

They take all the risk, and they find the natural resource and they access that natural resource. It doesn't make any sense economically for a company to lease something and waste money on leases that they aren't going to use. It's already in law that if the companies that lease this land, if they are not productive, it's already a law they have to turn the leases back. They can't just lease them forever, get them for free, not pay for that right to lease the land. They have to already turn them back if they aren't productive, because the companies know if there's oil on the land, or if there's gas on the land, they already know if it's there.

Just because they have leased land doesn't mean that there's oil on it or that there's gas on it. It just doesn't make sense someone is going to waste money if they are in a private company. That takes away from profit, and you need to have profits to be able to go forward.

Again, this is the 75th anniversary of the New Deal, and it reminds me of Solomon, who said in Ecclesiastes, "There is nothing new under the sun." And there is nothing new under the sun with a lot of these suggestions we have seen. As a matter of fact, the plan we have seen so far from the Democrats has been this, and it's pretty simple, it is: Drive less, pay more. That is pretty much the plan that we have seen. Oh, yeah, also, let's increase taxes on the domestic production of American energy. That doesn't take too much for the American people to figure out.

If Congress would decide we are going to start taxing food, do you think food would cost more? Of course it would. What about if Congress decided, Let's add taxes to health care, as if that wasn't expensive enough. Would that cost more? Of course it would.

This is not the way the American people want us to go. They don't want us to jack up taxes on American production of oil. They don't want to drive less, they don't want to pay more. They don't want to have America socializing and taking over oil refineries. What the American people want, pure and simple, is freedom. They want freedom, they want the free market, and they want to see energy prices get back down to \$2 a gallon or less.

I know it's possible, I know it can happen, and that is why I am so thankful for your brilliant leadership tonight, Congressman LATTA, and also for Congressman PAUL BROWN, and also for Congressman WITTMAN, who was here earlier this evening speaking, because here's an answer. Here's an answer.

It's here, it's ours, it's for the taking. We can be environmentally sensitive. We can explore here in America now, and we can have Americans pay less. I yield back.

Mr. LATTA. Thank you very much, Mr. Speaker. We appreciate the opportunity to be here tonight on this Special Order.

#### GENERAL LEAVE

Mr. BROUN of Georgia. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the topics of tonight's Special Order speeches.

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### KELO THIRD ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. The fifth amendment to the U.S. Constitution states that, "No person shall be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

June 23, 2005, marks a very sad day in our Nation's history. Exactly 3 years ago today, five unelected members of the U.S. Supreme Court made one of the most despised rulings in our Nation's history, one of the most egregious, unconstitutional rulings in our Nation's history in its ruling of *Kelo v. City of New London*.

The courts allowed a small Connecticut town to seize a private home to make way for a riverfront development. This activist decision was an attack on middle-class citizens for the benefit of the rich. There have been no worse interpretations of the intent of the fifth amendment than when the Supreme Court seized a private home for the profit of a private company. Yes, a private company.

Justice Sandra Day O'Connor, with whom I have disagreed on many of her decisions, was spot on in her dissent when we stated, "the specter of condemnation hangs over all property. Nothing is to prevent the State from replacing any Motel 6 with a Ritz-Carlton, or any home with a shopping mall, or any farm with a factory."

She added that under the Court's decision in *Kelo*, "any property may now be taken for the benefit of another private party," and "the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. As for the victims, the government now has a license to transfer their property from those with fewer resources, to those with more."

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The Founders cannot have intended this perverse result."

So detested was the Supreme Court's 2005 ruling that the small home that became the center of the New London land grab has been moved and restored near the center of town as a constant reminder of the town's injustice. That small, pink home once represented a

private home, but now it is a symbol of the evils of an activist court that disregards our constitutional rights.

Our Founding Fathers knew that our liberties were only as secure as our property rights. Property rights are a central institution of Western civilization, yet too often our Nation has violated the basic principles of our Founding Fathers. Federal, State and local governments continue to ignore, neglect, disparage and even fail to understand the importance of property rights.

Today I am pleased to introduce a resolution defending private property rights. This resolution in a very clear manner reflects the intent of our Founding Fathers when they listed private property rights as untouchable by government power. By placing property rights in the fifth amendment to the Constitution, the Founders made the protection of private property a primary aim of the American government. There is no provision in Article I, Section 8, or anywhere else in the Constitution, that allows the unnecessary, predatory seizure of private land.

On this, the third anniversary of one of the Supreme Court's most infamous decisions, I am proud to join property rights advocates all over America in renewing our protest against judicial activism. I applaud the many States that have passed legislation to limit their power to eminent domain and the supreme courts of many States that have barred the practice under their State constitution. I applaud the courage of Susette Kelo and other victims of eminent domain abuse who have stood up to their government and fought for their constitutional rights.

As John Dickinson, signer of the Constitution stated: "Let these truths be indelibly impressed on our minds: (1) that we cannot be happy without being free; (2) that we cannot be free without being secure in our property; and (3) that we cannot be secure in our property if, without our consent, others may as by right take it away."

Private property rights are critical for freedom, and we need to fight for private property rights.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today and June 24.

Mr. HILL (at the request of Mr. HOYER) for today.

Mr. KANJORSKI (at the request of Mr. HOYER) for today.

Ms. KILPATRICK (at the request of Mr. HOYER) for today on account of personal reasons.

Mr. KIND (at the request of Mr. HOYER) for today on account of business in the district regarding flooding.

Mr. McNULTY (at the request of Mr. HOYER) for today and until 3 p.m. on June 24 on account of personal reasons.

Mr. REYES (at the request of Mr. HOYER) for today.

Mr. BURTON of Indiana (at the request of Mr. BOEHNER) for today on account of flight delays.

Mr. BUYER (at the request of Mr. BOEHNER) for today on account of flight delays.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today on account of travel delays.

Mr. MORAN of Kansas (at the request of Mr. BOEHNER) for today on account of business in Kansas.

Mr. PEARCE (at the request of Mr. BOEHNER) for today on account of official business.

Mr. WELLER of Illinois (at the request of Mr. BOEHNER) for today on account of personal reasons.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPUR, for 5 minutes, today.

Mr. PAYNE, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. BROUN of Georgia, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. CULBERSON, for 5 minutes, today.

#### ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3403. An act to promote and enhance public safety by facilitating the rapid deployment of IP-enabled 911 and E-911 services, encourage the Nation's transition to a national IP-enabled emergency network, and improve 911 and E-911 access to those with disabilities.

#### ADJOURNMENT

Mr. BROUN of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 24, 2008, at 9 a.m., for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7256. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Potatoes; Grade Standards [Docket AMS-2006-0136; FV-06-303] received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7257. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule — Treatment of Fees Collected by State Child Support Agencies — received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7258. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Health Claims; Dietary Noncarbogenic Carbohydrates Sweeteners and Dental Caries [Docket No. FDA-2006-P-0404] (Formerly Docket No. 2006P-0487) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7259. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Lead Hazard Information Pamphlet; Notice of Availability [EPA-HQ-OPPT-2004-0126; FRL-8358-6] received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7260. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations [EPA-HQ-OAR-2005-0084; FRL-8581-3] (RIN: 2060-AM37) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7261. A letter from the Deputy Division Chief, SCPD, WTB, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets Petition of American National Standards Institute Accredited Standards Committee C63 (EMC) ANSI ASC C63 [WT Docket No. 07-250] received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7262. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Improvements to the Nuclear Materials Management and Safeguards System [NRC-2007-0002] (RIN: 3150-AH85) received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7263. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations based on the 2007 Missile Technology Control Regime Plenary Agreements [Docket No. 080208146-8148-01] (RIN: 0694-AE23) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7264. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Expansion of the Gift Parcel License Exception Regarding Cuba to Authorize Mobile Phones and Related Software and Equipment [Docket No. 080519687-8707-01] (RIN: 0694-AE37) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7265. A letter from the Secretary, Department of Education, transmitting the fifty-sixth Semiannual Report to Congress on management decisions and final actions

taken on audit recommendations, covering the period October 1, 2007 through March 31, 2008 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7266. A letter from the Secretary, Department of Education, transmitting the thirty-eighth Semiannual Report to Congress on Audit Follow-Up, covering the period October 1, 2007 through March 31, 2008 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7267. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting pursuant to the provisions of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270), the Department's 2007 Inventory of Inherently Governmental Activities and Inventory of Commercial Activities; to the Committee on Oversight and Government Reform.

7268. A letter from the Secretary, Department of the Treasury, transmitting two Semiannual Reports which were prepared separately by Treasury's Office of Inspector General (OIG) and the Treasury Inspector General for Tax Administration (TIGTA) for the period ended March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7269. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the semiannual report on the activities of the Inspector General and management's report for the period ending March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7270. A letter from the Chairman and President, Export-Import Bank, transmitting the Bank's semiannual report for the period ending March 31, 2008, in accordance with Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7271. A letter from the First Vice President and Controller, Federal Home Loan Bank of Boston, transmitting the 2007 management report and statements of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7272. A letter from the Chairman, International Trade Commission, transmitting in accordance with Section 645 of Division F, Title VI, of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Commission's report covering fiscal year 2007; to the Committee on Oversight and Government Reform.

7273. A letter from the Administrator, National Aeronautics and Space Administration, transmitting pursuant to the provisions of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270) and OMB Circular A-76, Performance of Commercial Activities, the Administration's FY 2007 inventory of commercial activities performed by federal employees and inventory of inherently governmental activities; to the Committee on Oversight and Government Reform.

7274. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the "Fiscal Year 2007 Accounting of Drug Control Funds," pursuant to Public Law 105-277, section 705(d)(Div. C-Title VII); to the Committee on Oversight and Government Reform.

7275. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report