LIHEAP. The bottom line is that if Florida consumers get gouged, those living in the Northeast and the Midwest get the rebate.

This bill is more about show than about substance. Even the comprehensive investigation by the Federal Trade Commission, FTC, in the aftermath of hurricane's Katrina and Rita found no gouging or anti-trust violations.

The real driver of price for gas is the growing global demand for energy. The rapid growth in the worldwide demand for crude oil is being driven primarily by economic growth in China, India and the United States.

Ironically, during a Congressional hearing on this bill, the proponents of the bill offered some bizarre testimony. When asked if the oil companies were engaging in collusion—which is already illegal—a proponent of the bill offered that what was being engaged in is ''conscious parallelism.'' He then offered that you cannot prove ''conscious parallelism'' in court, so this bill does virtually nothing to address that. Another advocate for the price-gouging bill testified before the committee that ''drilling [for oil] will do nothing to lower the price of oil.'' I am concerned that these individuals are so dedicated to an ideology that they defy common sense.

The most important thing we can do to lower the price of gas for American consumers and to ensure our energy independence is to expand domestic energy production, expand refining capacity in the U.S. by reducing excessive burdens, encouraging more nuclear power, fostering the development of renewable energy, and encouraging conservation. Unfortunately, it took us 12 years to end the Democrat filibuster that kept America from developing more oil and gas off the Outer Continental Shelf, OCS. Last year we were successful in opening a small portion of the OCS to oil and gas recovery, and I hope that we can build on that success. Also, last year we secured passage of legislation that allows for greater production of oil and gas from Federal lands. Unfortunately, Democrat leaders have introduced legislation and are holding hearings to close off those sources of domestic energy production. We streamlined regulations for nuclear power plants, yet Democrats are considering injecting new regulations into the process. I was also pleased that we were able to secure passage of renewable energy tax credits. I have cosponsored legislation to extend these tax cuts for renewable energy and conservation so they are not allowed to expire.

The Democrats expression of ''outrage'' over gas prices is a bit ironic given that they are the ones who have consistently proposed higher gas taxes, higher energy taxes like the proposed BTU tax, and who are presently moving forward with ''cap and trade'' global warming legislation along the lines of what has been adopted in Europe. As the Washington Post pointed out last month, this cap and trade system has led German consumers to pay 25 percent more for electricity than they did two years ago, while German utilities are making record profits. This higher cost for electricity has made it difficult for some European countries to compete with cheaper foreign imports, resulting in European workers losing their jobs.

The rhetoric simply does not match the policies being advocated by the Democrat majority.

Mr. SPACE. Mr. Speaker, I rise today in support of H.R. 1252, the Federal Price Gouging Prevention Act.

My district is currently experiencing some of the highest gas prices in its history. In several towns in my district, my constituents are paying prices as high as $3.49 per gallon to fill their tanks.

The price of gas is a crippling figure for the people of Southeastern Ohio who depend on their cars and trucks for transportation. Working families frequently commute long distances to reach their places of employment. For these families, the rise in gas prices is essentially an undeserved pay cut.

The farmers in my district also face the challenge of fueling their equipment on which they depend to make their modest profits.

I fear most for the fate of my district's retired and elderly populations. Most of these individuals are on a fixed income that already limits their ability to pay for the prescription drugs and medical visits they need. The rising price of gas places them only further into a bind and forces them to make decisions that no American should ever face.

I co-sponsored H.R. 1252 because I believe it is time for Congress to intervene on behalf of working Americans. This common-sense legislation simply ensures that oil companies play by the rules and offer consumers a fair price for gas, not one that takes advantage of circumstances.

I am a firm believer in the power of the marketplace to deliver the best possible services to American consumers. Free markets drive our economy and make it the most powerful in the world. However, when companies don't play by the rules, they must be punished because it is the consumer that ultimately suffers.

I believe that passage of this legislation offers important protections to the people of my district in their daily battle with the price of gas. I encourage my colleagues to lend their support as well.

Ms. HIRONO. Mr. Speaker, I rise in support of H.R. 1252, the Federal Price Gouging Prevention Act.

I am a proud cosponsor of this bill, which makes it illegal for any company to sell gasoline at excessive prices or to take advantage of market conditions by increasing prices during an energy crisis. It allows the Federal Trade Commission and the States' Attorneys General to bring lawsuits against corporations that charge excessive prices for gasoline. The bill also permits investigations of companies suspected of price gouging and requires honest and accurate reporting of pricing practices.

In the first month of the 110th Congress, the House took away $14 billion in taxpayer subsidies from the oil companies. This money will be reinvested in alternative, renewable energy sources.

Yesterday the House passed a bill by a bipartisan 345–72 vote, a bill that authorizes the Justice Department to take legal action against OPEC state-controlled entities and governments that conspire to limit the supply or fix the price of oil.

Hawaii's consumers pay some of the highest gasoline prices in the Nation. In 1998, the State of Hawaii filed a lawsuit against the major oil companies operating in our state. The lawsuit revealed that 22 percent of an oil company's nationwide dealer profits came from Hawaii, a state that represented only 3 percent of the market. Clearly, Hawaii's consumers were contributing an excessive share of the company's profits in relation to market share.

Since President Bush took office, gas prices have more than doubled, and previous Congresses have failed to protect consumers from price increases. For the first time in years, Congress has begun exercising its oversight responsibilities. This is important given that the six largest oil companies made $30 billion in profits for the first quarter of 2007, on top of the $125 billion in record profits for 2006.

I urge my colleagues to vote for this bill, which aims to reduce the burden of high energy costs on American families and businesses, build on efforts to increase energy efficiency, lessen our dependence on foreign oil, and cut greenhouse gas emissions in the longer term.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1252, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BARTON of Texas. 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 and the Chair's prior announcement, further proceedings on this question will be postponed.

PROVIDING EXCEPTION TO LIMIT ON MEDICARE RECIPROCAL BILLING ARRANGEMENTS

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2429) to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2429

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

SECTION 1. EXCEPTION TO 60-DAY LIMIT ON MEDICARE RECIPROCAL BILLING ARRANGEMENTS IN CASE OF PHYSICIANS ORDERED TO ACTIVE DUTY IN THE ARMED FORCES.

(a) IN GENERAL.—Section 1842(b)(6)(D)(iii) of the Social Security Act (42 U.S.C. 1395u(b)(6)(D)(iii)) is amended by inserting after ''of more than 60 days'' the following: ''or are provided (before January 1, 2008) over a longer continuous period during all of which the first physician has been called or ordered to active duty as a member of a reserve component of the Armed Forces''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to services furnished on or after the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. PALLONE. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this legislation. I thank my good friend from California (Mr. THOMPSON) for sponsoring it. This legislation is necessary to ensure that our Nation's doctors, who are brave enough to serve their country in a time of war, have a medical practice to serve in when they come home.

Currently, Medicare allows for a physician who is ordered to active duty as a member of a reserve component of the Armed Forces to enter into a 60-day billing arrangement with another physician. These arrangements allow for physicians to maintain their practices while they go off to take care of our soldiers in combat.

Unfortunately, what we are finding is that they are often away longer than 60 days, which puts them at odds with the current Medicare antifraud rules. This legislation fixes that problem by lifting the 60-day limit currently in place, and allowing a physician who is called to active duty to find a substitute physician to watch over his patients for as long as he or she is deployed.

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

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the bill on substance and in adamant opposition of the process.

Now, there is absolutely nothing wrong with the substance of this bill. It has two distinguished cosponsors, one in the majority party, one in the minority party. The underlying substance is eminently fair, and we are not going to ask for a rollcall vote. If it passes on a voice vote, so be it.

But having said that, I want to say in the strongest possible terms how extremely disappointed, and I mean extremely disappointed, that we have a bill that is in two committees of jurisdiction, the Ways and Means Committee and the Energy and Commerce Committee, and the bill had not even been introduced, had not even been introduced until this morning. There was no bill number.

Now, when you put a bill on the Suspension Calendar, theoretically the majority party, the chairman or chairmen or chairwomen ask the ranking member of the minority party if there is any problem with the bill. If there is not, then they approve it. Then the Speaker of the House or the majority leader of the House calls the minority leader of the House and says, ''We want to put this bill on the Suspension Calendar.'' And you do it.

Now, we have a bill before us that was not even introduced until the House convened this morning. There has been no hearing, there is no record, there has been no phone call. Chairman DINGELL did not call me yesterday, he did not call me this morning. I don't know if Chairman RANGEL called Ranking Member MCCRERY. I do know that NANCY PELOSI or STENY HOYER did not call JOHN BOEHNER.

So we are now in a situation, we have a little extra time, let's introduce a bill and pass it in the next 30 minutes. We did not do that when we were in the majority.

Now, this is a good bill. Mr. THOMPSON and Mr. JOHNSON deserve accolades for seeing a flaw in the current Social Security law, the Medicare law, and rectifying it. That is not the issue.

The new majority campaigned on a platform of fairness and openness. Is this fair? Is this open?

This happens to be a good bill. What if it weren't? What if it weren't?

The only two Members that really know anything about it are the two cosponsors, and thankfully they are both decent, honorable men, and we have read the substance of the bill and it is okay. But this is not the way the House of Representatives should be run. It is just wrong, W-R-O-N-G, wrong.

So I support the substance of the bill, but I am adamantly opposed to the process. I hope this thing goes on a voice vote. If it is a rollcall vote, I am going to vote ''present'' and express, when I see Mr. DINGELL, in the strongest possible terms how upset I am about the process.

Mr. SAM JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Let me just correct one thing. The staff tells me Mr. RANGEL did call our committee yesterday at 10 o'clock in the morning on this bill. So the Ways and Means Committee was informed.

Mr. BARTON of Texas. Did he call Mr. MCCRERY?

Mr. SAM JOHNSON of Texas. Yes.

Mr. BARTON of Texas. Then I stand corrected.

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

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

Just in response, I understand where Mr. BARTON is coming from. But I just want to point out that we do have bipartisan support in the House on the bill. And it is only a temporary measure that lasts for 1 year and provides immediate relief to these physicians that are going overseas and fighting for the country. It is a very special circumstance, which I don't think provides any real precedent here, because we do have these physicians who are going to serve their country in Iraq and we just don't want them to have a situation where they come back and they don't have any medical practice. I just don't think that is fair.

I would mention to the ranking member that if we wanted to make a permanent change in this, we would be sure to spend more time and work with our Republican colleagues in accomplishing that goal. This is a temporary measure, and it is just because of the circumstances.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMPSON) such time as he may consume.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker and Members, this is a very important bill. There are almost 3,000 physicians that are serving our country in the Reserves and the National Guard. And, as has been pointed out, when these folks are deployed and they leave, just like every other person in the Guard and Reserves that is deployed, they leave their families, they leave their businesses at home, and they go over and they serve their country. But there is just one thing different with these doctors; when they are deployed, they also leave behind their patients. And these are patients who depend upon the medical care they get from that great American who is now serving his or her country, and these patients can't go without a doctor.

The way the rules are now, the physician has to line up someone to take their patients in their absence, and they can only do this for 60 days. This doesn't work. It is bad for the doctors and it is bad for the patients. What we are trying to do is to waive that 60-day requirement so the physicians can line up one doctor to take their Medicare patients while they are serving our country in Afghanistan or in Iraq.

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And it's a temporary measure. It's only good through this year. So we can, in fact, establish a permanent fix. And this bill has been vetted all through the different committees, and the Ways and Means Committee, both the chairman and the ranking member are very aware of this bill. And my good friend and committee colleague and war hero SAM JOHNSON has signed up on this as a coauthor, recognizing the plight of both the physicians who are serving, and their patients and their practices at home. And it's important that we fix this now and then continue to work on the permanent fix so we can make sure that no doctors and no patients who are caught in this vise go without medical care, or doctors, while serving their country, lose their practices.

And I just want to say a special thank you to Dr. Bradley Clair of Lakeport, California, my constituent, who brought this to my attention. And

he's ready to be deployed on his third tour. He'll be going to Iraq. So we need to fix it for him, for the other doctors, and patients who are exposed because of this problem. We need to fix it permanently. And this is the first step in doing so.

SAM, thank you for your help and your friendship on this and other important issues.

Mr. BARTON of Texas. Mr. Speaker, I yield such time as he may consume to the minority sponsor of this piece of legislation, the Honorable SAM JOHNSON of Plano, Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, it's not every day the House gets to consider a bipartisan, commonsense bill that's affordable. This doesn't cost anything and supports our service men and women overseas. However, I'm happy to say this is one of those days.

Right now the law prevents a Medicare physician from leaving his practice for more than 60 days at a time. And the regulation was created to prevent fraud, but it had the unintended effect of making life more difficult for someone that's called up to serve his country. And this bill eliminates the red tape by allowing our reservists to have one substitute doctor for their entire deployment.

Not only will the bill help our reservists, it'll prevent Medicare beneficiaries from experiencing a gap in service or losing access to care altogether.

And I want to thank my colleague from California for bringing this problem to my attention, I'm surprised we hadn't had it brought to our attention before, and for all the work you and your staff have done to get the bill to the floor today.

Those who serve our country and their communities need and want our assistance, and it's time we helped our weekend warriors who happen to be doctors to keep their patients and keep their practice. This is a great bill, and I appreciate the time. I thank Mr. KUCINICH for providing us the opportunity.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I was going to inquire whether my colleague on the other side does.

Mr. BARTON of Texas. No, Mr. Speaker. I yield myself such time as I may consume briefly.

We support the underlying concept of the bill, and, as I said, if it passes on a voice vote, we won't ask for a roll call vote.

I do stand by what I said, though, in terms of the committee process. We've got two bills on the suspension calendar from the Energy and Commerce Committee. Neither bill had a legislative hearing. Neither bill had a markup at subcommittee or full committee. Neither bill was introduced in its current form as of 2:45 yesterday afternoon. Both bills are on the floor today on the suspension calendar. That does call into question whether we even need an Energy and Commerce Committee, given that everything apparently comes to the floor without going through the committee process.

But we support the underlying principles of this bill, and we certainly support the patriotism and courage of the two sponsors.

Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would just say again, this is a temporary measure. We have these brave men and women who are leaving to care for our troops in Iraq, we're in a time of war, and I think it's just a very special circumstance right now. So I would urge my colleagues on both sides of the aisle to support passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2429.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. THOMPSON of California. 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 and the Chair's prior announcement, further proceedings on this question will be postponed.

QUESTION OF PERSONAL PRIVILEGE

Mr. KUCINICH. Mr. Speaker, I rise to a question of personal privilege under article IX, clause 1.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentleman's point of personal privilege.

The gentleman from Ohio is recognized for 1 hour.

Mr. KUCINICH. Mr. Speaker, there is an issue of critical importance facing this Congress, and that issue relates to whether or not this Congress should pass legislation to continue to fund the war in Iraq.

The legislation contains a particular provision that would lead to the privatization of Iraq's oil, a provision that I'm quite concerned about, because I think that if we take that position, it will make it very difficult for us to ever be able to end the war.

So today I'm going to lay out the case as to why this provision that's in the bill would advance privatization and as to what the options are for this Congress.

As many know, the administration has set forth several benchmarks for the Iraqi Government, including the passage of a hydrocarbon law by the Iraqi Parliament. The administration has emphasized only a small part of this law, what they call the ''fair distribution,'' that's in quotes, of oil revenues.

I want this House to consider the fact that this Iraqi hydrocarbon law contains a mere three sentences that generally discusses the so-called fair distribution of oil. Except for three scant lines, the entire 33-page hydrocarbon law is about creating a complex legal structure to facilitate the privatization of Iraqi oil. As such, it is imperative that Members of Congress read the Iraqi Parliament's bill, because passage of any legislation that includes insisting that the Iraq Government push the passage of a hydrocarbon act puts this Congress on record to promote privatizing Iraq's oil.

Now, I have maintained from the beginning that the war has been about oil. We must not be a party to any attempt to set the stage for multinational oil companies to take over Iraq's oil resources.

There have been several benchmarks set by the administration for the Iraqi Government, including passage of a so-called hydrocarbon law by the Iraqi Parliament. Many inside the Beltway are contemplating linking funding for the war in Iraq to the completion of these benchmarks, including passage of the hydrocarbon law by the Parliament.

This administration has led Congress into thinking that this bill is about fair distribution of oil revenues. In fact, as I mentioned earlier, except for three scant lines, the entire 33-page hydrocarbon law creates a structure to facilitate the privatization of Iraq oil.

Now, the war in Iraq is a stain on American history. Let us not further besmirch our Nation by participating in an outrageous exploitation of a nation which is in shambles due to the U.S. intervention.

Let me provide this House with an analysis of the underlying bill in the Iraqi Legislature, which this administration is trying to get Congress to pass to pressure the Iraqi Government to accept privatization. And this analysis that I'm offering at this moment is a version that passed the Iraqi Cabinet and was referred to the Iraqi Parliament.

The legislation contains only three sentences in regards to the fair distribution of oil, but does not resolve any of the issues facing this challenge. The legislation simply requires that future legislation be submitted for approval; thus this legislation does not even meet the benchmark of the administration.

The legislation ensures that ''chief executives of important related petroleum companies,'' follow that now, ''chief executives of important related petroleum companies'' are represented on a Federal Oil and Gas Council, which approves oil and gas contracts. This is akin to foreign oil companies approving their own contracts.

This legislation ensures that the Iraqi National Oil Company, which is the oil company of the people of Iraq,