

Mr. MILLER of North Carolina. Mr. Speaker, many of my Democratic colleagues today have criticized Republicans in Congress as do-nothings, but my own view is a little different.

It is certainly true that the Nation has real needs. Economists tell us that legislation held hostage here would create millions of jobs and put many Americans back to work. Instead of addressing those needs, Congress is just dysfunctional.

But considering what Republicans in Congress want to do, it is a great blessing that Congress has done next to nothing. They have repeatedly voted to repeal health care reform—33 times according to one count—as if denying health insurance for preexisting conditions would put Americans back to work.

They have voted to gut or eliminate the funding for Wall Street reform—putting us right back where we were 5 years ago with the Bush administration policies that created the painful downturn that we are now in—and at least 55 times voted to restrict women's reproductive rights and access to affordable health care, which included repeated attempts to eliminate funding for Planned Parenthood. It is hard to see that as a job creation agenda.

Mr. Speaker, better to do nothing than what they want to do.

CUT TAXES FOR AVERAGE AMERICANS AND REBUILD OUR INFRASTRUCTURE

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I am ready to cut taxes for Americans, average Americans, the middle class and rebuild our infrastructure.

Unfortunately, after wasting the last 2 years and after spending the entire month of August at home without making even the slightest effort to fix the Nation's economy, the Tea Party Republicans plan to adjourn next week for another 6 weeks after being here for 8 days. Instead of going on vacation, why don't we fix the Nation's business? Why don't we handle the business that we have to take care of?

We act like petulant children around here. These Tea Party Republicans stick to their obstinate demand to cut taxes for millionaires and turn Medicare into a voucher program. We can't afford to continue to handle our business like this.

Ladies and gentlemen, it's time for Congress to get to work. I think we should stay here and not leave for another 6 weeks, leaving the Nation's business hanging.

PROVIDING FOR CONSIDERATION OF H.R. 6213, NO MORE SOLYNDRAS ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 779 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 779

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. 6213) to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-31. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that 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. 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 amendment adopted in the Committee of the Whole to the bill or to the 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. It shall be in order at any time on the legislative day of September 20, 2012, or September 21, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman, my friend from Massachusetts (Mr.

McGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 779 provides for a structured rule for consideration of H.R. 6213. This rule provides for the discussion and opportunities for Members of the minority and the majority to participate in this debate.

I rise today in support of this rule and the underlying bill. The underlying legislation ensures that all American taxpayers will never again be forced to pay hundreds of millions of dollars because of this administration's politically motivated risky bets.

H.R. 6213 draws on the lessons learned from the failed Department of Energy Loan Guarantee Program, which invested \$535 million into a solar energy company named Solyndra. Unfortunately, Solyndra went bankrupt, leaving hardworking Americans with a check for over half a billion dollars.

Solyndra has become synonymous with the Obama administration's reckless spending programs that have done nothing to create the jobs our country so desperately needs, nor those that had been promised by the President of the United States and the Democratic Party. Despite warnings that the company was unsustainable and would surely fail, the administration was blinded by their political agenda and committed over half a billion dollars in taxpayer dollars to a privately held company.

In fact, during a 2011 restructuring of the loan, the administration placed private investors ahead of taxpayers when it came to reimbursement in the event of bankruptcy. Given these practices, it's no wonder that our current President has created budget deficits in excess of \$1 trillion each year he has served as President.

In addition to ensuring that the Federal Government does not throw taxpayer dollars after the investments, H.R. 6213 also highlights the need of the Federal Government to stop propping up failed companies which cannot support themselves in the open market. The Federal Government should not guarantee hundreds of millions of dollars in taxpayer-backed loans to companies that do not have a business model that supports sufficient private investment. The administration should not pretend to be a venture capitalist with taxpayers' money.

In testimony before the Rules Committee yesterday, Congressman ED WHITFIELD, chairman of the Energy and Commerce Subcommittee on Energy

and Power, testified that the DOE loan guarantee programs spent \$15 billion, but only created 1,175 jobs.

□ 1230

That means that each job created cost taxpayers \$12.8 million. These statistics demonstrate what House Republicans have been saying for years—this country cannot tax and spend its way to prosperity. Instead, we must encourage the free enterprise system by preventing over-regulation and promoting pro-growth policies, including tax policies that do not push jobs overseas, that create a better free enterprise system, that create not just jobs but also careers for Americans. And they should be designed to incentivize private investment, which is known, Mr. Speaker, as the free enterprise system.

Ultimately, the No More Solyndras Act puts an end to an ineffective government program, protects taxpayers from financing the administration's wish list of projects, and establishes necessary oversight to hold executive branch officials accountable for their actions.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill, and I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Texas, my friend Mr. SESSIONS, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this structured rule. Yes, Mr. Speaker, the Republicans have brought up yet another closed process in what was supposed to be a more open and democratic House. After 2 years of broken promises, we shouldn't be surprised by this action. And we shouldn't be surprised that the Republicans are bringing up this overtly political bill just 55 days before election. H.R. 6213, the No More Solyndras Act, is just political theater. It's a bill that's going nowhere. We know the Senate won't consider it. The only thing it does is give the Republicans another talking point to use on the campaign trail.

My friends on the other side of the aisle are trying to make it seem like there was a big conspiracy to inappropriately give money to Solyndra, a company that was trying to manufacture solar panels here in the United States. They claim that there was a political effort to award Solyndra funds in an improper, and possibly illegal, way. And in doing so, they are attacking a Department of Energy loan guarantee program that allows private investors to invest billions of dollars in order to create thousands of jobs here in America.

The Republican response to a company that went bankrupt after receiving Federal loans—a company that was manufacturing alternative-energy

products here in the United States—was to begin investigations that turned into political witch hunts. And those investigations appear to have led us to this point by consideration of this bill that purports to end the loan guarantee program altogether. Of course, the reality is that those investigations have really been used as ammunition on the campaign trail.

But what the Republicans claim they're doing today and what they're really doing are two different things. They say that they're eliminating the loan guarantee program, getting rid of it completely. But what this bill really does is bar the Department of Energy from considering new applications submitted after December 31, 2011. That leaves \$34 billion in the pipeline for applications for the Department of Energy loan guarantee program that were submitted before December 31, 2011. And there's no deadline on when these applications must be approved.

Not only that, but most of the available loan guarantee funding is for fossil fuel and nuclear projects. That's right, Republicans are claiming to end this loan guarantee program but are still allowing it to spend tens of billions of dollars. And they are still picking and choosing the winners and losers by putting an artificial end date on the application submissions. The result will be billions more in loan guarantees for projects dealing with nuclear and fossil fuels like coal and oil and much less for wind, solar, and hydro projects.

America should be about innovation, about creating new things. We're the country that put a man on the Moon. We're the country that created the car, airplane, and iPad. We should be fostering, not stifling, innovation, especially in energy like wind, solar, and hydro. Yet the Republican leadership is showing, once again, that political victory is more important than American success; that winning this election is more important than fostering American manufacturing and leadership in areas like alternative energy.

Mr. Speaker, this is just another example of how this Republican leadership likes to talk the talk but not walk the walk. In this case, they say they don't like the loan guarantee program, but they want their own pet industries to be able to use it. It's another example of how their rhetoric doesn't match up with their actions.

But we've seen this hypocrisy for years now. This is the same Republican Party that opposed the stimulus plan, but requested and touted funding from that same stimulus plan. In fact, Republican Members in this House have requested loan guarantees for businesses they support, including those in the nuclear industry; but they oppose this program for alternative-energy businesses that want to manufacture in America. And this is the flip-flopping that kind of makes my head spin.

It's clear that my Republican friends don't let the facts get in the way of their political argument. It's a fact

that this loan guarantee program is a success. For example, this loan program has ultimately supported 40 projects that help keep 60,000 people employed during this economic downturn alone. It's also a fact that the Solyndra bankruptcy represented a fraction of the entire loan guarantee program. In fact, loans and loan guarantee programs only cost taxpayers 94 cents for every \$100 invested. That's a pretty good return on investment.

Mr. Speaker, I agree with the Republicans that Congress needs a robust oversight program that examines the executive branch and ensures that they are not overstepping their bounds. It's ironic that these Republicans are conducting a vigorous oversight plan of President Obama, but simply looked the other way when it came to the oversight of the Bush administration.

But there's oversight and then there's overreach. Republicans looked into this issue, they held hearings, and conducted an investigation. And despite their claims of political manipulation, there is simply no evidence of such manipulation. Don't take my word for it. Bloomberg Business Week reported that there was "no evidence of wrongdoing." And The Washington Post reported: "The records do not establish that anyone pressured the Energy Department to approve the Solyndra loan to benefit political contractors."

Mr. Speaker, we all know what this is. This is an election year stunt, political theater that is more appropriate for the campaign trail rather than the House of Representatives. It's a bill that supporters claim will do something that it simply will not do. And this closed process is, once again, breaking Speaker BOEHNER's promise of a more open House.

This is a bad bill, it's a bad rule, and I urge my colleagues to vote "no" on the bill and the underlying bill.

Mr. Speaker, I just would like to close with one observation. We have just returned from a recess. If the rumor mill is true, we will only be in session for 8 days before the election. I'm hearing that we're going to probably give away the first week in October. And given the fact that we're here such a short time, one would think that this would be an opportunity to come together and to pass legislation that both sides can agree on—legislation that might, in fact, help stimulate economic growth; might, in fact, help put people back to work; might address some of the real challenges that the American people are facing. We don't have to agree on everything to agree on something. And that something we agree on, we ought to be able to come together and pass it.

Yet what we're doing during these 8 days is debating hot-button issues and bills that are going nowhere. This is a hot-button issue. They will be debating another hot-button issue later. Hot button, hot button, hot button. Never any legislation that has any real meaning in the lives of the American people.

Bring the President's jobs bill to the floor. Let us have that debate. Let us be able to have a vote on whether or not we ought to invest in our economy and invest in our people. My Republican friends are squandering this opportunity. I think one thing is clear, and I think it's evident by the low esteem that the Congress is now held in by the American people: the American people want us to work on their behalf. And I understand the lust in this place for political power and winning elections and winning elections. I used to think that good government was good politics.

But what we are doing here for these 8 days, with the exception of passing a continuing resolution, which is kicking the can down the road on a whole bunch of other budgetary issues, what we're doing these 8 days is nothing meaningful, nothing that matters to anybody. And I just think that that's a sad commentary on the leadership of this House.

With that, I reserve the balance of my time.

□ 1240

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I know that our Democrat friends think it's absolutely nothing to lose half a billion dollars that a government made a decision on. But what they really don't like is when we bring that up, when we say part of the job of being a Member of Congress as a policy body is to look at the mistakes that were made. We certainly have looked at mistakes that Republicans and Democrats, administrations and others, have made. But to ignore an issue would be a mistake.

This is not just Solyndra. It was the process of a political agenda that did not, could not pass the smell test and even make it out in the real world. It was a political agenda that was so wanted by an administration that they gave lots of money, not just half a billion here, but to other companies.

You know, today's legislation certainly highlights Solyndra as a failure in the DOE, Department of Energy's loan program, but it should be mentioned that there were other companies, not just Solyndra.

It's really a political process that said, Let's go do this thing whether it makes sense or not, whether it makes money. The companies went bankrupt.

Part of this comes from you've got a lot of people in the administration that wouldn't even recognize a business plan if they saw one. They do recognize taxpayer dollars, plenty of those that were made available by this excessive spending. But accountability is now what Democrats don't like when we're saying let's look at what happened, what materialized.

So Solyndra is not just a one-time or one-company failure of an otherwise what would be called a successful program. It's not. This simply became the poster child, and we believe that we

shouldn't repeat this failure. We believe we should effectively talk about it on the floor of the House of Representatives. We should take some bit of time. We're not here beating anybody up. You never even heard me mention names behind the administration or who made these decisions or who pushed it. We're not trying to do that.

We're simply trying to say that we believe half a billion dollars, and a review of that, should become available in the light of day, to not just Members of Congress; but we should vote on it and say we drew a conclusion with some issues.

So we believe any objective evaluation of the facts reveals some issues of Federal dollars of a plan that should be stopped, has stopped, but that we should at least tell what the results were. That's what we're doing here today.

I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, you know what, one of the things that Speaker BOEHNER promised was a more open House and this would be a place where we could actually deliberate and various points of view would be heard.

I want to now yield 3 minutes to the gentleman from Texas (Mr. GREEN), the ranking member of the Energy and Commerce Subcommittee on Environment and Economy whose amendment was not made in order, so he will not have an opportunity to debate it here on the floor.

Mr. GENE GREEN of Texas. Thank you for the time.

Mr. Speaker, Members, the original law that this bill amends today was actually created, the loan program, was in the Energy Policy Act of 2005, passed by a Republican Congress and signed by a Republican President. The law does need to have minor reforms, but this bill goes way too far.

The majority had the opportunity in our committee of Energy and Commerce to work in a bipartisan fashion to actually fix the problems with the loan guarantee program. I offered an amendment to the Rules Committee that had been supported by Republicans in our committee, but not a majority of the Republicans, to fix the problems with the program and find middle ground that would be suitable to both Democrats and Republicans alike.

But the majority chose a different path. They decided to forge ahead with a partisan messaging bill that stands no chance of becoming law even when it passes the House today. So despite the name, this bill will not prevent another Solyndra. It's the worst of election-year politics.

We had a chance to work together, something the American people want to see; and one of the things we were sent here to do was fix a broken program. Instead, we're playing more politics one more time.

The bill is bad policy. It doesn't do what conservatives want to do, so the

Heritage Foundation opposes it. It doesn't do what the liberals want to do. It eliminates a well-balanced, bipartisan agreement struck years ago, so it isn't what moderates want to do. It's legislating without accountability.

The majority doesn't care that it's bad policy because it will never become law.

Instead, I urge my colleagues to find the bipartisanship. Let's take this opportunity to fix the problem that we see and craft a bipartisan bill. This is a chance to show our country that Congress can do things.

One of the reasons Congress has a 10 percent approval rating is we're not legislating. We're messaging. This is probably the worst example of it. We're talking past each other. This is a chance to show our country that Congress can do things. Instead, this partisan circus helps confirm the belief that Congress is broken, and it's working against the interest of the American people.

I urge a "no" vote on the rule and support a bipartisan effort to really make sure there are no more Solyndras.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I would like to go to the report. Let's see what the report out of the Energy and Commerce Committee said. I am quoting what would be on page 5:

However, the Bush administration did not approve any loan guarantees under the program. This was due partly to the fact that the DOE office implementing the program was slow in being set up, and that program funding only became available in 2007. But even after the Bush DOE had the program up and running, it ran into difficulties finding applicants whose energy projects are meritorious.

In other words, they could not find somebody who is asking for the loan who could present a good business plan of not just profit and loss, but where it would fit in the marketplace to even be considered successful. This is the reason why the Bush administration and Republicans did not do that because they could see failure in the marketplace written all over it even as early as 2007.

I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, let me again repeat for my colleagues what Bloomberg Business Week reported, and I quote again: "There was no evidence of any wrongdoing." The Washington Post reported: "The records do not establish that anyone pressured the Energy Department to approve the Solyndra loan to benefit political contributors."

I mean, you know, it's clear what's going on here.

Again, bringing this bill, a bill that's going nowhere—we heard about the bridges to nowhere; this is the legislation to nowhere—I think is bad enough, but then bringing it up under a closed process.

The gentleman from Massachusetts, the distinguished ranking member on the Committee on Natural Resources,

had three amendments. All three of them were denied by the Rules Committee, including a Buy America provision. What a radical idea that we should make it in America and we should buy it in America. That radical amendment was denied by the Rules Committee. It's hard to believe.

With that, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, in the history of this whole program, it was started for the nuclear industry. Pete Domenici, 2005. Why? Because there hadn't been a new nuclear power plant built in 30 years out in the free market so they needed the Federal Government to come in and prop it up on crutches. That's the only way it would work.

So when President Obama took over, he said, Well, maybe we should do something for solar as well. Of course, the coal industry, the oil industry, the nuclear industry, they recoiled in fear that there would actually be competition in the marketplace. When one solar company got in trouble, the Republicans pounced on solar. They pounced on wind. They pounced. That's why, by the way, the Republicans are going to allow the wind tax breaks to expire this year, but they're going to keep all of the oil tax breaks on the books.

So here we are today and they have something called the No More Solyndras Act. Ah. Except for the \$88 billion that they're going to grandfather in in terms of the application date that they have selected.

□ 1250

So, who qualifies for that? Well, \$76.5 billion would be the nuclear industry, \$11.9 billion would be the coal industry. Ah, I get it now. It's not the No More Solyndras Act; it's the "Only \$88.4 Billion More for Nuclear and Coal No More Solyndras Act of 2012." It's just the same kind of tilted playing field that the Republicans have always had. Nuclear, oil, coal, great. Wind and solar finally getting going—12,000 new megawatts of wind installed in the United States this year; 3,200 megawatts of solar installed in the United States this year—that puts the fear of the marketplace in the coal and the nuclear and the oil industry brain. So that's why we're out here with this "kill solar and save nuclear and coal" with this incredible amount of money.

Now, as the gentleman from Massachusetts said, I had an amendment that I requested the Rules Committee put in place, and that is that if your company last year lost \$540 million or more, you could not qualify for a loan guarantee. Remember, Solyndra lost \$538 million, so I picked \$540 million. And if your company is on the verge of being delisted by the New York Stock Exchange and has already reached junk bond status with S&P's and Moody's, come on, you cannot qualify. I mean, come on. We're not having Federal tax-

payer money go to companies on the verge of being delisted and that have already reached junk bond status.

They all voted "no" in the committee. When I had my amendment put up before the Rules Committee, they rejected it. Now, why did they reject it? Because the United States Enrichment Corporation lost \$540 million last year; it's on the verge of being delisted on the stock exchange; it's reached junk bond status; but yet nuclear will qualify. So I said, well, we can't invest in that kind of a company.

As the gentleman from Massachusetts said, the same thing is true for buying American. If we're going to have these loan guarantees, let's at least make sure that they are American jobs. They wouldn't put that amendment in order as well.

This whole issue here is basically one of this favored oil-above-all agenda, not all of the above—not when you say tax breaks for oil companies continue and wind companies die; not when you have loan guarantees that continue on for nuclear and coal, but not for wind, not for solar. It's just so transparent. It's just arithmetic, ladies and gentlemen. Solyndra loses 538, the Enrichment Corporation—nuclear—loses 540. The arithmetic is pretty simple: They both should not qualify. But not these guys, no, no.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. MARKEY. Not these guys, oh, no—no, no, no, because it's not marketplace. There's no rhyme or reason to it until you start to think about what has always been their agenda. That has always been the fossil fuel industry agenda.

I would abolish the entire program. You want to abolish this program? Abolish it. Put the vote out here, I'll vote for it. Get rid of the loan guarantee program, then let solar and wind and nuclear and coal and oil all compete in the free marketplace for private capital investment. You want to know what that would do? It would put the fear of Adam Smith in the heart of the nuclear industry because they would receive no private investment, none. It takes the Federal Government providing a crutch. So it then requires the Republican Party to take away the loan guarantees for the competition. Well, they're giving the loan guarantees, Federal taxpayer loan guarantees, to industries that otherwise could not get any money in the private sector. The United States Enrichment Corporation can't get any private sector investment. Nuclear power industry, this loan guarantee program—two for \$8 billion for a program that is already \$1 billion over the two Vogtle plants in Georgia. The whole thing is bad arithmetic for the American taxpayer.

Mr. SESSIONS. Mr. Speaker, we're now well into the political extremism that we see many times that exhibits itself not just here on the floor of the

House of Representatives but really all across this country—those people that want gasoline to rise substantially because they really don't like gasoline. They really don't like the underpinning of how this country uses the energy that we have. Whether it's natural gas, they attack natural gas. If it's nuclear—which is a non-emitting source of pollution—they attack that. This crowd that really doesn't like free enterprise and what I believe is the heartland of this country, manufacturing, which has really taken off as a result of effective use of natural resources in this country through natural gas and the availability of nuclear power and the availability of oil, which fuels our cars to where we can use the resources that were given us effectively.

What they want to do is they want to tax these industries higher so that prices go up, so that consumers have to pay a lot more money. What they forget is that the cars that we fuel, the electricity that we need is the cleanest and the best here in America. The way these are produced are American jobs. The way they're consumed is about American jobs. The way that consumers pay for them and pay for these advantages is American jobs. And here we're looking at how half a billion dollars worth of taxpayer money was put into an effort that not only not ever got off the ground, it quickly went into bankruptcy because it did not meet the marketplace challenges.

I'm not opposed to competition; I think we stand for competition. But don't push a narrow environmentalist policy, go to the White House, go to the Department of Energy and try and fund these on taxpayer dollars only to see that, whoops, we made a mistake, and then act like, whoops, we don't want anybody to know.

All we're trying to suggest today is that Republicans do believe in American jobs. We do believe in American industry. We do believe in the energy industry. We believe in effective use of resources because we're trying to keep jobs here. Their narrow, political, environmentalist policy is what will diminish American jobs, it will diminish our ability to effectively use the resources that we have in this country, and it will put us in a circumstance—for instance, with the Keystone pipeline—where we could use energy from a friendly neighbor to fuel American needs at a good price and avoid what may happen if we get into a circumstance overseas in the Middle East where we would be held hostage, held hostage by those that have the energy that we need, when we could be having it not only close to home, but in our own home, energy made in America.

So, Republicans, look, all we're trying to say is a half a billion dollars that was wasted, somebody ought to recognize that we shouldn't be doing that. That's what Republicans are doing here today.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just respond by saying when the Republicans talk about jobs, I don't know whether to laugh or cry. Let me go back to what we were talking about earlier with Mr. MARKEY.

Mr. MARKEY had an amendment—let me read it. It would prevent guarantees from being granted unless the applicant certifies that at least 75 percent of materials and components required for construction, manufacturing, or operations are produced in the United States of America. Any facility at which construction, manufacturing, or operations are to be carried out must also be located in the United States of America. This amendment is not even allowed to be debated on this House floor. The Republicans in the Rules Committee said: Absolutely not. Absolutely not.

So, if we're going to be talking about jobs, I mean, maybe we're here about different jobs. I'm talking about jobs in America; maybe my friends are talking about creating more jobs overseas. We need more jobs here. And if you're serious about that, why wouldn't you allow that amendment to be brought up and debated on the House floor?

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. This bill ought to be renamed the "No More Solyndras, But More Money for Nuclear White Elephants Loan Program."

My friends on the other side of the aisle like to talk about the free enterprise system, but I'm sure that you're aware that Wall Street won't invest in nuclear power. The nukes can't get money from the free enterprise system, so they want government to bail them out.

This bill claims to reduce wasteful spending on energy projects, but it's actually an attack on renewable energy. The real effect is laid bare by the effective date of the bill, which grandfathers the worst of the worst of the worst energy boondoggles.

□ 1300

Specifically, it allows nuclear power loan guarantee projects to proceed, even though some create exposure for the Federal Government of about 15 times the exposure created by Solyndra—and these programs, these nuclear loan programs, are more likely to fail.

One of the biggest loan guarantees for nuclear, not even necessary. This is not my assessment. It's the assessment of Kevin Marsh, the President of South Carolina Electric & Gas Company, which is attempting to build a new nuclear power plant. He said, on a call to analysts and investors:

We're confident in our ability to finance this project without a loan guarantee. It could be in the \$8 to \$10 billion range.

So the conflict here is, generally, Wall Street isn't investing. But you get a group of investors that think they

can, but are they leveraging against the hope of government involvement? I don't know.

Truth is nuclear power plants are simply not viable without massive government subsidies, which eclipse subsidies for renewable energies by orders of magnitude.

The Congressional Budget Office has had this to say about nuclear loan guarantees:

The CBO considers the risk of default on such loan guarantees to be very high—well above 50 percent.

Dale Klein, former Chairman of the Nuclear Regulatory Commission, cautioned that nuclear plants will not move off the blackboard and into construction, not as long as natural gas remains as cheap and plentiful as it is today.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. KUCINICH. An article opposing the bill, by Autumn Hanna and Henry Sokolski in the National Review Online, states:

The total number of projects this bill grandfathers isn't publicly available. Par for the course with this highly secretive program. We know it's a lot. Our research points to nearly 100 projects that claim to have applied.

If this was really about being fiscally responsible with taxpayers' money, we'd be targeting the projects that have the highest probability of failing and carry the highest price tag and preclude them. But the bill does the opposite.

What we should be doing is continuing our efforts to invest in renewables, understanding some of them may not work, but that's the future. It's cleaner. It's safety. It protects the globe. That's where the jobs of tomorrow are.

We have to stop China from eating our lunch on these alternative energy projects. We have to reclaim this for America. Bring the jobs here. Create the jobs here.

The money's there. Don't go giving it to nuclear. Nuclear is dead in the water unless government tries to resurrect it by giving away billions of dollars in taxpayers' money that will never be recovered.

Mr. SESSIONS. Mr. Speaker, I think it's very obvious that what Republicans are trying to do is to keep American jobs. We're trying to utilize the free enterprise system, the natural resources that we have in America—clean natural gas, the abundance of other power that we have, including coal, including nuclear—opportunities to keep America strong and keep jobs here, and that's why we're really opposed to the loan guarantees and the things which might take on additional debt and risk by the government. But, more importantly, if it can't be funded within the free enterprise system, then it can't stand on its own.

Mr. Speaker, at this time I'd like to yield 1 minute to the gentleman from

California (Mr. MCCLINTOCK), one of my colleagues.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this bill ends the title XVII loan guarantees that produced Solyndra and so many other alternate energy scams that cost Americans hundreds of millions of dollars while the politically connected perpetrators of these scams walked away wealthy men and women. But this measure does still put taxpayers on the hook to loan out billions of dollars more to at least 50 additional shady, alternate energy schemes that had been submitted under the same title prior to January 1. So there will be more Solyndras under this bill.

I'd offered an amendment to pull the plug on the applications, but I was told, Don't bother; the Rules Committee won't allow the amendment to be brought to the floor.

So I support the bill, but I do agree with my friend from Ohio that the title, "No More Solyndras Act," is a bit misleading. I would suggest an alternative, the "50 More Solyndras and Then We'll Stop Wasting Your Money, Really, We Promise, Act."

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman who just spoke for pointing out how bad this rule is. He's on the other side of the aisle, and even though I disagree with the amendment he had, he ought to have been able to offer it to the floor. I hope that he will join with us in opposing this rule because I don't think his leadership will get the message if he rewards bad behavior by giving them a vote.

At this point, I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the gentleman.

I'm opposed to the rule, I'm opposed to the bill, but I'm really opposed to the thinking behind this.

This is like a Back to the Future or the Flat Earth Society or something. I don't know how we would have a space program if one failure stopped the whole show. I don't know how—we would never. I mean, Michael Jordan was kicked off his high school basketball team, but he eventually learned how to put the ball in the basket.

The notion that, as the greatest Nation on Earth, we're going to cede to others alternative energy programs, that somehow we're unwilling to go through what is necessary to be successful in this field, doesn't make any sense.

Now, President Bush signed this into law. It's a great program. In fact, James Rogers, who's the CEO of Duke Energy, said just a few days ago that, in terms of energy, America is so much better off because of this administration's all-of-the-above strategy. For the first time in 30 years, we've got nuclear plants that have been licensed. We have natural gas. We've got oil. We have renewables.

I've supported these loan guarantee programs. And like any loan program,

you might have some loans that perform and some loans that don't perform. The vast majority of these loans perform very, very well, and America is better off for it.

I was at the Israeli Embassy last night speaking to a group of scientists. They've been so far ahead of us on renewable energy it's a shame. We have seen what Germany's done on wind.

This party that is in the majority here, that wants to do away with the wind energy credit, I don't know what the notion here is that somehow we, as a country, are not prepared to pay the price for progress. We have not won every battle in wars that we've been in, but we've won the war.

And so this a company in which things, the numbers didn't add up for us. It's like one of our rockets or satellites not performing properly. But the head of NASA says that we're not in a business in which we cannot take risks. We have to take risks. And when it comes to energy, our country has to be prepared to take risks.

Now, it was Albert Einstein who said we cannot use the same level of thinking to solve problems that we used to create these problems.

This country and our status as the leading Nation in the world requires us to take risks. And if this majority is so unimpressed with the ability of Americans and Americans to innovate and to compete in the renewable sector like others around the world who are also getting help from their governments, that is unfortunate. But, for me, I believe that America has to take risks. We're going to lose, we're going to win, but at the end of the day, as we learn and go forward, it will allow us to continue to be number one.

Mr. SESSIONS. Mr. Speaker, at this time, I have no additional speakers and reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself the balance of my time.

We ought to have a debate in this Chamber on energy, on an energy policy, whether or not we should invest in innovation, whether or not we should invest in renewable, green, clean energy. I believe we should.

My friends on the other side believe not just in the status quo, they believe in going backwards. They believe in investing, not in new technologies, but in the old technologies.

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But we should have that debate here.

This bill really is not that debate, because this bill is a political stunt. It is not anything real. It is not anything that is going anywhere. This is just politics as usual, and that's what makes this so frustrating.

Mr. Speaker, I'm going to end where I began in my opening, which is to say we're only here for a few days. I mean, I've never been part of a Congress that has worked less than this Congress and that has produced less than this Congress. Today's Roll Call has a great piece: "Congress on Pace to be the

Least Productive." Is that what my friends on the other side of the aisle are aspiring to—to be known as the least productive Congress?

We're back for these few days. We ought to do something meaningful for the American people. We ought to be debating a jobs bill. We ought to bring the President's jobs bill to the floor. If you don't want to vote for it, vote against it, but at least we'd be doing something of substance. We ought to be extending tax breaks for middle-income Americans. Why would you leave town without making sure that middle-income Americans continue to get their tax breaks?

We ought to have a responsible farm bill passed and signed into law. As we're running out of time, we're told that's probably not going to happen at all. We ought to be talking about legislation that will actually strengthen this country, that will help improve the quality of education and give more access to education for our young people.

We are doing none of those things. We are squandering this opportunity. With the exception of passing a continuing resolution, which is tantamount to kicking the can down the road, these 8 days that we have been back in session have been useless. They have just been about politics. That is why the American people are so sick and tired of this Congress. That is why the approval rating is so low. They want us to come to Washington to legislate and deliberate on issues that will make a positive difference in their lives. Instead, what we have is the same old, same old—politics as usual. There has to be some common ground between Republicans and Democrats on energy. Let's find that common ground and move forward. Enough with the political stunts. It is time to start doing the people's business, and this is not it.

So I urge my colleagues, Mr. Speaker, to vote against this, again, restrictive rule that denies a multitude of amendments, including an amendment that would make sure the jobs that we are talking about are in America. Buy American. What is so wrong with even debating that? We're not even given that opportunity. So vote against this restrictive rule, and vote against the underlying bill.

I yield back the balance of my time.

Mr. SESSIONS. I yield myself the balance of my time.

Mr. Speaker, obviously, we can see that today's legislation answers the question. It ends the debate about Solyndra. Taxpayers know the committee did its work. It held a Rules Committee hearing. Half a billion dollars was lost by Solyndra. We're not down here jumping up and down. We haven't even raised our voices. We simply said that we think that a better process could have taken place, and they're arguing we never should have even had this on the floor—that we don't need any feedback, that everybody already knows. Here is what they know.

We lost half a billion dollars by one company. At least two others had the same outcome where they did not produce anything. They went belly up—bankrupt. We just think that the administration—government—is really not in the business and shouldn't be in the business—despite what we've heard—of pushing the envelope. Let's go out and invest whether it makes sense or not.

Losing money is still a bad proposition. Republicans think it's a bad proposition. There have been lots of arguments today that the government did the right thing, that this administration did the right thing. I think that the facts of the case say that half a billion dollars in a process that didn't work—we need to hear the feedback, and we need to close the books on it. The rule is here to do exactly that—to place on the floor the opportunity for us to debate now the facts of the case, which is exactly what will happen.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. McGOVERN. 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.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 117, CONTINUING APPROPRIATIONS RESOLUTION, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 6365, NATIONAL SECURITY AND JOB PROTECTION ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 778 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 778

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6365) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011. All points