until a decade after Congress gives its approval. Worse yet, ANWR only holds enough oil to provide 6 months of oil to the American consumer. This is simply not an energy solution. It is the same old idea.

So then why do Washington Republicans choose to ignore the problem? Could it be that they have built such a cozy relationship with the CEOs of Big Oil that they are simply unwilling to break these bonds? Let's not forget that with two oil men in the White House and a rubber-stamp Republican Congress always ready to back them up, big oil companies have seen their profits quadruple in the past 4 years. At the same time the price of gasoline has doubled and our dependence on foreign oil has increased substantially.

As American families struggle to deal with falling wages and rising prices at the pump, the Republicans in this body continue to deliver billions of dollars in tax breaks to big oil companies.

Mr. Speaker, it is no wonder the American people are demanding change. They want results, and they aren't getting them from this Republican majority.

Unlike our Republican colleagues, House Democrats have offered some innovative and new ideas that are worth exploring. Last week, the Democratic Rural Working Group unveiled its ambitious plan to reduce our dependence on foreign petroleum and promote the

production and use of clean renewable energy here at home. In other words, promote the production and use of clean renewable energy here at home so we are not so dependent on foreign oil.

Our proposal, the Democratic proposal, provides tax incentives to encourage increased biofuels production, expands the ethanol and biodiesel pumps at gas stations, and increases the number of flex fuel vehicles on the road.

The Democrats have also introduced legislation that would rescind the tax breaks to big oil companies. At a time when they are breaking record profits every quarter, why should the Federal Government hand out tax breaks to these companies? We shouldn't. It is simply not fair.

As Americans prepare to travel this weekend for the Memorial Day holiday, they should know that Democrats are offering real solutions to high gas prices to protect the American consumer, not Big Oil.

Mr. Speaker, the American people are fed up with the Republican Do-Nothing Congress and are demanding change here in Washington, something that Republicans simply cannot deliver. It is time for fresh ideas. It is time for Democrats to take control of this House so that the needs of all Americans are once again addressed on this House floor rather than just the corporate interests such as Big Oil.

109TH CONGRESS HAS UNFINISHED BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Tennessee (Mr. COOPER) is recognized during morning hour debates for 5 minutes.

Mr. COOPER. Mr. Speaker, my colleague from New Jersey who just spoke is exactly right. This Congress, this year, this House of Representatives will probably meet fewer days, fewer hours than any Congress since 1948. President Harry Truman called that Congress the Do-Nothing Congress because it did almost nothing, and it only tried to work for about 110 days out of the whole year of 365 days. We will meet for substantially fewer days than the Do-Nothing Congress. So how do you do less than nothing? Sadly, the American public is about to find out.

Now, how does the schedule happen? Well, in the House of Representatives, it is set by the majority party. They can choose. They can make us work a long year or a short year, or a very short year as they have decided to do this year.

Now, why are we meeting for so few days? Well, it is not because taxpayers back home aren't paying us a full-time, full-year salary. We are making the same pay. But yet we are able to spend 9 or 10 months of the year back home in our districts. And I love that. My wife and kids are back home, I love