

declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1220

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 12 o'clock and 20 minutes p.m.

#### PROVIDING FOR CONSIDERATION OF H.R. 3667, MISSISQUOI AND TROUT RIVERS WILD AND SCENIC RIVER STUDY ACT OF 2008

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 1419

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3667) to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill pursuant to Part II of House Report 110-668. That committee amendment in the nature of a substitute shall be considered as read. All points of order against that committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to that committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amend-

ment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3667 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. House Resolution 1399 is laid on the table.

The SPEAKER pro tempore. The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington, my friend, Mr. HASTINGS. All time yielded during consideration of the rule is for debate only.

##### GENERAL LEAVE

Mr. WELCH of Vermont. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend remarks on House Resolution 1419.

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

There was no objection.

Mr. WELCH of Vermont. Mr. Speaker, I yield myself such time as I may consume.

H. Res. 1419 provides for the consideration of H.R. 3667, the Missisquoi and Trout Rivers Wild and Scenic Study Act of 2008, under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Natural Resources, makes in order three amendments printed in the Rules Committee report, and provides one motion to recommit with or without instructions.

Mr. Speaker, I want to thank Chairman RAHALL and Representative GRIJALVA, Ranking Members YOUNG and BISHOP for helping to bring this bill to the floor today. And I would like to thank the staff of the Natural Resources Committee for their very hard work on a bill that is of great importance to my State of Vermont.

The Missisquoi and Trout Rivers are two of the most beautiful rivers in the most beautiful State in the Nation, and that, with all due respect to the man from Washington, I claim to be the State of Vermont. These rivers are bordered by the largest and perhaps the highest quality silver maple floodplain forest remaining in our State of Vermont. They are also home to diverse animal life, including brook trout, rare freshwater mussels, and spiny soft shell turtles. It's a favorite walking, hiking, fishing area for many people in northern Vermont and, indeed, from Upstate New York and all around Vermont.

Additionally, the Missisquoi River is part of this extraordinary 740-mile northern forest canoe trail, which is

home to some of the best flat-water canoeing in Vermont and in the Northeast. Both of these rivers are highly valued by the surrounding towns and the communities. It has great recreational areas, swimming pools, and boating. Vermont parents that grew up swimming in these rivers take their kids back there, and it's a place in Vermont of just extraordinary scenic and natural beauty.

The bill, as these study bills all do, provides for a study of the two rivers, and it represents a first step toward protecting Abenaki Indian archeological sites along the flood plains, protecting scenic waterfalls and gorges, and a way of life that has been in these communities surrounding the two rivers for generations.

Passage of the rule will allow the Missisquoi and Trout Rivers Wild and Scenic River Study Act to be considered on the floor by the full body, and I urge support of this rule and the underlying bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend from Vermont (Mr. WELCH) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, my colleague has spoken at length about the reasons—though not as long as I thought he would, let's put it that way—why he believes these stretches of the river in Vermont to be studied for the designation as Wild and Scenic, and it's very clear that he strongly believes in this bill to enact this study. He obviously has a great deal of love for his State when he challenges all of the other 49 States as not being as beautiful, at least indirectly, as Vermont. And I would just point out to him that in my State we have so much geographic diversity as far as beauty is concerned, from one area of the State where we have more rainfall than anyplace in a country—I'm not talking about Seattle; I'm talking about the Olympic Peninsula—to the area where I live, which is a desert area that has in some areas where I live less than 7 inches of rain. So I invite my friend any time he wants to come out to see what real beauty is in a short period of time, and he may want to ask me up there and I might respond to that.

But having said all of that, Mr. Speaker, I believe it's fair to say that the American people, frankly, are far less concerned about the rivers in Vermont and are far more concerned about the high price of gasoline and the fact that Congress is not acting right now on real solutions to lower energy costs.

The House of Representatives will spend over 2½ hours today discussing rivers in Vermont but not 1 minute,

Mr. Speaker, not 1 minute, on actual legislation to lower the price of gasoline. I really believe that the priorities of this Congress since we have come back from the 5-week August vacation are wrong. High gas and energy prices are hurting American workers and it's hurting our Nation's economy.

□ 1230

With jobs at stake, Mr. Speaker, this Congress twiddles its thumbs and busies itself once again, as we did earlier in the year, naming post offices and, today, studying the value of rivers in Vermont, in all deference to my friend from Vermont.

Mr. Speaker, this House should be permitted to have a "yes" or "no" vote on legislation to expand alternative energy sources and to lift the ban on drilling offshore, both coasts, Mr. Speaker, and in ANWR and other Alaskan lands in Alaska. But, unfortunately, the liberal leaders in this Congress have blocked, up to this point have blocked, a fair "yes" or "no" vote for months because I believe, Mr. Speaker, and I believe the majority of Members of this body knows that if we were to put the all-of-the-above energy plan up for a vote, that a majority of this House would vote for it. But we have been denied that opportunity time after time after time. Instead, they voted to go on a 5-week vacation in August to avoid working to lower gas prices, to protect American jobs, to make our Nation more energy independent.

But, Mr. Speaker, I want to say that during that time since the adjournment for the 5-week vacation, a number of my Republican colleagues, 136 of my Republican colleagues, were here every day for several hours a day, trying to attempt to call the ask the Speaker to call Congress back in session. Unfortunately, that didn't happen. So now we are back here again on a regularly scheduled basis, and we will certainly have an opportunity to have a vote on the all-of-the-above, and I will talk about that more later.

But, Mr. Speaker, in the past, in the past, Senator BARACK OBAMA, Senator JOE BIDEN, Senator HARRY REID, and Speaker NANCY PELOSI, they are the leaders of the Democrat Party here in the U.S. Congress. Yet the one thing, other than being Democrat leaders, the one thing they all have in common, Mr. Speaker, is that they have in the past always opposed offshore drilling and drilling in Alaska. I think the majority of the Americans feel contrary to that view. And they fight and block any action on that at every turn. They refuse to act and to allow a vote on a drilling and alternative energy plan that would ultimately lower gas prices.

To me, Mr. Speaker, I just simply have to say in this election year that it's clear that liberalism has been put ahead of the need to help American workers and families struggling with high gas prices. We need to end the stranglehold that they have on Amer-

ica's ability to produce more of its own energy and on American jobs and the economy. And we can do that, Mr. Speaker, very simply by opening the resources that we have in this country. We need to change their no, no, no stance on producing more American energy.

This Congress, Mr. Speaker, and we all know this, needs to vote on the all-of-the-above energy plan. In that plan it includes promoting alternative energy sources, like wind and solar power. I might add parenthetically, Mr. Speaker, that we have a nuclear plant in my district, we have hydro plants in my district, and we have wind machines in my district. I am all in favor of all of the above, and our all-of-the-above energy plan includes precisely that.

This plan recognizes the need for more nuclear power. As I mentioned, I have a nuclear power plant in my district. Of course, it protects the value of hydropower, and that is the most abundant energy source for us in the Northwest. But it also allows, while we transition to a new energy source in the future, it allows drilling offshore and in Alaska and on other Federal lands.

Mr. Speaker, it really is time for the liberal leaders of this Congress to stop blocking a vote on producing more American-made energy. It's time for Members of Congress to stop hiding and to start voting.

Mr. Speaker, we all know that we are not elected to avoid taking positions on tough issues. We are elected to stand up and resolve those tough issues for the American people. So it's time for Congress to set aside naming post offices; in deference, again, to my friend from Vermont, studying rivers. It's time to get serious about addressing the high cost of gasoline and voting yes or no on real solutions, including drilling offshore and in Alaska.

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

Mr. WELCH of Vermont. I am the last speaker on our side, so I will reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, the gentleman is the last speaker, and he is prepared to close. I know I have several Members that have asked for time. So, Mr. Speaker, I will yield myself such time as I may consume until other Members come to the floor.

Mr. Speaker, I mentioned just briefly in my remarks that after the adjournment prior to the 5-week vacation and, by the way, that adjournment resolution was passed on a straight partisan vote. Every Republican voted against it because we felt we needed to stay here to help resolve the energy problem rather than go on a 5-week vacation. But there were a number of Members, I can mention 136 Members, that came down here and talked about the need for energy.

During that time, Mr. Speaker, the lights were off here, the microphones were off, and the cameras were off. Yet

there were a number of tourists, as we always have coming through the U.S. Capitol, their Capitol, and they were invited to sit on the floor and talk with us, interact with Members that came down and spoke.

The 2 days that I was here, and I admit I was only here 2 of those days, the last 2 days, and I had private conversations with a number of tourists that came through here. I have to say they were not from the Northwest, although there were some from the Northwest, but there were some from the South, and they were all kind of perplexed as to why the people's House, the House of Representatives, probably the genius part of our Founding Fathers in making a representative body, of which all Members that have served there, and there are slightly over 11,000 Members that have served in this body and, Mr. Speaker, every one, every one of those Members have been elected to this House. There has never been a Member that was appointed to the U.S. House of Representatives.

Now why do I say this in the context of energy prices? The genius of our Founding Fathers was that the House of Representatives and the fact that every one was elected is probably more in tune to what the people's wishes are across the country.

And so they were, frankly, the people I talked to, perplexed. Well, if this is the people's House, why haven't you had the opportunity to have a vote, just a vote up or down, recognizing, listen, we know that a majority rules, and I am prepared to take the consequences of that if my position on any issue fails to get a majority vote. I recognize that. I think every Member of Congress understands that. But to not have the opportunity, not have the opportunity to even vote, even vote on a proposal, really perplexes the tourists that came through here the 2 days I was on the floor.

In talking to my other colleagues, some of whom were down here as many as 13 days, and more, they had what I would say were similar experiences with their conversations with people that came through here.

Mr. Speaker, I mentioned that my district is the district that in central Washington that is a center of virtually—I won't say all, but a great deal—of electricity that is produced in the Pacific Northwest. Within my district, for example, probably the hydroelectric facility that most Americans can associate with is Grand Coulee Dam. Half of that dam is in my district and the other half is in my colleague's from the Fifth District, CATHY MCMORRIS RODGERS' district.

But, in addition to that, I have up to 10 dams that are wholly within my district or I share with other Members of Congress, including my friend and colleague from across the river in Oregon, GREG WALDEN. There are three dams there where we share half of those dams.

That produces about 70 percent of the electricity in the northwest. It is renewable, Mr. Speaker. It is absolutely renewable, and we need to expand that, and a portion of expanding hydropower is in the all-of-the-above energy plan I talked about earlier that we have been denied a vote on. We have been denied a vote on.

Furthermore, I mentioned that I have wind plants in my district. Because generally in areas that I mentioned earlier on, that there was not a whole lot of rainfall in certain parts of my district, but the wind does blow. Now the wind, of course, is only good if the wind blows. But if the wind blows, it adds to the other facilities, like hydro, like hydro, or like nuclear. And I have a nuclear plant in my district.

What I am saying, Mr. Speaker, is that my constituents are well aware that we need to have a diverse energy portfolio. Without having an opportunity in the people's House to at least address the issue of all of the above, seems to me to be contrary, seems to me to be contrary to what this Congress is all about, and indeed what the House of Representatives is all about as it was envisioned by the Founders.

With that, Mr. Speaker, I have talked about what we did in August, and I have talked about the fact that up until August, and now we have a new session coming in after the break, that the Democrats have blocked and blocked any vote on lifting the ban.

But I have heard during the break that there are a number of brave Democrats who I think went home, talked to their constituents, and find out that their constituents were saying we need to become more energy independent. As a result, they proclaim that they support now offshore drilling to increase the supply of gasoline and oil and to make America more energy independent.

Well, listen. To all of my colleagues that maybe during the August break and having listened to their colleagues or to their constituents at home, I have a very positive message for you, and I have an opportunity for you, because by voting against the previous question, Mr. Speaker, all of my colleagues can prove that you are supporters of drilling and producing American-made energy. Of course, if you do not, that means that you side, of course, with Speaker PELOSI and you oppose drilling.

By defeating the previous question, Mr. Speaker, I will move to amend the rule to make in order H.R. 6566, the American Energy Act, and I have talked at length about what it is. This bill will reduce the price at the pump by enacting an all-of-the-above energy strategy. Once again, what it does, it increases the supply of American-made energy by using environmentally sound technology and innovations. It does so by improving conservation and efficiency and, Mr. Speaker, it promotes a diversity by renewing alternative energy sources, like wind that I had talked about, and solar.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I again ask my colleagues to vote "no" on the previous question so that Congress, as they return from the 5-week recess—vacation, in some people's terms—and begin the work here in the fall before the election, so that we can finally vote, Mr. Speaker, on real solutions to the real and painful problem of high gas and energy prices.

American workers and families are hurting. Congress can help, can help today by voting on and passing this legislation, the American Energy Act.

Mr. Speaker, I think it's time to show whether you're really for lowering gas prices or whether you will continue to vote in lockstep with those against lifting the ban on offshore drilling and promoting alternative energy.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question.

With that, I yield back my time.

□ 1245

Mr. WELCH of Vermont. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am shocked that my friend from Washington would question my assertions about the beauty of Vermont, and I will invite the Member from Washington to come to Vermont so I can let you firsthand experience the evidence that I have had so much opportunity to observe myself.

By the way, I have been to Washington. I climbed Mt. Rainier three times and was out on the San Juan Islands.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. WELCH of Vermont. For bragging about Washington, yes, I will.

Mr. HASTINGS of Washington. Well, of course I am going to do that. And, listen: Mt. Rainier I can see from my district on a clear day, because it is 14,410 feet high. But it is quite a view when you view it from a desert setting. So I invite you the next time you come back to come over to my district for all the great wines, where the wine grapes are grown, by the way. And I understand my friend likes to have a cold beer once in a while. The taste of that beer comes from the hops that are grown in my district.

So, Mr. Speaker, I appreciate my friend yielding on that basis, and I look forward to his visit. I appreciate it and yield back to him.

Mr. WELCH of Vermont. Thank you, my friend from Washington. We better get back to the focus at hand, because now Vermont quality beer has been challenged as well as the beauty of Vermont rivers. So we will just call

this part of the debate a draw and proceed.

Two things in response to comments made by my friend from Washington. Number one, it appears that there are no reservations or no stated objections to the study itself that is, frankly, quite important to Vermont. This is a very special part of our State that has the opportunity with the benefit of this study to be preserved for generations ahead, just as it has been cared for and enjoyed by generations in the past. So it is a very, very serious issue to the folks in Vermont. It is just a very special place.

The gentleman has not raised any specific objections. His objections are more in the nature of spending time on this instead of spending time on something else. So I would urge the Members to take that into account when they are voting on the previous question.

Second, I will address the energy arguments. This has been the refrain on the part of our friends on the other side as a response to every piece of business that we are doing on behalf of the American people. I think it has become apparent that this has become much more of a political debate than it has been an effort substantively to solve a very, very serious problem. Let me give a little commentary about that.

Number one, my friends on the other side have been in control of this institution and had the Presidency and the control of Congress for the past 12 years, until this Congress, and had an opportunity to enact comprehensive energy legislation when it was quite apparent to the American people that the problem of our excessive dependence on oil was a real and urgent problem.

They did nothing. In fact, the energy act they passed quite astonishingly provided taxpayer incentives, tax deductions, tax credits, to oil companies that were enjoying record profits. It is a mature industry, it is a profitable industry, yet the energy policy that was pursued and failed by our friends on the other side during the 12 years they were in charge basically was to give oil companies more taxpayer money.

It made no sense. There was no effort to use the power they had of the majority to bring to the floor legislation that would promote alternative energy. There was no effort to take the power that they had and provide tax incentives for the alternative energy industries that we know we must support if we are going to reduce and ultimately eliminate our dependence on foreign oil.

Mr. HASTINGS of Washington. Would the gentleman yield on that point?

Mr. WELCH of Vermont. I won't yield. My intention, my friend from Washington, is to respond and bring this to a close, thank you.

So, number one, we are hearing objections from people who when they had the power to do the things they

claim they want to do, didn't use the power they had to accomplish those objectives.

Number two, when we have brought forward legislation and passed it, it has been with their objection. And what they claim they want to do are many things that we did over their objection. I will give a few examples.

To deal with the short-term price pressure at the pump and with home heating oil, this House of Representatives passed legislation that I sponsored to stop filling up the Strategic Petroleum Reserve and take off some of the demand on oil. That has contributed to helping bring down the price of gas at the pump by 5 to 25 cents a gallon.

Secondly, this House of Representatives has gotten tough on speculators. The evidence is overwhelming that part of the runup in the price of gasoline when it was heading up to \$150 a barrel was because of the speculative control and influence of hedge funds in foreign trading operations. We brought to this floor legislation, and just the fact that we did it finally, when it was ignored and accepted and mollified by our friends who were in control for 12 years, has helped bring down that speculative premium.

There is no justification for any one of our constituents when they pay for a gallon of gasoline or a gallon of home heating oil or a cubic gallon of natural gas to have included in their price a speculation premium for profiteers, and this Congress passed legislation to challenge that, against the opposition of our friends on the other side. So we have taken very specific actions to try to do what we reasonably can do to bring down the price pressure that is ripping off the American consuming public.

Second, we have passed energy legislation that is comprehensive, again over the opposition of our friends on the other side. One of the things we did was provided for tax credits for the alternative energy industry. We have to do that. That is of urgent, vital economic and environmental concern to this country.

We passed legislation that took away the tax breaks that are going to oil companies. There is no basis whatsoever to ask the taxpayer to pad the profits of a mature and profitable industry. They don't need it. They are doing quite well without additional taxpayer money to their bottom line.

But the new industries, the alternative energies that my friend from Washington mentioned, wind and solar, geothermal and biomass, they do need a boost, and historically when we have been at our best is when we have had the wisdom to use tax policy in a targeted and focused way to give a boost to these emerging industries and technologies that are good for the American economy and good for our environment, and that is what we need to do.

We have passed this in the House several times. Our friends on the other

side opposed it. Our friends in the Senate won't move on it. We are prepared to do it again. But the suggestion that has been made repetitively, over and over again, that the leadership of the Democratic Party in the House of Representatives is standing in the way of energy policy is flat out wrong. It is flat out false. Why is it being offered? It is being offered for political purposes, I would suggest.

Now, let me tell you this: That although we have passed comprehensive energy legislation several times in this House, although each time we have done it we have had to overcome the opposition of our friends on the other side, and although every time we bring up a legitimate piece of legislation that is part of the public business that this Congress must conduct, whether it is a study on the Missisquoi River, an energy bill or any other bill, every time we do our friends try to cease the debate and distort what has happened, we are prepared, as the gentleman from Washington knows, we in the Democratic Party, our leadership is prepared to bring up yet another comprehensive energy bill that does include all of the above.

The fact is, on our side we have passed all of the above time and time again, against the opposition of our friends on the other side, and then it has run into a brick wall in the other body or the steadfast opposition of the President of the United States. But the gentleman from Washington is aware that the leadership is prepared to bring up yet another bill to give us another opportunity to do the right thing.

Let me say this: I actually think it would be great to work together with the other side. I come from a State where we shift majorities back and forth. Sometimes the Democrats were in control, sometimes the Republican were in control. I was the senate president and I was the minority leader. I learned that in order for us ever to get anything done, we had to ultimately work together. I also came to understand that neither side had an absolute claim that they were the only people who had a good point of view, who had an iron grip on truth.

I believe that it would be best for all of us if there was some willingness to try to work on the substance, rather than just use this as a political football, and my observation is that for whatever reason, it is tough to get to that point here in the House of Representatives in Washington.

Mr. HASTINGS of Washington. Will the gentleman yield on that point?

Mr. WELCH of Vermont. I wouldn't yield, my friend, because I will be bringing this to a close.

I want to take the opportunity, as I must, when the assertions are made, falsely in my view, that the Democratic leadership is standing in the way of energy policy change, that is just flat-out wrong. The energy for energy reform has come from the leadership on the Democratic side. Frankly, it has

come from the American people, who are tired of a Congress that passed off as an energy policy giving more money to the oil companies.

We have to make a fundamental decision in this hyper-political atmosphere of a presidential election whether we want to continue politics as usual, which in my view is a dead end, or we want to work together to achieve what we know is important for the American people, that is, short-term relief for prices at the pump, and it is a long-term energy policy that frees us from the dependence on oil from foreign countries.

So, Mr. Speaker, having said that, let me just close by coming back to this very important bill. It is a study. It is not necessarily important for many other parts of the country. But one of the things that makes this Congress and this country great is mutual respect. When there is a disaster in the Gulf Coast, all States pull together to help out. When there is flooding in the Midwest, all States pull together. When there is an opportunity for a small State like Vermont to take a step with Wild and Scenic River study that will help us and help our citizens enjoy the beauty of our land, I seek the help of my colleagues to let us accomplish that goal.

It is my request and my urging that all Members vote "yes" on the previous question and on the rule.

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

AMENDMENT TO H. RES. 1419 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 4. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 6566) to bring down energy prices by increasing safe, domestic production, encouraging the development of alternative and renewable energy, and promoting conservation. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the majority and minority leader, and (2) an amendment in the nature of a substitute if offered by the majority leader or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

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

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

Mr. WELCH of Vermont. Mr. Speaker, my understanding is it is my opportunity now to yield back the balance of my time and move the previous question.

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

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

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

The yeas and nays were ordered.

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

# AUTHORIZING THE SPEAKER TO ENTERTAIN MOTIONS TO SUSPEND THE RULES RELATING TO HOUSE RESOLUTION 1420 ON LEGISLATIVE DAY OF THURSDAY, SEPTEMBER 11, 2008

Mr. WELCH of Vermont. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to entertain motions to suspend the rules relating to House Resolution 1420 on the legislative day of Thursday, September 11, 2008.

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order: ordering the previous question on H. Res. 1419, by the yeas and nays; adoption of H. Res. 1419, if ordered; motions to suspend the rules on H.R. 1527 and Senate bill 2617, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## PROVIDING FOR CONSIDERATION OF H.R. 3667, MISSISQUOI AND TROUT RIVERS WILD AND SCENIC RIVER STUDY ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on H. Res. 1419, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 224, nays 189, not voting 20, as follows:

[Roll No. 576]

YEAS—224

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Bowwell  
Boucher  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Brady (IA)  
Brown, Corrine  
Butterfield

Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor  
Chandler  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln

DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Doyle  
Edwards (MD)  
Edwards (TX)  
Ellison  
Ellsworth  
Emanuel  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Foster  
Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Green, Al  
Green, Gene

Grijalva  
Gutierrez  
Hall (NY)  
Hare  
Harman  
Hastings (FL)  
Heller  
Hereth Sandlin  
Higgins  
Hinchey  
Hirono  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inlee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilpatrick  
Kind  
Klein (FL)  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lewis (GA)  
Lipinski  
Loeback  
Lofgren, Zoe  
Lowey  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott

McGovern  
McIntyre  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascarella  
Pastor  
Payne  
Perlmutter  
Pomeroy  
Porter  
Price (NC)  
Rahall  
Rangel  
Reichert  
Reyes  
Richardson  
Rodriguez  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes

Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Serrano  
Sestak  
Shays  
Shea-Porter  
Sherman  
Shuler  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Space  
Speier  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Tsongas  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
 Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

NAYS—189

Aderholt  
Akin  
Alexander  
Bachmann  
Bachus  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cantor  
Capito  
Carter  
Castle  
Chabot  
Childers  
Coble  
Cole (OK)  
Conaway  
Crenshaw  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Deal (GA)  
Dent  
Diaz-Balart, L.

Diaz-Balart, M.  
Donnelly  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Flake  
Forbes  
Fortenberry  
Fossella  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gilchrest  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastings (WA)  
Hayes  
Hensarling  
Herger  
Hill  
Hobson  
Hoekstra  
Hunter  
Inglis (SC)  
Issa  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Jordan  
Keller  
King (IA)  
King (NY)

Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy, Tim  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Platts