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## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

July 15, 2008.

I hereby appoint the Honorable MICHAEL R. McNULTY to act as Speaker pro tempore on this day.

NANCY PELOSI,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

### HIGH GAS PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, people are right to be concerned about the impact of high gas prices, diesel fuel, and even though it is summer, soon we'll have to be concerned about home heating oil prices as well. This is hurting everyone from truck drivers to nonprofits, like Meals on Wheels, who are seeing fewer volunteers because they can't afford the gasoline. It is clear that American families are struggling

after years of this administration's failed energy policies. They need help from their political leaders, but most of all, they deserve to be treated honestly.

While it may test well with some focus groups to talk about opening up some of our most fragile and sensitive areas, like the Arctic, for drilling, it fails the more fundamental test of making a difference for our families today or for at least this year. It will take 10 to 20 years before the oil begins to flow from a place like the Arctic, and the benefits will not necessarily be noticed by families even then as we are in a vast global oil market. We hear now that there is a lack of equipment, materials and workers that compounds the problem of getting that oil to flow even if we move forward.

Expanding oil drilling as an answer to the current problems is a hoax because it will not make any difference for years, and even then, it will have so small an impact as to not even be noticed by most people. A difference of 2 cents a gallon in 20 years is little solace for people who are seeing gas prices rise 10 cents in a couple of days and oil prices shooting up \$10 a barrel in a single day. It is a cruel hoax because there are things that can be done now.

An example of something we can do tomorrow which will make a difference immediately would be to release even a small fraction of the oil stored in the Strategic Petroleum Reserve. This would squeeze dollars out of the speculative part of the price of oil today. The money from the proceeds of selling this oil could be used to finance badly needed energy and transportation alternatives, and we would still have money left over with which we could continue to fill the Reserve with less expensive oil over time.

There are a series of initiatives that are being examined by the House this week that would rein in oil speculators. I don't know whether it's \$5 or

\$50 a barrel. The experts we hear from conflict, but it's clear that there is some impact. If we stopped wasting taxpayer dollars and eliminated the Hummer tax loophole, which subsidizes the purchase of the largest, heaviest, most expensive gas guzzlers on the road, and instead used that money to make investments, that would help families now.

We can also help immediately by leveling the tax and policy playing field to give American families more choices about how they get around and about how they spend their money on their transportation needs. That's why I've introduced legislation, the Transportation and Housing Choices for Gas Price Relief Act, that recognizes, while there is no single solution to the complex energy situation we are facing, we can immediately reduce the impact of high gas prices on consumers by providing them with real options.

The bill would expand the successful Safe Routes to Schools program, and it would make high schools eligible so children could get to school on their own, burning calories instead of fossil fuel.

It would allow self-employed small businesspeople to get for the first time transit commuting benefits currently enjoyed by other employees of larger businesses. This legislation wouldn't force commuters into a one-size-fits-all solution for their transportation benefits. Instead, it would level the playing field so they could access what works for them.

The bill recognizes that the housing choices that reduce commuting costs sometimes may be a little more expensive, but it results in a legitimate increase in terms of their capacity to purchase a house, and that should be reflected in policy. It promotes telecommuting as well.

It uses current resources better to give people more choices designed to make lives better for Americans today,

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

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



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this year, in 2008, not waiting until 2028. Congress should not spin an energy fantasy, but should deal with things that we can do today to deal with today's energy realities, and I urge my colleagues to look at the options like those in my legislation.

### EARMARKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. FLAKE) for 5 minutes.

Mr. FLAKE. I will speak for a minute and then refer to a few charts.

Today, Mr. Speaker, I rise to draw attention to earmarks contained in the Homeland Security appropriations bill. We may not even have any appropriations bills on the floor this year. What may happen is that we will simply do a continuing resolution in September and then sometime in January do a big omnibus bill, and all of the earmarks, the thousands and thousands and thousands of earmarks that have been put into the bills through the appropriations process that have never been to the floor, will simply be approved with one vote. So it behooves us to do what we can to actually highlight what some of these earmarks are. Now, we know some of the earmarks that are in the Homeland Security bill, and we hope that it comes to the floor. It likely will not, so we'll talk about one of them here.

Mr. Speaker, there is in the Homeland Security bill something called the Pre-Disaster Mitigation Program. Now, this has not traditionally been earmarked in the Homeland Security bill. It only started last year. Last year and this year, we have earmarked some \$75 million total for this account. Now, in this account, some \$500,000 was earmarked for Westchester and Rockland Counties in New York for pre-disaster mitigation earmarks. This comes on the heels of the same counties getting about \$1 million last year.

Now, New York State has its share of disasters. I think there were 21 Presidential disaster declarations over the past 10 years, but there were just as many in other States, other States that had to go through the regular process whereby grants were awarded on the basis of merit rather than on the basis of: Do we have an appropriator? Do we have a high-level Member of leadership who can get us an earmark for some of these programs?

For example, in parts of Oklahoma, they had 20 disaster areas declared in the last 10 years. Yet Oklahoma hasn't received a dime in earmark funding in this bill. They must not have an appropriator here.

We often endlessly hear that Members of Congress know their districts better than some faceless bureaucrat; that's why they've got to earmark, but let me ask: Does a member of the Appropriations Committee or a Member of leadership know his district better than a rank and file Member? Because the former are getting most of the earmarks at the expense of the latter.

Let me refer to this chart. On this chart, in the last 2 years, for pre-disaster mitigation earmarks in the Homeland Security bill, rank and file Members have gotten about 37 percent of the earmarks. Here, appropriators and other highly ranked Members have gotten 63 percent. Of the \$75 million total, 63 percent of the earmarks are received by just 27 percent of the Members in this body.

Now, again, do those 27 percent know their districts better than others? I would suggest not. It's just that they're in a position to get these earmarks. So all of this hifalutin language about, you know, "we know our districts" means just this: "I'm in a position to get money for my district at the expense of others whether or not there's a Federal nexus, whether or not there's a real need."

Let me just point out that, in terms of Westchester and Rockland Counties, out of all of the thousands of counties in the country, only 11 were wealthier than Westchester County in New York. Does Westchester County really need \$500,000 in pre-disaster mitigation earmarks at the expense of some poor county somewhere else in the country? This earmarking, as we all know, has gotten completely, completely out of control.

Let me just go to a couple of other charts. One of the other often used justifications for earmarks is that we as the legislative branch have the power of the purse. Article I gives us the power of the purse. That is certainly true. That is often taken as justification for doing the earmarking that we currently do, for the contemporary practice of earmarking. Well, at my request, I asked CRS to actually look and see what the Appropriations Committee has been doing over the past several years as the practice of earmarking has really grown.

As you can see, from the 104th Congress to the 109th Congress, this is the line here. This is earmarking. We've gone from about 1,500 earmarks up to nearly 10,000 just on this chart, but when you look at the number of witnesses called before the Appropriations Committee for a hearing to actually look at what we're spending, that line goes down. That line is in the blue.

So what we're seeing is that, as earmarking has grown, real oversight has declined any way you look at it. If you want to look at numbers of witnesses, some people will say, well, you can't tell everything from that. I concede that.

So let's look at the number of days of hearings. Here in the blue, from the 104th Congress to the 109th, we've had a decline in the number of days of hearings, yet a huge increase in earmarking.

Keep in mind that another justification for earmarking is people will say, well, that only represents about 2 percent of the Federal budget. We ought to really worry about the rest of the budget, not just earmarking. Well,

that's true. We should worry about the rest of the budget, but because of earmarking, we simply aren't.

Now, I would suggest the reason that there are fewer days of hearings and that the reason the number of witnesses has declined and that also the number of survey and investigation staff reports has declined as earmarks have grown is we simply don't have the time or the resources or the inclination, frankly, on the Appropriations Committee to actually do real oversight.

So, for getting just a couple percentage points of all of the Federal spending designated to earmarks, we really give up the power of the purse that we have. That's why we've seen other spending, all discretionary spending, grow by leaps and bounds as we've had earmarking go up; we simply don't look at the rest of the spending.

We all know that the party that is now in the majority has made a lot of hay over the past couple of years that, in this Congress, there was a culture of corruption. If that were the case, certainly earmarks were the currency of corruption. That continues. It simply opens up too many opportunities when Members of Congress can without real oversight write checks to people from home, either to campaign contributors or to constituent groups or to anybody. Unless we really come on the floor and do real oversight, this is going to happen. When you have a process like it looks like we're going to have this year where we don't even have appropriations bills on the floor where we can challenge these earmarks, these earmarks go unchallenged.

That, Mr. Speaker, I think, is certainly unacceptable. This body deserves better. We have a great and storied institution here, and we have a time-honored process of authorization, appropriation and oversight. We have skirted that for the past several years. Those in power now might point out, from the 104th Congress to the 109th, that was all under Republican rule. That is true. But the trend has not changed since we've had the new majority.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 15 minutes a.m.), the House stood in recess until 10 a.m.

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### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 10 a.m.

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: