

to decide what it is we might possibly mean. And how are they going to decide if we don't have clarity even from the proponents of the bill?

It'll be decided in a slipshod fashion, Mr. Speaker, and it will not be a happy result.

And I will submit also that we will see soon on the floor of this House the chairman of the Financial Services Committee's legislation called the ENDA Act, the Employment Non-Discrimination Act, which really means discriminate against employers and impose your values on them, tell the churches they have to hire people that are the antithesis of their teachings, for example.

And in the end, there also was another amendment. There were many of them that were rejected. One of them was the immutable characteristics amendment. I just simply want to protect people who have immutable characteristics. It was mentioned in the opening remarks in the rules today erroneously. Immutable characteristics are not protected in this bill. It was specifically rejected when I offered it by amendment. Immutable characteristics are often poorly defined or wrongly defined.

And, Mr. Speaker, immutable characteristics are those characteristics of people which can be independently verified and cannot be willfully changed. Those characteristics we can protect when we cross the line and we start protecting especially behaviors. Those are not immutable characteristics. They are mutable. Behaviors are those kind of characteristics that one can just simply self-allege.

And so as the question was raised back in those years when I was in the Iowa Senate, constantly lobbied by the students, often they came from the University of Iowa, and they asked a State senator there, we need special protection because—and he said, why? What, protection from what? Well, discrimination. Well, how are you discriminated against, and how do you people discriminate against you? Because of your sexual orientation. And they said, well, they won't rent us apartments and we can't do this and that and the other thing. We don't have certain opportunities that might exist for others. We think we're discriminated against and we need special protected status.

So this State senator said, let me ask you a question. What am I? What, am I a heterosexual or am I a homosexual? And they looked him up and down and they finally said, well, we don't know. We don't know.

And his answer was, exactly my point. Now, if you don't know, how could you discriminate against me? Or if I don't know, how could I or anyone discriminate against you? If you keep those things private, there can be no discrimination. And that's what I submit is the right thing to do when it comes to sexuality, Mr. Speaker.

Except, I believe that the laws should be respected. And I don't believe that

we should be establishing a special protected status for people who carry such proclivities that many of them are punished with prison time for the very sake of carrying them out.

I think this bill restricts religious freedom, and I think it restricts our First Amendment rights. I think it intimidates pastors. I think it takes us to a place where we are seeking, by law, to define what is in the head of the perpetrator and what is in the head of the victim. And sometimes it's the plumbing of the victim and sometimes it's the mental attraction that exists for it within the victim and the perpetrator. And we can't agree. Even the authors of the bill don't agree on where the perception actually exists, whether it's in the head of the perpetrator or the head of the victim. I'll submit that it has to eventually be analyzed in both, and that cannot be done, not with today's science or technology.

And with today's understanding, I'm very concerned because, Mr. Speaker, this society has, to a large extent lost its ability to reason. We're racing from emotion to emotion, from feeling to feeling. We are not racing from scientific data to empirical analysis and logical conclusion arrived at by deductive or inductive reasoning. That seems to be lost in this civilization.

I look back on the Age of Reason of the Greeks 3,000 years ago, and I think of Socrates and Plato and Aristotle. I think of them sitting around under the shade trees in their togas analyzing, thinking, testing each others' brains, writing the classical works that they did, and shaping the foundation for Western civilization, the theorem, the hypotheses, the basis for our science, for our math, the basis for our reason. If it hadn't been for the Greeks, Western civilization maybe would have never found this modern era.

But the Age of Reason that came from the Greeks primarily, that flowed through and was the foundation for the Age of Enlightenment, centered in France, and at the dawn of the industrial revolution, that all came to the United States and found itself in an environment of almost unlimited natural resources, very low taxes, in many cases, no regulation, with a moral people that came over here for their religious freedom, with Judeo-Christianity the inspiration for freedom and the core of this culture. It found the perfect petri dish to thrive, and the vigor that we have in the United States enhanced by legal immigration that skimmed the donors from every other civilization on the planet, the best vigor, the best vitality, from each of those donor civilizations. And our Founding Fathers had the wisdom to sit down and place into the Declaration and into the Constitution the foundations for our freedom, the rights that come from God, that are vested in the people and the sovereignty of the people that loan that power, those rights, to their Congressional Representatives, their elected Representatives in this

Constitution Republic that we have. The greatness of this Nation is diminished by the mushy thinking of hate crimes acts, Mr. Speaker.

□ 2200

ENERGY, ECONOMIC AND CLIMATE CRISES FACING OUR NATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes.

Mr. TONKO. Thank you, Mr. Speaker.

The opportunity for us to address several crises facing our Nation allows us to respond, I think, in very bold measure to opportunities that speak to an energy crisis, to an economic crisis and to a climate crisis in our Nation.

There is no mistaking that, as we work through this very tough economy under the leadership of the new President and his administration and Speaker PELOSI in this House and in Congress in general, the leadership is advised by several that we need to think in terms of an innovation economy—one that allows us to grow boldly into the future by addressing the basic core needs of not only our economy but of our climate, of our environment and certainly of our energy solutions.

As we look at the potential that exists out there for growing clean energy jobs—American jobs—that can generate American-produced power, we have the awesome opportunity to go forward in an innovative and creative way to provide for a response that reduces our energy dependency on fossil-based fuels that are oftentimes imported from some of the most troubled spots in the world.

We're given the opportunity to embrace our intellectual capacity as a Nation as we go forward with research and development investments—dollars that can invest in prototypes of design and that speak to the energy independence of this Nation—and to do it in a way that takes that prototype and further develops that technology into the manufacturing sector, deploying it into the commercial sector.

We see that today as work came forward to me in NYSERDA—the New York State Energy Research and Development Authority. I was able to witness firsthand the soundness of the investment in R&D, making certain that we could take these projects that were coming through R&D investments and could grow them in a way that created American jobs, that embraced intellectual capacity—the brain trust of this Nation. It was greening up our economy and our thinking in terms of energy generation and energy emerging technologies.

That's what the measure about energy reform here in our House is all about. It's about making certain that we grow our energy independence and our energy security and, in so doing,

grow our national security. This strikes as a win across the board for us as consumers, for us as job seekers, for those of us striking to plan a comeback with this economy, and certainly for generations to follow in terms of a better environment that will be shared and passed on for other generations, coming generations, to steward.

So we are at that cutting edge, at the opportunity of ushering in a new era of thinking where we're able to invest not only in generation opportunities for energy's sake but to invest in those transmission opportunities.

I saw what happened just in my district, in the 21st Congressional District of New York, when we invested in groups like Superpower. Superpower is breaking its own records in producing a superconductive cable that allows us in the future to think of transmitting electrons in a way that provides far more opportunity and much greater efficiency as we wheel those electrons over a cable that can transmit far more electricity than can traditional cable of the same size. That's just one example.

We look at the opportunity with kinetic hydropower, that power that is produced by the turbulence of water flow. Just in the area of New York State, along the island of Manhattan, in the East River, we have seen the successful demonstration of kinetic hydropower. It is thought that some 1,100-megawatts' worth of power could be the solution just in one State by dealing with this innovation, by taking this cleverness of the intellect of energy reform and transitioning our economy into one that is based on far greater potential by investing in those sorts of designs.

So, as we move forward, we talk about clean-energy jobs, clean-energy jobs that cannot be shipped overseas. We talk about saving money for our families and for our businesses through efficiency. I saw what the investment of efficiency meant for many businesses, for many farms, for agriculture in the State of New York through NYSEERDA. The New York State Energy Research and Development Authority was there as a partner, working with the business.

That's what this is about. It's investing in our future. It's investing in new technology. It's investing in the opportunities to grow a better climate, to grow and to address the environmental needs, not only of this country but of the world, to make certain that we address climate change, that we address that carbon footprint that needs to be reduced. As stewards of the environment, we all have that responsibility, and it does a great deal to reduce that glutinous addiction that we have to foreign oil that is imported from some of the most unstable governments around the globe.

So here is a golden opportunity for us to turn green, to turn green in our energy outcomes and to grow a stronger American economy that finds us con-

trolling our destiny in much more bold expression.

You know, as we look at some of the opportunities here, we're looking at investments that could be made in not only the grid but with smart metering, making certain that we embrace new technology, cutting through some of the traditional patterns of the past and making certain that new choices, new cleverness, is incorporated into our energy thinking. Clean-energy jobs—it's calculated through the renewable electricity standard—can create some 300,000 new jobs, and in the area of efficiency, the talk is some 222,000 projected jobs. This is just in those two areas alone. That then equates to billions that are saved—\$100 billion with the opportunities for renewable electric standards and certainly some \$170 billion in efficiency savings.

We need to see efficiency measures as our fuel of choice. It is shelf-ready today. There are emerging technologies invested into through R&D today. There is the potential of growing countless other options, but the fact remains that we need to address the per capita consumption of electricity in this country in a way that enables us to see efficiency as something that is mined and drilled routinely. You know, as we mine for coal, as we drill for oil, we need to see that mining and drilling, for efficiency's sake, can produce great savings. It means the avoided cost of having to build additional plants. It means a clean outcome. It means less of a carbon footprint as we go forward with an investment in energy efficiency.

So all of this is at our fingertips. All of this great potential is here to allow us to create clean jobs. In so doing, we will strengthen our economy; we will provide certainty for our businesses in this country, and we will be able to address the pollution that is part and parcel to the residential, business and housing sections of this country—those sectors that all can be benefiting from energy thinking, that is of a nuance of sorts, that breaks from these traditional patterns and from the glutinous dependency.

So this evening, as we move forward in this hour of discussion, it is great to have colleagues here who will be talking about some of the opportunities that we have as energy consumers.

The fact remains that, for far too long, I believe we have invested in prototypes. We have invested in those new orders of thinking, but we have not done enough to stretch that budgeting to enable that prototype to be developed more fully and then to be entered into in the manufacturing sector.

When we think of the great potential, there are super opportunities for us to think in magnanimous terms, to think with a sense of vision that expresses our boldness for creating jobs not yet on the radar screen. When we develop green-collar workforces out there, when we develop that array of workers that will join the traditional assign-

ments through white- and blue-collar job opportunities, we will now be able to advance a new order of job creation of a green-collar variety. That new addition to the workforce out there will save those traditional white- and blue-collar jobs through the nuances that the green-collar job opportunities will bring.

I saw again, through the work done at NYSEERDA, where we were able to implement programs for training construction majors, for instance, in the new, cutting-edge technologies for solar and PV installation, making certain that those arrays are incorporated into the certification programs and matriculation programs at a local community college in the State of New York.

Hudson Valley Community College would train these green-collar workers and then would also reach out to other campuses and would enable them to develop that workforce that we will need as a society as we retrofit with this new order of thinking of efficiency, of conservation, of new technologies—emerging technologies—and of efficiency standards that will be enhanced so that we can go forward with new opportunities that this country can prosper by.

□ 2210

When we deal with the green collar job development, we're going to look at situations within the framework of this new thinking that will allow us to reach into the earlier grades, to allow students to think of the potential of a career path enabling us to develop with centers like BOCES and with trades, occupational efforts with apprenticeship programs, with the opportunities to go forward with community colleges, again developing their course work to comply with the growing needs of a green collar workforce and to offer those innovative opportunities into the college setting, into graduate studies. All of this, the array from trades on over to engineers, inventors and innovators, will all be required to be part of that process that provides that new thinking that will enable us to go forward in a way that will strengthen our economy and clean our environment and create opportunity.

The opportunities that befall us as a country are many, and knowing that in this process, it will draw down that dependency on fossil-based fuels knowing that we have precious little time to go forward, to clean up an environment that is impacted by some of the severe measurements that we see out there today.

That reminds us of a plan that we had in cleaning up acid rain that was part of the 1990s era, where through the efforts of the then-President, President Bush, we moved forward and fought acid rain successfully by having a focus and a plan and cutting back on situations that made polluters pay. But we're talking today of having polluters pay for their consequential damage to

the environment, we want to make certain that we benefit Americans, middle-class Americans with tax credits that will come from those who are polluting.

So it's encouraging clean companies, it's encouraging American-produced power, and it's providing tax credits to families, and it's investing resources from a clean-energy jobs programming that will invest in the new ideas that are being developed as we speak. But it's the sort of impetus that can be provided, the sort of incentive that is created that will really spur this sort of economic recovery that will make for a strong response.

I am reminded of a project that we had conducted while I was at the State Assembly in the State of New York as energy chair. We had reached out to energy service companies, we had reached out to academia, we had reached out to the farm bureau and worked with demonstration projects through local dairy farms and working through the auspices of NYSERDA, the State energy research and development authority, we were able to put together a review, an audit of those dairy farms, and take a situation where they were dealing with a perishable product and making certain that a highly regulated arena, as it should be, producing a basic nutritional need for this country that had to deal with the ebbs and flows of not only how they conducted business but dealing with energy cycles that they couldn't escape simply because of the forces of mother nature. With all of that being the dynamics of their day-to-day operation, we were able to work within that context to create energy efficiency opportunities that came through the guidance of groups at Cornell and Farm Bureau and the local utility and NYSERDA where we retrofitted to those dairy farms the sorts of demands for energy that dealt with pumping and cooling processes and put together a plan, a strategy, that really developed a very sound outcome—a pleasant surprise to those who participated in the demonstration project. In fact, it became so successful as a demonstration project that we advanced this notion to some 70 farms in the State of New York that prospered from this sort of activity, of auditing the farms and putting efficiency into play.

We also saw successful programs that came about with business incorporated into the energy-efficiency opportunities. And it reminds us that if we are going to compete, if we're going to ask our American businesses to compete in a global marketplace, then we need to advance every bit of opportunity of doing it in smart fashion, doing it in a way that is clever, that is causing a stronger outcome, a more progressive outcome simply by the incorporation of a highly intellectual energy plan, a comprehensive energy plan that looks at cutting demand.

For too often we have reached to a supply situation as we were looking at

energy solutions. We were developing more supply. We were content with using, consuming a lot of energy resources when, in fact, we should have moved forward with opportunities that allowed us to address the demand side of the equation.

Looking at that consumption factor, looking at the efficiency, looking at conservation were the clever strategies that were dictated simply by the dynamics of the given solution today.

So as we go forward, we see these opportunities to advance a plan that is encouraged by our President as he wants us to grow smart with our energy usage. He wants us to reach to innovation and a clever strategy using our creative genius to put together a source of investment in research and development, to grow those prototypes of the future, to further develop them and then move to the manufacturing of these commodities here in this country—domestic production of all sorts of nuances—making certain that we move forward not only in the energy generation world but in the energy transmission and distribution area giving commercial consumers the opportunity to work within the context of smart metering, making certain that they can have these smart meters to control their destiny so that they can see firsthand the amount that's being consumed and when to be on-peak and off-peak in given situations; to be able to have a transmission system that responds to weaknesses that were so highly visible in August of 2003 where we witnessed a huge collapse in the system, the delivery system, that started as far west as Ohio and moved into New York and New England and the mid-Atlantic States and into southeast Canada. That was a huge bit of blackout for consumers in that given bit of geography that stood as a glaring example of vulnerability, of a weakness in our system.

We need to go forward and advance the investments in a very wise and clever way that will enable us to strengthen that generation aspect of electricity, strengthen the transmission and distribution components, and to go forward with a commitment to efficiency and conservation. And looking at renewable opportunities. Taking advantage of so many opportunities that mother nature provides and where the President has called for an investment where we embrace our wind, our sun, our Earth to be able to make certain that we use that in a benign way to grow the energy response that we require that will be clean, that will be innovative, and that will draw down our energy dependence in a way that allows us to prosper with bolder outcomes.

As we move forward, I would encourage us to cleverly look at the plans that have been advanced by the leadership of this House, the discussion that is made of growing a green energy economy, the ideals embraced by the President and his administration for

this innovation economy that reaches to the American brain trust, that sees us with our science and tech potential to be ready and willing to go forward and provide for the nuances that will usher in a new era of energy thinking. That is what the opportunity for clean energy jobs is all about.

It's a clean energy jobs agenda that finds us producing jobs, developing jobs, retaining jobs, growing jobs in this country, avoiding the opportunities to ship overseas these jobs that have far too often escaped our American economy. And then for saving money for our families, our businesses, individuals in this country through efficiency opportunities, and ending that addiction, that gluttonous addiction to foreign oil, fossil fuels, that really do not enable us to think in the kind of boldness and the sense of vision that is required today.

Mr. Speaker, I thank you for the time to be here this evening and share these opportunities with you, to share the thinking that I believe can help us grow as a Nation and respond to the crisis that we see, the crisis with the energy situation, the crisis with our environment, the crisis with our economy. It can address a multitude of needs out there by embracing this sort of cleverness of thinking and advancing policies that are progressive and investing resources that will really strengthen us as a people, as a Nation, and certainly as a world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BORDALLO (at the request of Mr. HOYER) for the week of April 27 on account of official business in the district.

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

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

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 Mr. PERLMUTTER) to revise and extend their remarks and include extraneous material:)

Mr. BOYD, for 5 minutes, today.

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. MICHAUD, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Mr. BRADY of Pennsylvania, for 5 minutes, today.

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