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Wexler  
Whitfield  
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Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NAYS—23

Cooper  
Delahunt  
Duncan  
Eshoo  
Flake  
Franks (AZ)  
Green (WI)  
Hefley

## NOT VOTING—16

Bishop (UT)  
Cannon  
Clyburn  
Evans  
Fitzpatrick (PA)  
Ford

## □ 1146

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PROVIDING FOR CONSIDERATION OF H.R. 4761, DEEP OCEAN ENERGY RESOURCES ACT OF 2006

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 897 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 897

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. House Resolutions 162, 163, 181, 182, 393, 395, 400, 401, 468, and 620 are laid upon the table.

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The Rules Committee granted a fair rule for consideration of H.R. 4761 providing for 1 hour of debate equally divided and controlled between the Chair and the ranking member of the Committee on Resources.

The rule waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on Resources now

printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered read.

The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Resources.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution and provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendments printed in the report and provides one motion to recommend, with or without instructions.

The rule provides that House Resolutions 162, 163, 181, 182, 393, 395, 400, 401, 468 and 620 are laid upon the table.

Mr. Speaker, this Nation faces an energy crisis that is impacting our constituents across the country. In my district of West Virginia, many lower and middle income citizens, especially our seniors on fixed incomes, are being impacted by the soaring prices at the pump and rising home heating costs. Not only does this blow a hole in the budgets of many families, it also has an impact on the Federal budget; and correctly, in my view, we sought to increase the funds for LIHEAP to help those in the lower and middle income range.

The crisis also impacts jobs. Energy prices make adding jobs more challenging for small business owners as their transportation and energy costs skyrocket. The impact has been felt by larger, community sustaining industries.

The Kanawha Valley in my district has long been one of the largest centers of the Nation's chemical industry. These chemical plants use natural gas as both an energy source and as a feedstock. The cost of energy is one factor that has led to job losses in this important industry and has decimated the large chemical industry in the Kanawha Valley. These jobs have gone overseas.

The American Chemistry Council estimates that since the price of natural gas began to spike the chemical industry has lost more than \$60 billion to foreign competitors because investors are wary of expensive natural gas in the United States. This has cost over 100,000 jobs nationwide in the chemical industry, about 10 percent of that total industry workforce.

Last month, hundreds of employees from West Virginia chemical plants wrote me asking that Congress pass legislation to allow drilling in the

outer Continental Shelf as a means of preserving their jobs. Mr. Speaker, we must reduce our reliance on foreign oil and make commonsense use of our domestic energy resources in order to protect these West Virginians and others like them across the country.

H.R. 4761 takes a commonsense approach in making use of our country's energy resources along the outer Continental Shelf to help meet our vast energy needs. The legislation passed the Resources Committee by an overwhelmingly bipartisan vote of 29-9, and I am proud to be one of the 112 cosponsors of this bill.

This legislation will impact the price consumers pay at the pump. I know every Member of Congress, and all of us, are feeling the pain when we go to the pump. Natural gas prices are set on a local, not a global, market. The United States pays the highest natural gas prices in the world, and it is no surprise that countries that make use of their own natural gas reserves pay the lowest prices. We can make a real difference for consumers by passing this bill.

Many of my colleagues will talk about addressing alternative fuels as a means to solving our energy crisis, and I certainly agree this must be part of the solution. The Department of Ag estimates that 20 percent of the corn grown in the United States this year will be used for ethanol production, but growing corn demands fertilizer, produced by the chemical industry, that uses natural gas as their feedstock and energy source. Passing this legislation today will make sure that ethanol producers have access to the fertilizer they need to increase our supply of this important alternative fuel.

Contrary to what some will say on the floor today, this legislation will not harm the environment. The Minerals Management Service reports that, since 1980, 4.7 billion barrels of oil have been produced offshore with a spill rate of one-thousandth of 1 percent. According to the National Academy of Science, these spills account for only 2 percent of petroleum put into North American waters, while 62 percent comes from natural seepage.

The legislation takes into account the legitimate interests of coastal States, and we are going to hear a lot of debate on this point as well. Any State will be able to stop production from occurring within 100 miles of its shores should it choose to do so. This will keep drilling further offshore than other countries. By comparison, Ireland blocks drilling within 45 miles; the United Kingdom and Norway, 40 miles; the Netherlands, 20 miles; Scotland, 10 miles. Our neighbor to the north has permitted drilling in the coastal waters for years.

If State officials decide to allow production, they will share the royalties. This revenue-sharing provision is appropriate, given the devastation many States suffered from hurricanes last year. Allowing them to share in the

royalties from outer Continental Shelf drilling will benefit this devastated region, while at the same time helping to lower energy costs to consumers across the Nation.

Mr. Speaker, our Nation's policy on drilling in the outer Continental Shelf is outdated, and many of those in the press have written editorials stating that. We saw last year the result of a policy that put all of our eggs in one basket, in the western portion of the Gulf of Mexico, when hurricanes knocked out one-quarter of the total domestic oil and natural gas production.

This will be an important debate today. We can support this legislation because it is important to protect the jobs, help families with heating bills, all the while protecting the environment and preserving States rights, or we can allow vast energy supplies to go untapped while we complain and seek and find no solutions about the cost and the supply of energy.

My colleagues should join me here in taking action by passing this rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank my friend Mrs. CAPITO for the time.

I ask two questions of my colleagues here today. One, what is the emergency and can anybody that supports this measure tell me that it is going to bring down the price of gasoline at the pump? If we already own all of this, and we do, and if 80 percent of it is under lease and drilled as it is, then what is the emergency? Why can we not wait until such time as there is either a national or a military emergency?

Gas prices, you bet, but ask Jane Lunch Bucket, is this going to bring down the price of gasoline at the pump?

Sometimes, Mr. Speaker, it is better for others to speak for you; and in this case I choose to let the editorial boards representing the newspapers across my great State of Florida, which have universally, universally come out against this dangerous bill. These are papers which represent views of Floridians from the Panhandle to the Keys and in all parts in between. From Orlando to Opa Loka and from Pensacola and Panama City to Pahokee to Key West and Kissimmee, Floridians agree that this would be bad for the environment, bad for tourism, bad for business and a black eye for generations to come.

□ 1200

The Orlando Sentinel said this week about this bill: "House Members from Florida who support this bill are portraying it as the best deal the State can hope for, given the growing pressure to drill for oil and gas at home. Never mind the fact that the United States has only a small percentage of the world's reserves of those fuels. Con-

gress could do more to solve the Nation's energy crunch with stronger measures to conserve energy and promote the development and use of alternative fuels. It doesn't have to imperil Florida's environment and economy. Florida's two U.S. Senators, Democrat BILL NELSON and Republican MEL MARTINEZ, say they are reserving the right to filibuster the measure if it reaches the Senate. But it needn't come to that. Florida's House delegation and other Members in that Chamber who support an environmentally and economically sensible energy policy need to kill this bill."

The St. Petersburg Times had this to say: "The oil industry's," and I am paraphrasing, "minions in the U.S. House are still scheming to open Florida's coast to offshore drilling. That is not surprising, considering their disdain for environmental protection. What is unforgivable," unforgivable, the St. Pete Times says, "is that some Florida Representatives appear to be in league with them and are more attuned to the politics of Washington than the realities of Florida. Some other Florida Republican Members seem to think defeat is inevitable, so they might as well cut a deal that would undermine the protection of our beaches. Unfortunately, saying so could make it so. If Floridians value their beautiful beaches, clean coastal waters and tourism economy, then the time to give in to the hysteria to drill is never."

The Palm Beach Post added this: "Protecting Florida's coasts under the bill wouldn't be enough. Because oil spills could be carried on ocean currents, what happens in States that opt to allow drilling closer to shore could affect other States with stricter rules. A spill in the eastern gulf, for example, could travel to Panhandle beaches, to Florida's Keys, or to east coast beaches as far north as Cape Canaveral. The cover story is that disruption from Hurricane Katrina showed why the Nation needs new sources of energy. But why put new sources in the same storm path? The majority's bill, or the bill as authored, and some of them as sponsors, has one of the worst environmental records in Congress," according to this newspaper.

"Florida's tourism industry places the State in a unique position. Opposing this bill isn't good just for the environment. It's good for business."

Mr. Speaker, I wish I had time to continue quoting from other Florida newspapers, but I think the point has been made and made and made again. While we are here now debating whether we should open up Florida and California, and maybe New York, Massachusetts, Georgia, and Maine, to oil drilling, we already have debated Alaska, and doubtless others are to come.

But it was our colleague, Mr. BOEHLERT, who has pointed out that through 18 months of this Congress we have brought up all sorts of ways to drill in this country but not one, not one bill that would look at alternatives

or do anything about conservation. Pretty telling, don't you think?

I asked one of my Republican colleagues last night what his opinion on this bill would be if it meant drilling in the heart of his district, one of the most environmentally unique ecosystems that we have in this country. I give him credit for consistency. We were on the elevator leaving the Rules Committee at midnight, and he flat-out told me if there was some oil or gas to get there, so be it.

Wow. This is truly frightening. I hope the American people are listening. A Member of Congress, and there are others like him, potentially thinks that we should put oil derricks on every street corner, I gather, in the country if there is even a chance we might get a teaspoon of oil out of it.

Mr. Speaker, I know there are others who want to speak on this irresponsible bill, so I am not going to use more of my time. But trust me, as a fifth-generation Floridian, as a person deeply concerned about our environment in this world as well as in Florida, and a Member of Congress that represents more small businesses than all but two other Congresspersons in this body, according to the Small Business Administration, I oppose this rule for the bill we will soon consider, which I consider to be reckless.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to remind the gentleman that States will have the opportunity in this bill to opt out if they do not wish to have the drilling occur along their coastlines.

Also, I would like to remind the gentleman that I represent West Virginia. We value our mountains, but we dig coal from our mountains every single day so that people around this country can turn on their lights and use their air-conditioning.

We are talking about a Nation here in need of energy resources. And I am not sure if he has ever seen a natural gas well, but it is not like an oil derrick in the middle of a town. It can be done in a very disruptive and very clean way.

Mr. Speaker, I yield time now to my friend from Florida (Mr. KELLER), 2 minutes.

Mr. KELLER. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding.

Mr. Speaker, I rise in support of the rule and the legislation. I represent Orlando, Florida, the world's number one vacation destination. It would devastate our tourism-based economy if gas prices ever reached \$4 a gallon. Similarly, it would also hurt tourism if there was an oil spill right next to our beautiful beaches.

This legislation strikes the appropriate balance of protecting Florida's beaches with a 100-mile buffer while also reducing our dependence on foreign oil. That is why it is supported by Governor Jeb Bush and The Washington Post editorial board.

The most significant aspect of this bill is that it gives Florida home court advantage on all future decisions regarding offshore drilling. For the first time in history, there will be a 100-mile buffer around the entire State of Florida, controlled by Floridians.

Here is the math: Floridians make up 100 percent of the State legislature, but only 5 percent of the U.S. Congress. Would you rather have Florida offshore drilling decisions made by a Florida State representative from Clearwater or by a drill-happy U.S. Congressman from Texas?

Mr. Speaker, it is easy to demagogue this issue by saying we should do nothing if the bill isn't perfect. Well, here is some straight talk. We don't have the luxury of doing nothing. If we don't act, drilling will be allowed only 3 miles off Florida's east coast beaches. On the other hand, if we do act, we will get 100 miles of protection for all of Florida's beaches and put future decisions about drilling in the hands of Floridians.

Mr. Speaker, opposition to this bill on environmental grounds is not justified. First, the industry's safety record for exploration is impressive. For example, oil rigs in the western half of the Gulf of Mexico endured Hurricane Katrina without any spills.

Second, according to the Washington Post editorial board, not allowing any drilling whatsoever past the 100 mile mark may increase the danger of oil spills because it means more incoming traffic from oil tankers, which are riskier than oil rigs. As you recall, the Exxon-Valdez accident was an oil tanker, not an oil rig.

Mr. Speaker, I urge my colleagues to vote "yes" on the rule and on the bill, and I commend Congressmen PUTNAM and RICHARD POMBO for getting this bill in the strike zone.

Mr. HASTINGS of Florida. Mr. Speaker, I serve on the Rules Committee with the distinguished gentlewoman, my good friend, Ms. MATSUI from California, Sacramento and that area, who understands environmental consequences. I am pleased and privileged to yield 3 minutes to the gentlewoman from California.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

The Pacific Ocean is synonymous with California. California's beaches are world renowned tourist destinations. People from my hometown of Sacramento can attest to the beauty of nearby Stinson and Dillon Beaches, of Point Reyes and Capitola near Santa Cruz. But our coasts are more than playgrounds. We Californians consider them to be national treasures, and we certainly wouldn't sell them off to oil developers.

But that is a major element of what this bill before us proposes to do. This legislation tempts States to sell off their natural heritage by presenting a

false choice between Federal dollars and their coastlines. Even worse, the closer to shore a cash-strapped State allows drilling, the more money it stands to receive. In other words, the more intrusive the drilling, the larger the payoff.

The fact is, Mr. Speaker, we simply don't need to expand our drilling capacity. Eighty percent of our Nation's offshore oil and gas reserves are already open for drilling. Energy companies hold over 6,000 unused leases in these waters. There is no reason to overturn a 25-year-old bipartisan drilling moratorium when we haven't even utilized our existing capacity yet.

Providing less expensive energy to our constituents and reducing our dependence on foreign oil should be one of Congress' top priorities, but we cannot drill our way to energy independence as some claim.

Sadly, we should have expected such an idea from a Congress that continues to rely on the same tired and misguided drilling-only approach. This strategy has been the defining element of our failed energy policy for the last 6 years.

America can do better, but today's proposal takes us in the wrong direction. Instead of drilling off our coasts, we should devote resources to encouraging renewable energy use and to perform innovative research on advanced technologies.

Mr. Speaker, on the Science Committee we worked together in a bipartisan way to create a balanced and forward-looking policy. For instance, earlier this week, the committee approved legislation to authorize alternative energy development programs.

Unfortunately, it seems that today's legislation has been narrowly written to benefit oil interests at the expense of States like mine. We should follow the example of the Science Committee, Mr. Speaker, and rely on emerging research and proven scientific fact. Both of these will demonstrate that we do not, we should not, drill off our coasts.

Increasing our energy independence should be the first great policy challenge our country addresses in the 21st century. We would be well advised to consider forward-looking energy proposals. Revisiting old arguments and despoiling national treasures wastes a golden opportunity to put our Nation on a course towards energy independence and responsible environmental stewardship.

I urge my colleagues to defeat this misguided and unnecessary legislation.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I rise today in support of the rule and of H.R. 4761, the Deep Ocean Energy Resources Act. I could stand up here and talk about some astounding facts, but the bottom line is we need to be more dependent on ourselves and not somebody else.

Our current energy supply simply does not meet our growing demand.

The solution is to reduce our dependency on foreign sources of energy. That is the solution. National security and national interests begin right here at home, and we need to be more self-reliant and energy independent.

My home State of South Carolina has many great resources off its coast, and I am pleased that this legislation grants power to the States that allows them to dictate energy initiatives.

Keeping this country both safe and strong is a pledge that I made and a pledge that I will keep. I urge my colleagues to vote for the rule and the underlying legislation that keeps our Nation safe and moves us toward energy independence.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield to my good friend from Maine, a gentleman who has some understanding of fisheries and coastlines, 2 minutes to Representative ALLEN.

Mr. ALLEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule and to the underlying bill, H.R. 4761, the Deep Ocean Energy Resources Act. I urge all of my colleagues to oppose this environmentally reckless and fiscally irresponsible attempt to bribe State governments to allow drilling off our coasts.

There is more to the sea than just oil and gas. For more than three centuries, Maine fishermen have made their living from the ocean. The fishing community represents the heritage and social fabric of my State, and it has been that way for more than 300 years.

□ 1215

Oil derricks and gas platforms on Georges Bank would despoil this abundant fishing ground. The pollution associated with deep sea oil and gas exploration would devastate the already suffering ground fish industry. It would undoubtedly impact other species as well, and to what end?

The United States has 3 percent of the world's population and consumes 25 percent of the world's fossil fuel. We cannot drill our way out of that equation. There has got to be a better way.

Instead of bringing back tired old ideas, we should be pushing for new technologies, for incentives for renewable energy sources and for cleaner, more abundant fuels. Drilling off our coast is not the answer. I urge my colleagues to oppose this legislation.

Mrs. CAPITO. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I rise in strong support of this rule and the underlying bill, H.R. 4761, the Deep Ocean Energy Resources Act. It is a common-sense bipartisan strategy that would reduce record high energy prices and America's dependence on foreign sources of energy.

For too long, special interests here in Washington have contributed to higher energy costs by blocking access to our domestic natural resources. We all

know gasoline is expensive. Home heating costs have increased by 20 to 40 percent. The price of natural gas in the U.S. is \$10 more expensive than in China and Japan and even a greater differential in places like Iran, Russia and Argentina.

This commodity is a key component to the U.S. agricultural sector, the feedstock for fertilizer. Natural gas is estimated to consume 30 percent of a farmer's production costs. Moreover, natural gas is absolutely critical in manufacturing renewable fuels, accounting for 17 percent of ethanol production costs.

Sixty percent of the energy consumed in the U.S. is imported from other countries. As a result, our economic and national security is at risk. In fact, many natural-gas-dependent production facilities are shutting down and moving their operations overseas in order to escape this rising cost squeeze.

In order to provide relief for our constituents and ensure farmers have the ability to produce the crops and process the food that feeds the world, we must utilize the energy available closest to home.

Removing an outdated prohibition on energy production 100 miles from America's coastline, while preserving the rights of States to determine production areas within that boundary, is a practical approach that will have an immediate impact. Please vote in favor of this bill. It is a strong signal of support to our U.S. consumers, farmers and agri-businesses.

I urge my colleagues to support the rule and support final passage of the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend from California (Mrs. CAPPS) who knows a little bit about the coastline, being from Santa Barbara.

Mrs. CAPPS. Mr. Speaker, I rise in strong opposition to this rule.

Over the years I have served in this body, I have heard Members from both sides of the aisle talk about the benefits of democracy. Last night, for example, Mr. DIAZ-BALART spoke quite movingly about the importance of democracy during consideration of an amendment to end bilingual voting. He spoke of, and I quote, that sacred right, that is, voting.

Today, with this rule, we see that this sacred right doesn't really extend to Members of the House of Representatives. The rule before us brings up a bill being furiously rewritten in the dead of night. It is unclear what some of these amendments or what their provisions really mean, and the House is certainly not being given a fair opportunity to consider competing views, other than that put forward by the Republican leadership.

H.R. 4671 affects some very important issues, our energy future, the preservation of our ocean resources, the impact on our budget. Yet this rule stifles de-

bate and limits our understanding of how the bill affects these important issues and more.

The underlying bill is unnecessary, environmentally damaging, fiscally irresponsible. In addition to being irresponsible, it is also deceptive. Although the legislation has been in the works for months, as of 10:30 this morning, we still don't have a CBO score.

If you read the paragraph in the bill that describes it, you can't figure out, but you do know that it is fuzzy math, that it hides the true costs. The only thing that is clear is it postpones the bill's cost until later. It is a raid, this bill, on the Treasury, jeopardizing coastal environments and economies.

Mr. Speaker, time and time again this leadership brings bills to the floor with rules that skew our choices. It is undemocratic, it is cowardly, it is wrecking America. Afraid of losing and certain that their weak arguments can't carry the day, the Republican leadership abuses its power and degrades this institution and democracy. Members who continually vote for such stifled debate aid and abet this corruption.

We can do better. Vote down this rule. Restore democracy to the House.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to the champion of this bill and a champion for rural America, the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise to support the bill and the rule.

The gentleman from Florida a few moments ago asked a fair question. He said, what is the emergency? I believe it is an emergency. We talk about gasoline prices. We don't often talk about natural gas prices.

Natural gas prices historically were \$2 per thousand in this country up until 5 years ago. Last year, that average price was \$9.50. You have already heard it is threatening the absolute viability of aluminum, steel, petrochemical, polymers, plastics, fertilizer, bricks, glass, who use huge amounts of natural gas not only in making them but as an ingredient.

This country cannot compete in the global marketplace without affordable natural gas. We can't drill our way out of the oil crisis, and we shouldn't try. Natural gas is a commodity this country is rich in. Our Outer Continental Shelf is loaded. It could supply us for decades and could make our seniors able to heat their homes, our companies able to be profitable and compete.

Yes, natural gas is the resource we need to focus on. It should be our bridge to the future. It will keep us competitive until the renewables become a much bigger part of our energy portfolio.

I ask the colleagues that oppose this bill, show me a natural gas well that has ever polluted a beach. Natural gas is America's cleanest, almost-perfect fuel, no NO<sub>x</sub>, almost no SO<sub>x</sub>, a fourth of the CO<sub>2</sub>.

Folks, natural gas is the milk of America's future, the milk of our industry, the baby, mother's milk. We need to produce energy. We need to have affordable energy for people to heat their homes, and we need to have energy so our industries can stay alive and not be sending us goods from foreign countries.

Mr. HASTINGS of Florida. As I recall, my friend from Pleasantville and Happy Valley wanted drilling 3 miles out, he perceives it as such an emergency.

I find it strange that people that live so far away from the potential problem have all of the correct answers. If we were drilling in Happy Valley outside of Penn State, you would be down here concerned, as I am, and Ms. LEE, who comes from San Francisco Bay in Oakland, California, who understands something about drilling.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Let me thank the gentleman for yielding and for your clarity about what it really means to be energy independent. Talk about beating a dead horse. Instead of getting tough with the administration's oil and gas cronies, Republicans once again want to reward them with even more public giveaways.

First it was ANWR, now the Outer Continental Shelf. Republicans would put an oil well on the White House lawn if they could get away with it. Instead of trotting out the same tired arguments about how the government is oppressing the oil and the gas industry by restricting their right to drill, we need a real energy plan that is good for the public, good for business and good for the environment.

Democrats know we can't drill our way to energy independence. We know that providing energy efficiency incentives will help United States businesses compete long term in the global marketplace. We know that raising CAFE standards will save more energy over the next 20 years than new drilling will produce, and we know that making a profit is not really a license to gouge customers. We have a real plan. Unfortunately, Republicans only promise more of the same.

I oppose the rule; I oppose the bill.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 3 minutes to the chairman of the Science Committee, the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Speaker, the way the House is handling offshore oil drilling today pretty much defines "travesty." For the first time in more than a generation, we are going to vote on opening the entire coastline of the United States to oil and natural gas drilling. You think that would be considered a rather major matter that requires some thoughtful discussion. But

that is not how we are handling it. Instead, we are going to debate legislation that is being rushed through the House.

The base bill we are discussing, and the report on it, which includes the cost estimate, were not filed until Monday. Once folks got a look at the text and the cost estimate, opposition pressure mounted, so the bill needed to be rewritten. That rewriting continued well into the night last evening.

So the rule makes in order a manager's amendment that includes massive changes in the bill that no one was able to see until after midnight.

Is this a process we can be proud of? It seems all one has to do around here is use the word "oil" for the sanctity of the democratic process to simply slip away. The process we are using today gives new meaning to the phrase "oil slick."

Now, some may say, oh, come on, people know whether they are for or against offshore drilling. We don't need a lot of time.

Well, this bill doesn't just allow offshore drilling. It changes all the rules on approving oil drilling in areas where it is allowed. It changes all the maps for State marine boundaries. Did you know that? Probably not, because the new maps aren't publicly available. It changes all the ways that royalty funds are distributed. It gives additional royalty breaks to oil companies. It is a complex bill with many unprecedented provisions that most Members know nothing about.

When we point out these troubling provisions, the sponsors of the bill don't defend them. They try to deny that they are there. The remedy is to read the bill, but we are not giving anyone time to do that.

Did you know, for example, that under the bill if the Secretary of the Interior opposes some future law because it limits drilling in any way, the Secretary can cut off all aid to States to try to get them to see the law his way?

That is an unusual idea, to say the least.

Did you know that the bill subordinates every other use of coastal waters to oil drilling, blocking any effort to use waters in a way that could ever limit drilling in any way? That is what the bill says. It blocks any actions ever that could interfere with drilling.

If the bill ever becomes law, your constituents will be up in arms about just about every provision, because the law gives oil interests the ability to trample everyone else's right.

This is a bad bill that we are considering today.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to my friend from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Speaker, this is a very memorable day, as far as I am concerned, with the hopes not only for the passage of this legislation but for the people of Louisiana and for the people of this country.

I know there are questions about the environment. Those have been around for 25 or 30 years.

If you look at the record of the offshore oil industry, it has been very good. As a matter of fact, it has been excellent in the last 25 years. There have been more oil spills from ships and tank farms on land than there has been oil in the coastal waters of Louisiana and the Gulf of Mexico.

I want to thank Chairman POMBO and Ranking Member RAHALL for their working together. Even though there may be some differences between the parties and between the ranking member and the chairman, they have worked together to bring a bill that will do good for America.

If you are happy with \$3 plus a gallon of gas, if you are happy because your friends are being laid off from the petrochemical industry as those plants move to Saudi Arabia and other places where they get cheap natural gas, if you are happy to hear that our senior citizens up north, particularly, are living at 55 degrees on their thermostats, I don't think that is the way it should have been.

□ 1230

For 25 years, observing this Congress, being a citizen of Louisiana, that has been producing gas and oil for over 50 years, it is great to see that we have finally brought something to the floor for this Congress to act on, because up until today, the policy of this Congress has been to just say no; and we can no longer do that. The independence of this country, the security of this country is premised on the fact that we can defend ourselves, that we can feed our folks, and that we can supply the fuel and the energy that is needed to drive this Nation.

This may not be a panacea that will come tomorrow. But it will be a process or a point that will bring us into the future with hope that we can be energy independent and be a safe and secure Nation and defend ourselves without having to worry about getting our oil in tankers from countries that don't necessarily like us. It will mean a safe, secure America.

Mrs. CAPITO. Mr. Speaker, it is my honor to recognize and yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise in support of the rule. During consideration of the bill, I will be offering an amendment with several of my Florida colleagues; and I want to thank the Rules Committee for making the important amendment in order.

While some use political rhetoric to say "do nothing," some of us for months have worked diligently to craft solid statutory protections for Florida and other coastal States.

Opposition to drilling on the Outer Continental Shelf is particularly strong in Florida, due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life.

I want to thank Resources Committee Chairman RICHARD POMBO and his staff for their willingness to work with me, Governor Jeb Bush, Congressman PUTNAM and other members of the Florida delegation on the very sensitive issue of offshore drilling.

While I applaud the efforts of the Resources Committee to allow States to determine whether or not drilling occurs closest to their coastlines, I believe that if we truly, truly want to maximize the ability of States to protect their own coastlines, they should have to opt in to drilling, as opposed to being required to opt out of drilling.

Therefore, the amendment my colleagues and I will be offering today provides States with a true opt in, meaning that drilling could only occur if a State requests leasing.

Our amendment also expands the true opt in protection from 100 miles to 125 miles. While some States may choose to allow drilling close to their shores, those States can still do so under this amendment. They are not precluded from doing so. We believe that States that want to protect their shores from drilling should be able to do so to the maximum degree possible.

I urge my colleagues to support the Bilirakis/Wasserman Schultz/Young/Brown-Waite/Harris/Wexler/Mario Diaz-Balart/Stearns amendment to H.R. 4761 and give States real control, real, solid, true, statutory control over whether or not drilling occurs off their coastlines.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3½ minutes to my good friend from Massachusetts (Mr. MARKEY). He is a former ranking member of the Resources Committee, and has, in my judgment, extraordinary clarity regarding the issue of the day here in Congress.

Mr. MARKEY. Mr. Speaker, I hear the Republicans saying, it is time for us to drill in the Outer Continental Shelf; it is time for us to look for the oil and the gas.

Well, it turns out that under existing law, you can already drill on 80 percent of the land on the Outer Continental Shelf, where the Minerals Management Service has found oil and gas. The leases have already been given away, or they are available for bidding.

So what's the issue really all about if 80 percent of the Outer Continental Shelf where the oil and gas is already available? And that is what they are not telling you.

This is an issue about Alabama, Mississippi, Louisiana and Texas changing the formula. The Minerals Management Service tells us that under this formula change, \$600 billion, which was going to go to the Federal Treasury for Medicaid, for education, to help people who need it in their own homes, is now going to go to four States. So if you come from these four States, you vote for this bill, you get \$600 billion. But if you come from the other 46 States, you are losing money on this deal, ladies

and gentlemen. The money is coming out of your pocket, and it is going to Louisiana, Texas, Alabama, and Mississippi.

By the way, I recommend to each of the Members from those delegations, vote "yes." You are going to hear them down here, vote "yes" because this doesn't change any of the rules for those States. The Federal Government already allows for drilling in that part of the country. And that is where 80 percent of the oil and gas is, by the way, and where 80 percent of the revenues are going to come from.

But if you come from these other States, you go home and you explain to your constituents the loss of \$600 billion in Federal money that you are sending to four States on Federal lands. This is not State land. This is not Louisiana's land or Texas' land. This is our land. This is the Federal Government's land. And you are going to give up \$600 billion here today, your last vote before we break?

This is just going to bust the Treasury again. This is just going to create bigger deficits.

But why would you do it to help four States? Why would you allow your taxpayers to have their revenues sent to four States, when all of this area can already be drilled and it is Federal land? There is no restriction. There are 8,000 leases that the oil companies already have. They are only drilling on 2,000 of them. But at \$70 a barrel, they are going to go to this area, and they don't need any more permission.

So here is the trick: yes, they cannot drill off of these coastlines right now. We are going to debate that. And many Members from these States don't want drilling off these coastlines.

But that is not what the bill is about, ladies and gentlemen. This is about a raid on the Federal Treasury by four States in the area where we already permit drilling on Federal lands by oil companies. But these four States are in here dipping their straws into the Federal revenues which would go to 46 States, and they want it all to go to theirs.

Vote "no" on this terrible bill.

Mrs. CAPITO. Mr. Speaker, I would like to remind the previous speaker that the bill passed out of committee with large bipartisan support of a 29-9 vote.

I would like to yield 2 minutes to my friend and colleague from Kansas (Mr. MORAN), a leader in rural health care.

Mr. MORAN of Kansas. Mr. Speaker, I rise in support of increased exploration, drilling and production of natural gas off our intercontinental shelf. This is an important issue for all of the country, but especially true among my farmers and ranchers in Kansas.

I am one who supports renewable fuels, and ethanol and soy diesel provide a great opportunity for economic opportunity in Kansas, for Kansas farmers and for American agriculture and for our country. We must become much more independent from the energy sources abroad.

But for our farmers and ranchers to remain in business, to survive into the future, they have got to have access to natural gas and at prices that are affordable. Natural gas is the primary feed stock, the ingredient for the production of many agricultural components, but especially for nitrogen fertilizer that is so important; and if we are going to produce ethanol in this country, if we are going to produce soy diesel, we are going to have to have the fertilizer at an affordable price that will allow our farmers to raise the corn and grain sorghum to produce the ethanol to raise the soy beans to produce the soy diesel.

Our farmers are struggling across the country. Input costs are dramatically on the rise. Nearly 40 percent of the nitrogen capacity, fertilizer capacity has been shut down in this country since 1999. Six years ago, approximately 15 percent of our fertilizer needs were met in the United States from abroad. Today 50 percent is imported.

Prices have increased dramatically: \$250 a ton for nitrogen fertilizer in 2002; today, \$416.

One of my farmers who farms in southwest Kansas, 30 years ago when he started farming, natural gas was 19 cents. Today it is \$9. We are seeing double, triple and even fourfold prices that DONNY YOUNG talks about in trying to stay in business with these increasing input costs, while the price of corn has stayed the same.

We in the United States need to become independent if we are going to produce the ethanol. And it is important that we remember that natural gas is necessary to make that nitrogen fertilizer.

I encourage the adoption of this proposal.

A vote for H.R. 4761 is a vote for agriculture.

Agriculture's ability to produce an affordable food supply will continue to face huge obstacles if our nation does not come to grips with its desire to have limitless resources, like natural gas, for production and not realize that these resources have to come from somewhere. Our natural gas crisis has two solutions—increase supply and reduce demand. H.R. 4761 addresses one aspect of this crisis as it will increase the supply of natural gas from the Outer Continental Shelf. This additional supply will do two things. It will send a strong signal to natural gas markets and could increase the elasticity in North American natural gas markets. It indicates to these futures markets that the United States is committed to lifting the moratoria in the Outer Continental Shelf to provide consumers with an additional supply of natural gas. This message should ease the volatility in natural gas prices that all of us have seen since 1999 and the additional supply should help ease the natural gas prices over time.

Why does agriculture care so much about this natural gas crisis? Simply put, agriculture is a very large consumer of natural gas. Farmers use significant amounts of natural gas for food processing, irrigation, crop drying, heating farm buildings and homes and for the production of crop protection chemicals and nitrogen fertilizers.



Natural gas is the primary feedstock in the production of virtually all commercial nitrogen fertilizers manufactured in the United States. Natural gas is not just an energy source it is the raw material for producing the fertilizer. Today, in the case of the nitrogen fertilizer anhydrous ammonia, natural gas accounts for over 90 percent of the total cash cost of production.

Just like Kansas wheat and Wisconsin milk, fertilizer is a commodity bought and sold worldwide and subject to basic global supply and demand economic principles. As the U.S. domestic nitrogen fertilizer manufacturing sector declines due to high natural gas prices, Kansas farmers and other U.S. food producers will be subject to global supply/demand forces on the fertilizer products they buy, even more so than today.

The climb in natural gas prices since 2000 has forced U.S. fertilizer production costs to unprecedented levels. Over this period of high prices and intense volatility, the U.S. fertilizer industry began to shut down production. Nearly 40 percent of the industry's nitrogen capacity permanently shut down between 1999 and today. This has and will, continue to make U.S. farmers dependent on offshore production from the major suppliers such as Saudi Arabia, Venezuela and Russia.

This rise in natural gas prices and the permanent closure of so much U.S. fertilizer production has dramatically impacted fertilizer prices throughout the marketing chain and, in particular, at the farm level. According to USDA, U.S. prices to farmers for ammonia climbed from \$250 per ton in 2002 to \$416 per ton in 2005. That is almost a doubling of the price of ammonia to farmers.

This continued loss of production from the U.S. nitrogen fertilizer industry would force farmers to rely on a highly uncertain and highly volatile world market with no assurance that they will be able to obtain enough product to meet their full demand. This is particularly important when considering the importance of nitrogen to farmers. Thirty to 50 percent of corn yields are directly attributed to nitrogen fertilizer.

Passing H.R. 4761 represents a direct, positive action to increase our nation's domestic natural gas supply to help relieve the high prices pressuring American farmers, fertilizer producers and homeowners. Allowing exploration and development of the Outer Continental Shelf is an essential commitment that our nation must make. These natural resources belong to all Americans and should be developed for the benefit of the entire nation.

A vote for H.R. 4761 is a vote for agriculture. Please support passage of H.R. 4761.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman, my classmate, Ms. WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, the majority party says that we need to find a better way to end our energy crisis and a way to bring gas prices down. Well, that sounds really good because that is exactly what we need to do. But the solution they are offering today is not a solution. There is a better way, and that is for certain.

In fact, by providing tax incentives for the construction of energy-efficient buildings and heating equipment, by

doing that alone, we could save more than 12 times the Interior Department's estimate of economically recoverable gas outside the central and western Gulf of Mexico.

This plan they are offering for more offshore drilling for four States makes every other use of coastal waters subordinate to drilling for oil.

Mr. Speaker, we shouldn't even be discussing it. Do they really think that the people of this country don't get it? Well, let me tell you, the people in my district, Marin and Sonoma Counties north of San Francisco, get it. They know that what makes this bill even worse than being a Band-Aid is that it is a destructive solution.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I rise in strong support of this rule and the underlying bill. For me, the question of drilling off our coastal waters is a difficult one, and it is made even more difficult by the fact that I represent the State of Florida, where we have 1,300 miles of shoreline, and we have a tourism industry that adds up to about \$60 billion, and a lot of that is due to our magnificent beaches.

But I am faced with a question today, whether I vote in favor of letting the people of Florida control their own destiny as it relates to offshore drilling within 100 miles of the shore. I can do that, or I can just vote "no" and do nothing.

It seems to me, as I look at this bill, I would urge my colleagues to support it because it gives to our precious beaches in Florida unprecedented permanent protection, something we have never had before, something we may never have again within that first 100 miles.

Would I like to see more protection? Sure I would. Most people in Florida would. But wishing it so is not going to make it so. And I am going to support this bill.

Other people will say no, I will just vote "no." And people that do that, I think, are going to find themselves hoping against hope, rolling the dice that somehow, some way drilling won't occur off the coast of Florida or any other coastal waters in America. And I think that is pretty shortsighted.

I don't want to sit back and wait, sit back and watch. I don't want to find myself watching the sun rise and the sun set through the silhouette of an oil rig. That is too big a chance to take.

So I urge my colleagues to vote in favor of this rule, in favor of the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, as we approach the Fourth of July holiday, Americans are still paying record prices at the pump to fuel their cars for summer road trips and vacations. And this Republican Congress is still drag-

ging its feet and refusing to pass legislation that would actually do something to prevent these high prices, to prevent oil and gas companies from price gouging.

For the past year, Democrats have sought to pass legislation that would give the Federal Trade Commission authority to hold oil and gas companies that gouge consumers accountable. The Senate hasn't even taken up the Republicans' own weaker price-gouging bill which passed the House in May. That means more toothless investigations, more corporate bandits getting off scot free.

The FTC issued a report in May that exposed the need to pass legislation that clearly defines price-gouging offenses. Even in instances where the FTC has found that consumers have been abused at the pump, the FTC was powerless to prosecute the companies that engage in price gouging.

□ 1245

The five largest oil and gas companies reported \$110 billion in profits in 2005, and ExxonMobil reported the highest profit of any American company ever.

There is a price-gouging problem. It is happening at the producer and refiner levels, not at the retail level. We should pass the Democrats' FREE Act and give consumers relief at the pump once and for all and do it now.

Mrs. CAPITO. Mr. Speaker, I yield 2½ minutes to the gentleman from Hawaii (Mr. ABERCROMBIE), the sponsor of this legislation.

Mr. ABERCROMBIE. Mr. Speaker, I will submit into the RECORD documents in favor of the bill from several labor unions, a Washington Post editorial, and a letter with some figures regarding revenue from the Congressional Budget Office.

JUNE 29, 2006.

#### H.R. 4761: OUTER CONTINENTAL SHELF DRILLING

Our three building trades unions urge your support for H.R. 4761 when the House considers it later today. The bill will essentially lift the current moratorium against off-shore drilling by establishing a new set of drilling criteria which will go a long way in addressing America's energy needs—particularly in respect to natural gas supply. U.S. manufacturing needs the potential energy which a fully implemented H.R. 4761 can supply to stay competitive in the global economy. As a result, existing U.S. jobs are protected and new jobs can be created to help strengthen our economy.

From a building trades perspective, there is another critically important reason to support this bill. For years, the Outer Continental Shelf Lands Act has been interpreted to allow foreign companies to utilize foreign workers to build and service these oil and gas rigs and platforms without having to consider American workers for these jobs. Led by Resources Committee Chairman Pombo and Representative Abercrombie, there is a provision in the Manager's amendment which modifies the existing OCSLA language to require that American workers be given initial consideration on these large projects before foreign workers are hired. We in the trades have many of the skilled workers who are potentially ready, willing and

able to perform these construction and service jobs to extract American resources for American industry.

It is important to modify our current law to develop additional U.S. energy supplies. It is equally important to allow American workers a realistic opportunity to perform this construction and service work. H.R. 4761 accomplishes both of these objectives.

DONALD KANIEWSKI,  
*Legislative Director,  
Laborers International  
Union.*

TIM JAMES,  
*Legislative Director,  
International Union of  
Operating Engineers.*

CHRIS HEINZ,  
*Legislative Director, United  
Brotherhood of  
Carpenters.*

JUNE 29, 2006.

DEAR REPRESENTATIVE: On behalf of the United Association of Journeymen and Apprentices in the Plumbing and Pipe Fitting Industry, I urge you to support the Deep Ocean Energy Resources Act, H.R. 4761. The failure of the U.S. government to allow responsible energy exploration on the Outer Continental Shelf has created devastating economic conditions that are just now coming to fruition. This is an affront to every American worker, especially those in the pipe trades, who will continue to watch more jobs and industries move overseas because we refuse to develop our own resources.

Reducing our dependence on foreign energy by creating thousands of new jobs in the U.S. is a bipartisan issue. The Building Trades and affiliates, like the UA, have been working with both sides to ensure that these job opportunities go to American workers first, and that the revenue generated by energy development goes back into training the next generation of skilled pipe tradesmen and other energy-related workers.

The skills and technology have come a long way in the past 30 years due to heightened environmental awareness. Do not believe those who say we cannot develop our energy safely. Since 1980 the spill rate for offshore drilling is .001%, and accounts for less than 2% of the petroleum in the ocean, whereas natural seepages account for 63%.

We should not abandon alternative energy sources or conservation, but we will be dependent on oil and natural gas for another century. We already produce roughly as much ethanol per capita as Brazil; they have secured their energy independence through off-shore drilling, and yet their beaches are still dream destinations for most of the world.

The U.S. now faces the highest natural gas prices in the world, and sends millions of dollars a day to unstable regions of the world to bring in the oil and natural gas that sit just

on the edge of our own horizon. If we continue to lose paper mills and chemical and fertilizer plants due to high natural gas prices, good paying union jobs will disappear. Instead we can take a productive step to secure our economic future by creating good paying jobs for American workers on our Outer Continental Shelf.

For the 350,000 members of the UA, who work on offshore rigs, pipelines, power stations, refineries, and in numerous facilities that are downstream consumers of oil and natural gas, this bill will create jobs, and keep money in the U.S. economy. By doing nothing, we are choosing to jeopardize our whole economy and put millions of American jobs at risk.

Sincerely yours,

WILLIAM P. HITE,  
*General President.*

JUNE 28, 2006.

DEAR COLLEAGUE: today you will be asked to vote on H.R. 4761, the bipartisan Domestic Ocean Energy Resources (DOER) Act. We urge you to review The Washington Post editorial below that discusses why it's important to pass the DOER Act and update America's offshore energy production policy.

While The Washington Post gave an enthusiastic endorsement of this bill, it did mention some concerns over the cost estimate. The manager's amendment that will be offered today has made adjustments which reduce the cost for the federal government by \$11.6 billion over ten years and now raises \$600 million over the same period of time.

Sincerely,

NEIL ABERCROMBIE,  
*Member of Congress.*

BOBBY JINDAL,  
*Member of Congress.*

CHARLIE MELANCON,  
*Member of Congress.*

JOHN PETERSON,  
*Member of Congress.*

[From the Washington Post, June 28, 2006]

#### AN OUTDATED BAN

For the past quarter of a century, the federal government has banned oil and gas drilling in most U.S. coastal waters. Efforts to relax the ban have been repelled on environmental grounds, but it is time to revisit this policy. Canada and Norway, two countries that care about the environment, have allowed offshore drilling for years and do not regret it. Offshore oil rigs in the western Gulf of Mexico, one of the exceptions to the ban imposed by Congress, endured Hurricane Katrina without spills. The industry's safety record is impressive, and it's even possible that the drilling ban increases the danger of oil spills in coastal waters: Less local drilling means more incoming traffic from oil tankers, which by some reckonings are riskier. Although balancing energy needs with the environment is always hard, the

prohibition on offshore extraction cannot be justified.

The House of Representatives is about to vote on this question, probably tomorrow. A bipartisan bill would maintain a ban on drilling within 50 miles of the shoreline and allow states to extend that to 100 miles. But it would lift the congressional restriction on drilling beyond that perimeter. This compromise would give states that are unwilling to countenance the perceived environmental risks a reasonable measure of control over their coasts. But it would also open the way to more drilling.

The economic benefit of that drilling would be especially pronounced if it were aimed at natural gas extraction. Despite all the rhetoric about energy independence, it doesn't make much difference whether the United States gets its oil from its own coastal waters or whether it buys it on world markets. There is one global price for oil; producing more from U.S. waters will bring down that global price, benefiting all consuming countries rather than just U.S. consumers. But natural gas is traded globally only in small quantities, in liquefied form; nearly all of the gas consumed in the United States is produced domestically or in Canada. So producing more natural gas in U.S. coastal waters would bring down U.S. natural gas prices rather than world prices. Because natural gas is much cleaner than its main alternative, coal, this would have environmental as well as economic benefits.

Unfortunately, the House legislation is flawed. It diverts billions of dollars' worth of oil and gas royalties from the Federal government to the states, even though the waters from which the resources will come are federal. The states nearest to the oil rigs may feel they carry most of the perceived environmental risks, and some sharing of revenue may be justified to bring them along, but the House bill leans too far in that direction. We hope the bill passes tomorrow, but we also hope this flaw is fixed before it becomes law.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, June 29, 2006.

Hon. RICHARD W. POMBO,  
*Chairman, Committee on Resources, House of  
Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4761, the Deep Ocean Energy Resources Act of 2006, as modified by Pombo amendment #224, dated June 28, 2006.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen Gramp.

Sincerely,

DONALD B. MARRON,  
*Acting Director.*

Enclosure.

#### ESTIMATED DIRECT SPENDING EFFECTS OF H.R. 4761, THE DEEP OCEAN ENERGY RESOURCES ACT OF 2006, AS MODIFIED BY POMBO AMENDMENT #224, DATED JUNE 28, 2006

	Outlays in billions of dollars, by fiscal year											
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2007- 2011	2007- 2016
CHANGES IN DIRECT SPENDING <sup>1</sup>												
Changes in the Terms of Oil and Gas Leases:												
Fee on deepwater OCS leases .....	0	-0.8	-0.8	-0.9	-1.2	-1.1	-1.2	-1.7	-1.9	-1.7	-3.8	-11.4
Fee on nonproducing leases .....	0	-0.2	-0.2	-0.2	-0.2	-0.2	-0.2	-0.2	-0.2	-0.2	-0.8	-1.6
Compensation for certain nonproducing leases .....	*	*	*	*	*	*	*	*	*	*	*	*
Other changes to lease terms .....	*	*	*	*	*	*	*	*	*	*	*	0.1
Expand Federal Areas Subject to Mineral Leasing .....	-0.2	*	-0.2	-0.5	-0.3	-0.3	-0.5	-0.6	-0.7	-0.8	-1.2	-4.0
Changes in Authority to Spend Federal Mineral Receipts:												
Repeal of certain OCS receipt-sharing programs .....	-0.3	-0.3	-0.3	-0.3	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-1.4	-2.0
New OCS receipt-sharing with states .....	0.5	0.7	1.1	1.0	1.5	1.7	2.0	2.7	3.2	3.6	4.8	18.0
Other federal programs .....	*	*	*	*	*	*	*	*	*	*	*	*
Total Changes .....	-0.1	-0.6	-0.4	-0.9	-0.4	0.1	0.1	0.1	0.4	0.7	-2.3	-0.9
Memorandum: OCS Receipts Under Current Law <sup>2</sup> .....	-8.3	-10.5	-9.8	-10.0	-10.1	-9.4	-11.0	-10.9	-10.9	-11.2	-48.7	-102.1

<sup>1</sup> Implementing H.R. 4761 would also affect discretionary spending. Several provisions of the bill would authorize funding to be provided in future appropriation acts.

<sup>2</sup> The current law estimates are from CBO's March 2006 baseline. The receipt estimates are net of payments to states to share proceeds from leases located within specified distances of their coastlines.

Notes:—Details may not sum to totals because of rounding. OCS = Outer Continental Shelf. Budget authority is equal to outlays for most programs that involve collection and spending of OCS receipts. \* = Between -\$50 million and \$50 million.



The U.S. is the only developed nation in the world that restricts access to its offshore energy resources, putting it at an economic and strategic disadvantage with foreign nations.

The DOER Act strikes a common sense balance between America's dire need to produce more energy at home and the interests of American coastal states. It accomplishes this by granting coastal states permanent and unprecedented power to keep off-shore energy production 100 miles away from their coastlines (if they so desire) while enabling the U.S. to produce energy for the people in the deep waters beyond.

For comparison, the following is a short list of foreign nations that produce energy safely from their deep seas and the distance from the coast that drilling occurs: Ireland, 45 miles; Norway, 40 miles; United Kingdom, 40 miles; Netherlands, 20 miles.

Mr. ABERCROMBIE. Mr. Speaker, this is an auspicious day, and I am pleased to be able to speak on the rule.

I regret in some respects that many of my friends, my dear friends, have a view different than I as to whether or not a positive vote is warranted on the bill. But with regard to the rule, I believe that when the manager's amendment comes forward during debate on the bill that some of the questions that have been raised, legitimate questions that have been raised, will be answered, I hope, to the satisfaction of those who have some doubts about the bill.

My reason for standing here today is because I do want to reach out in all sincerity to those who are expressing reservations about the bill to indicate that those of us who have been working on the bill in the Resources Committee understand and appreciate and recognize those fears and anxieties that those in opposition have expressed today, and we have tried to the best of our legislative ability to address them. We respect those who have some reservations at this stage and ask merely that we wait for the debate. The debate, as it comes forward, we think will answer those questions. We are going to try to do it sincerely.

For example, on the question of revenues, we have been listening to those who are concerned about revenues to Treasury, and we have addressed it. We believe that the Congressional Budget Office, in its analysis of the bill, has addressed that forthrightly.

As for the question about environment, we believe that that has been addressed as well. We ask really for the opportunity to make a full presentation on that, and then we will, of course, respect everybody's judgment.

But I can tell you, Mr. Speaker, and tell all of my colleagues and friends who still retain their reservations, we are doing our very best to address the issues that you have raised; and we hope we have done it adequately. In that context, then, I hope some open minds will be kept at this stage; and, most particularly, we ask our friends from California and Florida to recognize that we are doing our level best to

address their concerns in a positive way.

Mr. HASTINGS of Florida. Mr. Speaker, my good friend from Hawaii, and he is my good friend, knows that I love his volcanic State that has no Outer Continental Shelf. If we were drilling in Oahu or on the road to Hana, I would hear a different perspective. But I understand that dynamic.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Colorado (Mr. SALAZAR).

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

Mr. SALAZAR. Mr. Speaker, I have generally supported offshore oil and gas development in the past, but I cannot support this bill in its current form.

This bill goes beyond offshore exploration and reaches back into the energy bill to change a carefully written compromise on oil shale development. The district I represent is the largest reserve of oil shale in the Nation, and I have serious concerns that the provisions in this bill will speed along and encourage irresponsible development. Western Colorado has already experienced one boom and bust due to oil shale speculation. It ruined the lives of many families in the West, and I cannot support a policy which will lead to another.

I urge my colleagues to vote against this bill or to eliminate the oil shale provision.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to my good friend, Mr. TIAHRT.

Mr. TIAHRT. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, this legislation is critical to the future of our country and our economy.

Over the last generation, Congress has raised barriers to keeping and creating jobs, American jobs. Our inability to produce natural gas is one of the barriers, and it is driving jobs overseas. Now, why would Congress force jobs overseas? Well, you are seeing that reason today.

Some say this is bad legislation; it is ill conceived. My view of that congressional interpretation of that language is "so long American jobs."

Some say it is not in your backyard; you do not produce it. Well, in Kansas, it is in my backyard. We have been producing oil and gas for over 100 years. So my interpretation of that phrase is it means "good-bye American jobs."

Some say this will damage the coastline. Well, natural gas production has continued through today. It occurred even through Hurricane Katrina, and not one environmental spill or any coastline was damaged. So the congressional speak for "it will damage our coastline" means "adios American jobs."

This is good legislation. It has gone through a compromise process. It

passed out of the subcommittee with a good, strong, bipartisan vote.

Let us remove a barrier to keeping and creating jobs here in America. Let us pass this rule. Let us pass this bill. And, in doing so, we will help keep and create jobs right here in America.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield at this time 3 minutes to my good friend and classmate from Michigan (Mr. STUPAK) who also has a district that has environmentally sensitive areas.

Mr. STUPAK. Mr. Speaker, as Congress gets ready for the Fourth of July recess, I am reminded again that we do not have a Federal price gouging law on the books. And just in time for the Fourth of July.

In Marquette, Michigan, last night, gas prices were \$2.89. When my constituents woke up this morning, it is now \$3.09. Just in time for the Fourth of July.

For almost a year now, we Democrats have been calling on the Republican leadership to allow a real gas price-gouging bill to be passed in the law. One hundred and thirty-five Members of this body have signed a discharge petition requesting that my legislation, the Federal Response to Energy Emergencies, the FREE Act, be brought to the floor for a vote. After continued lobbying from Democrats, Republicans finally introduced their own legislation, which was called "price gouging," and it is price gouging in theme only, and that bill was passed by this body in May.

Unlike the Republican price-gouging legislation, my legislation, the FREE Act, would specifically set guidelines for the Federal Trade Commission to use to define price gouging, including provisions that would make illegal unconscionable pricing, providing false information, and market manipulation.

The FREE Act also contains a provision that would promote price transparency, helping the consumer to understand the information to know what gas and oil prices should be that would be fair and reasonable.

The FREE Act would also apply to natural gas and propane. Neither natural gas nor propane is addressed in the Republican bill.

Despite efforts to sugar-coat the Federal Trade Commission's recently released Investigation of Gasoline Price Manipulation and Post-Katrina Gasoline Price Increases, the FTA, the Federal Trade Commission, did find that, after Hurricane Katrina refiners, wholesalers, retailers charged significantly higher gas prices that were not attributable to either increased costs or international market trends.

Mr. Speaker, the American people are fed up. They know price gouging when they see it, and they are being gouged like my constituents in Marquette, Michigan, just today. The Federal Government has a responsibility

to protect consumers from price gouging. Price-gouging legislation is long overdue.

Congress needs to pass legislation to allow the FTC to prosecute price gouging. Our constituents are looking to us, to Congress, for relief. It is our duty to approve legislation that would provide that relief, to protect Americans from increased financial hardship that price gouging and high gas prices create, especially during the summer tourism months.

Whether you support the Pombo bill or not, I encourage my colleagues to vote "no" on the previous question so that we can consider the FREE Act, a real price-gouging bill that can provide relief for gas customers today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will be asking Members to vote "no" on the previous question. If the previous question is defeated, I will amend the rule to provide that immediately after the House adopts this rule it will take up legislation to do as Mr. STUPAK just rightly said, stop price gouging at the gas pump and provide some immediate relief for the American consumer.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, as we consider this bill today that further opens up our precious coastal resources to the oil industry, should we not also be talking about how those oil companies treat Americans at the gas pump? Should they be allowed to drill the oil that belongs to the American people and then turn around and sell it to us at unconscionable prices?

They did not drill 3 years ago because the price of a barrel of oil was \$30. Now it is \$70, and they are ready to go drill. By that time, it will be \$80, and then turn around and sell it to us at prices that are unconscionable.

If the previous question is defeated, I will ask the House to take up H.R. 3936, Representative STUPAK's bill.

Members should be aware that a "no" vote will not prevent consideration of H.R. 4761 and it will not affect any of the amendments that are in order under this rule. But a "no" vote will allow us to vote on something to bring real relief to the American people and not degrade the environment in our Outer Continental Shelf.

Vote "no" on the previous question.

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

Mrs. CAPITO. Mr. Speaker, I yield myself the balance of my time.

We have certainly had a lively and spirited debate on this rule, and I am

sure it will continue as we debate the legislation.

I would like to remind Members that for 6 years we did not have a comprehensive national energy policy, and the result has been higher prices for consumers and businesses. This underlying legislation is one component that will help ease the burden on consumers and manufacturers, and we all look forward to future debates on a myriad of energy solutions so we are better prepared for our future.

I see this as a jobs bill. I also see it as a helping hand to those seniors and those lower-income citizens who are having to pay the high cost of heating their homes and gasoline at the gas station.

This bipartisan legislation received the vast majority of votes in the Committee on Resources, and I encourage all Members to support an improved energy policy for the future.

I urge all Members of this fair rule and the underlying legislation.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. 897—RULE ON H.R. 4761 THE DEEP OCEAN ENERGY RESOURCES ACT OF 2006

At the end of the resolution add the following new section:

"Sec. \_\_\_\_ Immediately upon the adoption of this resolution, it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3936) to protect consumers from price-gouging of gasoline and other fuels during energy emergencies, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Energy and Commerce; and (2) one motion to recommit with or without instructions."

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitz-

gerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution \* \* \* [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule \* \* \* When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1300

PROVIDING FOR CONSIDERATION OF H. RES. 895, SUPPORTING INTELLIGENCE AND LAW ENFORCEMENT PROGRAMS TO TRACK TERRORISTS AND TERRORIST FINANCES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 896 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 896

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in