

be on the side of those people of Haiti now and show them that we are their friends and their allies and will continue to work to support their efforts.

There's a slogan that we use, I know, in my district in our community when we talk about Haiti. We say, "Let Haiti live." Let Haiti live. Now we're talking about let Haiti survive. I think Congresswoman WATERS and EDWARDS and CLARKE talked about how vulnerable and fragile Haiti is right now. So before Haiti can live, it's got to survive.

So tonight we're saying let Haiti survive; let's find the will and the way and the means to do everything we can do to make sure that the people of Haiti receive the type of humanitarian and emergency assistance, but also the type of long-term assistance that they deserve and that we definitely intend to provide.

Thank you again.

Ms. CLARKE. Thank you very much, Congresswoman BARBARA LEE, for your leadership, your commitment as a member of the CBC, and a Member of the House of Representatives. You have been very outspoken and a real leader in addressing these challenges that are before our international community, our friends, and our allies.

So this evening, if I didn't see it for myself, I would not believe it. Haiti is in crisis. As we stand here today, lives are tenuous. And what Haiti needs immediately we've been able to identify. Haiti needs as much support as we can give from this body, as much as we can orchestrate through our Department of Defense.

There is a need for watercraft that can travel across the waters to get to very remote areas that have been cut off by land; there's a need for assessment to take place as quickly as possible about the structural soundness of the infrastructure that currently exists, any modern technology that can be utilized to pump waters back into the seas to help dry out those areas.

Certainly food products are very important. We see a hunger crisis coming down the pike of a magnitude that I don't think we every witnessed in this hemisphere. We need clean water. The waterways of Haiti have been contaminated by the death and destruction around them, the death of humankind, the death of livestock. They need clean drinking water, they need medication and medical support because we are anticipating and trying to get ahead of any outbreaks of airborne diseases, of mosquito-borne diseases.

□ 2130

They need support for those who are struggling with their own health conditions currently.

We've asked the President of the United States to move forward with temporary protected status for Haitians, to halt the deportation of Haitians from the U.S. To send individuals into that environment right now is cruel and unusual punishment. We hope that the administration will heed this call at this time.

There are immigration issues, but there's an unprecedented international relief effort going on right now in Haiti, and the last thing that the Nation can do right now is provide for those who are returning deportees.

Despite the frequent report of drowning caused by unsafe refugee boats collapsing, the current conditions and crisis in Haiti may trigger an exodus of Haitian immigrants to the United States. Desperate times call for desperate measures. You have desperation climbing each and every day.

Since fiscal year 1998, the Coast Guard has interdicted well over 1,000 Haitians each year. Over 1,000 Haitians have already been interdicted in 2008.

Temporary protected status is the most inexpensive, immediate form of aid the President can single-handedly provide, and we ask that he make this possible as soon as possible.

There are currently six countries that are protected under TPS provisions: Nicaragua, Honduras, El Salvador, Burundi, Somalia and Sudan. And while other countries under similar circumstances have been afforded relief through TPS, Haiti has been overlooked time and time again.

Remittances are currently one-third of Haiti's gross national product. If we indeed want to underpin and undergird this country in its recovery, it is critical that we look at every vehicle and instrument we have at our disposal to help the people of the island nation of Haiti.

So we've put some recommendations forward. We look forward to further debate and conversation here in the House of Representatives. Haiti is a country in crisis. I've seen it. I know it. It is our time now to act upon it.

Mr. Speaker, I thank you for giving us this time as the Congressional Black Caucus. I want to thank our chairwoman, CAROLYN KILPATRICK, for her vision and leadership and her insistence upon us traveling on this emergency codel.

I'd like to thank again my colleagues Congressman KENDRICK MEEK for his leadership in this codel and his ability to get things moving and done through his affiliation and work as a member of the Armed Services Committee.

And I'd like to thank our newest Member, DONNA EDWARDS, for her leadership. She is a rising star. She is a part of making things happen here on the Hill, and it's just a source of pride and inspiration to work with her on this very important endeavor.

THE DEMOCRAT ENERGY BILL

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 18, 2007, the gentleman from Indiana (Mr. PENCE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PENCE. Mr. Speaker, I will be joined this evening on the floor by a number of distinguished colleagues, and we're going to take the oppor-

tunity on what we believe, Mr. Speaker, is the eve of a historic debate on energy legislation in the House of Representatives, to talk about the issue that is most bearing upon the American family. It is most bearing upon American business. It is most bearing upon our schools and our seniors and our standard of living, and that is, the high cost of fuel and gasoline.

The American people are hurting, and Republicans here on the House floor are delighted that this Congress is back in session, that the lights are back on and the cameras are back on because, all through the month of August, while the House Democrats took a 5-week paid vacation, Republicans stayed here because we simply believe that there's no issue of greater import to working Americans, small business owners or family farmers than the cost of gasoline and the high price of oil.

I will say to you that the disappointing economic news in August, Mr. Speaker, can be explained with one phrase: The high cost of energy is costing American jobs, and the American people know this.

As I traveled the four corners of my eastern Indiana district this past weekend, I did not hear about the bowling scores of Presidential candidates. I didn't even hear about lipstick very much. But I heard one Hoosier after another saying to me, please, get Congress to do something real about lessening our dependence on foreign oil and lowering the price of gasoline at the pump. And that's why we're here tonight, to talk about this issue.

It's an issue on the front page of my hometown newspaper, the largest newspaper in my district, I should say, the Muncie Star Press. After Ike hit shore, gasoline prices went to \$4.29 a gallon. In parts of my district, they were reported to be well over \$5 a gallon in the Midwest.

The headline tells the tale: Hoosiers are helpless. Millions of American people are helpless, Mr. Speaker, as they see a Congress that has over the last two years of this Democrat majority twiddled its thumbs while gasoline prices rose and rose and rose, and then they took their 5-week paid vacation.

But as I said, Republicans never left. As newspapers reported and radio reported all throughout the course of this summer, we stayed on this floor even though the lights were dimmed and the microphones were off, and we kept demanding that Speaker NANCY PELOSI would bring this Congress back into session and would bring a bill to the floor of this House that would give the American people more access to our own domestic reserves through drilling and include all of the other strategies long-term energy independence, more conservation, more fuel efficiency, solar, wind, nuclear.

A lot of people are looking at Congress this week with the word that we're going to be debating an energy bill that newspapers are reporting includes drilling and they're saying,

Mike, what's your problem? It seems to me you were one of those people arguing in the dimmed lights of the House Chamber for the whole month of August, demanding that Congress come back. They came back. Demanding that they bring an energy bill to the floor with drilling. And it looks like they are.

Well, I want to say, Mr. Speaker, to you and anyone looking in, it only looks that way. The energy legislation that will be brought to this floor, according to the best information we have, will do virtually nothing to lessen our dependence on foreign oil. If they have their way and take them at their word, it will still leave more than 80 percent of our domestic reserves forever off limits.

Now, we are going to gather tonight with some of the most distinguished and eloquent voices in the House Republican caucus to talk about this bill, to talk about the Democrat energy bill.

But I want to frame this debate, because as near as we can tell, Mr. Speaker, the Democrat majority's going to file a bill tonight with this 21st century energy crisis underway that sounds like they're going to debate for a whole day, maybe a day and a half, and then we're being told we'll be voting by the middle of the week.

Now, I don't want to get lost in the weeds of boring the American people who are looking on tonight with talking about subcommittees and committees and things we call markups, but the American people deserve to know that this bill, if it's filed tonight, we're being told the Democratic energy bill hasn't been written in any committee by people elected by the people of the United States of America. It hasn't been written in any normal process. It's been written in the back rooms of the Speaker's office.

Ironically, in the middle of August this year, as many of us were clamoring on this House floor with the lights dimmed, calling on the Democrat majority to come back and debate energy, we learned that an environmental group known as the Sierra Club had endorsed their bill. Well, we'd never seen the bill. In fact, we still haven't seen the bill. But it's coming.

And so what we are going to do tonight is we're going to do our level best to use the franchises that we have on this floor to inform the American people about what's going on here, and I'm going to use, Mr. Speaker, the Whip Pack that's put out by the office of the distinguished majority whip, the Honorable JAMES E. CLYBURN, and it's about five or six pages of, you know, what people in the political business call talking points about the Democrat legislation.

And let me be clear, I know I and the distinguished legislators on the floor tonight, we would love to be debating the bill but we don't have it. The Democrat majority is about to bring an energy bill that they're calling the Comprehensive American Energy Security

and Consumer Protection Act, and the title of the bill is all I really know at this point. It will likely be hundreds, if not thousands, of pages long, but we'll talk about the talking points tonight.

But I want to make two points before I yield to my colleagues. Number one, the American people deserve to know that the Democrats have made rhetorical progress in this battle. The truth is that Speaker NANCY PELOSI, a San Francisco liberal Democrat and a distinguished Member of this body, who I respect as a person, has been accurately described in the media as a zealous opponent of offshore drilling since the 1980s.

Speaker NANCY PELOSI of San Francisco has, like many liberals in California, been an ardent opponent of offshore drilling throughout her public career and was an ardent opponent of even taking a vote on offshore drilling until I think last week.

Let me give you the tale of the tape here. As recently as July 11, Speaker NANCY PELOSI told the New York Times, "This call for drilling in areas that are protected is a hoax." She said, "It's an absolute hoax." This is this last July. Speaker of the House said, and I quote her with respect, "It's an absolute hoax on the part of the Republicans and this Bush administration."

In an interview on July 17 on CNN, an interview with Wolf Blitzer, he said, "So let me get—will you allow the issue, offshore oil drilling, to come up for a vote on the floor of the House?"

Speaker PELOSI, "We're going to exhaust other remedies in terms of increasing supply in America . . ."

Wolf Blitzer, "So the answer is no?"

Speaker NANCY PELOSI, "I have no plans to do so."

In fact, many of us remember on August 3, a couple of days after that Congress adjourned for a 5-week paid vacation, a memorable and, in my opinion, a workmanlike journalistic job by George Stephanopoulos on ABC's "This Week" Sunday morning program where he must have asked Speaker PELOSI five different times whether she would ever allow a vote on drilling. And she said no about as we say south of highway 46, different ways from Sunday, no, no, no, no.

In other settings, Speaker PELOSI, has said, and I quote that she's, quote, trying to save the planet, presuming that allowing the American people to environmentally, responsibly take advantage of our own natural resources on the Outer Continental Shelf in the gulf or in Alaska would endanger the earth.

And let me say, that's entirely her right to hold that view. It's just not the view of the overwhelming majority of the American people, and it is certainly not the view of the majority of the Members elected to Congress. All the Republicans and many Democrats are prepared today to vote to lift the moratorium on offshore drilling that's been in place for decades.

So I guess that my first point to make today, Mr. Speaker, to you and

those looking on is, is first and foremost, let's understand our context here, that throughout the course of this newly minted Democrat majority, Speaker NANCY PELOSI has made it crystal clear until very recently that she was categorically opposed to this Congress ever voting on drilling. I think we ought to evaluate the Democratic proposal in the context of her sincerely held views up to a week ago.

□ 2145

And I would say with that, allowing for a belief in the sincerity of all of my colleagues, I think we ought to trust, but verify. I think we ought to look at the detail. Someone who has been, throughout her public career, a vociferous opponent of offshore drilling now allowing what we're being told is a bill that would allow offshore drilling, you know, we probably ought to read the fine print. And that's what we're going to try to do tonight. I can assure my countrymen who may be looking on, we will be trying to do that in the whole day we will be debating this energy proposal. A day.

You know, I worked on legislation that passed the House this year by 398 votes, a bipartisan measure; I have currently been working on it for 4 years. It has been debated through committees, it has been debated through the House, it has been considered in the Senate. And that's pretty typical in legislation. But this bill is going to be introduced tonight, and we may debate it for a day.

I yield to the gentleman from Arizona.

Mr. SHADEGG. Let me just ask you a question; I thought that when the Democrats took control, they promised the most open process in the history of the United States Congress. You've told us here in these remarks tonight that we're going to debate this for a whole day—a whole day. I thought those rules said that, in this open Congress, Members would get 24 hours to see a bill before it was voted on. I think our colleague, Mr. WESTMORELAND, brought that to our attention. And yet you mentioned that this bill has not gone to Rules yet and wasn't written in subcommittee or full committee or ever marked up in subcommittee or full committee. And it's in Rules in the dark of the night as we approach 10 o'clock here on the east coast. You can't really mean they're not going to give us 24 hours. You can't really mean they're going to write this bill in a back room and yet bring it to the floor still tomorrow, with less than 24 hours in this, the most open Congress in history?

I would be happy to yield back the gentleman's time.

Mr. PENCE. I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I thank my friend from Indiana. But to the gentleman from Arizona, let me point out that that was only a promise.

Mr. SHADEGG. Oh, okay.

Mr. WESTMORELAND. Yes. A Congress working for all Americans is the Democratic promise. And what the Democratic promise says is, “bills should be developed following full hearings and open subcommittee and committee markups with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level. Bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute. Members should have at least 24 hours to examine a bill and conference report text prior to floor consideration. Rules governing floor debate must be reported before 10 p.m. for a bill to be considered the following day.”

It also says that the suspension calendar should be restricted to non-controversial legislation. I would like to remind my friend from Indiana that all the legislation that we’ve had thus far in the 110th Congress that dealt with energy has either, number one, been brought up under a closed rule or under a suspension rule. The closed rule means no amendments. The suspension rules mean no subcommittee, no committee, no amendments, just a straight 20 minutes for each side.

And I’ve got some other points I want to bring up, but I’ll let you talk about these empty promises that has come about.

Mr. PENCE. Reclaiming my time, and I thank the gentleman from Arizona and the gentleman from Georgia. And in the few minutes that I’m going to take before I yield to my colleagues, Mr. Speaker, if anyone senses a bit of incredulity in our voices, it is borne of profound frustration, the profound frustration that the American people are hurting. And they don’t want backroom deals coming to the floor of this Congress; they want a fair and open debate that lets the Congress work its will and develop a bipartisan strategy that achieves energy independence in the 21st century. We cannot do that in 24 hours. We cannot do that with backroom deals that are done in the dead of night with no amendments allowed on the floor, one-size-fits-all. That smacks more of politics than the kind of bipartisan accomplishment that the American people expect from the people’s House.

Now let me give a few details about what we know about the bill that has not yet even been filed in the Congress and could be voted on the day after tomorrow.

The Democrat energy bill. Let me just give you 10 ways the Democrat energy bill fails the American people.

The Democrats’ energy bill, number one, permanently locks up 80 percent of American oil reserves on the Outer Continental Shelf; 80 percent. If it passes intact, 80 percent of our reserves will be off limits forever.

Number two, the Democrats’ “no energy” bill, as we know it now, permanently locks up more than a trillion barrels of oil from oil shale in the inner mountain West.

Number three, the Democrats’ “no energy” bill permanently locks up more than 10 billion barrels of oil on Alaska’s remote North Slope, an area where energy production and wildlife have been safely coexisting for decades.

Number four, the Democrats’ “no energy” bill blocks more nuclear power production, efficient, less costly production than nations like France have been using for decades.

Number five, the Democrats’ “no energy” bill does nothing to construct new clean coal energy production.

Six, there is an enormous tax increase in the Democrat energy bill, something they’ve been talking about ever since they took over the Congress, raising taxes on oil companies. Well, after the holocaust that struck with Hurricane Ike and Hurricane Gustav and Katrina a few years hence, the American people know we need more refineries in this country.

Congress passed tax breaks for oil companies to encourage the construction of more refineries, and they want to repeal those breaks and now raise taxes more. I’ve got to tell you, the biggest laugh line I have in eastern Indiana is when I look at people at town hall meetings and at town squares and I say, who among you thinks that by raising taxes on oil companies you will lessen the price of gasoline at the pump? It’s a laugh-out-loud line, but it’s what passes for the Democrats’ energy policy.

Quickly then. The Democrats’ “no energy” bill, as we know it, permanently prevents Federal agencies from using alternative sources of fuel. It increases electricity costs on families, seniors and small businesses through new heavy-handed electricity mandates. It includes plans for exactly zero new refineries as I mentioned before. And it ultimately defies the will of the American people who want this Congress to work together, who want this Congress to take an up-or-down vote on lifting the moratorium on offshore drilling, who want this Congress to bring all-of-the-above strategies—wind, solar, nuclear—and vote them up or down. But instead, we get a backroom deal, brought, soon to be, I assume, in the dead of night with no opportunity or meaningful opportunity for debate or amendment.

With that, I’m pleased to yield to the Policy chairman of the Republican Conference. THADDEUS MCCOTTER of Michigan is a colleague who spent more time on this floor during the August recess than any single Member of Congress. And I yield to him to speak about this legislation and its flaws.

Mr. MCCOTTER. I thank the gentleman from Indiana.

As you know, a fellow midwesterner, we, in the Great Lakes State, have suffered gravely from the high cost of en-

ergy. We’ve seen our manufacturing sector hard hit; we’ve seen our tourism industry hard hit; and across the board, we’ve seen our residents hard hit by the high cost of energy. And they have taken exception to the fact that the Congress, which they elect to work for them—and the Democratic majority in particular—chose to take a 5-week paid vacation while they suffered, while their family budget shrank, and while there was time for politics, but no time to bring a vote on this floor for an all-of-the-above energy strategy.

Now, let us make one thing clear: You will hear much from the majority Democrats that this is a drilling bill. This fails on two accounts. First, this is a political bill. All statements by the majority party have been phrased in the context of a political decision to provide them cover with the electorate they have so ill served over the course of the last 18 or 19 months. So when you say that we have incredulity on our side of the aisle, it is more than that; we have indignation at the way the process has been abused to prevent help going to our constituents through a sane, sound, all-of-the-above strategy.

Secondly, what we are most concerned about is the fact that the Democratic majority seems to believe its own myth that all the Republicans care about is drilling. This is not the case. Drilling is a technique. What the Republican Party has been about is the maximization of American energy production. It is not the technique, it is the goal.

We have focused on an all-of-the-above strategy that requires maximum American energy production, common-sense conservation, and free market green innovation so we can have a responsible transition to American energy security and independence. And when we see a bill come forward that says we are going to allow some drilling, we are going to somehow continue the government rationing of America’s energy and provide you with maybe 20 percent relief by allowing you access to those precious materials and fossil fuels—which are yours, the American people—we not only strain credulity, we not only raise indignation, but what we have done is we have insulted the intelligence of the American people that somehow help will be on the way.

So when this bill comes forward in the manner that you and the gentleman from Arizona and the gentleman from Georgia have talked about, this is surely proof positive that this is a political ploy. It is not an energy policy suitable for the United States in the 21st century. And we have no doubt that while some on the majority side in the Democratic Party may have the witty talking line that Republicans will not take yes for an answer, I have no doubt that the American people will not mistake the Democratic Party’s “no” for a solution.

I yield back to the gentleman from Indiana.

Mr. PENCE. I thank the Policy Committee chairman for his remarks.

I am informed, Mr. Speaker, that I stand corrected; that the legislation that I said had not been filed was filed during my opening remarks. And so anyone looking in should be aware that at 9:45 p.m. Eastern tonight, or thereabouts, the Democrat majority's plan for achieving energy independence in the 21st century was filed. We do not know the contents of the bill; we do not know the length of the bill. We are attempting to receive a copy of it and will attempt to report on that as much as we can before we adjourn tonight.

The Secretary of the Republican Conference, the distinguished gentleman from Texas, JOHN CARTER, is recognized for 5 minutes.

Mr. CARTER. I thank you very much for recognizing me on this issue.

You know, tonight, as we gather here, a bunch of Texans have just weathered a pretty rough storm down there in our part of the world. And it brought to the forefront something that Americans have already experienced in Indiana, and that is, when one-fifth of the refining capacity of the United States is hit by a hurricane because it is concentrated on the gulf coast, then we're going to see gas prices and diesel prices go up.

And even though tonight there are double shifts working in every refinery—and we were blessed that those refineries were not damaged more than just slightly—to bring that production back up is just like any other factory you shut down, you have to bring it back up to get to full production. And it will take days, and maybe even weeks, to where we're back. And the market knows that, and the market fears that. Just look at what happened when one refinery burned outside of Chicago partially, that's the first jump in gas prices, if Americans will think back to when the first jump in gas prices occurred.

Now, the reason why I bring this up, not only do I think about my neighbors back home and all the pain and suffering that they're going through, and then I think about the neighbors around the country that are going to suffer as a result of this natural disaster down there with the prices, and then I think about the fact that Republicans on this House floor have been trying to get something done about refining capacity for 30 years. And for 30 years, it has been the policy of the Democrats to say "no more refineries."

And as the gentleman mentioned, we finally got at least an incentive package to try to get refineries to start building new refineries. And quite frankly, if you're putting together an energy plan and you're talking about just refineries, shouldn't you maybe think about putting them someplace else besides the Texas and Louisiana and Mississippi gulf coast, seeing as we know what happens there all the time when it comes to hurricanes? We should be having a plan for just the

simple matter of having some gasoline and diesel produced in this country.

Now, Americans have common sense. Things don't have to be complicated for them. They look at an issue and say, are you telling me that this bill was written by the Speaker of the House and her folks with really no input from anybody? What makes them experts? And do I want them planning my life and my energy needs for the next 20 years in the back room of the Speaker's office?

□ 2200

Now I think the American people say no.

And I think the American people would say that this is an issue that should have some concentrated effort. Maybe they should have been here for the 5 weeks that the Republicans were here. I think the people back home were saying maybe we should have been meeting, which they seem to talk a lot about, in a bipartisan method to come up with a real all-of-the-above energy solution the Republicans started talking about 6, almost 7 weeks ago on a Friday afternoon when they shut off the lights, shut off the mics and ran off the press in this very House. But we Republicans stayed. And we talked. And we said this is a crisis. And then we've had another natural disaster which has enhanced that crisis. It's time that we wake up and realize, quit playing politics with that long distance trucker who is going to have to pay maybe \$6 or \$7 for diesel and not make a dime on his load. Or I had a rancher tell me that today, if you sell a calf at the auction in central Texas and you get \$90 for him, \$45 of that is in energy costs. It's time for us here in this Congress to wake up and instead of cramming eleventh hour pieces of legislation that look like the Fort Worth phonebook down our throats, maybe we should have that bipartisan discussion.

It's a shame that this type of legislation, and I can see it in your hand there, has come here in the last, it's 10 o'clock, in the last 20 minutes. It's time we get to work as Americans and pass a comprehensive energy plan that we all participate in.

Mr. PENCE. Thank you, Congressman CARTER.

The gentleman from Texas just made reference to what I have in my hand, which is the bill, Mr. Speaker. It was filed just a few short moments ago. We will be debating it tomorrow because what is known as the Rules Committee is meeting tonight to outline the parameters of debate. And it looks like some of us are going to be up late. It's 290 pages. And for those who might be looking in, you're looking realtime at what passes for legislating in the Democrat majority in Congress. It's 290 pages filed tonight. And we're voting on it tomorrow. And I assume the committee is meeting tonight and can move quickly because there will be apparently no, if any, amendments allowed.

Now let me say before I yield to the distinguished gentleman from Arizona on this issue, when I said earlier that this legislation locks off permanently 80 percent of our domestic oil and natural gas reserves on the Outer Continental Shelf, let me explain that to you because I have confirmed it now in the bill. This bill permits leasing and drilling for oil between 50 and 100 miles if States opt in. Of course it offers absolutely no revenues to the States for opting in the way that current law does with States along the gulf coast and the way that the Republican bill offers States, I think 39 percent of revenues go to States. And 10 percent goes to the Federal Government in the Republican bill, and then 50 percent of the revenue goes into developing new alternative energy strategies. But when I say that it permanently locks it off, there is no drilling here permitted between the current 3-mile threshold and 50 miles. None whatsoever. It's banned permanently.

And to give you an idea of what kind of resources we're talking about, eastern seaboard 3.8 billion barrels estimated, 3.7 billion in the eastern gulf of Mexico, 11 billion barrels in the Pacific coast. And most experts say most of it's between 3 and 50 miles. The Speaker of the House called plans to drill a hoax. And I'm not in the name-calling business, but the American people should know that this so-called energy bill which includes so-called drilling actually bans the American people from the overwhelming majority of our domestic reserves on the Outer Continental Shelf forever.

Let me yield to the gentleman from Arizona, JOHN SHADEGG, for 5 minutes.

Mr. SHADEGG. I want to thank the gentleman for conducting this Special Order. I think it's vitally important. I want to thank all of my colleagues, the chairman of the Policy Committee, my colleague, Mr. WESTMORELAND from Georgia, and each of my colleagues who have spoken before me. It is I think a particularly sad moment. Kids grow up in schools in America today believing that legislation is written in a committee process allowing people across the Nation, quite frankly, to have input either directly themselves to that legislation or through their Member of Congress. And so they get out a textbook when they grow up that says "How a Bill Becomes a Law." And it shows that a citizen has an idea, and they take it to a legislator. And that legislator says that is a good idea, and they write it into a bill. And then they bring that bill to this floor and they introduce it. And the bill gets assigned to a committee, and from the committee to a subcommittee. And it goes through a subcommittee hearing and a subcommittee markup and a full committee hearing and a full committee markup. And then here in our body it might go to a second committee. And ultimately it goes through Rules Committee.

I suggest that in America we need to amend our textbooks because under the

current regime under Speaker PELOSI, that does not happen. Bills get written. This bill of huge moment and of huge importance to the American people was not ever written or introduced or seen in a subcommittee, never seen in a full committee, never had a chance for input. And that is shocking. But let me point out why that matters.

It matters because the Nation believes this week in Washington we're going to do something important. The Nation believes this week in Washington we're going to take up the drilling issue. I want to suggest to you, and I know my colleague understands this, that nothing that happens this week will have any legal meaning, any practical impact at all. I don't mean to be harsh. But it is a charade. It is, quite frankly, a hoax on the American people. And let me tell you why. Not one of these bills, not the bill you just held up, not any of the three bills that will be debated in the House and Senate this week, will produce a drop of oil. And if Americans sitting across the country are saying, well finally we're going to draft a bill that will produce some oil, they need to sit down. They need to listen carefully. They're about to be shocked. Not one drop of oil will be produced.

I will tell you why. Because the bill didn't go through a committee markup process. All of these bills are silent on legal challenges. I asked the gentleman in the chair to listen. He is a thoughtful Democrat. He knows that these things matter. I ask him to listen. Not one of these bills contains language dealing with legal challenges. And without that language, there won't be a drop of oil. Let me tell you why. This Nation has got people in it who will file lawsuits challenging whatever we do, and not a drop of oil will be produced.

Back that claim up, Congressman SHADEGG. Well let me tell you the story. Here are the facts. Radical environmentalists, the Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club and numerous others, Earth First, have filed lawsuits blocking every single oil lease issued in this country and all future oil leases already.

Let me give you some shocking statistics. In February of this year, the Bush administration issued 487 oil leases in the Chukchi Sea, which is the coast off the west side of Alaska. Radical environmental groups, the Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club and others challenged not 80 percent of those leases, not 90 percent of these leases, they challenged with a lawsuit, pending right now, stopping those leases from going forward, all 487 leases. They didn't let one go forward.

The government decided to issue a 5-year plan for oil leases in Alaska and in the lower 48. And so in July of 2007, the Federal Government issued a plan to allow oil leasing over the next 5 years. Radical environmentalists, the Center for Biological Diversity and

others, already filed lawsuits challenging every existing oil lease and every future oil lease. In Alaska there are a grand total of 748 oil leases. How many do you think have been challenged? I will yield to the gentleman. How many do you think have been challenged if there are 748?

Mr. PENCE. I would speculate 748.

Mr. SHADEGG. The gentleman is precisely correct. That is to say whatever bill we pass today, whatever oil leases come from that bill, if Joe back in Texas or Sarah in Washington State or Jill in my State of Arizona or Jack in Utah believe that that bill will in fact lead to drilling on the Outer Continental Shelf, they are wrong. It will lead to nothing because radical environmentalists will sue every single oil lease. This year in the Chukchi Sea, we issued 487. They sued to block 487. In all Alaska including the Chukchi and Beaufort Seas, we issued 748, and they filed to block 748.

The Minerals Management Service this year approved an exploration plan for 12 leases in the Beaufort Sea. That is to say an oil company came in and said we've got a lease. We now want to go forward. Here is our exploration plan that they have to file with the government under current law. There were 12 of those that were approved this year by the Minerals Management Service of the Federal Government. How many of the 12 were challenged? All 12. You got it right.

There is another lawsuit under the Freedom of Information Act going after every single lease in the country. But it is not just in the Outer Continental Shelf. Let's talk about here in the United States. On July 16, 2008, the Bureau of Land Management, New Mexico State office, auctioned off 78 oil leases, some in New Mexico, some in Kansas, some in Oklahoma, some in Texas, the gentleman who just spoke. Out of 78 leases they issued in New Mexico, Kansas, Oklahoma and Texas, along comes a group called the Western Environmental Law Center and Wild Earth Guardians, and they filed suit against not 80 percent of them, not 85 percent of them, not 92 percent of them, they filed a lawsuit against 100 percent of the leases in New Mexico, Kansas, Oklahoma and Texas. The government issued 78 leases. Radical environmentalists sue 78 leases.

This is I think a really sad day because the Democrats are holding themselves out, and tomorrow on this floor, they will say they are addressing drilling in this country. They will say they are going to allow drilling to go forward. And it is a charade. It won't happen because they know that the Center For Biological Diversity, Natural Resources Defense Council, and friends like Wild Earth Guardians will file suit and stop not some of these leases, not most of those leases, but every single one of them.

That makes me sad because it has the Congress deceiving the people of Arizona, the people of America. They

are deceiving the people of my home State of Arizona too, and it shocks me. This is amazing. And somebody might say well, Congressman, that is the norm. People can always file suit. That is not true. When we did the Alaska pipeline, we wrote a provision into the law that said, if you want to file suit, you have to file it in this court and it has to be done in this amount of time. All of us on the floor here were here when we passed the legislation to build fencing along the southern border of the United States to keep out illegals. In that legislation, we said that if you want to file a legal challenge, the government can get you past that legal challenge.

I want to suggest, as I conclude here, that if Speaker PELOSI really wants to produce oil, if the Democrats on the other side in the Senate, the other body, really want to produce oil, if our friends, our good Republican friends who are a part of the original gang of 10, now maybe it's the gang of 16 or the gang of 20, if they really believe they want to produce oil and they want to contribute to this, it's easy.

□ 2215

You can write language into the bill that says we are going to allow lawsuits. Everybody believes in the process of law. I call myself a recovering lawyer. I don't want to preclude all lawsuits. But we can write reasonable language to block dilatory lawsuits, language that says you must file any legal challenge to this bill within 180 days, and it takes priority over any other litigation, and it must be resolved within that 180 days, and then you get a period of time of maybe another 180 days for appeal.

If we pass a bill here in the Congress, in the House or the Senate, which says to the American people we are going to allow drilling to occur, and it is silent, as that bill you are holding is, it is silent on expediting legal challenges, the bill is meaningless and we will have played a nasty, mean-spirited trick on the people at home who want us to do something about oil.

I call on my colleagues on the other side of the aisle. If they care about solving the problem of drilling, if they really mean yes, I am willing to allow some compromise on drilling, then it has got to have language expediting lawsuits.

I thank the gentleman for yielding.

Mr. PENCE. I thank the gentleman from Arizona for his extraordinary insight on this issue. It really does beg the question, Mr. Speaker, for anybody looking in. This is the Democrat energy bill. It was filed we think about 30 minutes ago. It is 290 pages long, so I can't speak with authority about what is in it, because I haven't had a chance to read it.

But what we know is not in it is any expedited litigation reform that would prevent environmental organizations or radical, leftist groups from tying up our domestic oil reserves in the courts,

as they are doing in existing leasing areas. Also what is not in it is any revenues at all to drill in that 50 miles out to 100 miles out.

Mr. Speaker, if you think we are suggesting that that is more important than it really is, I would quote to you Democrat Senator MARY LANDRIEU, who in her hometown newspaper this weekend urged House Democrats to oppose the House Democrat bill. Democrat Senator MARY LANDRIEU said because the bill offered the States no money to drill off their shores, that it was "dead on arrival in the Senate." She said, "It most certainly won't see the light of day in the Senate."

So as I prepare to yield to the distinguished gentlewoman from Minnesota, no one wants to see a bipartisan compromise on comprehensive energy legislation more than me.

I spent a good chunk of my August recess talking in a darkened chamber. I would love to see the Congress come together this week and figure it out and share all the credit. But it has to be a serious effort to say yes to solar, yes to wind, yes to nuclear, yes to conservation, and it has to be a serious effort to say yes to giving the American people more access to American oil. And when one hears the gentleman from Arizona and one hears people like the Democrat Senator from Louisiana, one comes to the conclusion this is not a serious effort to give the American people more access to American oil.

I yield to the gentlewoman from Minnesota, MICHELE BACHMANN.

Mrs. BACHMANN. I thank the gentleman from Indiana for yielding, and I hear the frustration that is in your voice, because you are echoing the frustration that the American people are feeling all over this country. Right now, they are taking their pencils and breaking them, they are taking their shoe and throwing it across the room, because they can't believe that for the 21 months that the Democrats have held the gavel in this Chamber, they have only now tonight, for the first time in 21 months, had the guts to put on this floor their "commonsense energy plan."

From what we know of this bill so far, this "commonsense energy plan" doesn't have a lot of energy in it. If you take about 80 percent of the Outer Continental Shelf and make it illegal, permanently off limits to energy production, how can you with a straight face before the American people say that you want to get serious about solving this problem?

This isn't a bill. As our colleague Representative SHADEGG said, this is a charade purported upon the American people. So what we are saying is, whose side are you on? Whose side are you on? Do you want a pro-American energy bill? That is what we want. We want to be truly energy independent.

I want to piggyback back on what Representative SHADEGG said. He talked about the lawsuits that have been filed. Every single lease that has

come up for sale has had a lawsuit filed.

I just want you to know, in my district we have the longest-running unfinished bridge project in the history of the United States of America. Why? Because we have lawsuits filed by the Sierra Club. We still don't have a bridge coming on line, because the Sierra Club now has run up the tab so that people in my district will be paying over \$400 million to build a bridge because we have lawsuits filed against this bridge.

Why do we even allow lawsuits at all? If the United States Government certifies that land is available for leasing, shouldn't the United States Government certify that this land should be truly available for leasing? We don't need these outside groups to come in and file these lawsuits, because, after all, if there is a problem with the environment, if there is a problem with laws being violated, don't we have the Minerals Management Service that could issue a fine, that could issue a temporary restraining order, that could prohibit that company from drilling at all and pull that lease back? Certainly they could.

Why do we allow these leases at all? We are in a serious situation in this country. We just saw financial firms, Bear Stearns has had a problem. They have needed a government bailout. We have seen Fannie Mae, Freddie Mac. They needed the Federal government to come in and take them over. Just this week, Lehman Brothers is filing bankruptcy. We are seeing Morgan Stanley being bought out by Bank of America.

What are the American people worried about tonight, Mr. Speaker? They are worried about if they are going to have a job tomorrow morning. They are worried if they will have enough money in their bank account to put gas in the tank so they can go to their job. This is serious, Mr. Speaker. This is no joke. That is why I think this is an insult to the American people.

This is 290-some pages, as the gentleman from Indiana said. But this is a joke on the American people. If this won't produce one drop of oil, then why are we wasting our time?

Let's face it: We have got now nine days before adjournment, nine days before the end of the year. Nine days. So we are going to, what, dance around a little bit and have a charade a little bit? We don't even know if we can file an amendment on this bill. We don't even know what we will be allowed to do.

But the one thing I guarantee, Mr. Speaker, is we will not remain silent. For the next nine days, the Republicans in the House on this floor will not remain silent before the American people, because we are going to tell the truth. We are going to tell the truth that under the last 21 months of Democrat-controlled Congress, we have seen post offices renamed. We have seen Federal buildings renamed. In fact, we

have seen monkeys saved from being transported across State lines. We have even seen \$25 million of American taxpayer money go to foreign countries in the form of foreign aid to pay for foreign cats and foreign dogs. We have seen this come off of the floor of this body.

But only tonight, at a quarter to 10, did we see an energy bill come before this body, which we believe will not produce one drop of energy, while the American people tonight are paying \$4 a gallon for gasoline. If we don't get serious and really produce energy, come this November, the American people are going to have a choice: Do they want to pay \$2 a gallon for gasoline under a commonsense Republican plan, or do they want to pay \$6 or \$8 or \$10 a gallon for gasoline? That will be the reality, because under a President Obama, we won't have drilling, and under a Democrat-controlled Congress, we know we won't have drilling. That is the choice before the American people, Mr. Speaker: \$2 a gallon for gasoline, or \$6 or \$8 or \$10.

That is why I am so grateful to the gentleman from Indiana tonight, because he has pegged it. He has pegged it. He has said that this bill is nothing more than an insult to the American people. And that is why we are here tonight, as the precursor for the debate that will occur tomorrow.

Mr. PENCE. I thank the gentlewoman from Minnesota, and would recognize the gentlewoman from North Carolina, VIRGINIA FOXX, one of the most passionate, eloquent advocates of American energy independence in the Congress.

Ms. FOXX. I thank the gentleman from Indiana for leading this. I want to say it is a tough act to follow, MICHELE BACHMANN from Minnesota. She did such a wonderful job of synthesizing this.

I want to add just a couple of comments to what she has said. The Democrats took over control of the House and the Senate in 2006 by making a lot of promises. They have broken every one of those promises, and this bill is a culmination of the promises that they have broken.

As you all have pointed out, it is a 290-page bill. The Rules Committee is meeting now. We got it 45 minutes ago. They are going to come out, there will be no amendments offered for the bill. It is just a sham. It deserves the "Emperor's New Clothes Award." That is what I want to give it.

I think we need to point out, why are we allowing lawsuits? That was a question our colleague just asked. Let's just say it straight, folks. The Democrats in this Congress are being controlled by three groups of people: The trial lawyers, the unions, and the radical environmentalists. Again, this bill is a good indication of how they are being controlled by those three groups.

The other thing I would say is that from the first of August of this year

until the end of December, the Democrats will have kept the House in session for 14 working days. That is all. Talk about a slam against the American people. We are letting the American people suffer with high gas prices while the Congress, led by the Democrats, and it needs to be said 3,000 times every day, the Democrats are in charge.

I want to say why we are going to have this vote, because I am quoting from today's Congressional Quarterly, so it isn't just coming from us as Republicans. This is an objective piece of journalism. The Democrats need to provide political cover to moderate members of their caucus who could suffer on election day unless they can show constituents they voted for an expansion of drilling.

They don't expect this to become law. There is no expectation. But they are giving cover to a few of their members who can say, oh, I went home and voted for this, this sham of a bill.

The American people are becoming more and more cynical. There is a 9 percent approval rating for the Congress. I hope that those who are watching know again the Democrats are in charge. If you want a Congress that is not going to leave you cynical, that is not going to walk away from its job, that is not going to leave you paying \$4 a gallon for gas, then you need to pay attention to who is representing you.

Mr. PENCE. I thank the gentleman from North Carolina for her passion and candor.

If I can yield to each of our last two speakers, then we will be able to clear the baffles. I think those that might be looking in, Mr. Speaker, can sense the frustration, not of the opposite political party, not of a frustrated minority, but what you are hearing here is the frustration of public men and women that know the American people are hurting. Seniors, small business owners, family farmers, school systems are struggling under the weight of record gasoline and diesel prices, and we ought not to be on this floor playing politics with this issue. We ought to be compromising. We ought to throw open the windows, open the blinds, have the debate, take the votes and let the cards fall where they may. That is mostly certainly not what is happening this week.

I yield to the distinguished gentleman from Texas on the Energy and Commerce Committee, Mr. BURGESS.

Mr. BURGESS. I thank the gentleman from Indiana. It just strains credulity. I sit on the Subcommittee on Energy and Air Quality of the Energy and Commerce Committee, and it strains credulity that I come to the floor of the House tonight and find that this bill has been filed by the Rules Committee.

We have had tons of hearings over the last 18-20 months in our subcommittee, and fact is, we never got a chance to look at this bill in subcommittee. We never got a chance to

mark it up in subcommittee or full committee. Why even bother having congressional committees, when this stuff is going to spring from whole cloth in the Speaker's Office? It makes no sense.

I need to say a word about refineries, because we have tried for the last 3 years since Hurricane Katrina roared ashore to get siting for new gasoline refineries in this country.

We passed an Energy Policy Act in August of 2005. It became obsolete in September when Hurricane Katrina came ashore. In October 2005, we as Republicans tried to pass legislation that would allow for siting of new refineries on closed military bases.

□ 2230

It's come up in various forms again and again over the last 3 years. Most recently, at the end of July, I tried to add an amendment onto the military construction appropriations bill, the only appropriations bill we have had in the Congress this year, and I was denied. I was told that the military service organizations wanted a clean bill. It was important to them to get this done quickly, but the bill had passed out of committee on May 24, and it was July 31 that we were hearing it here on the floor of the House. We had plenty of time to arrange these things and allow for amendments.

I would just have to add, if we want to talk about, for our members, the men and women of the military, we ought to be working too on the Department of Defense appropriations bill, because their pay raises are going to be in that bill. If we kick the can down to road to an omnibus bill at the end of the year, we are asking our men and women, who are serving, to protect us this very evening to delay receiving those benefits that they so richly deserve.

This bill is a travesty. I have been going through it here in the back here while we have been talking. You have credits in here to Freddie and Fannie, for crying out loud. Is that a good idea for with what we have just been through?

There are earmarks in this bill. There are very specific targeted pieces of legislation contained within this bill. This bill is not a good idea. We would fix those things in committee if we only had the chance.

Mr. PENCE. I thank the gentleman from Texas very much for those thoughtful insights.

The gentleman from Georgia (Mr. BROWN) is recognized for 1 minute.

Mr. BROWN of Georgia. I thank the gentleman for yielding.

We hear this bill called a sham, a charade, a travesty. Let's make it clear to the American people, this bill is a bald-faced lie. It's a bald-faced lie because the Democratic majority that controls this House is going to say they are for drilling, they are for producing oil. They are not.

We have heard from Mr. SHADEGG. There is nothing in there to stop the

lawsuits, the endless lawsuits that are going to keep us from producing oil. We don't know what oil is in this bill, but we know in submission that are aren't in this bill. There's nothing about nuclear.

It won't come to a floor controlled by NANCY PELOSI that has anything dealing with nuclear energy. We won't have new refineries. It's a sham, it's a travesty. It is a charade, but is it a lie?

It's a lie to the American people that's being put forth by the Democratic majority, by NANCY PELOSI and STENY HOYER, and the American people need to know that. It's not about trying to produce energy. It's about a line to the American people, giving cover to some of their folks so that they can go home and say I voted for a drilling bill.

Now we need a drill to bill, but we need a bill to produce oil, and this is not it. So I encourage my Democratic colleagues to oppose this bill.

Mr. PENCE. I thank the gentleman for Georgia and all my colleagues who are here and those that offered to come here.

I just say from my heart, and I have been passionate on the floor tonight, but it's a passion that is borne of a desire to solve this problem.

But seeing a bill 290 pages long dropped on to the floor of this Congress less than 24 hours before it is to be debated does not represent a serious effort to bring about bipartisan compromise in this Congress. My colleagues of goodwill know this.

The truth is the American people want this Congress to come together in an open, fair debate and take and develop a comprehensive energy strategy that says yes to conservation, yes to solar, yes to wind, yes to nuclear, yes to greater fuel efficiency standards, and takes a bipartisan vote to lift the moratorium and let the American people have access to our vast domestic reserves on the Outer Continental Shelf and in Alaska.

Wherever those votes fall, let the cards fall where they may. But that's the process the American people want to see happen, and that is the basis upon which we can build a long-term strategy to achieve American energy independence. We have just begun this battle. It will continue tomorrow.

HONORING CONGRESSMAN JOHN SEIBERLING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the Chair recognizes the gentleman from Ohio (Mr. RYAN) for half the time remaining before midnight, which is approximately 43 minutes.

Mr. RYAN of Ohio. Mr. Speaker, we appreciate the opportunity to be here.

Tonight we rise to honor one of the great Members of Congress that has ever stepped foot into this Chamber, and that has ever served in the United States Congress, and that's John Seiberling. Mr. Seiberling passed away a