

We know that stimulus is to be timely, it is to be targeted. But we also know that this bill is going to spend money for 10 years. And I will tell you what. It is of great concern to me that our children and our grandchildren are the ones that are going to be paying for this, because we are heaping on their head another \$1.2 trillion. And that doesn't include the interest, another \$1.2 trillion of debt.

Now, I am told that this bill spends, per page, \$1,206,185,569 per page.

□ 1345

That is how much is being spent in this legislation that has not gone through regular order, that has not been debated. All the programmatic spending that is in here, there is not time for that. And we are hearing one of the reasons is because there are coders that are leaving at 6 o'clock on Friday. Now a coder is a congressional delegation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HALL of Texas. I yield the gentlewoman 1 additional minute.

Mrs. BLACKBURN. So because we have to hurry up and finish and get to recess, we can't get inside the numbers and figure out what we're going to do with this bill.

Now some of it we have found out, if you're into golf carts, there is \$300 million for green golf carts. We have also \$125 million for sewers in D.C. We have \$500 million for NASA exploration activities. We have \$2 billion for FutureGen. We have \$70 million for an energy-efficient visitors centers program.

These are all items that may be worthy of standing on their own merit. The problem is this is not a stimulus bill. It is a spending bill. It has become the biggest pork barrel bill that we have ever seen. It is full of special interest earmarks and favors that will go to specific industries.

I urge everyone to vote "no" on this, and I urge us to take our time to debate.

Mr. GORDON of Tennessee. I yield 2 minutes to my friend from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this resolution as I appreciate his leadership in these areas.

As I listened to my colleague a moment ago conclude her comments, one could be confused a little bit about why we are here. We are here celebrating the engineering profession. But it is interesting in the context of stimulating the economy and rebuilding and renewing America the role that our engineers have played. Just last week, the American Society of Civil Engineers introduced their report card. Every 5 years they provide a snapshot of the role that infrastructure plays in this country. Last week, their report card graded infrastructure in the United States as a D. And the gap of meeting the infrastructure needs just for the next 5 years has increased from \$1.6 trillion to \$2.2 trillion.

I have appreciated over the years working with the engineering profession. One of the most rewarding portions of my career was 10 years as Portland, Oregon's Commissioner of Public Works, where working with people in the engineering profession to deal with long-term value, environmental protection, and the infrastructure for transportation, safety, environmental protection are invaluable.

For us to take a little time recognizing on the floor of the House the role that this profession has played in helping us do our job, if each Member of this body would spend time at home working with their local engineers, thinking about the challenges that they face with clean air, clean water and transportation in their own communities, they would have greater confidence in coming back and supporting a robust economic stimulus package, but one that deals with the future of this country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GORDON of Tennessee. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. I hope that people take the time to listen to the men and women who are working with local business and with local governments to understand the fix that we are in. If we're ever going to restore a robust economy and prepare with protecting the future of the planet while we deal with the liveability of our communities now and making our families safe, healthy and economically secure, it will be in large measure because we're able to link with and to utilize the power of this profession, people who are there working with us to try and get it right.

So I rise in support of this resolution. I salute the engineers that I have had the privilege to work with over the years. And I strongly urge my colleagues not just to vote for the resolution, but to go home and work with and listen to the engineers at home, because they have got a prescription for restoring our economy, rebuilding America's future and making all our families safer, healthier and more economically secure.

Mr. HALL of Texas. Mr. Speaker, I yield my neighbor from Louisiana (Mr. FLEMING) 2 minutes.

Mr. FLEMING. From my neck of the woods, north Louisiana, we have quite a number of engineers. And right now I'm very concerned about engineers because of our current economic situation. President Obama just mentioned that his stimulus bill is better than no bill at all. However, I have to point out that we Republicans have submitted H.R. 470, which is a far better version and far more stimulative. We talk in increments of billions and trillions of dollars, \$1 billion here, \$100 million there. But I want to put a real face on the stimulus bill. A few days ago, we were contacted by Michael Moss, a constituent. He is a small business owner in Shreveport, Louisiana. Michael is 51.

He owns a financial services business that has been operating in our community for over 30 years. Michael called and asked, where is the bailout for his small business? Everybody else is getting a bailout. He employs six hard-working Louisianans. And they work themselves to death. Also he employs elderly parents who rely on him or his business for their income. Michael doesn't own a jet plane. Yet he gets no bailout. He owns a used Ford Explorer instead. He doesn't own a home. He merely rents one. But he is still working his small business. He discussed the stimulus package. And what he is saying is, look, the small businesses are creating the jobs and need the help. Small businesses create jobs so families have stable incomes in order to go out and spend. He suggests, and I agree with him, that we need to expedite depreciation schedules, eliminate capital gains tax and eliminate payroll deductions immediately. Remember that we make plans based on what we expect our tax situation to be, especially my fellow business owners. We know that the tax returns are going to be there, and we go ahead and plan to spend the money.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield back the balance of my time. We have no further requests.

Mr. GORDON of Tennessee. Again, I urge and encourage support for this bipartisan good bill and resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and agree to the resolution, H. Res. 117.

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

Mr. GORDON of Tennessee. 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.

#### PRODUCED WATER UTILIZATION ACT OF 2009

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 469) to encourage research, development, and demonstration of technologies to facilitate the utilization of water produced in connection with the development of domestic energy resources, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 469

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Produced Water Utilization Act of 2009”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **PRODUCED WATER.**—The term “produced water” means water from an underground source that is brought to the surface as part of the process of exploration for or development of coalbed methane, oil, natural gas, or any other substance to be used as an energy source.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

**SEC. 3. PURPOSES.**

(a) **IN GENERAL.**—The Secretary shall carry out under this Act a program of research, development, and demonstration of technologies for environmentally sustainable utilization of produced water for agricultural, irrigational, municipal, and industrial uses, or other environmentally sustainable purposes. The program shall be designed to maximize the utilization of produced water in the United States by increasing the quality of produced water and reducing the environmental impacts of produced water.

(b) **PROGRAM ELEMENTS.**—The program under this Act shall address the following areas, including improving safety and minimizing environmental impacts of activities within each area:

(1) Produced water recovery, including research for desalination and demineralization to reduce total dissolved solids in the produced water.

(2) Produced water utilization for agricultural, irrigational, municipal, and industrial uses, or other environmentally sustainable purposes.

(3) Re-injection of produced water into subsurface geological formations to increase energy production.

(c) **PROGRAM ADMINISTRATION.**—To carry out the purposes under this Act, the Secretary may enter into an agreement with a consortium whose members have collectively demonstrated capabilities and experience in planning and managing research, development, demonstration, and commercial application programs for unconventional natural gas and other petroleum production and produced water utilization.

(d) **ACTIVITIES AT THE NATIONAL LABORATORIES.**—The Secretary, through the appropriate National Laboratory, shall carry out a program of research, development, and demonstration activities complementary to and supportive of the research, development, and demonstration programs under subsection (b).

**SEC. 4. CONSULTATION AND COORDINATION.**

(a) **CONSULTATION.**—In carrying out this Act, the Secretary shall consult with the Secretary of the Interior and the Administrator of the Environmental Protection Agency.

(b) **COORDINATION.**—To the maximum extent practicable, the Secretary shall ensure that the activities under this Act are coordinated with, and do not duplicate the efforts of, programs at the Department of Energy and other government agencies.

**SEC. 5. FUNDING.**

(a) **ALLOCATION.**—Amounts appropriated for this Act for each fiscal year shall be allocated as follows:

(1) 75 percent shall be for activities under section 3(a), (b), and (c).

(2) 25 percent shall be for activities under section 3(d) and other activities under section 3, including administrative functions such as program direction, overall program oversight, and contract management.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this Act \$20,000,000 for each of fiscal years 2010 through 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

**GENERAL LEAVE**

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 469, the bill now under consideration.

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

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I'm pleased the House will consider today H.R. 469, the Produced Water Utilization Act. And I would like to thank my good friend and ranking member, Mr. HALL, for his legislation and interest in this field of research.

H.R. 469, the Produced Water Utilization Act, creates a research, development and demonstration program to promote the beneficial reuse of water produced in connection with oil and gas exploration, something that Mr. HALL knows a lot about.

In the United States, up to 2.3 billion gallons per day of produced water is generated. Unfortunately, this water is not of sufficient quality to be used to meet our many needs for water. This legislation will provide innovative treatment technologies that will enable the reuse of this water in an environmentally responsible way.

Once again, I thank Mr. HALL for bringing this to our attention and for passing it out of our committee on a unanimous vote.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 469, the Produced Water Utilization Act of 2009. I had the pleasure of working with Chairman BART GORDON on this and introduced H.R. 469 in the 110th Congress as H.R. 2339. In July of 2008, the bill was reported out of the Committee on Science and Technology by a voice vote and then was passed by the House of Representatives again by a voice vote on July 30. It comes to the floor today virtually unchanged. Only the short title and the authorization years have been updated.

For those who are not familiar with the term, the Department of the Interior defines “produced water” as mainly salty water trapped in reservoir rock and brought up along with oil or gas during production. Produced water cannot, in its current form, be used for any purposes, and it is most commonly reinjected into the ground at great expense to small producers across the country. Each barrel of oil that is produced generates approximately 10 barrels of produced water, and we currently produce over 5 billion gallons of

produced water a day in the U.S. That is enough water to accommodate 14.3 million homes a day.

As we face shortages in energy and water, this bill could not be more timely. H.R. 469 is legislation that has two main purposes, first, to increase domestic energy production by lowering production costs for small producers and, second, to increase the amount of water available for agricultural, irrigational, municipal and industrial uses by making produced water stable. The Produced Water Utilization Act will provide important funding for research, development, demonstration and commercial application of technologies to purify and use the produced water.

There is a critical interdependency between energy and water. Water is needed to produce energy, and the treatment and distribution of water requires energy. And as our population grows, so will the demands on both. According to a report by the Department of Energy on the Interdependency of Energy and Water “the lack of integrated energy and water planning and management has already impacted energy production in many basins and regions across the country. For example, in three of the fastest-growing regions in the country, the Southeast, Southwest and the Northwest, new power plants have been opposed because of potential negative impacts on water supplies. Also, recent droughts and emerging limitations of water resources have many States, including my State of Texas, also South Dakota, Wisconsin and Tennessee, scrambling to develop water use priorities for different water use sectors.”

□ 1400

We obviously need to take a serious look at how we can avoid a water/energy crisis, and this bill certainly helps.

Mr. Speaker, produced water is currently considered an expensive nuisance by oil and gas producers, but it needs to be considered a valuable, usable commodity. With the research and development set forth in the Produced Water Utilization Act, we can make it happen. I urge my colleagues to vote for the bill.

I reserve the balance of my time.

Mr. GORDON of Tennessee. I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the distinguished ranking member. I assume I'm rising in support of the bill, so I guess I need to compliment our distinguished chairman and our ranking member on this excellent legislative work.

But what I really want to talk about is the no-conference conference on the stimulus package. I just came out of a meeting with Leader BOEHNER, the minority leader. There is going to be some sort of a conference meeting at 3

o'clock this afternoon in the LBJ room on the other side of the Capitol. We've been told, though, that the Speaker and the majority leader have locked the conference down, and they want to have it voted on and passed by 6 o'clock Friday afternoon so that the Speaker can go on her trip to Italy and Afghanistan.

So, in this meeting in Leader BOEHNER's office, since I'm not a conferee, even though we've got about \$200 billion of jurisdiction on the Energy and Commerce Committee, things like Medicare and broadband and something called electricity decoupling, where people that actually use less electricity are going to pay more for it, I'm not sure I understand how that's stimulative to the economy.

But I asked what the agenda was and nobody seems to know. The good news is there actually is going to be a conference meeting, although the decision has already been made. So my question to the majority in this body is, how do you move an \$800 billion package, which is larger than the entire economy of the nation of Australia, with almost no transparency, no accountability, and a conference committee that's already been pre-ordained what they're going to report out some time tonight or tomorrow? Somehow that strikes me as a bad thing for democracy, a bad thing for the House and the Senate, and a bad deal for the American people.

So if I were a conferee, and there was a real conference I would ask questions, how does electricity decoupling really work? Why should we ask our consumers to use less electricity and pay for more the electricity that they use? Why is that a good thing? And why was it put in a bill that we haven't had a hearing on and most of the Members of the body on both sides of the aisle don't even know what the concept of electricity decoupling is.

So I guess, Mr. Speaker, I will end up by saying I wish that we ran the whole House like Chairman GORDON and Ranking Member HALL run the Science Committee, where there really is cooperation, there really is bipartisanship, and the result is that bills come to the floor that both sides can support.

Mr. HALL of Texas. Will the gentleman yield?

Mr. BARTON of Texas. I would be happy to yield.

Mr. HALL of Texas. You are ranking member on Energy and Commerce and former chairman of Energy and Commerce.

Mr. BARTON of Texas. That's correct.

Mr. HALL of Texas. And you are not on the conference committee?

Mr. BARTON of Texas. I am not.

Mr. HALL of Texas. Is that unusual?

Mr. BARTON of Texas. It's unprecedented.

Mr. HALL of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GORDON of Tennessee. I yield back the balance of my time and urge passage of this bill.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 469.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. GORDON of Tennessee. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 47

*Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, February 12, 2009, through Monday, February 16, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 23, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, February 13, 2009, through Friday, February 20, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 2 p.m. on Monday, February 23, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote will be followed by 5-minute votes on the following motions to suspend the rules: H. Res. 154, by the yeas and nays; H.R. 448, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 238, nays

181, answered "present" 1, not voting 12, as follows:

[Roll No. 60]

YEAS—238

Abercrombie	Griffith	Nye
Ackerman	Grijalva	Obestar
Altmire	Gutierrez	Obey
Andrews	Hall (NY)	Olver
Arcuri	Halvorson	Ortiz
Baca	Hare	Pallone
Baird	Hastings (FL)	Pascarell
Baldwin	Heinrich	Pastor (AZ)
Barrow	Herseth Sandlin	Payne
Bean	Higgins	Perlmutter
Becerra	Hill	Petriello
Berkley	Himes	Peters
Berman	Hinchev	Peterson
Berry	Hinojosa	Pingree (ME)
Bishop (GA)	Hirono	Polis (CO)
Bishop (NY)	Hodes	Pomeroy
Blumenauer	Holt	Price (NC)
Bocchieri	Honda	Rahall
Boren	Hoyer	Rangel
Boswell	Inslee	Reyes
Boucher	Israel	Richardson
Boyd	Jackson (IL)	Rodriguez
Brady (PA)	Jackson-Lee	Ross
Braley (IA)	(TX)	Rothman (NJ)
Bright	Johnson (GA)	Roybal-Allard
Brown, Corrine	Johnson, E. B.	Ruppersberger
Butterfield	Jones	Rush
Capps	Kagen	Ryan (OH)
Capuano	Kanjorski	Salazar
Cardoza	Kaptur	Sánchez, Linda
Carnahan	Kennedy	T.
Carney	Kildee	Sanchez, Loretta
Carson (IN)	Kilpatrick (MI)	Sarbanes
Castor (FL)	Kilroy	Schakowsky
Chandler	Kind	Schauer
Childers	Kirkpatrick (AZ)	Schiff
Clarke	Kissell	Schrader
Clay	Klein (FL)	Schwartz
Cleaver	Kosmas	Scott (GA)
Clyburn	Kratovil	Scott (VA)
Cohen	Kucinich	Serrano
Connolly (VA)	Langevin	Shea-Porter
Conyers	Larsen (WA)	Sherman
Cooper	Larson (CT)	Sires
Costa	Lee (CA)	Skelton
Costello	Levin	Slaughter
Courtney	Lewis (GA)	Smith (WA)
Crowley	Lipinski	Snyder
Cuellar	Loeback	Space
Cummings	Lofgren, Zoe	Speier
Dahlkemper	Lowey	Spratt
Davis (AL)	Luján	Stupak
Davis (CA)	Lynch	Sutton
Davis (IL)	Maffei	Tanner
Davis (TN)	Maloney	Tauscher
DeFazio	Markey (CO)	Taylor
DeGette	Markey (MA)	Teague
Delahunt	Marshall	Thompson (CA)
DeLauro	Massa	Thompson (MS)
Dicks	Matheson	Tierney
Dingell	Matsui	Titus
Doggett	McCarthy (NY)	Tonko
Doyle	McCollum	Towns
Driehaus	McDermott	Tsongas
Edwards (MD)	McGovern	Velázquez
Edwards (TX)	McIntyre	Visclosky
Ellison	McMahon	Walz
Engel	McNerney	Wasserman
Eshoo	Meek (FL)	Schultz
Etheridge	Melancon	Waters
Farr	Michaud	Watson
Filner	Miller (NC)	Watt
Foster	Miller, George	Waxman
Frank (MA)	Mollohan	Weiner
Fudge	Moore (KS)	Wexler
Giffords	Moran (VA)	Wilson (OH)
Gonzalez	Murphy (CT)	Woolsey
Gordon (TN)	Murtha	Wu
Grayson	Nadler (NY)	Yarmuth
Green, Al	Napolitano	
Green, Gene	Neal (MA)	

NAYS—181

Aderholt	Bilbray	Brady (TX)
Adler (NJ)	Bilirakis	Brown (GA)
Akin	Bishop (UT)	Brown (SC)
Austria	Blackburn	Brown-Waite,
Bachmann	Blunt	Ginny
Bachus	Boehner	Buchanan
Barrett (SC)	Bonner	Burgess
Bartlett	Bono Mack	Burton (IN)
Bartton (TX)	Boozman	Buyer
Biggert	Boustany	Calvert