if the taxpayers are funding enormous executive pay packages.

This bill is intended to apply the same standards of transparency to these large companies that apply to other people and groups that benefit from Federal expenditures. For example, each year the Federal Government spends hundreds of billions of dollars on contracts. In 2006 alone, the Federal Government spent over $400 billion.

This increase in spending has enriched Federal contractors by way of record-breaking profits and escalating executive compensation. Yet, although the government spends billions of dollars on private contractors, the American taxpayers and Congress know very little about the financial and compensation policies of these firms.

This bill is very narrowly targeted. It requires disclosure of executive pay only from private companies that bring in more than $25 million a year in Federal funds and only if those Federal funds are more than 80 percent of the company's revenue.

The executives of companies falling into that category are basically being paid by the taxpayers, and the taxpayers have a right to know where their money is going. I don't have a problem with people making money. That's okay. That is not what this bill is about. It is about getting the information needed to see if taxpayers' dollars are being well spent. That is important.

If a company whose revenue is primarily from government funds can pay its executives millions of dollars, it raises questions about whether the government is getting a good bargain. It suggests the government could spend its money more efficiently through more competition or more different requirements. Enormous taxpayer-funded pay packages should be a trigger for more oversight of the programs involved.

The sponsor of this bill, Mr. MURPHY from Connecticut, has put in a lot of work on this bill because he recognizes the importance of greater transparency and the need of safeguarding tax bill dollars from waste, fraud, and abuse.

Mr. Speaker, this bill is an important step towards our goal of improving accountability and transparency in Federal spending. We should know whether taxpayers are footing the bill for high salaries paid to executives. I fully support its passage, and I urge my colleagues to do the same.

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 York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 3928, as amended.

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

The title was amended so as to read: ''A bill to amend the Federal Funding Accountability and Transparency Act of 2006 to require certain recipients of Federal funds to disclose the names and total compensation of their most highly compensated officers, and for other purpose.''

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5819, SBIR/STTR REAUTHORIZATION ACT

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1125 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1125

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. 5819) to amend the Small Business Act to improve the Small Business Innovation Research (SBIR) program and the Small Business Technology Transfer (STTR) program, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee 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 except those arising under clause 9 or 10 of rule XXI. 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 committee amendment in the nature of a substitute. 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. During consideration in the House of H.R. 5819 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during the consideration of this rule is for debate only.

I yield myself such time as I may consume, and I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

□ 1245

Mr. WELCH of Vermont. Mr. Speaker, House Resolution 1125 provides for the consideration of H.R. 5819, the Small Business Innovation Research Program and the Small Business Technology Transfer Program Reauthorization Act, under a structured rule.

The rule provides for 1 hour of general debate, with 40 minutes controlled by the Committee on Small Business and 20 minutes controlled by the Committee on Science and Technology. The rule makes in order 17 amendments printed in the Rules Committee report. The amendments are each debatable for 10 minutes. The rule also provides one motion to recommit with or without instructions.

Since its inception in 1982, SBIR has assisted small businesses to compete for Federal research and development awards. It does that by reserving a percentage of the Federal R&D funds for qualifying small firms which would not otherwise be able to compete in the Nation's R&D arena with larger companies.

SBIR is a unique collaboration that allows Federal agencies to fund projects to meet specific agency needs while expanding opportunities for small businesses, including women and minority-owned businesses. SBIR has enhanced the role of innovative small businesses and higher education research institutions in federally funded research and development while fostering competition and productivity in economic growth.

SBIR, Mr. Speaker, targets the entrepreneurial sector because that's where the innovators thrive. The risk and expense of conducting serious R&D efforts are often beyond the means of small businesses, so SBIR funds are a critical start-up in development stages, encourage the commercialization of technology, product or service, which

in turn obviously helps the United States economy.

And the results, by the way, speak for themselves. Not only are 85 percent of the businesses competing in SBIR small firms employing 20 or fewer persons, but the program has generated 50,000 patents over 25 years. SBIR has helped thousands of small businesses drive enhancements in our Nation's defense, new protections for our environment, and advances in health care.

The National Research Council and the National Academies' report, in assessment of the Small Business Innovation Research Program, states, ''The SBIR program is sound in concept and effective in practice. The SBIR program has created a competitive entrepreneurial environment upon which small, independently owned businesses can compete to strengthen America's high technology economy. Many consider SBIR to be one of our most successful technology development programs.''

This rule allows for consideration of a welcomed reauthorization of the SBIR and STTR programs. Just very briefly, what it's going to do is increase the existing set-aside for SBIR to 3 percent, and for STTR to six-tenths of a percent, increase SBIR and STTR grant award levels, increase congressional oversight and evaluation of programs, make changes to shorten the application review periods, and create an outreach development program for underrepresented States, regions, types of businesses, and numbers in the workforce.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend, the gentleman from Vermont (Mr. WELCH), for yielding me the customary 30 minutes.

I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, the small business programs covered by this bill are almost totally without their critics; they enjoy widespread bipartisan support. But, Mr. Speaker, there is controversy and opposition to this legislation because of the manner in which Democrats have chosen to conduct the business of this House.

First, there are concerns expressed about the increased set-aside for these two programs, which will come at the cost of other important research. Concern and opposition of this bill has come from the head of the Small Business Administration, from the White House, and from the Association of American Universities, among others, which represents 60 leading research universities across the country.

Typically, there would be an opportunity to address these types of concerns through committee action before any bill comes to the House floor. But the Democrats have chosen to skip past a hearing of the full House Science Committee on this scientific research legislation. They're just bypassing that step and sending it here to the House floor, where the Democrat-controlled Rules Committee decided to further restrict action on the legislation by limiting the number of House Members who can offer amendments, and they just limited it, Mr. Speaker, to just 17 out of 432 Members in the House.

Now it is true that my Democrat friends on the Rules Committee have allowed some amendments to be offered on this bill, but they have certainly treated themselves very well. Under this rule, Democrat members of the Rules Committee get to offer one-third of the amendments allowed to the entire House. Out of the 17 amendments that would be made in order under this rule, the Rules Committee Democrats get six of them. But under the rules that the Rules Committee wrote, 415 Members will not be allowed to offer even one amendment.

Restricting debate on the House floor is really becoming an old habit for the new Democrat majority, the new Democrat majority that pledged to run a more open, bipartisan House when they won the election in 2006. The Democrat majority has not kept their promise to the American people and have instead passed more closed rules denying all amendments on the House floor than any Congress in history, and they did it in record time.

Despite this record of shutting down debate in the House, the new majority has failed to complete its work and address matters critical to American families, small businesses and the economy. They failed to meet last week's April 5 deadline to write a budget for the next fiscal year, for example. The current farm bill ended last September, and our farmers are still waiting for that bill to be finished.

House Democrats have refused to pass the Senate's bipartisan bill to modernize FISA and to protect our country. Vital tax relief is set to expire while Democrats propose the largest tax increase in American history. Families, workers and small businesses don't need a record tax increase, Mr. Speaker, and they can't afford the plans to cut the child tax credit in half, reinstate the marriage penalty, and raise rates on every single taxpayer.

While Democrats plot these record-breaking tax increases, they sit by while the price of gasoline rises to record levels. Since Democrats took control of Congress in January of last year, the cost of a gallon of unleaded gas has gone up by 50 percent. According to the AAA, the national average for regular unleaded gasoline has gone up $1.18. The cost of gas has gone up more in 15 months, Mr. Speaker, than it had gone up in the prior 6 years.

Two years ago tomorrow, on April 24, 2006, House Speaker NANCY PELOSI, then the Democrat minority leader, issued a press release claiming that House Democrats ''have a commonsense plan to bring down skyrocketing gas prices.'' This was 2 years ago tomorrow, Mr. Speaker. Two weeks after that press release, then minority leader Pelosi said that Democrats have ''real solutions'' that would ''lower the price at the pump.'' That was 2 years ago, Mr. Speaker, just less than 2 years ago. But now they've controlled the House for over a year, yet the ''real solutions'' and the ''commonsense plan'' promised by Democrats are nowhere to be seen. They pledged to lower gas prices, and they've done nothing; gas prices keep climbing.

Mr. Speaker, I think it's time for Speaker PELOSI to reveal the Democrat plan and for this House to be allowed to consider ways to address the rising price of gasoline. Therefore, Mr. Speaker, I will be asking my colleagues to defeat the previous question so that I can amend the rule to make in order any amendment to the underlying bill that would ''have the effect of lowering national average gas price per gallon of regular unleaded gas.'' This House can then debate the rising cost of gas and we can have that debate, Mr. Speaker, by defeating the previous question.

Mr. Speaker, at this time I will insert into the RECORD both Speaker PELOSI's 2006 press release and a letter sent yesterday from Republican leaders to Speaker PELOSI asking for the Democrats to put forward the commonsense plan that they had promised.

PELOSI: 'WITH SKYROCKETING GAS PRICES, AMERICANS CAN NO LONGER AFFORD RUBBER STAMP CONGRESS'

WASHINGTON, DC.—House Democratic Leader Nancy Pelosi released the following statement today on President Bush's, Speaker Hastert's, and the Republican Congress' empty rhetoric on gas prices. Key facts on the Majority's failure to address gas prices follows Pelosi's statement.

With skyrocketing gas prices, it is clear that the American people can no longer afford the Republican Rubber Stamp Congress and its failure to stand up to Republican big oil and gas company cronies. Americans this week are paying $2.91 a gallon on average for regular gasoline—33 cents higher than last month, and double the price than when President Bush first came to office.

''With record gas prices, record CEO pay packages, and record oil company profits, Speaker Hastert and the Majority Congress continue to give the American people empty rhetoric rather than join Democrats who are working to lower gas prices now.

''Democrats have a commonsense plan to help bring down skyrocketing gas prices by cracking down on price gouging, rolling back the billions of dollars in taxpayer subsidies, tax breaks and royalty relief given to big oil and gas companies, and increasing production of alternative fuels.''

Key Facts on the Majority's Failure to Address Gas Prices:

President Bush, Speaker Hastert and the Majority Congress wrote and passed a Republican energy bill that President Bush's own Energy Department said would raise gas prices on American consumers. Big oil and gas companies wrote the Republican energy bill, and the American people paid the price.

The Majority rejected imposing tough penalties on price gouging companies three times in the past year, since that time, gas prices increased by another 11 cents a gallon.

Speaker Hastert and the Majority have been blocking action on Congressman Stupak's Federal Response to Energy Emergencies Act (H.R. 3936) since last September, which would protect American consumers from high gas prices by empowering the FTC and the DOJ to investigate and prosecute oil companies engaged in price gouging at each stage of the energy production and distribution chain and outlaws market manipulation.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 22, 2008.

Hon. NANCY PELOSI,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI: Two years ago this week, you stated that House Democrats had a ''commonsense plan'' to ''lower gas prices.'' In light of the skyrocketing gasoline prices affecting working families and every sector of our struggling economy, we are writing today to respectfully request that you reveal this ''commonsense plan'' so we can begin work on responsible solutions to help ease this strain.

Today, the national average for regular unleaded now stands at $3.51 per gallon, according to AAA, which is $1.18 higher than it was at the start of the 110th Congress—a more than 50 percent increase. In fact, gas prices rose more in the last 15 months than they did in the six years prior to Democrats taking control of both Houses of Congress in January 2007.

In the midst of a slowing economy, falling home values and soaring costs of living, this is a heavy premium for working families to bear.

Americans, particularly those in suburban and rural communities, are paying more simply to commute to work each day. America's truckers, faced with the prospect of paying $1,200 to fill up a tank that just a few years ago cost $600, must now consider taking less work or going out of business altogether. We have seen reports of school districts where filling up buses is already costing as much as $70,000 more than originally budgeted.

Once a nightmare scenario, $4 gasoline is now a very real possibility of becoming a summer staple. In some cities, including San Francisco and Chicago, it is already a startling reality.

We noted with great interest, then, that on several occasions you have announced the existence of a Democratic plan to lower gas prices. In fact, it was two years ago this week, on April 24, 2006, when you pledged that ''Democrats have a commonsense plan to help bring down skyrocketing gas prices.'' Just two weeks after that, you stated that Democrats had ''real solutions'' that would ''lower the price at the pump.''

Yet 15 months into the 110th Congress, you have yet to reveal this ''commonsense plan.''

House Republicans stand ready to work with you and our Democratic colleagues in a bipartisan fashion to address America's energy crisis. As part of that effort, we respectfully request that you reveal the ''commonsense plan'' to lower gas prices you promised two years ago. The ability to fully consider its provisions, details and costs—including any proposed new taxes on gasoline or energy as we have seen in the past—is critical if we are to effectively serve our constituents facing ever-increasing prices at the pump.

We appreciate your timely reply to this request.

Sincerely,

John Boehner, Republican Leader; Roy Blunt, Republican Whip; Adam Putnam, Conference Chairman; Thaddeus McCotter, Policy Committee Chairman; Kay Granger, Conference Vice-Chair; John Carter, Conference Secretary; Tom Cole, Chairman, National Republican Congressional Committee; Eric Cantor, Chief Deputy Whip; David Dreier, Rules Committee Ranking Republican.

Mr. Speaker, I will be asking my colleagues to defeat the previous question at the appropriate time so we can consider ideas for lowering prices at the pump.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), chairman of the Appropriations Committee.

Mr. OBEY. Mr. Speaker, I thank the gentleman for the time.

Let me simply say this bill is intended to increase the small business set-aside for these research programs. That does no harm for a large agency whose budget has been rising, such as the Department of Defense, but it can do immeasurable harm to the crown jewel of our research agencies in this country, the National Institutes of Health.

If we were to do what this bill does to NIH, it would result in $187 million less being available for traditional medical research grants at medical research centers and universities. I think that that is not a good idea. The President's budget has already reduced the number of grants that NIH will be able to provide by almost 500 grants. This will add about another 500 grant reduction to the President's budget. That would mean that we would be supporting a grant level for the traditional NIH grants at about 1,100 grants fewer than was the case in 2007. I think that is a very bad idea. Therefore, when the bill comes before us, I would urge support of the Ehlers amendment, which will correct the problem with respect to the National Institutes of Health.

I know that some people will say, ''Well, we're not reducing the number of grants, we're simply shifting the nature of grants from traditional grants to small business grants.'' But the fact is that the success rate for small business grants under this bill is expected to rise to 52 percent whereas the success rate for applications for traditional NIH grants is expected to decline to 18 percent. That is a disparity that the scientific community and the country at large simply cannot afford.

NIH believes that there will not be sufficient high-quality grants under the small business set-aside to pass peer review over time, and that means they would simply have to lapse back precious research money that could be used for heart disease, for Parkinson's, for cancer, things like that.

So I would strongly urge, when this bill comes before us, to vote for the Ehlers amendment as a way to address that balance.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished ranking member of the Rules Committee, Mr. DREIER of California.

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

Mr. DREIER. I thank my friend for yielding.

''A commonsense plan to bring down skyrocketing gasoline prices.'' That's what my friend from Pasco just quoted my California colleague, our distinguished Speaker, as having said 2 years ago tomorrow.

Mr. Speaker, if we look at what has taken place over that 2-year period of time, we know, and I will tell you that as a driver and a representative of people who drive the freeways of southern California, we've seen gas prices skyrocket over the past 2 years.

□ 1300

There's no plan put forward.

We're very proud of the fact that we have a plan. I just had the privilege of talking to my friend from Illinois (Mr. SHIMKUS) about some of the challenges that we face. Obviously, I believe that environmentally sound exploration in ANWR, the Arctic National Wildlife Reserve, is the responsible thing for us to do. The Outer Continental Shelf is what we need to pursue. There's this potential of a great new shale find in North Dakota.

And then one of the interesting things that Mr. SHIMKUS and I were just discussing is the fact that it, of course, has been three decades, three decades, since we have seen the construction of any new refinery in this country and, of course, three decades since we have seen the construction of any nuclear power facility. We all know that nuclear power is the cleanest, safest, most cost-effective energy source around.

These are the kinds of responsible things that we are proposing, Mr. Speaker. Unfortunately, our colleagues on the other side of the aisle have consistently stood in the way of every single one of those very responsible measures.

And pursuing alternative sources is something else that we strongly support. Coal to liquid, those are the kinds of things that we need to be doing.

Now, what is it that we are doing here with this rule? We are, of course, talking about small business issues, but we know the overwhelming concern of our constituents today is this problem of skyrocketing gasoline prices.

So when we move to defeat the previous question, Mr. HASTINGS, my friend from Pasco, is going to seek to offer an amendment to this rule. The amendment will simply say that any Member, any Member, who has a proposal that will deal with providing a commonsense plan to address the problem of skyrocketing gas prices will be able to offer that amendment here on the House floor. So all we're asking our colleagues to do is to amend this rule by defeating the previous question so that we will be able to deal with one of the most pressing concerns that our constituents are asking us to address.

I urge my colleagues to vote ''no'' on the previous question so that we will allow our Members to step up to the plate and offer these very, very thoughtful solutions or anything that our friends on the other side of the aisle might seek to offer as an amendment that would, in fact, allow this to happen.

I thank, again, my friend for yielding.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. WU), the Chair of the Subcommittee on Research.

Mr. WU. I thank the gentleman for yielding.

Mr. Speaker, I don't know how we got on the subject of gasoline prices because we're here to talk about SBIR and STTR. But if we want to talk about the price of gasoline, I think that the reason why we have $4-a-gallon gasoline is because this administration got us into an unnecessary war in Iraq and that drove up the price of gasoline at least $2 a gallon. So if you want to talk about gasoline, let's talk about the war in Iraq.

Now let's return to the subject of SBIR and STTR. The last time that we authorized either one of these problems, the SBIR program, was in the 106th Congress. The bill was marked up by the Small Business Committee and discharged by the Science Committee. I would note that the bill was not even referred to a subcommittee of the Science Committee. The bill then proceeded to the floor under a suspension of the rules. And we all know that as a suspension bill, there was absolutely no opportunity to offer an amendment to the underlying legislation.

Again, the last time that we authorized STTR, which was in the 107th Congress, the bill was marked up by the full Small Business Committee and discharged by both the Subcommittee on Environment, Technology, and Standards and by the full Science Committee without any Science Committee markup. The bill then proceeded to the floor under a suspension of the rules, and again there was absolutely no opportunity to amend the bill.

What do we have today? We have 17 amendments on the floor. We have 17 amendments made in order by the Rules Committee here on the floor.

Who's running an open process?

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. WU. I would be happy to yield.

Mr. HASTINGS of Washington. I appreciate the gentleman for yielding.

Two points: 415 Members of this House are denied an opportunity to offer an amendment because this is a structured rule, number one.

Number two, I would hope that my friend from Oregon would join me in voting to defeat the previous question because he has a view on why gas prices are high. If we have an open debate on that, he'll have his opportunity to make that argument and perhaps offer legislation that would lower the price of gasoline. That is precisely what I'm going to be asking my colleagues to do in defeating the previous question so they'll have that opportunity. I hope the gentleman will join with me in that regard.

Mr. WU. Reclaiming my time, Mr. Speaker, with 17 amendments made in order under this structured rule, which I support, I think the gentleman and I will have plenty of time to share on the floor today.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. WU. I would be happy to yield.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

But my point is that when the gentleman was talking about the rising price of gas, he has an opinion as to why gasoline prices have risen. We haven't had a debate on this.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 additional minute on this issue.

Mr. Speaker, I just simply want to say that we haven't had a debate, and this is an opportunity to debate this issue. And I hope the gentleman will join with me in voting to defeat the previous question so we can have his ideas on what would lower the price of gasoline, along with other ideas being debated.

That would not take away, would not take away at all, the ability to debate only those 17 amendments that you said were made in order. But the fact still remains 415 Members of this body do not have a chance to perfect this bill as they see fit.

Mr. WU. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I am happy to yield to my friend.

Mr. WU. Seventeen amendments is obviously 17 times any one amendment to the SBIR bill. Now last time there were zero amendments; so it's infinitely better than what happened last time.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Speaker, under suspension of the rules, there is generally agreement between both the minority and the majority. If the gentleman was upset then, he could have very easily have defeated the bill and brought it up under a special rule.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Seventeen amendments were ruled in order. But I can tell you one that wasn't: It was one that I offered. It would have been simple to do it. If we are going to make seventeen amendments in order, why not make this one?

I offered an amendment that would simply have prevented any funds appropriated to the Federal agencies that must participate in these grant programs from being used for earmarks.

Now last week we had a bill called the Beach bill. It came under an open rule; so I couldn't be blocked from offering a similar amendment saying no funds authorized in this bill could be used for earmarks. I offered that amendment and it received overwhelming support. It passed by a 2–1 margin. I believe more than half of the Democrats voted for it and an overwhelming number of Republicans. Why wouldn't we allow that amendment to be offered here?

We have programs here, grant programs, and it's conceivable there could be 5,000 or 6,000 grants offered under this program. The temptation is going to be, as it is with all of the other accounts that we have earmarked in this place, to earmark it, for Members to simply set it aside and say I want this grant to go to one of my constituents or somebody else. And for those who say we haven't traditionally done that with this program, well, we didn't traditionally do it with the Homeland Security bill either. For the first 3 years that it came to the floor, some $32 billion, none of it was earmarked. But last year about $750 million was earmarked, more than 600 earmarks, nearly all of them air-dropped in at the last moment. So we have a habit around here of discovering a pot of money that can be earmarked for our own political purposes.

I know that the overwhelming majority of rank-and-file Members in this body don't want this to happen because it's typically those Members in a leadership position or a committee Chair position or some Member of seniority that typically benefits more than other Members. But I was denied that ability to bring that amendment to the floor today, and I would submit that the more we allow bills like this to come to the floor without amendments being offered like this, the more we're going to suffer.

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

Mr. HASTINGS of Washington. I yield 1 additional minute to the gentleman.

Mr. FLAKE. I thank the gentleman.

Mr. Speaker, as we allow authorization bills to come to the floor and we don't have a prohibition about the money being appropriated later from being earmarked, we are going to see them earmarked. That has been the trend around this place in recent years. That trend is not just continuing; it is accelerating, with the Homeland Security bill, as I mentioned.

So I would appeal to everyone to vote down this rule. Let's bring back a rule that allows a broader scope of amendments, ones that will actually preclude all of the grants authorized in this bill from being earmarked for political purposes.

And with that, I would urge a ''no'' vote on the rule.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, this is a small business bill. Let me tell you why this is relevant. The biggest challenge to small businesses in America today is the high cost of energy. Let me say that again. The biggest challenge to America's small businesses today is the high cost of energy.

Here's an article from a paper: ''Independent Truckers,'' they're small businessmen, ''Join Strike.'' Why? Over $4 a barrel for diesel, $4 a gallon for diesel fuel. They can't operate. You wonder why food prices are going up? Gas prices are too high.

What has the Democrat majority done? Nothing.

This is a great opportunity to bring all our collective ideas, put legislation in front of the American people, and say let's vote on bills that will affect and lower the cost of gasoline.

Now, the Democrats should be happy about this because Speaker PELOSI promised in April of 2006 that the Democrats have a commonsense plan to help bring down skyrocketing gas prices. In 2006. We're still waiting for the plan.

In fact, there is a plan. The plan is this: The plan is for the barrel of crude oil to go up. When the Democrats took the majority, it was $58 a barrel. What is it today? It's $117.36. When you have no plan, you plan to fail.

You want to help small businesses? Bring an energy bill to the floor that brings on more supply.

Look at what it has done at the gas pump. You've heard the terminology: ''Pelosi premium.'' The price of a gallon of gasoline when the Democrats took over: $2.33. What is it today? It's $3.53. Add to that climate change legislation, Chairman DINGELL wants to bring to the floor 50 cents in additional cost to a gallon of gas. Right now that would be $4 a gallon. And we know when we get to the summer driving season, it's going to be $4. Add 50 cents: $4.50 a gallon. What do the Democrats bring to the floor? They bring nothing to the floor. Nothing.

Do we have plans? Actually, we have a bipartisan majority if the leadership would bring a bill to the floor. We have a bipartisan majority, most of the Republicans would vote for it, we'd get 40 or 50 Democrats, to move more supply, more supply like opening up the Outer Continental Shelf, more supply like coal-to-liquid technology, more supply like expanding nuclear power, more supply by going after the oil shale, more supply by going after our marginal oil wells. We can bring more supply.

We're the only industrialized nation in the world that doesn't use its resources. That's why we import all this crude oil. We don't use our resources. Coal to liquid, in Illinois alone, 250 years worth of fossil fuel. We could turn that into liquid fuel.

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

Mr. HASTINGS of Washington. I yield the gentleman 1 additional minute.

Mr. SHIMKUS. I know the liberal left and the environmentalists don't like coal. I know that. And they tout Kyoto. I know that. They tout our European friends.

The New York Times today: ''Europe Turns to Coal Again.'' Europe turns to coal.

When is this body going to turn to coal to solve our energy prices?

□ 1315

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding, and I certainly come to the floor today in support of the Small Business Innovative Research Act, and if some of the amendments, particularly the one offered by my friend on the other side, Mr. WELCH, is approved, and maybe a couple of other amendments, I definitely plan to support this bill.

But in regard to this rule, Mr. Speaker, I am fully supportive of my colleague from Pasco, my former colleague on the Rules Committee, that says we want to defeat this previous question to give Members an opportunity to come to this floor and talk about something that indeed is more of a crisis than what we do with our Small Business Innovative Research Grants, although that is important. So that is the reason why I will vote in favor of defeating the previous question.

Mr. Speaker, the promises that were made, and I just want to show, if my colleagues will look at this chart, the day George Bush was sworn into office as President, the price of regular gasoline was $1.49. Two years ago, about 2 years ago, the day that NANCY PELOSI was sworn in as Speaker, the price of a gallon of regular gasoline was $2.33, and today, 15 months into her leadership, gas prices have spiked at $3.50 a gallon for regular, a $1.30 increase in my home State of Georgia.

Mr. Speaker, this is really unacceptable, it's downright deplorable, especially when the new Democratic majority and the new Speaker of the House campaigned and made a pledge that they would bring down the price of gasoline. Instead of bringing it down, Mr. Speaker, look what has happened. This is not a linear growth, this is an unbelievable exponential growth.

So as part of this changing of the rule if we defeat the previous question, it would require, Madam Speaker, within 5 days, she's had 15 months, but it would require her within 5 days to bring a bill to provide a commonsense plan to help bring down skyrocketing gas prices.

The previous gentleman from Illinois had some great ideas; the gentleman from Pennsylvania (Mr. PETERSON) had some great ideas. There are so many Members that could come to this floor on both sides of the aisle and give some amendments and some ideas that would truly bring down our dependence on foreign oil. Right now, 60 percent of our usage comes from either the Middle East or from Venezuela.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 2 minutes.

Mr. GINGREY. I thank the gentleman for yielding. My good friend, my subcommittee Chair on the Science Committee, made a comment. He said, the reason for the skyrocketing price of gasoline is because of what is going on in the Middle East; this war that we are waging in Iraq.

Well, I would like to point out to him that the production of oil from Iraq today is exactly what it was prior to the war 5 years ago commencing. And that is about 2.5 million gallons a day from Iraq. So the price of oil has nothing to do with that. It absolutely has nothing to do with it. We are going to control this with some of the ideas, the coal-to-liquid idea that Mr. SHIMKUS, the gentleman from Illinois, just talked about. We are going to help solve this problem by licensing some new nuclear power plants.

As the former chairman of the Rules Committee, Mr. DREIER, the gentleman from California, talked about, yes, we are going to look at solar, we are going to look at wind. We certainly, as our minority party, now former majority party, have tried so hard to get us to explore for more oil and gas in this country. ANWR could produce another 1.5 million barrels of oil a day, and drilling on the Outer Continental Shelf, why are those things blocked?

It's time for us to do something about it, and I am glad that the gentleman from Washington is going to ask all Members to vote against the previous question and let's give an opportunity for Members to come down and give their ideas.

Mr. WELCH of Vermont. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman has 9 minutes. The gentleman from Vermont has 22 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

I rise to raise an issue about Small Business Innovation Research funding and also Small Business Technology Transfer Research funding. This bill which is coming up before us increases SBIR by 20 percent and increases STTR by 100 percent. These increases seem totally out of line to me, particularly since that money comes out of the research budgets of the other agencies of the Federal Government. I have offered an amendment, which I am very grateful to the Rules Committee for making in order, which would remove those increases.

Let me explain why it is important to remove those increases. It is because the money for those is taken away from the current fundamental research programs of the Federal Government. In fact, these increases will remove $650 million from the other research funds at various agencies. Just to give an example that we are talking about real money here, note that just for NIH alone, at a time when agency funding increases are below inflation level and we are simply not putting enough money into health research, this particular change in SBIR and STTR will reduce the NIH budget by $185 million.

Now we would not think if a proposal came to the floor to directly reduce NIH and NSF funding, we would not even think about bringing it to the floor or even bringing it up for a vote. Yet this particular provision was put in the Small Business bill without the full consent of the Science Committee. It was presented to us in such a short time span, we couldn't even have a meeting of or mark-up by the full Science Committee, which happens to have jurisdiction over this particular payment. We managed to have a hearing before a subcommittee, and that was the extent of the Science Committee's involvement.

I think this was done without full thought and I don't believe any of my colleagues are interested in reducing the funding for the National Science Foundation, or the Department of Defense, or the NIH at a time like this.

So I thank the Rules Committee again for putting this motion in order. I also wanted to say my amendment is supported by the Association of American Universities, the American Association of Medical Colleges, the Federation of American Societies for Experimental Biology, the National Association of State Land-Grant Colleges, and also the National Academy of Sciences. I urge my colleagues to support my amendment.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I believe it's April Fools Day here on the floor of the House. To hear the members of the GOP, the Grand Old Oil Party, talking about how they are there for the consumers, they want to do something to help American consumers, the same party that benefits disproportionately from massive campaign contributions from the oil and gas and coal industries, the same party that holds the White House, with two oil men in the White House, the same party that on the Senate side defeated our energy provisions because they would have, God forbid, made the oil and gas companies pay taxes like other members of the corporate community. It would have taken away subsidies.

They are crying crocodile tears about the massive profits their buddies are making. They are campaign contributors, they are sponsors, and the President, the oil man, the Vice-President, the oil man supply services company.

Now there's a few things we could do. The President is a big free trader. He is trying to push us into more free trade agreements. He says they work great. He wants rules-based trade. Well, we are in the WTO. They have rules. The rules say you cannot restrict the supply of a commodity simply to drive up the price. That is what OPEC is doing. Now five members of OPEC are in the WTO.

Will this President, the oil man, the friend of the Saudis and the others, will he file a complaint with the World Trade Organization against OPEC? No. I wrote to him 3 years ago asking him to do that. The answer was no. The Saudis and the OPEC countries want to get together to collude and drive up the price of oil. That is just fine with George Bush. He is all for free trade and rules-based trade, except when the rules might hurt some of his buddies, and then the oil industry just piggybacks on top of that.

Now there is another thing they could do. They could help us with the provision we put in the farm bill, which is stalled in the Senate, which would close the Enron loophole. Remember Enron? Ken boy, the President's favorite guy. He just died before he went to jail. Well, the Enron boys convinced the Republican Congress to give them a special loophole, to deregulate energy commodities to allow for massive speculation. And there is widespread agreement in the financial community that about 50 cents of the price that is being paid at the pump today is being paid purely because of speculation brought about by the Enron loophole.

You really want to do something about the high price of oil? Help us close the Enron loophole. Get your President to file a complaint against OPEC for colluding to drive up the price of oil. Help strip out the taxpayer subsidies to the oil, coal, and gas industry. You're taking it out of their wallets while you take it out of their pockets at the pump.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas, a member of the Rules Committee, Mr. SESSIONS.

Mr. SESSIONS. Mr. Speaker, we just heard an argument. That is okay. I can understand that people want to blame President Bush for things. But the fact of the matter is that the pressure on this issue comes directly to the Democratic Party, the Democratic Party that absolutely cuts America off from being energy independent. They are the people, not OPEC, that have caused America to have to go to OPEC to get our oil. And in the time when there is competition for this oil because we don't produce our own here in the United States, of course you're going to pay more money.

To blame this on George Bush, when in fact it is the Democratic Party that has shut off America from energy independence, from the ability that it has to go, just one case, to the Arctic Wildlife Reserve to be able to get millions and millions of barrels of oil that reside within our own United States. We are the ones, as a result of the Democratic Party, that have to go to OPEC to buy the fuel we need.

It is an absolutely ridiculous argument to blame George Bush when in fact it was Bill Clinton as President who vetoed the bill which would have given us millions of barrels of oil back in 1995, available to consumers today. It is the Democratic Party and the ability from the Speaker, the current Speaker of the House, Ms. PELOSI, to follow what we have with their public policy to make sure that Americans are paying more at the pump today. But you can't blame George Bush.

Let's put the blame where it really is, and that is America is not energy independent. We have to go to other places, we have to get oil, and the world wants the same thing from that marketplace. So rather than throwing insults at each other, why don't we do something about it.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. SESSIONS. I thank the gentleman.

What we need to do is have a real live debate on this floor where we figure out that America should become energy independent. That means we would be able to not only produce the oil and the energy from this country, but we would be able to have the jobs that come from that.

I believe the charge that is equally fair today is to say that it is Ms. PELOSI'S public policy that built Dubai. We should quit building Dubai.

□ 1330

Mr. WELCH of Vermont. Mr. Speaker, I recognize the gentleman from Massachusetts (Mr. MARKEY) for 3 minutes.

Mr. MARKEY. I thank the gentleman from Vermont very much.

We welcome this debate. We welcome a debate on the Bush-Republican energy policy. Let's begin with a brief review of where the price of oil was back when President Bush was sworn in as President. It was $27 a barrel. That is what President Clinton, that is what

Vice President Gore, handed over to President Bush, $27 a barrel oil. Now let's look at what the price of a barrel of oil was yesterday: $119 a barrel for oil. So President Bush and Vice President CHENEY, they might not know a lot about other issues, but you would think oil policy they would understand.

Well, this is what you get after 8 years of a Bush-Cheney Presidency, abetted and aided for 6 of those years by a Republican Congress.

Let's even take it further. Let's take it to the next step. Let's look at oil company profits. Let's just take the big five oil companies in the United States, led by ExxonMobil. Well, the cumulative profits of all five companies in 2001 was $37 billion. All five of the big oil companies cumulatively made $37 billion.

Now let's look at last year. Last year, those five oil companies made $123 billion in profits. And ExxonMobil alone made $42 billion, the largest profit of any corporation in American history, exceeding the total amount of all of those oil companies' profits in 2001.

So what has happened after 8 years of the Bush-Cheney administration is that they have allowed Big Oil and OPEC to take the American consumer and tip him upside down at the gasoline pump every single day, shaking money out of their pockets.

And looking over at this strategic asset that was built by the American people, the Strategic Petroleum Reserve, which now has 700 million barrels of oil in it, as the American people say to the President, please deploy this weapon which the American people have to protect the American economy and the American consumer.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield 2 additional minutes to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman.

The Bush administration continues to purchase 70,000 barrels of oil a day from Big Oil and OPEC. They are doing it today, buying it at $119 a barrel, buying it today, even though it makes no economic sense. We shouldn't be contributing to this speculation, which is driving up the price of oil. Instead, what the Bush administration should be doing is taking some of that Strategic Petroleum Reserve, the 700 million barrel asset, and beginning to deploy it as a weapon against the speculators who are driving the price of oil up and driving our economy into the ground.

The Bush administration won't do either. They won't stop buying oil at $119 a barrel and they won't at the same time use this asset now that is supposed to be there to protect the health of the American economy and deploying it in a way which, I will tell you, it will prick the speculative bubble almost immediately and begin to drive down the price of oil. That is only something that the President can do, if he determines that there is an economic emergency in our country, if he believes that our country is being adversely affected by high energy prices. That is a decision that can only be made in the Oval Office.

Obviously, the Bush administration, having seen the price rise from $27 a barrel to $119 a barrel, still does not believe that we are absent any energy policy, still believes that it is a free market and that OPEC and big oil are operating in a free market and that is just the natural price of oil.

But here is the interesting testimony before the Select Committee on Energy Independence last week.

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

Mr. WELCH of Vermont. I yield 1 additional minute to the gentleman from Massachusetts.

Mr. MARKEY. When I asked the number two executive at ExxonMobil what he was doing with his $42 billion worth of profits last year in terms of investing in renewable energy resources, the CEO said that he was going to invest $10 million in renewable energy resources. $42 billion worth of profit, $10 million going into renewable energy resources.

When I said to him, you know, the Bush administration and the Republican Congress gave you $18 billion worth of additional tax breaks 3 years ago and now at $119 a barrel you don't need them anymore, can we take those and give them as tax breaks for renewable energy resources, all of the oil executives said, no, we want the tax breaks. We don't want that to go over to renewables. And, secondly, we love our profits, and we are not going to invest them in renewables.

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

Mr. WELCH of Vermont. I yield 30 additional seconds to the gentleman from Massachusetts.

Mr. MARKEY. That is a recipe for continued abject subservience to this oil industry and to OPEC. The President has to get aggressive on deploying the Strategic Petroleum Reserve, stopping his policy of buying $119 barrel oil, 70,000 barrels a day from OPEC and Big Oil. Secondly, we need a new policy on getting aggressive on renewable energy, which the Republican majority for 12 years and the Bush White House has turned a blind eye to. And that is why we are in the mess that we are in today.

The SPEAKER pro tempore. The Chair will note that the gentleman from Washington has 3½ minutes remaining and the gentleman from Vermont has 12½ minutes remaining.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the gentleman from Vermont.

I am here as a new Member of Congress because my constituents, like millions of others around the country, figured out what was happening here in the United States Congress for the last 12 years, that the priority was to pad the pockets of the oil companies at the detriment of American consumers.

They have also figured out what has been happening here on the floor of the House of Representatives for the last year-and-a-half. As this Democratic majority has passed legislation cracking down on price gougers, as this Democratic majority has passed legislation going after the multinational oil cartels, as this Democratic Congress has passed legislation repealing the billions of dollars in subsidies for the oil companies and turning them around into ordinary subsidies for ordinary Americans to try to put renewable resources and energy in their home, we have done it all without help from the President, we have done it all without almost any help from the Republicans.

That is why there are so many new Members of Congress ready to set a new direction on energy policy, and that is why it is time for the Republican minority to join the Democrat in setting a new energy policy for this country.

Mr. HASTINGS of Washington. Mr. Speaker I yield myself 30 seconds.

Mr. Speaker, I find this debate of the last three Members absolutely incredible. All we have heard from the last three speakers is the problems, but we have heard no solutions.

So I want to repeat, Mr. Speaker, by defeating the previous question, we can debate solutions on the floor of this House. I would hope that all of those, especially the last three speakers on the other side, would join me in voting ''no'' on the previous question so they can offer their solutions so we can debate them on the floor of the House. That is the sum and total of defeating the previous question.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I want to thank the gentleman for yielding.

I am proud to come to the floor to talk about solutions that the Democratic Party has put forth and this House has tackled in the last year. But let's not try to rewrite history, as we see being done on the other side.

Let's remember when President Bush came to office in 2001, crude oil sold at $25.88 a barrel. When the Iraq war began, that terrible, misguided war, crude oil was $35 a barrel. Gas was approximately $1.56. In my district today, gas is $3.56. Crude oil is over $119. That is what the Republican policies have brought us, a bad war and gas and oil that we cannot afford.

The Energy Information Agency says gas will be $4 this summer. Diesel is already $4. So what have the GOP and this President said they are going to

do? Remember? He is going to jawbone his friends the Saudis to produce more oil so we would have it here in this country.

Oh, he jawboned all right. He jawboned all the way up to record prices, record profits, where ExxonMobil can pay its CEO a $400 million pension with $44 billion in profits last year. Oh, boy, they jawboned all right. Their jawbone is chewing on our pocketbook and is hurting the middle class in this country.

What have we done? The energy price gouging bill, H.R. 1252, which we passed last May 284–141. One hundred forty-one on the other side wouldn't even vote for us to stop the gouging of prices that we see day in and day out. This legislation would have provided the Federal Trade Commission with the authority to investigate and prosecute those who engage in price gouging, predatory pricing and other unfair practices.

I don't know about you, but I am tired of seeing gas go up 30 cents like it did earlier this month in my district. One day, 30 cents. Now, if that is not excessive pricing, predatory price gouging, I don't know what it is.

Let's take a look at the PUMP Act, a piece of legislation we have been working on since April of 2006, and we have plenty of cosponsors. We had a hearing last December, December 12. What did they say? Pass the PUMP Act to prevent the unfair manipulation of prices. Professor Greenberg said we could save $30 a barrel. For every barrel of oil that comes into this country, we can save $30 by getting the speculators out of the market.

Why do we continue to allow speculators to run this country? They sure did a good job with mortgages, didn't they, with the subprime mortgages. That is why the values of our properties have gone down. Now the speculators are in the oil field, in the energy field. And why is that? Because of a little thing when the Republicans were in charge called the Enron loophole. The Enron loophole in 2005 allowed the speculators to come into the energy field, and therefore they have run up the price. What did the hearings show?

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

Mr. WELCH of Vermont. I yield 1 additional minute to the gentleman from Michigan.

Mr. STUPAK. Ninety-five to 98 percent of those playing in this market have no intentions of taking possession of oil or providing a product. They are there for one reason, to rake all the profits off the American people that they can through their excessive speculations.

This Democratic Congress has also passed a Renewable Energy Tax Act to help lessen our dependence on foreign energy sources.

Look. Since this war started in Iraq, everything has doubled and tripled. We have heard nothing from the other side. This Democratic Congress continues to do things to try to curb the abuses we find in the energy field, that we find in manipulation of prices and speculation. We will continue to work towards that.

To come down here and somehow try to rewrite history, it is just not going to work. It is important to note that tax breaks that are eliminated in the Renewable Energy Tax Act are equivalent to less than 1 percent of the oil companies' net income, but yet they complain.

□ 1345

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, my friend from Michigan just made the case for me one more time to defeat the previous question so that the gentleman could offer some solutions.

I just want to remind everybody, Mr. Speaker. Two years ago tomorrow, then Democrat minority leader NANCY PELOSI said: We have a commonsense plan to help bring down skyrocketing gas prices. We have real solutions to lower the price at the pump.

When the Democrats took over, the price at the pump was $2.33. Now, it is $3.51.

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

Mr. HASTINGS of Washington. I yield myself another 15 seconds.

Mr. Speaker, by defeating the previous question we can discuss and debate those solutions. That is all I am asking Members to do. I am not taking sides, I am not saying their ideas are bad. I am just saying we have an opportunity to debate those solutions.

Mr. WELCH of Vermont. Mr. Speaker, I yield 2½ minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I just had a meeting I think is relevant to this conversation. I just met with the leaders of the Phoenix Motor Car Company of Ontario, California. They hope to bring out an all-electric car that will go 120 miles on one charge. You can charge your car for $3 and not use a drop of gasoline.

Now they could use a little assistance from Uncle Sam to bring these products to market as quickly as possible, and we on this side of the aisle proposed some bills to do that because we wanted to take the 21 billions of dollars that this side of the aisle wants to give to the oil and gas companies in tax breaks and give those tax breaks to consumers and companies so that we can get all-electric cars, so we can break our addiction to Middle Eastern oil. That is a solution. You want solutions? You can't handle solutions. We gave you a solution: Let's get electric cars on the road. We have a bill to do that. And if we can get some help there from the other side of the aisle, then the President will make this happen.

I will give you another company, the Astro Solar Energy Company. They can produce electricity just by solar thermal power. We wanted to give them some help to do that, this side of the aisle blocked it because they wanted to help some friends in the oil and gas industry.

So those are the long-term solutions. But I wanted to mention a short-term solution. Tell me why on this green earth we do not have the oil and gas industry futures market protected and governed by the Commodities Futures Trading Commission? We want them to put them under the regulation of that, have transparency. We regulate the orange, wheat, and soybean futures market; this market ought to be regulated as well. This side of the aisle stands to do that; 36 Democrats are on the bill to do that, Mr. STUPAK's bill. We have only got two Republicans. We welcome Republicans to get in the solutions business. Help us pass this bill.

I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate my friend for yielding. I just simply want to say, and you make my case. If you have these solutions, defeat the previous question and we can have a debate on that.

Mr. INSLEE. We have solutions. What we don't have is a President in the White House who will sign these bills or the Republicans who will break a filibuster in the Senate. You have got a Presidential candidate running this year who didn't vote to break the filibuster to give these tax breaks to these all-electric and solar thermal companies. That is what we need and we will get this job done.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. INSLEE. I don't have any more time. I will yield on your time if you like, Mr. HASTINGS. I will be happy to yield on your time.

Mr. HASTINGS of Washington. Mr. Speaker, I took all of my time because I was advised there were no speakers on the other side, so I can't yield time right now.

Mr. INSLEE. Thank you.

Mr. HASTINGS of Washington. Mr. Speaker, I inquire once again of my friend from Vermont if he has any more speakers.

Mr. WELCH of Vermont. I am the last speaker.

The SPEAKER pro tempore. The gentleman from Vermont has 5 minutes. The gentleman from Washington has 2¼ minutes.

Mr. HASTINGS of Washington. Thank you for being so precise, Mr. Speaker. I do appreciate that.

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

Mr. Speaker, I just want to reiterate, we have had a debate on the problems. We haven't had a debate on the solutions. My motion then would allow that to happen. So let me repeat, Mr. Speaker.

Two years ago, Speaker PELOSI promised Americans a Democrat plan to lower gas prices at the pump. They

have controlled Congress for 15 months, but we still have not seen this plan. Meanwhile, the cost of gas is setting record highs.

Under their leadership, the national average price of gas has increased by $1.18. It is time for the House to debate ideas for lowering gas prices. It is time for the Democrats to reveal their plans.

Mr. Speaker, by defeating the previous question, I will move to amend the rule to allow any amendment be made in order on the underlying bill that would, quote, have the effect of lowering the national average price per gallon of regular unleaded gas.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to defeat the previous question so that we can have this debate, so that we can consider these vitally important issues that America's families, workers, truckers, small businesses, and our entire economy face with these rising prices of gasoline.

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

Mr. WELCH of Vermont. Mr. Speaker, I have mainly listened as this debate has unfolded, and I have an observation. This is a sad spectacle. The Congress of the United States has before it now a bill that is intended to address an urgent need to provide research funding for our small businesses.

Small business is the backbone of our economy, it is where most jobs are created, it is where some of the best innovations occur, and where our small businesses need some assistance to put together the financing package required to explore innovative research and development ideas. Our small businesses don't have the funds that are available oftentimes through big venture capital operations. And what we are hearing in this debate is a complete and utter disregard for the content of this bill and, instead, turning it into a political debate that veers wildly away from any truth about what the history of this whole gas crisis is.

Number one, the basic question before us is, are we going to help the research and development needs of our small businesses? We believe it is urgent that we do so, and we won't be deterred by what is now a political argument.

Second, since our friends on the other side have made an accusation that there has been Democratic culpability, almost a conspiracy, in raising gas prices, I want to respond to the absurdity of that.

We have heard from our speakers how the price of a barrel of oil when President Bush took over was $25, it is now $119. We know that the war in Iraq, when it started, that catastrophic war, the price was $35, it is now $119. But what we also know is that under the leadership of the Republican Congress, we turned a blind eye on the Government's responsibility to look out for the middle class. Why? We destroyed regulatory oversight that is necessary to help folks pulling up with their pickup truck to fill up their gas tank.

This Enron loophole, snuck in, in the middle of the night with the complicity of a Republican Congress is, Mr. Speaker, and I say this intentionally, unconscionable, unconscionable to meeting the needs of average Americans who are trying to work hard and pay their bills. Fifty cents at least in the price of a gallon of gasoline is because the speculators, the hedge fund managers, are singing every day as they make wire transfers to their bank accounts at the expense of everyday Americans.

And my question is, why will not those who are expressing concern about the cost of gasoline and how that impacts small business and impacts our families, why will they not get behind Congressman STUPAK and support The PUMP Act, get rid of the Enron loophole? Why will they not join with many of us who have sent letters to the President imploring him to release the strategic petroleum reserve or at least stop buying. One action would reduce, according to Goldman Sachs, the cost of a gallon of gasoline by 25 cents. And then there is the legislation that we passed that the Republicans voted against.

So what we have is an accusation made by people who every time they have had an opportunity to take a concrete specific action that would help, have said no, have said no to the Enron loophole reform, have said no to The PUMP Act, have said no to stop buying in the strategic petroleum reserves.

So it leaves me with a question. Is what we are hearing about politics, or is it about policy? I have come to my own conclusion. But we are here on a bill that is going to help small business. That is our job. And our job in this rule should be to make that bill a better bill, not to hijack what is a good bill and turn it into a political food fight.

We have got two issues here that have been injected. One is, are we going to help small business or not? There is broad bipartisan support. The two committees of jurisdiction have done an excellent job.

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

Mr. WELCH of Vermont. I urge a "yes" vote on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1125 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution or the option of the previous question, it shall be in order to consider any amendment to the bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall he considered as read, shall he debatable for thirty minutes 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 except those arising under clause 9 of rule XXI. For purposes of compliance with clause 9(a)(3) of rule XXI, a statement submitted for printing in the Congressional Record by the proponent of such amendment prior to its consideration shall have the same effect as a statement actually printed.

SEC. 4. Within five legislative days the Speaker shall introduce a bill, the title of which is as follows: "A bill to provide a common sense plan to help bring down skyrocketing gas prices." Such bill shall be referred to the appropriate committees of jurisdiction pursuant to clause 1 of rule X.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually

the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Washington. 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 H.R. 2830, COAST GUARD AUTHORIZATION ACT OF 2008

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1126 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1126

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. 2830) to authorize appropriations for the Coast Guard for fiscal year 2008, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Homeland Security, and the Judiciary 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 the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution. 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 except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each 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 except those arising under clause 9 or 10 of rule XXI. 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. In the engrossment of H.R. 2830, the Clerk shall—

(a) add the text of H.R. 2399, as passed by the House, as new matter at the end of H.R. 2830;

(b) conform the title of H.R. 2830 to reflect the addition to the engrossment of H.R. 2399;

(c) assign appropriate designations to provisions within the engrossment; and

(d) conform provisions for short titles within the engrossment.

SEC. 3. During consideration in the House of H.R. 2830 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 4. The chairman of the Committee on the Judiciary is authorized, on behalf of the Committee, to file a supplemental report to accompany H.R. 2830.

□ 1400

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

Mr. ARCURI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 1126 provides for consideration of H.R. 2830, the Coast Guard Authorization Act of 2008, under a structured rule. The rule provides 1 hour of general debate, with 40 minutes controlled by the Committee on Transportation and Infrastructure and 20 minutes controlled by the Committee on Homeland Security. The rule makes in order 15 of the amendments that were submitted to the Rules Committee.

This rule also takes steps to prevent terrorist acts against our Nation by allowing for the text of H.R. 2399, the Alien Smuggling and Terrorism Prevention Act, to be added upon House passage of the Coast Guard Reauthorization Act, and for the whole package to be sent over to our colleagues in the Senate. The Alien Smuggling and Terrorism Prevention Act, which passed the House on May 22, 2007, by an overwhelming, bipartisan vote of 412–0, provides strong new enforcement tools at the border, including increased criminal penalties for alien smuggling, human trafficking and slavery, drug trafficking, and terrorism or espionage.

It also subjects smugglers and traffickers to even higher penalties for transporting persons under inhumane conditions, such as in an engine or storage compartment, or for causing serious bodily injury.

It directs the Department of Homeland Security to check against all available terrorist watch lists, alien smugglers, and smuggled individuals who are interdicted at the U.S. land, air and sea borders.

And it tightens proof requirements for distinguishing covert transportation of family members or others for humanitarian reasons for which the penalties are less severe.

Since the September 11, 2001, terrorists attacks, the Coast Guard has served as the primary agency responsible for our Nation's maritime security. The fact that the Coast Guard has risen to meet this heightened responsibility, while at the same time continuing to fulfill its nonsecurity missions, is a testament to the commitment and honor to the service men and women of the Coast Guard.

The bill that this rule provides for consideration will ensure that the Coast Guard can continue to perform all facets of its mission in an uncompromising way. H.R. 2830 provides the necessary resources by authorizing 1,500 additional Coast Guard personnel and increasing the funding to the Coast Guard by $8.4 billion, $200 billion over the President's request.

The underlying legislation sets requirements for security around vessels that transport, and facilities that process, liquefied natural gas, giving the Coast Guard the responsibility for enforcing security zones and requiring it to certify that State or local governments have the necessary resources before they can assist in security patrols around facilities. It also directs the Department of Homeland Security to analyze the threat of a terrorist attack on gasoline and chemical shipments and report to Congress.