

Mr. SPRATT. Madam Speaker, under section 210 and 212(b) of S. Con. Res. 70, the Concurrent Resolution on the Budget for fiscal year 2009, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal years 2008 and 2009 and the period of fiscal years 2009 through 2013. This revision represents an adjustment to certain House committee budget allocation and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to consideration of the bill H.R. 6331 (Medicare Improvements for Patients and Providers Act of 2008). Corresponding tables are attached.

Under section 323 of S. Con. Res. 70, this adjustment to the budget allocations and ag-

gregates applies while the measure is under consideration. The adjustments will take effect upon enactment of the measure. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 323 of S. Con. Res. 70 is to be considered as an allocation included in the resolution.

#### BUDGET AGGREGATES (On-budget amounts, in millions of dollars)

	Fiscal Year 2008 <sup>1</sup>	Fiscal Year 2009 <sup>1,2</sup>	Fiscal Years 2009-2013
Current Aggregates:			
Budget Authority	2,454,256	2,455,920	n.a.
Outlays	2,435,860	2,490,920	n.a.
Revenues	1,875,400	2,029,644	11,780,107

#### BUDGET AGGREGATES—Continued (On-budget amounts, in millions of dollars)

	Fiscal Year 2008 <sup>1</sup>	Fiscal Year 2009 <sup>1,2</sup>	Fiscal Years 2009-2013
Change in Medicare Improvements for Patients and Providers Act (H.R. 6331):			
Budget Authority	1,942	6,633	n.a.
Outlays	1,924	6,516	n.a.
Revenues	1	9	156
Revised Aggregates:			
Budget Authority	2,456,198	2,462,553	n.a.
Outlays	2,437,784	2,497,436	n.a.
Revenues	1,875,401	2,029,653	11,780,263

<sup>1</sup> Current aggregates do not include spending covered by section 301(b)(1) (overseas deployments and related activities). The section has not been triggered to date in Appropriations action.

<sup>2</sup> Current aggregates do not include Corps of Engineers emergency spending assumed in the budget resolution, that will not be included in current level due to its emergency designation (section 301(b)(2)).

n.a. = Not applicable because annual appropriations Acts for fiscal years 2010 through 2013 will not be considered until future sessions of Congress.

#### DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

(Fiscal years, in millions of dollars)

House Committee	2008		2009		2009–2013 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Energy and Commerce	0	0	0	0	0	0
Ways and Means	0	0	0	0	0	0
Change in Medicare Improvements for Patients and Providers Act (H.R. 6331):						
Energy and Commerce	89	81	839	802	3,163	3,157
Ways and Means	1,853	1,843	5,794	5,714	–7,022	–5,227
Total	1,942	1,924	6,633	6,516	–3,859	–2,070
Revised allocation:						
Energy and Commerce	89	81	839	802	3,163	3,157
Ways and Means	1,853	1,843	5,794	5,714	–7,022	–5,227

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

(Mr. WESTMORELAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### AMERICA'S FAILED ECONOMIC AND ENERGY POLICIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. HENSARLING) is recognized for 60 minutes as the designee of the minority leader.

Mr. HENSARLING. Mr. Speaker, 18 months ago, there was an election. The Democrats won. They won fair and square. And for 18 months, Mr. Speaker, they have controlled the economic policies and the energy policies of our great Nation. Let's look back and take a look at what has happened in those 18 months.

Since Democrats have taken control of these policies, the price of bread, Mr. Speaker, has increased 21 percent; milk, 26 percent; eggs, 34 percent; gasoline, the price that we pay at the pump, has increased 71 percent under the energy policies of this new Democrat majority. As an aside, in the last 18 months, the value of one's home has

decreased 7 percent under their policies.

Mr. Speaker, tonight many of us have gathered to specifically talk about the energy policies of the Democrat majority and how they differ so greatly from the policies of the Republican party.

All over America, families are going to convenience stores and they are having to make a decision: Do I buy a gallon of milk, or do I buy a gallon of gas? They are having to make decisions about do I take my children to school, or do I go to work? Families are in pain, having seen their gasoline prices increase 71 percent.

What has the Democrat majority brought us in the way of an energy policy? Well, their first policy was to beg. "Let's beg OPEC. Let's see if maybe we beg them, they will bring down the price of gasoline at the pump."

Well, that didn't work, Mr. Speaker. What was their next policy? Their next policy was to sue. "Let's sue OPEC. If we somehow bring in the trial attorneys, we will lower prices at the pump."

Well, Mr. Speaker, that didn't seem to work either.

Well, here is another one they want to try. "Let's tax. Let's tax oil producers, and somehow that will bring down prices at the pump."

Well, something I remember from my eighth grade economics about supply and demand and cost. You impose another cost on a producer, well, he is going to do his best to put it in the price of the product. Well, in fact, that is what will happen. It almost sounds the like the policies of Jimmy Carter and a Democrat Congress of a bygone

era which made us even more dependent upon foreign oil.

Here is another one: "Let's try to castigate. Let's bring up people who produce energy and let's say nasty things about them and their companies and their families. Surely that will bring down the cost of energy at the pump."

Well, that hasn't seemed to work either.

The new one we tried today, the Democrat majority, "well, let's outlaw people who charge unreasonable prices. Let's criminalize that activity."

What they never have thought of, Mr. Speaker, is why don't we try to produce more American energy in America? I mean, not only have they not thought about it, Mr. Speaker, they are moving in the complete opposite direction. They are passing policies that make it more difficult to produce American energy in America to bring down the cost at the pump.

In fact, in one of the many non-energy energy bills that this Democrat majority has brought to the floor, they passed a provision known as section 526 of Public Law 110-140 that would prohibit Federal agencies, in this case specifically the United States Air Force, from contracting, taking in long-term contracts in order to get energy from oil shale, tar sands, coal-to-liquids, alternative fuels, which is one, one of the ways that we could make ourselves more energy independent and quit relying so much on foreign sources of oil that are driving up the cost of gasoline at the pump.

Because of this section that was introduced in one of the many Democrat non-energy energy bills, or, as one of

my colleagues say, the Democrat lethargy bills, myself and the gentleman from Texas, Mr. CONAWAY, have introduced H.R. 5656, which almost has 100 cosponsors now, that would repeal this section, which would allow the Federal Government to contract for these alternative fuels to try to bring in more energy independence to help jumpstart some of these alternative technologies, which is a huge part of the solution in order to bring down the price of gasoline at the pump.

Mr. Speaker, many of us will come to the floor to talk about this very critical issue to American families, and those who have town hall meetings know it is the number one issue on the minds of our constituents, as it well should be.

Mr. Speaker, I am happy to lead this Special Order tonight. At this time I would like to yield to the coauthor of H.R. 5656, which would repeal this needless section making it more difficult to enact alternative energy policies, I would like to yield to the gentleman from Texas, Mr. CONAWAY, for his opening comments.

□ 2200

Mr. CONAWAY. Well, I thank my colleague from Texas, and I want to say a few things. We'll get to some of our other speakers who are here tonight before we get into the heart of what you and I intend to talk about.

Mr. Speaker, the serious business of providing energy for America, whether that energy is electricity to light the lights in this hall or to run manufacturing facilities or gasoline, whether it is diesel or jet fuel to move people and goods and us around, is serious business. Yet our colleagues on the other side of the aisle are not treating it seriously. This week's get-out-of-town energy strategy included four peripheral bills that are not intended to really deal with it or intended to give cover, political cover, for the folks who voted for these four bills.

Next week, when we all go home to our constituents, we'll have to look them in the eye and tell them that, yes, we've done absolutely nothing to address the cost of gasoline that you're paying. The interesting thing about gasoline is that we may not buy gasoline every single day, but as we drive around, we see the price posted all over town, and I dare say that every single driver looks at the price to check to see what it is. Even though you may not intend to buy gasoline that day, you check those prices constantly. So it's constantly in front of our minds as it is when we have town halls or telephone town halls.

The get-out-of-town strategy included a price-gouging bill—again, puffery—because seven DOE and Federal Trade Commission price-gouging studies over the last decade have shown absolutely no evidence whatsoever of price gouging. This serious business of providing gasoline to consumers at prices that they can afford

has been reduced to sloganism: "Use it or lose it." "We can't drill our way out of these problems." They're casual, off-hand, flippant comments that don't do the seriousness of this issue justice. A 30-second sound bite works well on a television commercial, but at the heart of the matter, these are complicated issues that deserve and that should get serious consideration on both sides of the aisle.

The solutions aren't Republican. The solutions aren't Democratic. The solutions are what are best for America. To the extent that we can begin to delve deeper into what the issue might be and into what the solution might be, the better off we are, but as long as we're just very cavalier about what we're doing with the get-out-of-town energy policy or with the sloganism that seems to permeate everything that we do with respect to energy, we will not solve this issue.

Gasoline prices will continue to rise. Electricity costs will continue to go up as natural gas prices rise and as we use more and more natural gas to generate electricity. So we are not about the good work of trying to find solutions. We are simply about the bad work of being very casual, very cavalier and very unthoughtful, quite frankly, about this particular issue.

So I look forward to hearing the comments from the other two speakers we have with us tonight, and then I look forward to delving a little deeper into things that I've already talked about.

With that, I yield back.

Mr. HENSARLING. Well, I thank the gentleman for his opening comments, and I certainly thank him for his leadership and for working with me in coauthoring this critical piece of legislation to help us really start, jump start, some of the alternative fuels that will help us bring down the cost of gasoline at the pump.

At this time, Mr. Speaker, I want to yield time to one of the real workhorses in Congress, to one of the outspoken advocates of trying to produce American energy in America. The gentleman from Georgia (Mr. GINGREY) is recognized.

Mr. GINGREY. Mr. Speaker, I thank my colleague for yielding time.

I wanted to, first off, say that I am a very proud cosponsor of the legislation introduced by Mr. HENSARLING from Texas and by Mr. CONAWAY also from Texas, H.R. 5656, which he referred to at the outset of this hour.

I want to talk specifically about that particular bill because it's so important, but before I get into the discussion about 5656, I want to make sure that we put it into perspective in regard to the discussion tonight.

We first heard from our colleague from North Carolina, Ms. FOXX, who was talking for 5 minutes about the issue of supply and demand. She was saying that that is a basic economic principle, and I think we all know that. As she pointed out, Mr. Speaker, our Democratic colleagues cannot legislate

away the basic principle of supply and demand.

So what we're talking about and will talk about during this hour is, I guess, the opportunity lost if we continue this folly of not going after petroleum products in our own country. We call it and we refer to it, of course, as domestic production. A lot of the focus is on ANWR—that frozen tundra on the North Slope of Alaska, that very small area where we know, as the geologists have already told us, there are something like 10 billion barrels of petroleum. At full production, we would be producing 1.5 million barrels of additional domestic oil every day from that one source.

That is a small amount compared to what is available if we were not handcuffing ourselves off of our coasts—off both our east coast and our west coast—and off the eastern part of the Gulf of Mexico in what is known as OCS, or the Outer Continental Shelf. There are literally trillions of cubic feet of natural gas there which is part of our, the United States', territorial waters on the Outer Continental Shelf for which we could be drilling. There are tens of billions of gallons of petroleum. Yet the Democratic majority, Mr. Speaker, continues to prohibit, continues a moratorium which has existed since, I think, maybe, back to 1990.

Today, what we're talking about, of course, is the price of a gallon of regular gasoline. In the year and a half since the Democrats assumed the majority of not only this House but also the majority of the United States Senate, the price of a gallon of gasoline has gone from \$2.60 to \$4.08. Mr. HENSARLING, of course, pointed that out very well at the beginning of this hour.

I want to ask my colleagues to just take a look at this one poster that I want to show you. I think it's very important. I think it's very instructive. This basically is the courtesy of Representative JOHN PETERSON from Pennsylvania, who is retiring this year. He is a great Republican Member of this body who has spoken so well on this issue of giving us the opportunity to go after that natural gas and oil in the Outer Continental Shelf off of our coastline.

On this poster, it shows here that, off the Pacific coast, the amount of oil in the Outer Continental Shelf is 10 billion barrels. The amount of natural gas is estimated to be 18 trillion cubic feet. That's off the Pacific coast. Off of the Atlantic coast, the amount of oil is 2.3 billion barrels, and the amount of gas is 28 trillion cubic feet. The eastern part of the Gulf of Mexico is also off limits: Oil, 3.58 billions of gallons. Natural gas, 12 trillion cubic feet.

Mr. Speaker, that's bad enough, but now let's get to 526. I want to just take a little time before I yield back to my colleagues, who are the real experts on this.

Last year, the Democratic majority passed a bill. They called it the Energy

Independence and Security Act of 2007. It doesn't give us independence, and it darn sure doesn't give us security. What they did in that particular bill is they put in a section, section 526, that the Hensarling-Conaway legislation, H.R. 5656, would repeal that section 526.

Why is that important?

Well, section 526 literally prohibits our Government, any agency of our Federal Government, from contracting for any petroleum product that is not conventional fuel if that product, that nonconventional petroleum source, yields one scintilla—by the way, my colleagues, a “scintilla” is a very, very small amount—of an increased carbon dioxide footprint.

Now, ladies and gentlemen of the House, that may have made sense when the price of gasoline was \$2.60 a gallon and when we had this expectation and this hope that it would drop down to \$1.50, but on June 24, 2008, when the price of gasoline has now gone up 75 percent—not down—and it's \$4.08 a gallon, does it make any sense to prohibit our Federal Government from contracting for other sources of petroleum? They are in this country in abundance.

The reason I have this poster is I want to point out to my colleagues—and it doesn't show the exact spot, but in the western States, in the Rocky Mountain States—and there are about five of them—there is this rock product called shale, S-H-A-L-E. It is estimated by the geologists, by the experts, that within that rock is 1.3 trillion barrels of petroleum. Yet our Federal Government is prohibited from mining that shale and from getting this petroleum source because it might, just might, result in a little bit more carbon dioxide.

To put it in perspective, Mr. Speaker, the Federal Government actually uses 380,000 barrels of refined product every day, and most of that is used by the Department of Defense, and 75 percent of their usage is by the Air Force in jet fuel. Just think about that and the cost. Well, I'm going to tell you exactly what it is.

For the year 2008, this year, it's estimated that our Air Force will spend an additional \$9 billion on jet fuel at the cost of \$135 a barrel of petroleum. Yet all of this oil and natural gas and this petroleum that we could get from shale in the Midwest, in the Rocky Mountain States, sits there, and there it remains trapped in rock because of this senseless section 526 that the Democrats passed last year in their energy bill, in their so-called Energy Independence and Security Act.

It is time, as Mr. HENSARLING, as Mr. CONAWAY and as the many other cosponsors, including myself, have said, to say, look, that doesn't make any sense today. We're all concerned about global warming—of course we are—and about the environment and about clean air, but we're not going to die tomorrow from that. We are about to starve to death, and this country is about to go bankrupt when people can't get to

work and when they can't get to the grocery store. When they get to the grocery store, they can't afford to buy food because of this senseless ethanol conversion from corn to ethanol. That's a whole different issue. I'm just here tonight to weigh in with my colleagues. I thank them for giving me the time.

I sit on two committees—on the House Armed Services Committee and on the Science and Technology Committee. This year, of course, we reauthorized the National Defense Act of 2009, and we reauthorized the NASA, the National Aeronautics and Space Administration, Act. Both of these agencies of the Federal Government utilize a lot of jet fuel. I tried to take the Hensarling-Conaway bill and make it as an amendment to strike that section or at least to grant a waiver from that restriction of 526.

This Democratic leadership refused to even make those bills in order so that the men and women, the common-sense men and women on both sides of the aisle in this Chamber, would have an opportunity to vote up or down in these trying economic times when we're losing jobs and when people can't even afford to go to work.

So I thank the gentleman for letting me join with the Texas delegation, if you will—my three classmates—who know so much about this issue and about the many other issues of supply and demand as Ms. FOXX said earlier. So I look forward to the rest of the hour.

I yield back to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman from Georgia for joining us, and I certainly appreciate his illuminating comments.

Mr. Speaker, I hope people listened very carefully to what the gentleman had to say.

First, again, since the Democrats took over the Nation's energy policies 18 months ago, the price of gasoline, as almost every working family in America knows, has increased, roughly, 70 percent in just 18 months. How does that impact working families in America?

Well, Mr. Speaker, I have the privilege of representing the Fifth Congressional District of Texas, and I go out of my way to make sure that I reach out to my constituents and understand the challenges, their hopes and aspirations, and I hear from them frequently.

I have recently heard from the Thomas family in Mesquite, Texas. They wrote to me.

“Dear Congressman, to make up for the rising prices, we calculate the use of the car to make the gas last a week. Some things we no longer can buy. We have had to cut back on our groceries. We rarely have three meals a day anymore.”

□ 2215

Mr. Speaker, I know they don't mean to do it. I know there are men and

women of good intentions, but under the Democrat energy policies, people in Mesquite, Texas, can no longer have three meals a day. That is the result of these policies.

Again, as they have tried to beg, castigate, tax and criminalize their way into lower gas prices, they have failed each and every time. What they want to do is produce American energy in America. As the gentleman from Georgia pointed out, under their policies, Mr. Speaker, 85 percent, 85 percent of our deep-sea resources are put out of bounds, out of bounds. And 75 percent of our onshore resources, out of bounds.

The Arctic area of Alaska where more than half of America's proven energy reserves reside, no, can't produce American energy there. Why wouldn't you want to do that when people are suffering?

Now there are so many different things that we need to do, but the most important thing that we need to do, Mr. Speaker, is produce American energy in America. I just read today where there was a huge discovery of petroleum off the coast of Brazil. In Brazil, they celebrated. What a wonderful thing, we have these huge new energy reserves. America must be the only country in the world that when we discover great energy reserves, it is a cause for mourning. Oh, no, we have oil. Oh, no, we have natural gas. Quick let's go out, let's make sure nobody can touch it. It is a point of shame. We can't have these natural resources helping working American families.

I mean, what a fouled-up policy, Mr. Speaker.

I am very happy that we have been joined tonight by the gentleman from Texas (Mr. CARTER) who knows all too well what the Democrat majority has done to put all of this energy out of bounds and who will speak to us more about what needs to be done in leasing our deep-sea resources and the Arctic area of Alaska. I am very happy to yield time to Mr. CARTER.

Mr. CARTER. I am honored to be here with my colleagues from Texas. As I start, I am sure there is someone somewhere who is saying, yes, there are three Texans on the floor from the largest petroleum-producing State in the Nation, and of course they want to talk about oil and gas. Well, of course we do.

Also, I think most of us who are here tonight have lived with this industry in our homes and our hometowns in our State. And there seems to be some kind of mystery about terminology that our colleagues on the other side of the aisle I assume are confused about but I don't think that they would intentionally use sloganism to misadvise the American public. But they are in charge of the House, and it is their responsibility to know what we mean when we say lease space for production of oil and gas.

Now the concept of leasing is not a tough concept. This House is full of lawyers, but it doesn't take a lawyer to

talk about a lease. Most Americans know what a lease is. Most Americans some time in their life have leased a home or leased an apartment. Some Americans have leased a house for their family or they have leased a car over a period of time.

Now when they lease, let's say, a car, they say I will pay you so much money for the ability to have this car in my possession and use it as I see fit for a period of time. And I am going to use it for transportation. But they don't have to use it for transportation. They can park it in the garage if they want to, but they would be economically stupid to park it in the garage when they are spending good money for the right to use that leased car. But they certainly would be entitled to do that. If they were doing it for business purposes, they certainly would lose money on that business.

There is no difference, really, between an oil and gas lease and any other sort of lease. The concept is the same concept. A company goes and bids to lease from the Federal Government a certain amount of land for the production of oil and gas and petroleum products. And they pay money to the Federal Government for the right to be able, for a period of time, 5 or 10 years, to explore and ultimately drill for and produce petroleum on that land. If they haven't done that within the period of time of that lease, then the lease is void and goes back to the government. I suppose the government can lease it to somebody else.

Now, we have a term that has come out "use it or lose it" which is nebulous, to say the least, because every single oil and gas lease that I have ever heard about from the Federal Government is a use-it-or-lose-it lease. The terms of the lease say you have the right to explore for and produce on this property for a set period of time, say 5 years. After that period, if you haven't done that, if you haven't explored and you haven't produced, the lease goes back because that's the purpose of your using this land. You either use it for that or after 5 years, the terms of the lease that you paid for, you lose it.

Now the oil companies spend billions of dollars for these leases because there is something peculiar about oil, and I think most people in this country understand this. The peculiarity is that it is not everywhere. It is sometimes in your backyard, and sometimes the nearest place is five States away. So the oil companies are speculating based upon sort of known concepts, but they use very highly technical equipment and procedures to give them an indication of whether or not there is oil or gas underneath a piece of property.

For my lifetime they have been using seismic measurements to determine whether or not there is the possibility of a formation below the ground that would be producing oil or gas. This seismic thing is not really fancy. It is vibrations through the earth and they

use explosives to make it. Now from the time when I was a kid when I tried to get a job on a seismic crew, that was pretty old-fashioned technology. Today I am sure it is digital and high tech and much better than it was in those days. And I just recently learned they are using some kind of magnetic survey that the big companies are working on that give them other indications where it might be. But the bottom line is it is either there or it is not, and they have to look for it and spend money to see if it is there. So they lease large parts of the country or the offshore area, and they go out and they spend lots of money to look and see if there is oil. And you know what, if they don't see any good indications for production that will pay for itself, they are in the business of oil and gas. So just like you wouldn't lease something you wouldn't use, they won't continue to lease a lease that they can't produce on.

But to say use it or lose it for the leases that are out there, believe me, every oil company that is in the business of producing petroleum products is going to utilize the money they spent on those leases to try to make discoveries to find oil and gas products.

So to come up this slogan that means nothing because it is already in the contract, it doesn't make sense. It is not a good way for us to stand up for the American people. The Democrats are in charge of this House. They have to be willing, as we were when we were in charge, to take the heat for the things that are happening in this country. And quite frankly, the heat right now is the price of gasoline. It has gone up \$1.75 or so since they got in office, and they have to take the heat.

What we Republicans are saying is basically what we have been saying since 1990: America has the potential to produce its own energy in multiple forms and we support all those forms that are clean, can be produced environmentally safely, and oil and gas falls within those parameters. And we should be using American energy that we can produce in America.

I would like to tell you, there is an issue about ANWR. ANWR is the frozen tundra area in the far north part of Alaska. You can probably see the pictures of those pristine mountains in the distance if you use a telescopic lens to make it look like they are in your backyard. But most pictures you see of actual ANWR, it kind of looks like this table but it is marshy and frozen.

And this is a good example so you know what we are talking about. I think every American knows what a football field looks like. If they don't, they know what a soccer field looks like. If you take a book of matches and toss it out on the football field, that book of matches would represent the area that is being sought to drill the well to produce in ANWR, and the football field would represent ANWR.

So when they are talking about destroying the wildlife preserve, we are

talking about a tiny bit of a place the size of South Carolina. That's what we are looking to drill on, that is what we are looking to produce on. And the track record is undisputable as far as drilling is concerned. Drilling is environmentally safe and almost spill-proof. Last year we spilled one tablespoon of oil in the drilling process. Remember, I said the drilling process. So one tablespoon of oil worldwide producing oil through drilling. So yes, there is a little spillage, but that ain't bad. That is pretty good, and I think we could do that without even spilling a drop in ANWR.

So these issues that are making so much noise come down to basic, sound principles that we can't afford \$4 or \$5 or \$6 a gallon gas until we start making some common sense about American policy towards oil and gas.

I don't even want to mention because I happen to be blessed to live down in a State where at least in my part of the State it doesn't get real cold in the wintertime. But I have been in Congress long enough to know that the minute it starts getting cold up here in the northern clime, people start getting real cold when they don't have heating oil to heat their homes. And then they start running to Congress and asking us to give them money to supplement their heating bills because the price of oil is through the roof. Well, they haven't seen the price of oil through the roof until they look at this \$138 or \$139 a barrel price for crude oil. And the heating cost that is going to be hitting the northeast and the midwest and the far west and the mountain areas of this country come cold weather time is going to make this problem with driving our automobiles look like a walk in the park for people in that cold weather.

So let's start dealing with this issue now so that we can, as we show the courage to do what is right and not block what is right, then those people who are speculating, and also just bidding in competition with us on the futures that are available in the oil market, will realize that America is serious about producing its own energy. And when they see us serious, they will know that we won't be the big players to drive up the market, and I believe they will start to dump those holdings they are holding now. As they dump those holdings into the market, the price will go down. It is the argument that everyone has said here today, the law of supply and demand. Right now we are short on supply, certainly short on domestic supply. As we show the will to seek domestic supply, our competitors will realize we are going to have our own supply which will make that international trading in the market less valuable to them and they will start to dump their oil before they start to lose money on their speculations. So I think this is common sense. This is easy. This is economics 101. I hope that everybody will remember that leasing is just exactly what it is.

There is nothing magical about an oil and gas lease. It is paying money for the use of land for a period of time. That's what we are talking about here. So this use it or lose it idea is really strange.

In addition, there are some facts that have been thrown out that I want to mention, and then I will yield back my time.

Democrats are saying that 4.8 million barrels of oil per day and 44.7 billion cubic feet of natural gas per day may be extrapolated from the oil company's Federally leased land that they already hold today. This is not true.

□ 2230

No Democrat, not Speaker PELOSI, HOYER, RAHM, any of them can give us one source where they got that number, and it's been specifically requested by the Republicans in the Natural Resources Committee to ask them where they got that number and how they extrapolate it, and there's been nothing forthcoming. I can't imagine that they just made it up.

But the reality is if it is there, it has got to be found. If it has got to be found, there's going to be hundreds of millions of dollars spent to find it. And believe me, they're not going to waste their money. If it's there, they're going to go get it. And so this is simple stuff. And I hope the American people and the Members of this Congress know it's simple stuff.

Mr. HENSARLING. I thank the gentleman from Texas for joining us this evening. I thank him for the valuable leadership that he provides us in the Republican Congress, and I particularly appreciate his comments, his illuminating comments on leasing and what it is that we can do as a Nation to provide more American energy in America.

Again, Mr. Speaker, elections have consequences. Since the Democrats took over the energy policy of this Nation 18 months ago, when they took it over, gasoline was selling at a national average of \$2.33 a gallon. Today we know, Mr. Speaker, it is well over \$4 a gallon in just 18 months. I'm not sure if history shows us any greater increase in the price at the pump in such a short period of time under the policies, again, of this Democrat majority.

Now, that's having a devastating impact, Mr. Speaker, on working families. And yet the Democrat majority refuses, refuses to do anything to produce more energy in America. And I think sometimes, Mr. Speaker, they forget about how their policies are impacting hard working American families.

Again, I have the privilege of representing the Fifth Congressional District of Texas. And I hear from my constituents often about the challenges they're facing having to pay this Pelosi premium, having to pay all of this extra money for gas. I recently heard from the Forest family of Mesquite, Texas. And they wrote to me, Dear

Congressman, we cannot continue to operate this way. We have now canceled our life insurance policies, canceled our cable, scaled down our automobile insurance, and buy only the necessities at the grocery store. No movies or other luxuries. My son and his daughter have had to move in with us because he can no longer pay rent, day care, buy food, and pay for his auto insurance and gas to go to work.

Again, Mr. Speaker, I know they don't mean to do it, but the Democrat majority has got to wake up on how their no energy, no production policies are hurting working Americans.

People in Mesquite, Texas, are having to cancel their life insurance policies and take in their adult children back into their homes because they refuse, refuse to produce any American energy in America to bring down the cost of gasoline at the pump. That is a travesty, Mr. Speaker, a travesty.

And for further comments on the energy policies that we need in the Nation, and the need to repeal this Section 526 that for all intents and purposes will make it almost impossible to develop oil shale, tar sands, and coal-to-liquid technology, I once again want to yield to the coauthor of H.R. 5656, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I thank my colleague for hosting this night's hour. I hope that it helps some of our colleagues learn a little bit more about the oil business. One of the things that is true in almost every area is that before you begin to regulate something, before you begin to try to control something, you really ought to understand it first. And the lack of understanding, not malicious, but it's not in their professional background. But the lack of understanding of most of our colleagues about the oil business and how it happens is—most of that information is limited to the "Dallas" TV show and J.R. Ewing, which was anything but the truth.

The interesting thing about Section 526 is that it basically says the Federal Government can't buy fuel from unconventional sources unless it can be proven that the lifecycle greenhouse emissions are less for the unconventional source than under the conventional source.

What this mechanically does is it takes a tremendous buying power of the Federal Government out of the development phase of getting to unconventional and new sources of ways to drive our cars that are better. The Federal Government has great capacity to buy and buys great quantities, particularly the Department of Defense, and we've now pushed that market aside in terms of being able to use that market to be able to develop these alternatives.

In addition, we've said that rather than buying fuel from tar sands in Canada, which no one can prove whether or not the lifecycle of greenhouse gases is more or less under those cir-

cumstances, we can't buy that fuel, but we can buy fuel and crude oil from countries that are, at best, not our allies.

In fact, we have recently passed on the floor of this House, hopefully it won't get any further in the Senate, the opportunity for Americans to sue OPEC to increase OPEC production. Again, an example of how the wrong-headed energy policy has become under the leadership that currently runs this House.

On the one hand, we will sue OPEC to increase production, on the other hand, we say it is not in our best interest to have oil and gas production from stable sources like the Outer Continental Shelf of the United States or the Rocky Mountains of the United States. We don't want to produce those resources, but we want to sue OPEC to force them to produce more crude oil that we would, in fact, buy.

I'm also anxious to see how OPEC is going to respond to that by allowing—setting in place the mechanisms to allow their citizens to sue America to force America to produce its own energy. And the reason they would do that, of course, is that crude oil is a worldwide market, and to the extent that America is withholding her crude oil from the market, she is, in effect, pushing up the price of crude oil worldwide. So on the one hand, we want to sue OPEC, force them to produce their barrels, but on the other hand, we don't want to produce our own barrels which would go into the worldwide supply and would help bring down that cost.

Now, I suspect there is some crafty Federal Trade Commission lawyer that would look at America as creating some sort of a tort within that system by withholding specifically supplies off the market in order to push up the price of crude oil. I think that you could be arguing with that.

I wanted to walk through the energy work that we're going to take up this week.

One of them we've already taken up was the price gouging bill. Price gouging is an interesting phenomenon. There's no real good definition for it. It's pretty vague and in the eye of the beholder. But the price gouging bill that we took up today would have penalized gasoline retailers for trying to adjust their prices during a time of emergency to equalize supply shortages and demand circumstances in those shortages. The market is the best allocator of that resource, and it happens to be on price.

So what we were setting our retailers up for, must of which are mom-and-pop shops or small convenience store chains, or corporations like Valero, which is simply a refiner and also a retailer of gasoline, for the fall of this deal because if this bill had passed today, the Federal crime that would have been committed was ill-defined.

And I want to read briefly from a CRA international study done back in 2007 talking about price gouging.

It says, Under legislation that threatens to punish acts that are defined vaguely and ambiguously, the behavior of the enforcing agencies is inherently unpredictable. And businesses potentially affected by the legislation could form expectations of prosecutorial conduct that could discourage the efficient functioning of markets. Excessively harsh penalties for setting the wrong price could give pause to market decisions that are critical to alleviate shortages, especially if individuals, unsure about the actions of the enforcers, were to adopt very conservative behavior so as to ensure compliance with the law.

The result would be exactly the opposite to the good intentions of the legislation's authors, disincentives to provide additional . . . the waste occasioned by gas lines and the failure to allocate supplies to those who benefit the most.

And then finally, this FTC study is in fact only the most recent assessment of claims of gasoline price gouging. In the last decade, the United States Department of Energy and the FTC have investigated all of the numerous incidences of regional price spike—gasoline price spikes. Their conclusion in every case has been that gasoline prices increase—gasoline price increases were due to the operation of supply and demand in light of an interruption of supply and that the magnitude of price increases was consistent with the magnitude of the loss of supply. There has never been a finding that gasoline price increases were caused by manipulation of the markets.

And yet we continue to hammer away at price gouging, the second time at least that this bill has come up, and it failed again today.

There is also a title of a bill that will deal with speculators in the market. And as of early this afternoon, we've not seen the actual language of that bill. But it is an attempt to go after speculators. Now, it's interesting that the ag committee that I serve on, the full committee had a hearing today in which Walter Lukken, who's the acting chairman of the CFTC, the Commodities Futures Trading Corporation, which oversees the speculative market in crude oil, among other things, testified today that while he is constantly on the lookout for potential manipulation by speculators and/or other participants in the market, that they have seen no evidence that those speculators are having undue influence on the price of crude oil. And then in fact the price of crude oil is set by supply and demand as best they can tell it.

But they are on the lookout every single day. And again, Mr. Lukken feeds his family trying to protect markets from manipulation like the speculators might have an impact on.

The other bill is a "use it or lose it" that my colleague from Texas has already talked about. One of the other facts—it's interesting. If we say facts

around here, if you say a wrong fact often enough, and often enough as we clearly do, it becomes legend; and that 68 million acres is tossed about by every member of the Democratic leadership, 68 million acres. We have asked how they came up with that number. The Bureau of Minerals Management can't figure out how they've come up with it. The Department of Interior can't figure out how they've come up with it. And we've gone to the leadership and said, We don't know if that number is right or wrong. Tell us how you got to that number. And much like the extrapolated production numbers that our colleagues just talked about, they won't tell us.

All they'll say is that the majority staff of the Natural Resources Committee came up with this number. Now, we don't know if it's good or bad without knowing what it is. So we're having to defend against a number that may have just been flat-out made up. But our colleagues across the aisle won't come forward with their methodology to help us understand what they've done.

And it's a pretty clear statement. If you're going to beat us about the head and shoulders with a number of 68 million acres, then you need to prove to us what that is and how you came to it and whether or not we should be beat about the head and shoulders with it.

And then the final bill which we take up is something referred to as the Saving Energy Through Public Transportation Act of 2008. This is an attempt to help Federal employees cope with these higher commuting costs through public transportation and reimbursements for that, which is not a bad thing, but it clearly shows how tone deaf our colleagues across the aisle are.

They will listen to their employees who are saying we're having a hard time getting to and from work and we need help to reimburse that, but not being able to understand that that is going on across the United States, that that's not limited to just Federal employees.

So they've taken the position that it's a good thing to try to help Federal employees help deal with and cope with these higher gasoline prices, but let's ignore the rest of America who are actually paying the taxes that would have to be used to pay for those commuting costs.

So looking forward to my colleagues' continued comments on these and other issues, the 526 bill, Section 526 repeal is important. We've made several attempts at it. We've included with that a refinery siting bill that would ask the President or require the President to locate no fewer than three potential unused military bases for sitings of refineries, go through all of the proper evaluation and permitting processes, and the governor of the States involved would have a veto.

But nonetheless, an attempt to say, Here are some places we can build refineries to help alleviate the strategic

vulnerability that this country has. And so far, we've just been shut out on any attempt to move towards actual more and new production of crude oil and natural gas that would, in fact, deal with this issue of higher prices.

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Mr. HENSARLING. Again, I thank the gentleman from Texas for his leadership. I thank him for working with me and co-authoring, I think, a very important piece of legislation.

Again, Mr. Speaker, since the Democrats took control of the energy policy of this Nation 18 months ago, the price of gasoline has increased 70 percent to over \$4 a gallon, having a terrible impact on working families all across America and the Fifth District of Texas that I represent.

I recently heard from the Gardner family of Dallas who wrote me: "Dear Congressman, I am the proud father of an Eagle Scout. I know you are an Eagle as well. I have a younger son in the Scouting program. In order to afford sending our youngest to summer camp, we have had to cancel any summer family trips in order to afford the increased cost of fuel of sending our youngest to camp in Colorado."

Mr. Speaker, I salute this family for their commitment to Scouting, their commitment to their son, but under the Democrat energy policies that have seen gasoline go to over \$4 a gallon, families all across America are having to cancel their summer vacation plans.

Mr. Speaker, what's the answer? Well, I wish there was just one magic button or one magic wand that we could wave to get this done. There is not, but it has a lot to do with, again, producing American energy in America, and it is not just oil and gas. It is renewables. It is alternatives.

I am proud to say that our Republican Party has constantly, constantly supported renewable energy. In the Energy Policy Act of 2005 was almost \$4 billion for the hydrogen fuel cell program, with the goal of launching hydrogen fuel cars by the year 2020; \$3 billion dedicated to developing affordable, efficient and renewable energy technologies. We supported extending the renewable electricity production credit, the H Prize that would offer cash prizes for achievements in the development of hydrogen energy technologies, millions for biomass research, millions for solar research. Renewables are part of the equation.

Mr. Speaker, before I came to Congress, I was an officer in one of the Nation's leading retailers of green electricity. I'm committed to it. Mr. Speaker, I'm the father of a 6-year-old daughter and a 4-year-old son, and I hope one day that they are driving in hydrogen-powered cars. I hope that one day they will have solar cells on their roofs and no longer be tied to the electricity grid.

But in the meantime, Mr. Speaker, every day in America somebody needs to drive to work today. Every day in

America somebody needs to take an elderly parent to see a doctor. That's today. Somebody has to take their child to school. That is today.

There are wonderful renewable technologies, but I can tell you as one who has worked in the industry, for these to be commercially viable, for them to be scalable, these technologies are easily 10 years away, perhaps 15, and in some cases, 20.

Another part of the answer, Mr. Speaker, is diversification. China is building two to three nuclear plants a year. In America, we haven't built a new nuclear plant and we haven't had any new permits in 30 years, and yet we know nuclear power has zero emissions, no impact, no carbon footprint whatsoever. We need diversification.

Another thing we need to do, Mr. Speaker, under the Republican plan to bring down the price of fuel at the pump is reduce the number of boutique fuels. There was a time in America's history where if you drove from Spokane, Washington, to Kansas City, Kansas, to Dallas, Texas, to Miami, Florida, there's only one gasoline you bought. Now it may be as many as a dozen, which drives up the price and leads to spot shortages.

Mr. Speaker, not only have we doubled, we are twice as dependent on foreign sources of energy today as we were at the height of the Arab oil embargo. Not only are we importing more oil, we are now having to import refined gasoline. Why? Because we haven't built a refinery in a generation because of this worshipping at the altar of radical environmentalism.

And Mr. Speaker, sometimes I think my friends on the other side of the aisle have forgotten that people are part of the environment, too, and they're struggling. They're struggling to keep their job, pay their rent, fill up their cars. We have to expand American refining capacity.

And then we have to produce the energy we have. Mr. Speaker, we are blessed with great energy resources. We are the Saudi Arabia of coal. That's why I and the gentleman from Texas have introduced this bill to ensure that Federal agencies can contract to help to develop these promising technologies in coal-to-liquid. It's already being done in Britain, in Saudi Arabia. We can do it now if the Democrat majority would get out of the way and let us produce.

And our oil resources, Mr. Speaker, the Outer Continental Shelf, our deep sea resources, why is 85 percent of that outlawed? Why is it off the board? Why can't we produce there?

There are decades and decades and decades of energy just sitting there for the take, and again, the radical environmental left that helps control our Democrat majority won't let it happen.

The arctic area of Alaska, half of our proven petroleum reserves sit there in an area of America where almost no one lives.

Mr. Speaker, I get to represent a large portion of East Texas, and I can

tell you, somehow man, nature and pump jack can coexist. They can coexist peacefully, and it can be done in Alaska as well.

So, Mr. Speaker, I would hope that something as challenging as the high price of petroleum, that we could come together as Republicans and Democrats and work for the betterment of all the people in America.

But Mr. Speaker, you cannot outlaw supply and demand. You cannot do it. Demand has increased precipitously over the world, particularly in areas like China and India, and we're sitting on these great supplies, and we're the only Nation in the world that I'm aware of who sits on so much energy and refuses to produce it.

And instead, what does our Democrat majority offer us? Beg OPEC, sue OPEC, tax oil companies, castigate oil companies, impose a form of price controls. That does nothing, nothing to help American families.

The Republican plan will, and with that, I would be happy to yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding, and I hope that everybody is listening in detail to what my colleagues are talking about here today.

You know, I spent a long time as a district judge and watching lawsuits. It is very fascinating, this sue OPEC argument that's out there, because as I understand it, the lawsuit would be you are not producing enough, therefore, you're fixing the price and we're suing you. And I would see a lawyer for the Saudi Arabians or whomever we had sued, they would say, well, wait a minute, you're not producing, therefore, you're influencing the price of oil; so I'm going to counter-sue you under this lawsuit, and now, America, let's see who's not producing the most.

I'm afraid we'd lose because we're not producing anything on the east coast, anything on the west coast, anything in half of the Gulf of Mexico and anything in a quarter of Alaska, where they can argue that they're producing everything they can pump. It's just how fast they turn up the pumps. So that lawsuit might turn its back on us right there, and that concerns me. But that's all speculation.

It's not speculation that that family's not getting to go on a vacation. You know, it's not speculation the people who worry about how they're going to get their children to their schools and their after-school activities come the start of school in the fall.

I talked to a lady two-and-a-half years ago when the Democrat minority, when we were in the majority, were criticizing us for \$2.40 a gallon, \$2.50 a gallon gasoline. They were criticizing us, and I went and pumped gas in a gas station for about 3 hours and talked to the people as I filled up their tank.

And the lady who told the most compelling story was the one who said, I have to get my kids to their various recitals, practices, after-school activities

and make sure they get to school on time. They go to three different schools. I'm a single mom, with three kids in three different schools in three different parts of town. And I have to choose between what we eat or if we eat and whether I get to drive the car to get these kids.

That was at \$2.50 a gallon of gas. We have now got \$4.07 a gallon of gas, and I can't help but think about that lady every day and wonder—I'd like to actually hear from her—wonder how she's doing.

Also, the trucker that hauled a load from Houston to San Diego and got paid \$1,800, and his fuel costs were \$1,700, how is that man going to make a living?

This is about making a living, living the American dream, just being good Americans, and we're being kept from that by the Democrats' energy policy. It's time to wake up and produce American energy for America.

Mr. HENSARLING. I thank the gentleman, and for our final closing comments, I yield to the other gentleman from Texas.

Mr. CONAWAY. I want to thank our two colleagues for being with us tonight to talk about this.

What you're really talking about is an attack on the American lifestyle. We have built a Nation predicated on cheap gasoline because it has always had cheap gasoline, and we've built suburbs. We've expanded into rural areas. We've built a lifestyle that demands low gasoline prices.

And what we are telling Americans is that this Democratic-led Congress wants high gasoline prices and wants to attack the American lifestyle.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHRISTENSEN (at the request of Mr. HOYER) for today and June 25 on account of official business in district.

Mr. PENCE (at the request of Mr. BOEHNER) for today on account of attending a funeral.

#### 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. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

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

Mr. TANCREDO, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today, June 25 and 26.