and sets an example for employers to be bicycle-friendly.

In 1994, the U.S. Department of Transportation, DOT, issued the National Bicycling and Walking Study, establishing a national goal of doubling the percentage of trips made by foot and bicycle while simultaneously reducing crashes involving the two modes by ten percent. It also created a now-defunct inter-agency task force to coordinate these efforts across Federal agencies. This resolution encourages DOT to re-establish this task force with representatives from all appropriate Federal agencies.

H. Con. Res. 305 provides a framework for some of the choices that the Congress will need to make in the upcoming surface transportation authorization legislation. The Federal Government has a long history of visionary leadership in the transportation field, and we need to again show the leadership necessary to encourage mode shift, reduce congestion, and create a cleaner and healthier society. We must work to build a transportation system that enhances our quality of life and gives users modal choice, and bicycle infrastructure needs to be a part of this.

I urge my colleagues to join me in agreeing to the resolution.

Mr. PETRI. I yield back the balance of my time.

Ms. HIRONO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 305.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PETRI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GAS PRICE RELIEF FOR CONSUMERS ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6074) to amend the Sherman Act to make oil-producing and exporting cartels illegal and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6074

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gas Price Relief for Consumers Act of 2008''.

TITLE I—AMENDMENT TO SHERMAN ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''No Oil Producing and Exporting Cartels Act of 2008'' or ''NOPEC''.

SEC. 102. SHERMAN ACT.

The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

''SEC. 7A. (a) It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(b) A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

''(c) No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

''(d) The Attorney General of the United States may bring an action to enforce this section in any district court of the United States as provided under the antitrust laws.''.

SEC. 103. SOVEREIGN IMMUNITY.

Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6) by striking ''or'' after the semicolon;

(2) in paragraph (7) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) in which the action is brought under section 7A of the Sherman Act.''.

TITLE II—CREATION OF DEPARTMENT OF JUSTICE PETROLEUM INDUSTRY ANTITRUST TASK FORCE

SEC. 201. ESTABLISHMENT OF DEPARTMENT OF JUSTICE PETROLEUM INDUSTRY ANTITRUST TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—The Attorney General shall establish in the Department of Justice a Petroleum Industry Antitrust Task Force (in this title referred to as the ''Task Force'').

(b) RESPONSIBILITIES OF TASK FORCE.—The Task Force shall have the responsibility for—

(1) developing, coordinating, and facilitating the implementation of the investigative and enforcement policies of the Department of Justice related to petroleum industry antitrust issues under Federal law,

(2) consulting with, and requesting assistance from, other Federal entities as may be appropriate, and

(3) preparing and submitting to the Congress an annual report that—

(A) describes all investigatory and enforcement efforts of the Department of Justice related to petroleum industry antitrust issues, and

(B) addresses the issues described in subsection (c).

(c) ISSUES TO BE EXAMINED BY TASK FORCE.—The Task Force shall examine all issues related to the application of Federal antitrust laws to the market for petroleum and petroleum products, including the following:

(1) The existence and effects of any price gouging in sales of gasoline.

(2) The existence and effects of any international oil cartels.

(3) The existence and effects of any collusive behavior in controlling or restricting petroleum refinery capacity.

(4) The existence and effects of any anticompetitive price discrimination by petroleum refiners or other wholesalers of gasoline to retail sellers of gasoline.

(5) The existence and effects of any unilateral actions, by refiners or other wholesalers of petroleum products, in the nature of withholding supply or otherwise refusing to sell petroleum products in order to inflate the price of such products above competitive levels.

(6) The existence and effects of any anticompetitive manipulation in futures markets or other trading exchanges relating to petroleum or petroleum products.

(7) The existence and effects of any other anticompetitive market manipulation activities involving petroleum or petroleum products.

(8) Any other anticompetitive behavior that impacts the price or supply of petroleum or petroleum products.

(9) The advisability of revising the merger guidelines to appropriately take into account particular aspects of the petroleum and petroleum products marketplace.

(10) The advisability of amending the antitrust laws in light of any competitive problems in the petroleum and petroleum products marketplace described in paragraphs (1)–(8) that cannot currently be effectively addressed under such laws.

(d) DIRECTOR OF TASK FORCE.—The Attorney General shall appoint a director to head the Task Force.

(e) INITIAL REPORT.—The 1st report required by subsection (b)(2) shall be submitted to the Congress not later than December 31, 2008.

TITLE III—STUDY BY THE GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 301. STUDY BY THE GOVERNMENT ACCOUNTABILITY OFFICE.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study evaluating the effects of mergers addressed in covered merger consent decrees on competition in the markets involved, including the effectiveness of divestitures required under those consent decrees in preserving competition in those markets.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress and the Department of Justice regarding the findings of the study conducted under subsection (b).

(c) ATTORNEY GENERAL CONSIDERATION.—Upon receipt of the report described in subsection (b), the Attorney General shall refer the report to the Task Force established under section 201, which shall consider whether any further enforcement action is warranted to protect or restore competition in any market affected by a transaction to which any covered merger consent decree relates.

(d) DEFINITION.—In this section, the term ''covered merger consent decree'' means a consent decree entered in the 10-year period ending on the date of the enactment of this Act, in an enforcement action brought under section 7 of the Clayton Act against a person engaged in the business of exploring for, producing, refining, processing, storing, distributing, or marketing petroleum or petroleum products.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Virginia (Mr. SCOTT) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have seen the price of oil skyrocket, from about $50 a barrel only a year ago, to nearly $128 a barrel as of last week. The retail price of gasoline has likewise jumped and is now in the range of $4 a gallon. Americans are finding it increasingly more difficult to fill up their gas tank in the family car.

A number of factors undoubtedly contribute to this dire situation. Some might cite the war in Iraq which the President has waged for 5 years, which has both diverted trillions of dollars from more productive uses in our economy and, at the same time, contributed to the weakening of the dollar against other currencies.

Others will say that we should be devoting more resources to alternative fuels. But let's not overlook the elephant in the room. We have a dysfunctional marketplace for oil. We depend on a few large oil refining companies to supply gasoline. They have become even fewer and even larger as a result of a wave of mergers over the last decade or so. What's more, at the center of it all is an international oil cartel, OPEC.

The Gas Price Relief For Customers Act of 2008, introduced by the gentleman from Wisconsin (Mr. KAGEN) addresses that marketplace dysfunction in three important ways.

First, it clears away the dubious legal doctrines that have been twisted to prevent us from holding the OPEC cartel accountable under antitrust laws. It will now be clear that price fixing violates antitrust laws just as much when committed by OPEC as it does by other cartels.

Just last week, President Bush traveled to Saudi Arabia, hat in hand, to ask King Abdullah to relax just a little OPEC cartel's choke hold on the world oil marketplace. King Abdullah said no, he would not.

OPEC's concerted manipulation of world oil marketplaces calls for more than begging for help. It calls for full antitrust enforcement. Our antitrust laws are international in their reach, and over the years they've been used effectively against numerous cartels around the world to vindicate the rights of American consumers to receive the benefits of honest competition. There is no excuse for giving the most notorious cartel a free pass.

Second, the bill requires the Justice Department to establish a task force to better ensure that it is effectively monitoring all parts of the petroleum and petroleum products marketplace for anticompetitive practices that artificially restrict supply or inflate prices, such as, for example, the illegal manipulation of investments in the futures market.

Third, the bill requires GAO to take a retrospective look at oil industry mergers that were allowed to take place over the past decade to assess to what extent the resulting increase in market concentration has contributed to the high gas prices Americans are now paying at the pump. This will help inform Congress and the antitrust enforcers as to what needs to be done to better ensure a competitive gasoline marketplace going forward.

These three important steps we can take now to better ensure, to better secure lower market prices for gasoline that the honest competition will bring about for all Americans.

I would, again, like to thank the gentleman from Wisconsin Mr. KAGEN for bringing this bill before us to the House.

I urge my colleagues to support it and reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, it's painfully obvious to the American people that the price of gasoline is going up. This week the national average price per gallon of gas hit $3.77; that's up 63 cents from the same period last year. At every fill-up, American families are reminded that driving anywhere is going to cost them more than ever.

Higher gas prices cause a real drain on family finances, and if they remain high, they could serve as a drag on our economy. In fact, I believe they do serve as a drag on our economy.

Rising gas prices and subsequent congressional interest are not a new phenomenon. It seems that every year Congress conducts a new investigation of the oil industry. By my estimation, in this House, House committees have held no less than 20 hearings, and that's on the gas prices. In the House Judiciary Committee, alone, we've held two hearings just this year, and there's another one scheduled for this Thursday. Those hearings were last year, one more scheduled for this Thursday.

Despite all of this, all this oversight, the price at the pump continues to rise. As the Federal Trade Commission has reported, though, changes in world oil prices have explained 85 percent of the changes in the price of gasoline in the U.S. The price of gas at the pump closely tracks the price of a barrel of oil in the world market.

Further, the FTC has repeatedly found that there is no broad-based collusion to fix prices or engage in price gouging in the retail sale of gasoline.

Another factor impacting the price at the pump has been the decline of the dollar. While the cost of oil has gone up worldwide, its impact has been felt more in the United States because of the lower value of the dollar, vis-a-vis other countries. For example, while the price of West Texas intermediate crude, in dollars, has increased almost 109 percent since January of 2007, that would be the beginning of the 110th Congress, Mr. Speaker, it has only increased 78½ percent if it's calculated in euros or 84 percent in yen. ''Only'' seems like an interesting phrase to put in there. But a 109 percent increase in dollars, 78½ percent in euros or 84 percent in yen.

So what can Congress do to reduce fuel prices? It can expand the domestic supply of energy. Yet time and again, the Democratic leadership has rejected opportunities to increase that supply and bring gas prices down.

What has the majority brought to a vote?

Well, this is the second time in this Congress that we're considering NOPEC. Everyone knows that the world oil price is dictated mainly by the quantity of oil that the organization of petroleum exporting countries is willing to supply and, of course, in relation to the demand for that oil.

Most would argue that the presence of this cartel, controlled in large part by totalitarian or hostile regimes, is not helpful. The question is, though, what could or should Congress do about it? NOPEC is one possible solution to this problem, but because of the Act of State doctrine and the concept of sovereign immunity, Americans are precluded from suing the cartel that controls a good portion of the world's oil supply. This bill would change that or at least attempt to.

However, there is no certainty that enabling the Attorney General to sue OPEC for an antitrust violation will result in lower gas prices for Americans. Given the instability that such a suit might create in the world oil market, this legislation would be long on psychic compensation, but short on actual returns to America's pocketbook.

I'm concerned about the unintended consequences of this bill. Moreover, this particular bill has no consideration, has had no consideration in the House Judiciary Committee. In addition to the NOPEC provision which the House considered last year, it also creates a task force at the Department of Justice to study the anticompetitive aspects of the oil and gas markets. Yet the Federal Trade Commission has studied this area repeatedly and found no widespread collusion.

So, Mr. Speaker, what we are doing here is administratively burdensome on the Department of Justice and at best is duplicative of efforts that already take place at the FTC.

I recognize this bill will likely pass the House again today, but I urge the majority to quit with the cheap theatrics and easy votes. This Congress should be considering legislation to actually expand oil supply such as drilling in ANWR. We're not seeing a vote on drilling in ANWR in this Congress, in this 110th Congress, or drilling in the Outer Continental Shelf, where I happen to know there are 406 trillion cubic feet of natural gas. But, rather, these bills are brought up that might prompt OPEC countries to turn off their supply of oil to the U.S. or to squeeze it down.

That's my opening statement and my view on this bill.

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

□ 1530

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the distinguished author of this bill, the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Speaker, I wish to thank my colleagues for bringing attention to this important aspect of our economy. As everyone understands, the cost of oil and the cost of energy is hamstringing and pulling down every one in our economy. Northeast Wisconsin, much like the State of Iowa, is very similar to many places in the country. It's highly rural, and in large part in Wisconsin we've got the northern forest lands and farm lands.

Our way of life, like the rest of America, depends upon oil as a primary source of energy. Our way of life depends on affordable energy for our industries, such as agriculture, manufacturing of paper, of ships, and many other essentials.

Why all of this insight into northeast Wisconsin? Well, much like your friends and your families and your coworkers, my friends in Wisconsin are wondering how much longer they will be able to continue to farm, to drive to work, to transport their goods, to run their trucks at today's impossible gas prices. And what about our senior citizens who are struggling to live on fixed incomes? We owe them and everyone in the Nation to respond to the oil energy crisis that we face together.

Now, there are many causes for the increased price of gasoline, and Congress cannot address all of them. But the one thing Congress can do is to make certain that the price paid by our constituents for gasoline is not the result of anti-competitive practices and that the Department of Justice will devote necessary resources to address this issue.

In May of 2007, Congress passed H.R. 2264, the No Oil Producing and Exporting Cartels Act, otherwise known as NOPEC. This was by a vote of 345–72. And at that time, we were outraged, outraged that the price of crude oil was $65 a barrel and at that time, $3 for every gallon of gasoline. Now, compare that to today in May of 2008 when crude oil is over $125 a barrel and $4 at the pump. By passing NOPEC, the House agreed it was time to give U.S. authorities the ability to prosecute anti-competitive conduct committed by international cartels that restricts supply and drives up prices.

OPEC, the world's most well-known oil cartel, accounts for more than two-thirds of global oil production, and OPEC's oil exports represent 65 percent of the oil traded internationally.

What NOPEC did was to remove the immunity of sovereign states, and appropriately so. However, the conduct of OPEC and its members has been beyond the reach of Federal prosecutors. NOPEC addressed this legal barrier for prosecution by removing their sovereign immunity and bringing the conduct of international oil cartels within the reach of United States antitrust laws.

This bill I submit today, the Gas Price Relief for Consumers Act of 2008, builds on NOPEC by doing three things: first, it incorporates the NOPEC provisions as passed last year; secondly, the bill authorizes the creation of the Department of Justice Petroleum Industry Antitrust Task Force. Among its responsibilities, the task force will examine such issues as the existence and effects of price gouging in the sale of gasoline, anticompetitive price discrimination by petroleum refineries, unilateral actions to withhold supply in order to inflate prices, and manipulation of the futures markets; and third, the bill provides for a GAO study as to the effect of prior mergers on competition and order divestitures in the petroleum industry.

Recent data reveal that at the same time oil supplies were going up and U.S. demand was going down, the oil prices continued to rise due, as some have suggested, to speculators in the oil and gas marketplace.

Well, like many others, I believe it's time to shed some light into the dark regions of the speculated oil markets, and this bill will do just that by allowing the Department of Justice, the GAO, and Congress to do its work to guarantee that oil prices reflect supply-and-demand economic rules instead of the wild and speculative and, perhaps, illegal activities of some.

Until we finally have an energy policy other than drill and burn, this bill will begin to set things right for the American people. Although this bill will not end the pain at the pump for us this month, it will deliver the information and the insight we need to construct a meaningful energy policy aimed at beginning to become an energy independent nation once again.

Mr. KING of Iowa. Mr. Speaker, I yield 5 minutes to the minority whip, Mr. BLUNT of Missouri.

Mr. BLUNT. I thank the gentleman for yielding.

I think we've already passed this bill in this Congress 345–76 or something like that. And I'm not surprised we're seeing it again. We're not seeing answers to the energy problems we face. Gas prices reached another high yet today. $3.79 a gallon is the average in the country. American families and small businesses are paying $1.46 per gallon more today than they were paying when NANCY PELOSI became the Speaker.

In 2006, the minority leader at that time, NANCY PELOSI, said, Democrats have a commonsense plan to bring down skyrocketing gas prices. Well, for weeks now Republicans have been asking what that commonsense plan was, and we've given up on that; and so we will begin in the next new days going ahead and rolling out our plans as to what we think we could do to do something about these prices.

This bill was not an answer last year. It is not an answer this year. NOPEC is no answer. NOPEC is no policy. NOPEC actually means more dependence. Why we would want to continue to head down the road of more dependence on oil from outside the United States is amazing to me.

Ninety-one percent of all Americans commute to work using an automobile. And the increase in gasoline costs for the 3.3 million Americans who drive at least 50 miles each day to work has increased by $1,200 since this Congress began its work 16 months ago.

I had a roundtable in my district last week with people, a lot of whom probably at the table I was at, the average was a drive of about 45 or 50 miles; and if you're working at a job that pays by the hour and you're driving 45 or 50 miles a day, you really don't have a choice. Where I live and where many of our Members live, there is no mass transit, there is no bus, there is no alternative other than to get there in your own car or to ride with somebody else.

And so you're now either paying an extra $100 a month just to get to work or you're somehow sharing that $100 with the person you figured out how to ride with. The average American drives about 15,000 miles per year, and that means the average Americans are now paying almost $700 more for gasoline than they were when this new majority took over.

The upcoming Memorial Day weekend is really known as the traditional start of the summer driving season. It's only 4 days away, and 9 out of 10 trips made during that summer travel season are made in an automobile, 9 out of 10 family vacations occur in an automobile; and we're setting record prices every day. In fact, this is the twelfth consecutive day for an all-time record gas price increase. Last week was the ninth consecutive week for an all-time gas price increase record. And we have NOPEC back on the floor.

Mr. Speaker, it's time we got bills on the floor that did the things that need to be done to get the country heading in the right direction. Republicans have sponsored those bills, Democrats have sponsored those bills. But where are they? They don't have a hearing in the Energy Committee, they don't have a place on the floor, and gas prices continue to go up.

We need to do things that promote clean and reliable power generation.

We need to do things that improve expanding American energy production. We need greater energy efficiency, greater conservation, and in the short term, we could do things like we finally did last week on the Strategic Petroleum Reserve and like we've urged this Congress to do which is to abandon the 18½ cent Federal gas tax for the summer driving months and at least have that kind of impact on the driving public as we take another hundred days to try to find a real solution. We are not going to find the solutions by repeating work we did last year.

Americans are tired of these gas prices going up. This Congress should do something about it. It can't do something about it without energy bills on the floor that do more than study a problem that we all know only makes the dependence on foreign countries worse.

Let's reduce dependence, let's encourage research, and let's do what we can to get America moving again with energy policies that make sense for American families and American workers.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself very briefly such time as I may consume just to reference a report.

A comment was made about committee hearings. The report that I am referencing references the committee hearings and committee considerations and committee votes on the bill in the last year. It's essentially the same bill. The report is report number 110–160. It's an 11-page report that outlines what we did in terms of committee consideration.

I would yield such time as he may consume to the gentleman from Wisconsin.

Mr. KAGEN. Thank you, Mr. SCOTT.

Mr. Speaker, we just heard an argument made for that we shouldn't do another study, that we shouldn't look into the darkness of these oil-speculative marketplaces, that we shouldn't do anything but continue more of the same, more and more of the same.

Well, let me offer, Mr. Speaker, some numbers. The first number is 7. For 7 years, we have not had an energy policy. We have had an energy policy that was designed behind closed doors. The next number is 300, 300-percent increase in the cost of gasoline at the pump. The people in Wisconsin, the people across America need a positive change in their energy policy, and that we can do some time this fall.

The other number I would offer is 200. It's a 200 percent increase in fuel oil prices. Now, if you're living in northern Wisconsin and you are using fuel oil to heat your home and you are on a fixed income, this is pain not just at the pump but also at home. And I want to bring attention to the fact that we are bringing about that change, but we can't do it without studying and getting the facts; and this bill will offer that opportunity.

Mr. KING of Iowa. Mr. Speaker, I would yield 3 minutes to the gentleman from California (Mr. LEWIS), the ranking member of the Appropriations Committee.

Mr. LEWIS of California. Mr. Speaker, I want to express my appreciation to the gentleman from Iowa for yielding me this time.

I must say that I came to the floor with great expectancy that we were discussing something that would actually provide gas price relief. Instead, we have another study that reviews the question of cartels and their impact upon prices of gasoline or oil in the United States presuming that unilaterally America, one way or another, can control what other countries do in terms of their partnerships known as cartels.

I must say that it's very clear that there are any number of avenues that can be followed, that should have been followed formerly that can affect the availability of crude oil in the United States. We have a huge, huge domestic supply.

In my own State, California, you have heard a bit today about a thing called the Pelosi premium. Frankly I'm not excited much about the Pelosi premium. The fact that the gentlelady from San Francisco is now the Speaker of the House is significant to California, but her district, just like mine, must be suffering as much as everybody with the price per gallon of gasoline at the pump. So together, we've got to try in California to find policy and program that will bring about change.

For example, for a long time for appropriate reasons we've been very sensitive about offshore drilling in California because of our beautiful Pacific Coast. We also now know that there are technologies developed and available beyond the site line that could cause us to at least take a look at how we tap that crude oil far off of our coast as a potential alternative supply. Without supply to meet the demand, America is not going to have independence from the Middle East.

Look to the south. The gulf region has tremendous potential in terms of future crude development. Could we not have developed policies that are foreign policies dealing with Latin countries to help them technologically better tap those sources so in spite of what goes on in Florida or in Texas or otherwise near the gulf, we could be reaching out in ways to allow that crude oil to become available here in our domestic supply and thereby put pressure on OPEC.

□ 1545

The technology that is developing relative to what we do with shale has tremendous potential in terms of tapping our reserves. We know that takes time but it also takes priority.

Instead of phony cartel bills, where are the bills that bring forward those policy changes and add to the research, as well as the specific funding for technology to reach into those reserves?

My friends on the floor have talked about the fact that it would take 10 years for us to effectively tap resources in Alaska, but for 10 years, those same people have been resisting our tapping into those resources. If we'd begun 10 years ago, that crude oil would be online right this moment, putting pressure on the process to allow us to meet our demand more effectively here at home rather than depending upon those overseas.

So, Mr. Speaker, it's time we got onto the policies in both bodies that make sense for America, and I appreciate the time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume just to point out that this isn't the only thing that we're trying to do. This is just one of the things that we're trying to do about excessive gas prices.

With that, Mr. Speaker, I yield to the gentlelady from Texas (Ms. JACKSON-LEE) such time as she may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from Virginia for his leadership, and I appreciate greatly the leadership of Dr. KAGEN of Wisconsin for this enormously thoughtful legislation for it is focused, if you will, on moving the ball forward for suffering constituents, whether they're in Wisconsin, Virginia, Texas. Even oil- and gas-producing States such as Texas are facing the crisis of oil shortages, gasoline high prices and difficulties for working men and women.

Why is this thoughtful? I serve on the Antitrust Task Force on the House Judiciary Committee, and we're looking at broad-based issues, domestic and international, on how prices are being either constrained or expanded by the idea of maintaining price controls.

And so OPEC itself, being with many of its members who are part of the WTO, certainly can be subjected to the question that is raised by this legislation.

The bill authorizes the Attorney General to establish a Department of Justice petroleum industry antitrust task force, very thoughtful and forward-thinking. This task force has the responsibility to develop, coordinate and facilitate the implementation of the investigative and enforcement policies of the Department of Justice related to the petroleum industry.

We must do something, and this is a complement to the very important work that the Democrats did moving forward very important energy legislation that deals with alternatives, that really spoke to Mom and Pop, that spoke to the truck drivers.

And I look forward to working with my colleagues as we move this legislation forward to address the question of whether OPEC is manipulating prices. Certainly, it can be a better approach on what happened over the last couple of days when we know that one of the

OPEC members simply said I'll give you a few pennies on the market by offering up an extra couple of barrels of oil.

This is a reasoned perspective, and so I would reach out to the administration to work with us. The energy bill is languishing. Why? Because we hear that the administration will, in fact, veto it.

There are some ideas that I think are important. Those of us on the gulf region have supported a safe, environmental process of exploring in the gulf. Some of us do believe that there can be a moratorium on gasoline taxes if it comes from someplace other than the Highway Trust Fund.

Dr. KAGEN's bill is meaningful; it is forthright. It says what it wants to do, and it gives the procedures for doing so with an important task force that questions OPEC and its ability to manipulate prices. It is answering the question of those Americans who are in need of relief, those truck drivers who are in need of relief, and I ask my colleagues to support again this very thoughtful legislation.

Mr. Speaker, I rise today in support of H.R. 6074, the "Gas Price Relief for Consumers Act of 2008." I support this bill.

The purpose of this bill is to amend the Sherman Act to make oil-producing and exporting cartels illegal and for other purposes. The bill makes it illegal for any foreign state or instrumentality to act collectively or in combination with any foreign state, to limit the production or distribution of oil, natural gas, or any other petroleum product. It also makes it illegal to set or maintain the price of oil or natural gas, or petroleum product or otherwise take any action in restraint of trade for such products.

The bill authorizes the Attorney General to establish in the Department of Justice a Petroleum Industry Antitrust Task Force. This Task Force has the responsibility to develop, coordinate, and facilitate the implementation of the investigative and enforcement policies of the Department of Justice related to the petroleum industry.

The bill authorizes the Task Force to provide an annual report to Congress describing the investigatory and enforcement efforts. The bill also requires the Government Accountability Office to conduct a study evaluating the effects of mergers addressed in merger consent decrees on competition within 1 year of enactment of this bill.

This bill is an important effort to address the oil crisis faced by the United States. Americans are in desperate need of relief. Increasingly, as the economy spirals into a recession, Americans must choose between food, energy, and gas. This crisis is of national and international importance.

Oil prices have not been regulated since the Reagan Administration; however, the market situation since 2004 has yielded little excess capacity. Because OPEC determines the supply of oil vis-a-vis demand, it plays a significant role in the determination of the price of oil in the world market. Whereas OPEC is comprised of approximately 13 countries, it has 75 percent of the world's oil reserves, which affords it considerable control over the global market. OPEC produces 40 percent of the world's oil needs with approximately 30 million barrels of oil per day. The rest of the oil refineries in the world are producing at full capacity. Given their large oil reserves, OPEC countries have considerable capacity, which if utilized could ameliorate the current oil crises.

The weakening value of the dollar, political uncertainty and unrest in places such as Nigeria, Venezuela, India, and China exacerbate the problem. Saudi Arabia and Kuwait, member countries of OPEC, have the capability of producing more oil. In addition, another OPEC member country, Iraq, has the capability of producing more oil. Despite this excess capacity, the OECD countries and other major oil importers such as Japan and the EU, are paying higher prices for oil. Worse still is the plight faced by the developing world. While the developed world is facing high oil prices, the developing world is facing even higher prices with the weakening value of the dollar. Food prices all over the world are rising and instability is growing. Something must be done and this bill is a first step.

In Houston, Texas, retail gas prices are above $3.60 a gallon and will likely continue to rise this summer. Many analysts see prices peaking closer to $4 a gallon. Gas prices are rising on concerns about supplies and demand. Analysts say refiners have cut back on gasoline production because of low profit margins; the rising price of crude means it costs them more to refine gas.

Demand for gasoline is expected to fall by 85,000 barrels a day this summer compared to last because of high prices and the weak economy. This would be the first summertime decline in gasoline demand since 1991. To date, however, falling demand has failed to deflate surging gas prices, which are putting more pressure on consumers. Consumers are already suffering from higher food prices, falling home values, and a tight job market.

This important bill seeks to address the oil crisis from a domestic standpoint. It is an important first step. While the bill amends the Sherman Act to make oil-producing and exporting cartels illegal, I believe more can be done, and I work to ensure that all Americans will benefit from affordable oil and gas prices.

I urge my colleagues to support this bill.

Mr. KING of Iowa. Mr. Speaker, may I inquire as to how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Iowa has 7 minutes remaining, and the gentleman from Virginia has 6¾ minutes remaining.

Mr. KING of Iowa. I have no further speakers, and Mr. Speaker, I'd yield myself so much time as I may consume.

I would remind Mr. Speaker and remind the body, the substance of this bill and what it really does; that is, it outlaws OPEC. It outlaws the Organization of Petroleum Exporting Countries, and it removes the sovereign immunity for these countries and establishes a task force in the Department of Justice, and then, additionally to that, it produces a GAO study to study mergers. That's how I go through and read the bill, those three things I think we should keep that in mind on what the bill does.

What it doesn't do, this bill doesn't outlaw the congressional cartel that has blocked our energy production in this country. I take us back to the 109th Congress when we had almost all Republicans that were ready and did come to this floor and voted to drill in ANWR, the Arctic National Wildlife Refuge, which by the way you'd be hard-pressed to find wildlife up there, and I've been there to look.

But we had almost all Republicans that voted for it. A small group of them joined together with the Democrats and blocked drilling in ANWR. That was the 109th Congress. That's when we were pushing to put more oil on the market, more energy on the market, instead of this effort, the 110th Congress, this Pelosi Congress, to take energy off the market.

The same kind of situation prevails with drilling in the Outer Continental Shelf. Well, within that definition of the Outer Continental Shelf, with the exception of borders between us and Cuba, the Chinese are drilling for natural gas at 45 miles off of Key West. And we aren't willing to go out and drill the Outer Continental Shelf, either off Florida or off of California, as Mr. LEWIS talked about in his presentation.

Instead, we're here sending a message to the rest of the world that we want to set up the scenario so the Department of Justice can step into this and file a suit against sovereign countries that are conducting business.

Now, I don't know how someone on the other side can be for unions collectively bargaining and against OPEC collectively bargaining, but that is one of the ways to define this.

Another thing that's going on is an attempt to suspend, maybe, logic, but attempt to suspend the law of supply and demand. We rail away against high gas prices. We've heard that over here. I'm opposed to high gas prices, but I'm for putting more energy on the market, more Btus into every form of energy that comes in, but instead, we intimidate and send a message.

Even if this bill gets vetoed, which I believe it will, we're sending a message over to the OPEC countries that we want to litigate. Rather than develop our own oil supplies, we want to litigate? What does that say to them? If you're sitting on a board of directors of a corporation, you get that kind of message, you make a decision about what to do with the capital.

Now, if you're an OPEC country, you're going to be making a decision on what to do with your oil. If the United States Congress says we're going to sue you, OPEC countries, what are those countries going to do? They've got about three alternatives. They can hurry up and hustle up and put more oil supply out there, which is what I think the majority hopes they will do. Or they can say, wait a minute, I'm going to hold this the way it is because we've got a good business plan here; I'm offended but I'm not changing anything. Or they might just decide a little bit out of spite to turn the spigot down a little bit to say we'll show you.

Now, the gentleman from Virginia said the President went over to the OPEC countries with hat in hand, and he did, and I'm sorry to see that. I'm sorry to see the President of the United States ask and get the response that he got, but that's driven because we have not opened up the energy supplies that we have in this country. We haven't moved ourselves towards energy independence. Instead, we're paying the Pelosi premium on gasoline.

And the gentleman from Wisconsin, when he spoke of $65 a barrel oil and the last time this bill came up and $3 gas, and today, by his numbers, and it moves pretty quickly, $125 a barrel for oil and $4 gas, and I wondered about this level of outrage then versus now. And so I just did a little math. At what percentage of the price of gasoline then, the last time an OPEC bill was here on this floor, what percentage of that was wrapped up in the cost of crude oil, oil at $65 a barrel and $3 gas? If you take a gallon of crude oil, the cost of a gallon of crude oil was 52 percent of the cost of that gallon of gas. $1.55 a gallon was the cost of the crude oil. Today, the cost per gallon of crude oil, according to the gentleman from Wisconsin's numbers, which I don't dispute, is $2.98 a gallon just to buy the crude oil. That relates out to 75 percent of the cost of a gallon of gasoline is tied up in the cost of the crude oil, if you rate it accordingly.

We're getting a better bargain now in relation to the cost of crude oil than we were then. It's a higher percentage of the overhead of our refineries and distributing companies. They are doing, I think, a good job of getting it here, but the oil markets are high. They are high because of the cheap dollar. They're high because we have sent the wrong message out there, and speculators are taking advantage of this. This sends another wrong message out there.

So if you're an OPEC country, what do you do? You can, as I said, provide the same or less oil on the market. One thing you might do is maybe pull some investments out of the United States to send another message, don't be trying to intimidate us from Congress; let us do some business. Or another thing that happens is that it erodes, Mr. Speaker, our relationship with those Middle Eastern countries. Those countries that are our allies, those countries that are our friends, those countries that we need strategically in that part of the world, and they need us, this makes it harder for us to work together strategically.

So everything in this Pelosi Congress has taken energy from the market. Instead, now we have legislation that outlaws cartels and would set it up so the Department of Justice could eventually bring suit and presumably freeze the assets ultimately of the countries that are invested here in the United States of America.

Because of the cartel in Congress, this cartel that says if it is green, it's good; if it's energy, it's bad; a cartel of people in this Congress that believe that the cost of energy going up is a good thing because people will burn less gas; if they burn less gas, then somehow it saves the planet, you've convinced me. You've convinced me that a significant element of the Democrat Caucus really doesn't care about high energy prices except the higher the prices go, the less gas will be bought and burned and there will be less carbon emissions into the atmosphere. That's the wrong priority.

We need more energy on the market, not less. We've got to grow the size of the energy pie. That pie chart that shows the 360-degree circle, that's got the slices that are gas, diesel fuel, ethanol, biodiesel, solar, wind, hydroelectric, nuclear, coal, all of those, and one slice of the pie for conservation as well, Mr. Speaker, all of those things is what we need to do. More energy on the market, not less, not litigation.

We need to have a vote on ANWR, and I'd challenge the majority to produce that vote so the American people can understand where they stand.

I oppose this bill.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume just to finally conclude by reminding you, Mr. Speaker, that this bill will just simply make sure that our antitrust laws apply to this oil cartel, just like they apply to every other industry. It is just one element in a strategy to try to get gas prices under control.

Mr. Speaker, I hope we will support this bill, just as much as we did a virtually identical bill last May 22 when 345 of our colleagues voted in favor, only 72 opposed, an overwhelming majority. Even the Republicans supported the bill last year. It's rollcall 398.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6074.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KAGEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

LET OUR VETERANS REST IN PEACE ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3480) to direct the United States Sentencing Commission to assure appropriate enhancements of those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3480

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Let Our Veterans Rest in Peace Act of 2008''.

SEC. 2. FINDINGS AND DECLARATION.

The Congress finds and declares that—

(1) every cemetery should do all it can to protect each grave marker, headstone, monument, or other object, intended to permanently mark a grave;

(2) every citizen of the United States should be watchful and mindful of desecrations of any gravesite and report any such suspected behavior to local, State, or Federal law enforcement authorities; and

(3) all citizens, including veterans, have earned the right to rest in peace.

SEC. 3. DIRECTION TO THE SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements to ensure the guidelines and policy statements provide adequate sentencing enhancements for any offense involving the desecration, theft, or trafficking in, a grave marker, headstone, monument, or other object, intended to permanently mark a veteran's grave.

(b) COMMISSION DUTIES.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentences, guidelines, and policy statements relating to offenders convicted of these offenses are appropriately severe and reasonably consistent with other relevant directives and other Federal sentencing guidelines and policy statements;

(2) make any necessary conforming changes to the Federal sentencing guidelines; and

(3) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1600

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and exclude extraneous materials on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Memorial Day is a solemn time when we, as a Nation, commemorate the ultimate sacrifice that our brave men and women in uniform have made for us. Sadly, there are