Stated against:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 525, I was inadvertently detained. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 5501, TOM LANTOS AND HENRY J. HYDE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA REAUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution H. Res. 1362, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 185, not voting 18, as follows:

[Roll No. 526]

YEAS—231

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Cazayoux
Chabot
Childers
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—18

Bishop (UT)
Boozman
Boswell
Braley (IA)
Brown-Waite, Ginny
Cole (OK)
Cubin
Dingell
Ellison
Gohmert
Hinojosa
Hirono
Hulshof
LaHood
Meeks (NY)
Ortiz
Rush
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1255

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on rollcall No. 526, I did not record my vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker, on Thursday, July 24, 2008, I missed rollcall votes 525 and 526.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

Rollcall vote 525: "Nay" (On the Rule providing for the consideration of H.R. 6578);

Rollcall vote 526: "Nay" (On Calling the Previous Question on the Rule providing for H.R. 5501).

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Speaker, I missed three votes today due to an emergency dental procedure. Had I been present, I would have voted as follows:

Rollcall vote 524: "yes" on motion on ordering the previous question on the rule providing for consideration of motions to suspend the rules (H. Res. 1367).

Rollcall vote 525: "yes" on H. Res. 1367, the rule providing for consideration of motions to suspend the rules.

Rollcall vote 526: "yes" on motion on ordering the previous question on the rule for H.R. 5501—Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (H. Res. 1362).

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSUMER ENERGY SUPPLY ACT OF 2008

Mr. BARROW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6578) to provide for the sale of light grade petroleum from the Strategic Petroleum Reserve and its replacement with heavy grade petroleum, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6578

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Energy Supply Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''light grade petroleum'' means crude oil with an API gravity of 30 degrees or higher;

(2) the term ''heavy grade petroleum'' means crude oil with an API gravity of 26 degrees or lower; and

(3) the term ''Secretary'' means the Secretary of Energy.

SEC. 3. SALE AND REPLACEMENT OF OIL FROM THE STRATEGIC PETROLEUM RESERVE.

(a) INITIAL PETROLEUM SALE AND REPLACEMENT.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), the Secretary shall publish a

plan not later than 15 days after the date of enactment of this Act to—

(1) sell, in the amounts and on the schedule described in subsection (b), light grade petroleum from the Strategic Petroleum Reserve and acquire an equivalent volume of heavy grade petroleum;

(2) deposit the cash proceeds from sales under paragraph (1) into the SPR Petroleum Account established under section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247); and

(3) from the cash proceeds deposited pursuant to paragraph (2), withdraw the amount necessary to pay for the direct administrative and operational costs of the sale and acquisition.

(b) AMOUNTS AND SCHEDULE.—The sale and acquisition described in subsection (a) shall require the offer for sale of a total quantity of 70,000,000 barrels of light grade petroleum from the Strategic Petroleum Reserve. The sale shall commence, whether or not a plan has been published under subsection (a), not later than 30 days after the date of enactment of this Act and be completed no more than six months after the date of enactment of this Act, with at least 20,000,000 barrels to be offered for sale within the first 60 days after the date of enactment of this Act. In no event shall the Secretary sell barrels of oil under subsection (a) that would result in a Strategic Petroleum Reserve that contains fewer than 90 percent of the total amount of barrels in the Strategic Petroleum Reserve as of the date of enactment of this Act. Heavy grade petroleum, to replace the quantities of light grade petroleum sold under this section, shall be obtained through acquisitions which—

(1) shall commence no sooner than 6 months after the date of enactment of this Act;

(2) shall be completed, at the discretion of the Secretary, not later than 5 years after the date of enactment of this Act;

(3) shall be carried out in a manner so as to maximize the monetary value to the Federal Government; and

(4) shall be carried out using the receipts from the sales of light grade petroleum authorized under this section.

(c) DEFERRALS.—The Secretary is encouraged to, when economically beneficial and practical, grant requests to defer scheduled deliveries of petroleum to the Reserve under subsection (a) if the deferral will result in a premium paid in additional barrels of oil which will reduce the cost of oil acquisition and increase the volume of oil delivered to the Reserve or yield additional cash bonuses.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. BARROW. 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 Georgia?

There was no objection.

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

Mr. Speaker, gas prices are outrageous and we need to act. Families are hurting and are looking to us to do anything and everything that can help.

There's no silver bullet, but there sure are things we can be doing better. One way is to make better use of our energy feedstocks, use what we ought to use today and save what we need to save for tomorrow.

The goal of this bill, H.R. 6578, the Consumer Energy Supply Act, is simple: to increase the supply of oil in the United States that can be refined into gas. The bill will direct the Department of Energy to release 70 million barrels of light sweet crude oil from the Strategic Petroleum Reserve. The bill requires the sale or exchange of light sweet crude to begin 15 days after enactment and to be completed within 6 months. Under the bill the revenue from the release will go into the SPR petroleum account to purchase more oil so the SPR will end up with more oil than it started out with. The bill will make sure that the SPR level will not fall below 90 percent of the current level during the exchange.

Now, the type of oil that will be released from the SPR is light sweet crude, which is the easiest and the cheapest to turn into gas.

□ 1300

And the oil that will replace the light oil will be heavy sour crude which happens to be the oil that is best suited to be refined into diesel.

What we need more of in this country is the highest and best use of all of our energy feedstocks. And this bill takes the oil that we pump back into the ground to save for later and puts that oil to its highest and best use right now and replaces that oil with oil whose highest and best use is to be held in reserve for a true national emergency.

This bill makes it easier and cheaper to get this fuel to the market right now while making sure we aren't putting our future needs at risk. We need to use today what is good for today and save for tomorrow what is good for tomorrow. Because our refineries need more oil they can refine quickly to get gas and diesel on the market, this bill gives it to them. Adding heavy sour crude to the SPR in its place will make sure that the SPR will be more effective if a real emergency arises. That is because the heavy oil we will be swapping for light oil can be refined to the diesel fuel needed to power our trucks, our trains and our military needs in times of a true emergency.

In April this year, the acting director for natural resources of the Government Accountability Office, Frank Rusco, gave Congress a detailed report to modernize the Strategic Petroleum Reserve and improve its flexibility and effectiveness. The Department of Energy has completed a study in 2005 which produced similar conclusions. This legislation will ensure that the SPR is more reflective of our Nation's modern refining capacity and that its strategic capabilities are better used while providing more oil available for refining right here in the U.S.

Mr. Speaker, I would like to submit these two documents for the RECORD.

Mr. Speaker, this bill will ease market tensions. It will help unlock some of the value in the SPR without negatively affecting the overall capacity or our strategic reserve policy. A release from the SPR will also help reduce the effects of market speculation on oil prices by sending the message that Congress is prepared to defend American families and businesses from these corrosive prices. That is what this bill will do. That is why it is a good idea for us to pass it. And that is why I urge my colleagues to vote for the bill.

[From the United States Government Accountability Office]

TESTIMONY BEFORE THE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, HOUSE OF REPRESENTATIVES

STRATEGIC PETROLEUM RESERVE: IMPROVING THE COST EFFECTIVENESS OF FILLING THE RESERVE

(Statement of Frank Rusco, Acting Director Natural Resources and Environment)

WHY GAO DID THIS STUDY

The Strategic Petroleum Reserve (SPR) was created in 1975 to help protect the U.S. economy from oil supply disruptions and currently holds about 700 million barrels of crude oil. The Energy Policy Act of 2005 directed the Department of Energy (DOE) to increase the SPR storage capacity from 727 million barrels to 1 billion barrels, which it plans to accomplish by 2018. Since 1999, oil for the SPR has generally been obtained through the royalty-in-kind program, whereby the government receives oil instead of cash for payment of royalties on leases of federal property. The Department of Interior's Minerals Management Service (MMS) collects the royalty oil and transfers it to DOE, which then trades it for oil suitable for the SPR.

As DOE begins to expand the SPR, past experiences can help inform future efforts to fill the reserve in the most cost-effective manner. In that context, GAO's testimony today will focus on: (1) Factors GAO recommends DOE consider when filling the SPR, and (2) the cost-effectiveness of using oil received through the royalty-in-kind program to fill the SPR.

To address these issues, GAO relied on its 2006 report on the SPR, as well as its ongoing review of the royalty-in-kind program, where GAO interviewed officials at both DOE and MMS, and reviewed DOE's SPR policies and procedures. DOE provided comments on a draft of this testimony, which we incorporated where appropriate.

WHAT GAO FOUND

To decrease the cost of filling the reserve and improve its efficiency, GAO recommended in previous work that DOE should include at least 10 percent heavy crude oil in the SPR. If DOE bought 100 million barrels of heavy crude oil during its expansion of the SPR it could save over $1 billion in nominal terms, assuming a price differential of $12 between the price of light crude oil and the lower price of heavy crude oil, the average differential over the last five years. Having heavy crude oil in the SPR would also make the SPR more compatible with many U.S. refineries, helping these refineries run more efficiently in the event that a supply disruption triggers use of the SPR. DOE indicated that, due to the planned SPR expansion, determinations of the amount of heavy oil to include in the SPR should wait until it prepares a new study of U.S. Gulf Coast refining requirements. In addition, we recommended

that DOE consider acquiring a steady dollar value—rather than a steady volume—of oil over time when filling the SPR. This ''dollar-cost-averaging'' approach would allow DOE to acquire more oil when prices are low and less when prices are high. GAO found that if DOE had used this purchasing approach between October 2001 through August 2005, it could have saved approximately $590 million, or over 10 percent, in fill costs. GAO's simulations indicate that DOE could save money using this approach for future SPR fills, regardless of whether oil prices are trending up or down as long as there is price volatility. GAO also recommends that DOE consider giving companies participating in the royalty-in-kind program additional flexibility to defer oil deliveries in exchange for providing additional barrels of oil. DOE has granted limited deferrals in the past, and expanding their use could further decrease SPR fill costs. While DOE indicated that its November 2006 rule on SPR acquisition procedures addressed our recommendations, this rule does not specifically address how to implement a dollar-cost-averaging strategy.

Purchasing oil to fill the SPR—as DOE did until 1994—is likely to be more cost-effective than exchanging oil from the royalty-in-kind program for other oil to fill the SPR. The latter method adds administrative complexity to the task of filling the SPR, increasing the potential for waste and inefficiency. A January 2008 DOE Inspector General report found that DOE is unable to ensure that it receives all of the royalty oil that MMS provides. In addition, we found that DOE's method for evaluating bids has been more robust for cash purchases than royalty-in-kind exchanges, increasing the likelihood that cash purchases are more cost-effective. For example, in April 2007, DOE solicited two different types of bids—one to purchase oil for the SPR in cash and one to exchange royalty oil for other oil to fill the SPR. DOE rejected offers to purchase oil when the spot price was about $69 per barrel, yet in the same month, DOE exchanged royalty-in-kind oil for other oil to put in the SPR at about the same price. Because the government would have otherwise sold this royalty-in-kind oil, DOE committed the government to pay, through forgone revenues to the U.S. Treasury, roughly the same price per barrel that DOE concluded was too high to purchase directly.

Mr. Chairman and Members of the Committee:

We are pleased to be here today to participate in the Committee's hearing on the Strategic Petroleum Reserve (SPR). Congress authorized the SPR in 1975 to protect the nation from oil supply disruptions following the Arab oil embargo of 1973 and 1974 that led to sharp increases in oil prices. The federal government owns the SPR, and the Department of Energy (DOE) operates it. The SPR currently has the capacity to store up to 727 million barrels of crude oil in salt caverns in Texas and Louisiana. As of April 21, 2008, current inventory of the SPR stood at 701.3 million barrels of oil, which is roughly equivalent to 58 days of net oil imports. DOE made direct purchases of crude oil until 1994, when purchases were suspended due to the federal budget deficit, and in fiscal years 1996 and 1997 approximately 28 million barrels of oil were sold to reduce the deficit. Since DOE resumed filling the SPR in 1999, it has obtained oil from the Department of the Interior's Minerals Management Service (MMS) ''royalty-in-kind'' program. Through this program, the MMS receives oil instead of cash for payments of royalties from companies that lease federal property for oil and gas development. MMS contracts for some of this royalty oil to be delivered to designated oil terminal locations or ''market centers'' where DOE takes possession. Because the royalty oil often does not meet SPR quality specifications, and because the market centers can be distant from SPR storage sites, DOE generally awards contracts to exchange royalty oil at the market center for SPR-quality oil delivered to SPR facilities. Obtaining oil for the SPR through the royalty-in-kind program avoids the need for Congress to make outlays to finance oil purchases, but the foregone revenues associated with using royalty-in-kind oil to trade for SPR oil imply an equivalent loss of revenue because MMS would otherwise sell the oil and deposit the revenues with the U.S. Treasury. Interior estimates that the forgone revenue attributable to using the royalty-in-kind program to fill the SPR were $4.6 billion from fiscal year 2000 through fiscal year 2007.

The Energy Policy Act of 2005 directed DOE to increase the SPR storage capacity to 1 billion barrels and to fill it ''as expeditiously as practicable without incurring excessive cost or appreciably affecting the price of petroleum products to consumers.'' It required DOE to select sites to expand the SPR's storage capacity within 1 year of enactment, by August 2006. On February 14, 2007, Secretary of Energy William Bodman designated three sites for the expansion, including a 160 million barrel facility in Richton, Mississippi, an 80 million barrel expansion of a facility in Big Hill, Texas, and a 33 million barrel expansion of a facility in Bayou Choctaw, Louisiana. In its June 2007 SPR plan, DOE anticipated these expansions would begin in fiscal year 2008 and be complete in 2018. DOE also indicated that it would prefer to continue using the royalty-in-kind program to fill the additional storage capacity. DOE estimates the capital cost for the SPR expansion at approximately $3.67 billion, and estimates the cost of operating and maintaining the expanded portion of the SPR at $35 to $40 million per year.

As DOE begins to expand the SPR, past experiences may help inform future efforts to fill the SPR in the most cost-effective manner. In that context, our testimony today will focus on: (1) Factors we recommend DOE consider when filling the SPR, and (2) the cost-effectiveness of using oil received through the royalty-in-kind program to fill the SPR.

To address these issues, we are summarizing work from our August 2006 report on the SPR and our ongoing review of the royalty-in-kind program. For our August 2006 report, we contracted with the National Academy of Sciences to convene a group of 13 industry, academic, governmental, and nongovernmental experts to collect opinions on the impacts of past SPR fill and use and on recommendations for the future. We also reviewed records and reports from DOE and the International Energy Agency. In addition, for our ongoing review of the royalty-in-kind program for this committee and others, we identified and reviewed applicable laws and documentation on DOE policies and procedures for evaluating SPR purchase and exchange bids, and interviewed officials at both Interior and DOE. We have also drawn upon previous GAO reports on the royalty-in- kind program. We conducted our work on this testimony from January to April 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

IN SUMMARY

To fill the SPR in a more cost-effective manner, we recommended in previous work that DOE include in the SPR at least 10 percent heavy crude oils, which are more compatible with many U.S. refiners and generally cheaper to acquire than the lighter oils that comprise the SPR's volume. DOE indicated that, due to the planned SPR expansion, such determinations should wait until it prepares a new study of U.S. Gulf Coast heavy sour crude refining requirements. In addition, we recommended that DOE consider acquiring a steady dollar value of oil over time and allowing oil companies more flexibility to defer delivery of royalty-in-kind exchanges to the SPR when prices are likely to decline in return for additional deliveries in the future. In updating us on the status of this recommendation, DOE indicated that its November 8, 2006, rule on SPR acquisition procedures addressed our recommendations; however, this rule does not specifically address both how to implement a dollar-cost-averaging strategy and how to provide industry with more deferral flexibility. In subsequent comment, DOE noted that the November 8, 2006, acquisition procedures do not address dollar-cost-averaging, but they do address flexibility of purchasing and scheduling in volatile markets.

Filling the SPR with oil purchased in cash is likely to be more cost-effective than filling the SPR through the royalty-in-kind program for several reasons. For example, the royalty-in-kind program adds a layer of administrative complexity to the task of filling the SPR, increasing the potential for waste or inefficiency. Moreover, DOE has evaluated the cost of cash purchases more thoroughly than exchanges, increasing the * * *

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

Mr. BARTON of Texas. Mr. Speaker, before I begin, I would ask unanimous consent for an additional 30 minutes of debate on this bill for debate purposes only, equally divided between the majority and the minority. So, the minority would get 15 extra minutes, and the majority would get 15 extra minutes.

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

Mr. BARROW. Reserving the right to object, Mr. Speaker, I would like for us instead to proceed with the speakers that we have identified, and we will address this later on as circumstances warrant at the end of the debate time that is allotted.

So I do object at this time with the understanding that I will be glad to consider such a request at the appropriate time at the end of the time allotted for debate.

The SPEAKER pro tempore. Objection is heard.

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

Mr. Speaker, I rise in strong opposition to this piece of legislation. I want to start by the simple statement that the House of Representatives, which is the body closest to the people of the United States, is considering a bill that wasn't written apparently until this morning. There hasn't been a committee hearing on the issue. There hasn't been a committee markup or a subcommittee markup. We could not even get the text from the committee of jurisdiction's majority counsel last

evening at approximately 7:30 because they didn't have it. Apparently, the text that was prepared in the middle of the night was changed some time early this morning at the request of unidentified parties.

In an economy where we're paying some of the highest gasoline prices in the world, and certainly the highest gasoline prices the United States has ever paid in terms of absolute dollars, where our truckers are paying $5 for diesel and our airlines are hemorrhaging cash because of their fuel costs, we are now bringing to the floor a piece of legislation that nobody has really seen or vetted.

I think that is absolutely unacceptable, terrible public policy and a travesty on the process of the House of Representatives. I can't object more strongly to the process that even the majority counsel on the committee of jurisdiction didn't have the text last evening. So on process grounds alone, we ought to reject this legislation.

Now let's talk about the policy. The Strategic Petroleum Reserve was established in 1975 as a consequence of the Arab oil embargo by OPEC against the United States of America where there was a conscience effort to prevent oil supplies from coming to this country. President Ford signed the SPR Act into law in December of 1975. It authorized 1 billion barrels of oil to be put into a Strategic Petroleum Reserve. And that oil was only to be used in the event of a severe supply interruption that would result in severe economic harm to this country as a result of a Presidential declaration of emergency. The Strategic Petroleum Reserve, as established, was not intended to be used in a manipulative way to control or affect prices.

Now we haven't had any hearings, we haven't had a law that has changed the use of the Strategic Petroleum Reserve. What we have before us is a piece of legislation that was put together by unknown parties. I could give some pretty good guesses about who some of those parties are. But officially I don't know who they are. It's on the floor. It allows 70 million barrels of oil to be released from the reserve. But not just any 70 million barrels. It allows the sweet light crude, which is the best oil in the reserve, to be released with apparently the intent to lower prices.

Now, the problem on policy grounds with this particular SPR release is that it also requires that that oil has to be replaced beginning no later than 6 months and within 5 years with heavy crude, which is some of the worst oil in the world. Do you know who has the heavy crude available today? Saudi Arabia. So we're going to sell oil, the light sweet crude, out of the reserve—right now, up to 70 million barrels—and we're going to replace it theoretically over time with heavy crude that is not nearly as easy to refine and not nearly as amenable to the various product differentials as the sweet light crude is, and the only place to get it is Saudi Arabia, which is, as we know, in the Middle East, one of the most unstable regions of the world.

So what we are really doing, apparently, is helping out our Saudi friends to make sure that the crude oil that they can't sell on the world market right now because it's too heavy and there's not a market, we will buy it and put it in the reserve, and we will use up the best oil in our reserve for some short-term price fix here in the U.S. market.

Well, what kind of a price impact will we get, Mr. Speaker? We have got a supply-demand problem in the world oil markets. We are using about 85 million barrels a day. And there is only about 85 to 86 million barrels a day of production available on the world market. If you put up to 2 to 3 million barrels a day of this oil on the market and sustain it, you probably will have a temporary price decrease. If you can get the supply-demand equation up to a 2 or 3 percent differential, I would say that oil prices will come down temporarily. But since we're only selling 70 million barrels, if we sold 3 million barrels, you can pump about 4 million barrels a day out of the reserve. So let's say we pumped it out at maximum. That would give us about 17 days of oil. So for 17 days, you might see a price decline. But on the 18th day, when there is no more oil to come out of the reserve, what is going to happen? You have not created new supply in the world. The price is going to shoot back up. Speculators are going to step back in, and the reserve is going to be 70 million barrels less.

I mean if this isn't a cynical political ploy to hopefully lower oil prices for the next 2 months before the election, then I have never seen one. We ought to vote against this. If you want to have a real debate on the Strategic Petroleum Reserve, if you really want to change the purpose for which it was intended, let's go through the committee system. Let's hold hearings. Let's have a give and take. Maybe we can come up with a way to use the SPR somewhat differently than what it was intended to be used. But unless you're willing to change the current Federal law on the Strategic Petroleum Reserve, bringing up this piece of legislation is just a political sham to, A, maybe show the country that something is being done; B, help the Saudi oil ministry who can't sell their heavy crude on the market today; and, C, maybe get the price down for the next couple of months to help our majority friends in the upcoming election.

I can't more strongly emphasize that we ought to vote against it on not only procedural grounds but also on policy grounds. The SPR was intended to be a buffer if we have a severe supply interruption that would harm the U.S. economy in a significant way. We don't have that today. We have high energy prices in America and high gasoline prices in America because we are not producing energy in America that we could produce.

Let's bring an OCS drilling bill, an ANWR bill, a shale bill and a coal-to-liquids bill. Bring those bills to the floor, Mr. Speaker, and actually show the world that America will develop its own energy resources. If we do that, you're going to see the speculators get out of the market. And you're going to see that as the supply goes up and we hold demand constant, then you're going to see the price go down. And that will be permanent and productive for the American economy.

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

Mr. BARROW. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. I thank the gentleman from Georgia.

I will just make a couple of points in response to my colleague from Texas (Mr. BARTON). One, I look forward to working with the gentleman in modernizing and working to overhaul the SPR. It is certainly in need of improved management. And I might also mention that a version of this bill was introduced back in May. And we also have been working on it to make it as bipartisan a bill as we could possibly make it since November. So there has been a great deal of effort to try to make sure that we've heard everyone's concerns and to try to address them.

And one of the points that the gentleman made about imports and where our heavy oil would come from to replace this, we purchase 14 percent, or 70,000 barrels, from Canada per month. Also the Gulf of Mexico has a significant amount of heavy crude that we also would be purchasing to put into the Strategic Petroleum Reserve.

And I might make the point that the refineries have made significant and actually great advances in technology. And they refine heavy crude just as easily as they refine light crude today.

So, Mr. Speaker, today we consider this legislation that I believe is an important step for our Nation's future energy security. It will make the Strategic Petroleum Reserve more compatible with modern U.S. refineries and thus more effective. Improving the SPR's flexibility will maximize its utility. Shoring up our Nation's energy reserves is just one piece of this energy supply puzzle which also includes increased domestic drilling in the Outer Continental Shelf as well as research and development for alternatives.

I would like to address national security concerns that have been mentioned. The day that we went to war with Iraq, the SPR contained only 624 million barrels of oil. Today we have more oil in the SPR than we have ever had. And this bill ensures levels will not fall below 90 percent of the current level. In 2006, President Bush declared the SPR is sufficiently large to guard against any major supply disruption with only 688 million barrels. Today it's more than 700 million barrels. Most

importantly, this change will strengthen the SPR and enable refiners to operate at full capacity during any potential supply disruption.

When Congress created the Strategic Petroleum Reserve in 1975 following the Arab oil embargo to protect the Nation from any future oil supply disruptions, refiners largely processed only light and medium crude. Advances in technology over the years have led to the ability to efficiently process heavy oil as it has become a larger part of the market. In fact, 40 percent of the oil accepted last year by refiners was heavier than the oil contained in the Strategic Petroleum Reserve. With refiners planning to expand by 800,000 barrels worth of mostly heavy oil capacity in just the next few years, I believe it is incumbent upon us to ensure that the Nation's oil reserves match refining capacity.

□ 1315

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

Mr. BARROW. I yield the gentleman an additional 30 seconds.

Mr. LAMPSON. The GAO stated if forced to rely on SPR oil, about half of the refiners subject to potential supply disruptions would experience an additional 5 percent or 735,000 barrels a day reduction in production, further exacerbating any supply issues. This exchange will ensure that the SPR will provide maximum protection for the Nation's energy supplies.

This will further strengthen our energy supply against potential disruptions because the exchange will raise funds that will be deposited in the SPR account that will allow the SPR to increase the total inventory level without the need for additional appropriations, further strengthening our energy supply against potential disruptions.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the distinguished minority leader from the great State of Ohio (Mr. BOEHNER).

Mr. BOEHNER. I thank my colleague for yielding, and let me say to my colleagues, this is a joke. This is this week's answer to America's energy crisis. We are going to take 70 million barrels of one type of oil out of the Strategic Petroleum Reserve and we are going to replace it with another. It doesn't bring us any more supply. And as I said, this is just the latest excuse for not having a real energy bill on the floor.

We have got this bill this week. Last week we had Use It Or Lose It, another farce because it is already the law. We had another bill up that said, well, let's try to encourage the President to speed up the pipeline in Alaska. And let's make sure that we drill in the National Petroleum Reserve, which is already allowed. Nothing that is going to bring more supply. And it has been one excuse after another excuse when we actually could have a vote on a real energy bill that does all of the above.

I and my colleagues yesterday introduced the American Energy Plan that says we ought to have more conservation, we ought to have more biofuels, more incentives for alternative sources of energy. We ought to have nuclear energy; and yes, we ought to have more American-made energy. And whether that oil and gas comes from the continental shelf of Alaska or the Outer Continental Shelf, or from the oil shale that we have in Intermountain West, why can't we produce more American energy to bring down gas prices for the American people.

I'll tell you why, because they've done everything humanly possible to prevent a vote in this Chamber. The Speaker has gone through every hijinks, every legislative trick known to man to avoid allowing us to offer an amendment. That is why this bill is being considered under a suspension of the rules. We are not allowed to offer an amendment. That is why we have no appropriations, because my goodness, someone might offer an energy amendment on the floor of the House and it might pass. What does the Speaker have to fear in allowing this House to work its will?

And I think the American Energy Plan is something that the American people support. I think the votes are in this Chamber to pass that bill, but we are not allowed to vote. I thought that is what the American people sent us here to do, to represent their will; and the Speaker is standing in front of the will of the American people by refusing to allow us to vote.

Let's not vote for another excuse, another excuse to delay the actual vote for a real bill, a real bill that will bring down gas prices; and that is all this bill is, another excuse. It doesn't deserve our support.

Mr. BARROW. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

Mr. LAMPSON and I and Mr. VAN HOLLEN introduced this legislation under the leadership of Speaker PELOSI in order to ensure that the American people get the relief at the gas pump they need before Labor Day in 2008. But the Republicans are holding consumers hostage. No immediate relief, they are saying to American consumers, unless the ultimate agenda of Big Oil is met. Unless they are allowed to drill off the beaches 10 years from now, they will not allow the Strategic Petroleum Reserve to be used now in order to preserve it. Ten to 20 days of relief is all it will take for us to get help to the American consumer. The Republican plan is 10 to 20 years, according to their own Department of Energy.

The President says he does not have a magic wand. Well, he does have a magic wand, he has a big stick and that big stick is the Strategic Petroleum Reserve that he can use right now to beat down the prices of oil which are driving American consumers crazy in terms of their home budgets.

Deploying the Strategic Petroleum Reserve works. It worked in 1991 when President Bush's father used it. It worked in the year 2000 when President Clinton used it, and it worked after Hurricane Katrina when President Bush the Second used it. The President is willing to use the Army Reserve to go to Iraq to protect the oil over there, but he is not willing to use the Strategic Petroleum Reserve in order to protect American consumers here from the emergency which we are facing at home—high gas prices, home heating oil prices, natural gas prices, the airline industry going under, the trucking industry in desperate shape. But they will not use it right now.

The Democrats have a short-term plan, and that is to give relief in 10 to 20 days. Use the Strategic Petroleum Reserve, use it as a weapon against speculators, against Big Oil and against OPEC; but the Republican Party is still the GOP; GOP, Gas and Oil Party. That's what this is all about.

Mr. BARTON of Texas. Mr. Speaker, before I yield to our distinguished whip, I would again like to ask unanimous consent for an additional 30 minutes evenly divided between the majority and the minority for debate purposes only on this pending legislation.

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

Mr. BARROW. Mr. Speaker, regrettably, I do need to object, and I would be happy to consider such a request at the end of the time allotted for debate.

The SPEAKER pro tempore. Objection is heard.

Mr. BARTON of Texas. May I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Texas has 11 minutes remaining. The gentleman from Georgia has 11½ minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished whip from the Show-Me State of Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding.

In fact, I think the discussion we just had about more time indicates the lack of seriousness on this issue. For the 12 years I have been in the Congress, a House which for the first 10 of it was led by Republicans, we repeatedly sent bills to the Senate that would solve this problem, bills to the Senate that would allow us to explore for oil and gas where oil and gas is.

And again today, we have the same people that voted against all of those bills, that stood in the way of that discussion, that took advantage of the fact that the American people at that point said no, we don't really need to have more supply and let's not do the right thing for the future, let's do the right thing for now. And they bring this bill to the floor, as we face a generational problem, that is a 3-day solution. A 3-day solution to a

generational problem. If it wasn't so serious it would be funny, but it is serious.

And what we have to ask now, the good thing about this solution is our friends who bring this bill to the floor are admitting that supply matters. If supply matters, let's go after supply. If supply has an impact on price, let's find the oil and gas that we have and really affect the world market. Let's not assume that taking oil out of the Strategic Petroleum Reserve at the level of 5.6 gallons for every car in America is going to solve any real problem.

The real way to solve this problem is to go after our own resources and to look for ways we can conserve energy and look for ways to invest in new alternatives in the future. It is not another gimmick that says let's be 3 days closer to being totally dependent on people who don't like us, instead of using the Strategic Petroleum Reserve for what it is and going after the real supply that can make a difference.

Mr. BARROW. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague.

Mr. Speaker, what our colleagues on the other side of the aisle have not told the American people is if you look at the report from our own Department of Energy, they can see that drilling in the Arctic Wildlife Refuge won't put one drop of new gas on the market for at least 10 years, and then it will only wind up having an insignificant impact on price 20 years from now. The American people don't have 20 years to wait. We need action, and this is an opportunity to provide that action by tapping into the Strategic Petroleum Reserve in a responsible way to help bring down price.

After all, the Strategic Petroleum Reserve is the supply of oil we put away for America's rainy day. There are over 700 million gallons of oil there, more than any other time in American history. And when it comes to the hurt that the American people are feeling economically, their rainy day is now.

This has been tapped into by the last three Presidents, including the current President, and if we responsibly just put a little bit of this oil away, we can provide relief at the pump today. Unfortunately, the President has resisted our call, just like he resisted our call to stop filling the Strategic Petroleum Reserve which he finally relented in doing.

We need to pass this legislation. This is not a long-term policy. We need to work together to make sure that on a long-term basis we tap the ingenuity of this country on renewable energy, energy efficiency, and responsible drilling, but Americans are hurting now. This is not a so-called ''mental recession'' as we heard from former Senator Phil Gramm. The pain is real, and we need to address it now.

You know, a few months ago I think we all saw a spectacle that made us shudder. We saw President Bush travel to Saudi Arabia to plead with their king to pump more oil. The Saudi king turned him down cold—no, President Bush.

I don't think we should have to go around begging other countries to pump more oil when we have a Strategic Petroleum Reserve of oil right here at home that has been set aside for a rainy day. Our rainy day is now. Let's pass this legislation.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to a distinguished member of the Energy and Commerce Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I met a young lady the other day who made the determination that she could no longer afford to commute to work. The costs of her commuting outweighed any benefit from the long-term employment at that particular place. And it happens again and again. We have volunteer firefighters who can't volunteer to fight fires because they can't afford the fuels to get there. It is making a tremendous impact on our local economy.

And what offer do we hear today, we are going to sell some oil so we can buy some other oil and that is really going to put us in a better place. That is an absolute shell game. In order to do this, according to the Department of Energy, if you want to buy that heavy crude, you have to go to Venezuela to get it. We send right now $150 million a day every day to Hugo Chavez, the same guy that is buying attack submarines, about nine of them according to local press reports, to interfere with United States shipping, according to his rhetoric. He buys guns for the FARC in Colombia.

So you—what you are saying is that we are going to spend more money in Saudi Arabia and we are going to spend more money in Venezuela and we are going to spend more money in Russia, all of those places who do harm in one way or another to the United States of America. So your answer here isn't going to help America but maybe for a few days at the very expense of our national security.

We beg you for the people who are dying at the pump right now, who are mortgaging their homes to fill up their tanks and trying to make it work, come up with a real energy policy, conservation, alternative fuels and American-made energy that lowers prices, brings jobs back, and it protects and keeps a billion dollars a day here in the United States.

Mr. Speaker, this is a shell game that is dangerous and it is reckless, and I would certainly encourage this body's strong rejection of sending more money to Hugo Chavez to do more bad things to freedom, democracy and to threatening the security of the United States.

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

Mr. BARTON of Texas. Mr. Speaker, at this time I want to yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

□ 1330

Mr. WESTMORELAND. I want to thank my friend from Texas for yielding the time.

I wanted to ask Mr. MARKEY a question, Mr. Speaker. I wanted to ask him how many votes the Democrats have in this Congress, and I believe it's 233. If I am not badly mistaken, it takes 218 to pass any piece of legislation in this body.

So I don't understand why we are doing the smoke-and-mirrors game and the joke game of trying to say that Republicans are blocking this bill. They have got 218 votes. They can do anything they want to. They have changed the rules immediately when they want to. They can do anything with 218 votes, but yet they can't pass this bill.

The reason they can't pass this bill is because they don't want to give us an opportunity to put forth what 73 percent of the American people want, and that's to drill here and to drill now. A quote from Mr. KANJORSKI, to give you an idea of what we are talking about, is with a local newspaper, he was talking about the fact that the Democrats had promised to end the war and bring the troops home if they were elected to Congress and it had not come true.

Ms. PELOSI had also promised to have a commonsense plan to bring down the skyrocketing price of gas. That's when gas was $2.10. It's now $4.10. And this is what Mr. KANJORSKI said: ''We sort of stretched the truth, and the people ate it up.''

''We sort of stretched the truth, and the people ate it up.'' They're kind of stretching the truth today to make you believe that they cannot pass this bill. The reason they don't want to pass this bill is because they know it's smoke and mirrors. They know it's smoke and mirrors, and it won't have the immediate effect that they are saying. So what they are trying to do is to get something to go home to explain to their constituents why they are not going along with 73 percent of the American people that's saying drill here, drill now, lower our gas prices.

They want to have an excuse, and that's their excuse. I think it's true to form to what Mr. KANJORSKI said—''We sort of stretched the truth, and the people ate it up.''

Mr. BARROW. Mr. Speaker, I am pleased to yield 1 minute to the distinguished Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding and commend him for his excellent management of this legislation on the floor today. I want to commend him, as well as commending Mr. LAMPSON for this legislation, which he has worked on for a very long time and which makes very good sense for the American people. I also thank Mr. MARKEY for his extraordinary leadership on this issue as well.

The choice that we have before us today, my colleagues, is a simple one. The price at the pump is one that is a problem and challenge to the paycheck-to-paycheck economic security of America's families. It must be brought down.

There are two goals that we have in what we are doing here. One is to protect the consumer. That is a responsibility that we have. And in order to do that, to increase the supply of oil that will help bring down the price at the pump.

This week we have the SPR bill to release oil from the Strategic Petroleum Reserve. Next week we will have the speculation bill which will address the issue of undue, excessive speculation in the oil markets and what impact that may have on the price of oil.

In the course of this debate, I think it's important to remember some fundamentals, and one of them is the following. The United States Government is sitting on a stockpile of oil, 700 million barrels of oil. This fact is well known to you in the course of the debate, I know, 700 million barrels of oil. This is oil that the taxpayers have paid for and in some cases have paid a very expensive price for, and it is there.

The President is sitting on that oil. It's called the Strategic Petroleum Reserve, and it is reserved for an emergency. The difference of an opinion that we have here is, is it an emergency that the American people are facing the prices at the pump that they have and home heating oil and the rest.

We say it's an emergency, but an emergency that would justify our taking not more than, well, we would take it down to, I think it's 90 percent of what is in the SPR. The SPR, as I said, has 700 million barrels, and 97.5 percent of this stockpile, this government stockpile, is filled. It's fuller than it's ever been in history. It's an historic supply.

So what we are saying to the President is just take a small amount of that. Free our oil. This oil has been paid for by taxpayers' dollars. Free our oil, increase the supply on the market, and within 10 days the price at the pump can come down.

A while back, we asked the President to stop filling the reserve. Imagine, we were buying oil at top dollar this spring to keep filling this stockpile. The President refused. This Congress voted overwhelmingly in both Houses to stop filling the SPR, recognizing that as we pulled oil out of the supply and into the stockpile, we were affecting the price at the pump.

This time we are saying it hasn't come down enough, certainly not for America's consumers. We need you now to do the reverse, to follow up on that, not only not fill the stockpile, but to increase the supply in the marketplace.

Every time this has been done, and it has been done three times in the last 20 years. Every time this has been done, and you have seen the charts here, Mr. MARKEY has those charts. Every time it has been done, the price of oil has come down.

So it's a proven way to bring the price at the pump down. When the price of oil comes down in a very sound, market-oriented way, we will buy oil cheaper to replace this oil that we took out and sold at a higher price and make a profit on it.

It makes all the sense in the world to do it this way. Those who oppose this are using this argument that instead of releasing the oil from the stockpile, government-owned stockpile, paid for by the consumer and the taxpayer, instead of releasing this oil to increase the supply in the market, we should be drilling more. We should be drilling in protected areas.

Even the President has said that that is not any short-term fix. Everybody recognizes that if you drill, that it takes 10 years to affect the price at the pump, and only about 2 cents at that.

So instead of saying only drill, only drill and get a 2 percent benefit 10 years from now, we are saying release the oil from this stockpile so that we can have a price at the pump result in 10 days, not 10 years. This is part of what we brought forth last week, too—use it or lose it.

Democrats support drilling. It's important in this debate to recognize that there are 68 million acres in our country which have permits and are ready to go for drilling. So we are saying to the oil companies, use it or lose it. Use your permits, drill for oil, but don't say I don't want to drill there where I have an environmental permit to drill, I want to go drill in some protected area, which is going to take longer for me to do, by the way. And the reason I'm not drilling so much where I'm allowed to is I don't have the equipment to do it.

See this for the hoax on the American people that it is. Yes, we are saying drill, use it or lose it as a way to increase domestic supply. We are also saying you increase domestic supply by investing in renewable energy resources, wind, solar, biofuels and the rest. No less a stalwart Republican than T. Boone Pickens is saying, ''I'm for everything.'' He's for drilling, he's for wind, he's for solar, he's for natural gas, he's for alternatives to foreign oil. We must reduce our dependence on foreign oil. It is a national security issue, it is an economic issue, not only for our economy but for the economics of America's families and for our consumers.

It is an environmental health issue to reduce our dependence on fossil fuels and especially foreign oil. And it is a moral issue, because it has an impact on how we preserve our planet. That's why we have so many evangelicals supporting our efforts for renewables rather than fossil fuels.

So it is an important debate that we are having, because this argument that we shouldn't have oil today on the market, which will reduce the price in 10 days, but, instead, should be drilling where we are not allowed to and have a 2-cent saving in 10 years, think of it. This isn't a reason, this is an excuse, and it's an excuse for a failed energy policy.

It is the energy policy of the Bush administration and some of the Republicans in Congress, but not all, because many have voted in an enlightened way on this subject. This is an excuse for their failed energy policy. These are the same people, George Bush and DICK CHENEY, who brought us over $4 a gallon gasoline at the pump. And now they are saying more of the same.

We are saying a new direction. And now we can drill, we can increase the supply, we can invest in renewables, we can end speculation, we can protect the consumer. As we do all of that, including the drilling, we can do it now, and we can do it right. The fastest way to help the consumer is to release the oil from the Strategic Petroleum Reserve, but let's think of that as a government stockpile paid for by taxpayers' dollars that a small amount can have a big impact.

I urge my colleagues to go down the same path you did before when overwhelmingly over 300 Members of the House and Senate, Democrats and Republicans alike, voted to stop filling the SPR. Now let's just say there is so much in there, you can spare some to help the consumer. Do it right. Do it right now.

I urge a ''yes'' vote on this very important legislation.

Again, I would commend Mr. MARKEY, Mr. BARROW and Mr. LAMPSON, the author of this legislation. I thank you, Mr. LAMPSON, for your leadership.

Mr. BARTON of Texas. Mr. Speaker, once again I am going to ask unanimous consent for an additional 30 minutes for debate purposes only, equally divided between the majority and minority. I still have at least six speakers.

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

Mr. BARROW. Just a quick question, was it 15 minutes that Mr. BARTON was asking about?

Mr. BARTON of Texas. Thirty minutes total, 15 minutes each side.

Mr. BARROW. We will consent to 15 minutes, but equally divided at the present time, 7½ minutes for each side.

Mr. BARTON of Texas. I guess that's a start. So we have an additional 15 minutes.

The SPEAKER pro tempore. Does the gentleman wish to request a 15-minute unanimous-consent extension?

Mr. BARTON of Texas. Well, we are increasing the supply of time. I will take 15 minutes right now.

The SPEAKER pro tempore. Without objection, debate is extended 15 minutes, equally divided between the two sides.

There was no objection.

Mr. BARTON of Texas. I thank my colleague from Georgia for his courtesy.

I would like to yield 2 minutes to the distinguished member of the Ways and Means Committee, from the great State of Texas, the MVP Republican of last week's thrilling 11–10 baseball victory, Mr. BRADY.

Mr. BRADY of Texas. Mr. Speaker, another day, another energy gimmick, it must be the 110th Congress. The American public, hammered by high fuel prices, is getting tired of the Jed Clampett energy plan put forth by Democrats. You just can't shoot at imaginary targets and hope that energy is going to come bubbling up.

Look at the record. Look at the record. In this past year Democrats said, if we can sue OPEC, we will lower gas prices. Have your gas prices gone down? They said if we pass use it or lose it, which was laughed at around the world, they said gas prices will go down. Have your fuel prices gone down?

Earlier they said we'll just stop filling the Strategic Petroleum Reserve, and your gas prices will go down. Did they? The answer is no.

Today is just another gimmick. Depleting America's emergency oil nest egg at a time when the world is increasingly unstable in oil-producing nations like Nigeria, Venezuela and Iran, why, that makes no sense at all. Tapping our emergency reserves for three measly days of energy, three, that won't lower prices, nor does it send a signal to the rest of the world that America is serious about taking responsibility for our own energy needs. You really believe the world market that uses 85 million barrels a day is going to look at this tiny amount and lower the prices?

If this bill were to pass—and it won't, it will fail again—at the end of the drawdown, America would be more dependent on foreign oil than when we started. And when it's replenished, we will have just bought oil at a higher price out of taxpayers' money.

So here's the question: How high does gas have to be before Congress will act? How many families will be hurt? How many small businesses will go under? How hard will our economy be hit before Speaker PELOSI allows an up-or-down vote on producing more American-made energy?

We voted on conservation, we voted on renewables. Why can't we vote on more exploration?

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

Mr. BARTON of Texas. I yield the gentleman 30 additional seconds.

Mr. BRADY of Texas. When will we put the special interests aside? When will the little guy have a vote? When will the little guy, that doesn't have a lobbyist, and big campaign contributions, when will he have a say in this public? It's time to vote this gimmick down and let us have a vote.

Mr. BARROW. Mr. Speaker, at this time I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

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

Mr. EMANUEL. Mr. Speaker, July 28, 2005, the Republican Congress, the Republican Senate, President Bush, had an energy policy that they voted on 3 years ago.

At that time the minority leader said it will lower prices, it will lower dependency on foreign oil. President Bush, when he signed the Republican energy plan, said it would lower prices, lower America's dependency on foreign oil and lead to a great economic boom when we look back at it.

Well, in 3 short years, gas has gone from about $2.29 a gallon to a little over $4. By any measurement, dependence on foreign oil, the cost of energy, by any measurement or economic activity, it has been an absolute failure.

□ 1345

They got their way. They wrote the bill they wanted. July 28, 2005, on this floor, they passed their energy bill, and they promised you what it was going to do, and you now see the results.

Now, there is enough blame to go around from all sides. Not everybody has been perfect. We have missed many an opportunity here to deal with energy, Democratic and Republican alike.

But what is interesting now is their new line. The Republican line, as it relates to energy policy, is we are for everything. Except for you are for everything except when you can be for something.

When it came to voting for fuel efficiency standards, raising them for the first time in 30 years, 163 Republicans voted ''no.'' You weren't for all of the above then.

When it came to renewable electricity standards, 159 Republicans voted ''no.'' You weren't for all of the above then.

When it came to alternative technologies, solar, wind, geothermal, other technologies, the DRILL Act, opening up Alaska, you voted ''no'' then. You weren't for all of the above then.

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

Mr. BARROW. I yield the gentleman an additional 30 seconds.

Mr. EMANUEL. The Republicans support all of the above, except they don't have any problem voting ''no'' when it counts.

Today we have a bill on the floor that takes immediate action in helping us reduce prices. It is not a long-term policy. Reducing and increasing fuel efficiency standards for cars is a long-term policy. Making sure that the oil companies who are getting subsidies from taxpayers drill on the 80 million acres that are open for drilling, and not stockpiling permits when we could be stockpiling energy sources here in the United States, that is an energy policy for the future.

I say vote ''yes'' and vote for a new strategy that has worked time and again in the past.

Mr. BARTON of Texas. Mr. Speaker, I am going to recognize myself for 2 minutes.

I want to respond to what my good friend from Illinois just said. He is absolutely right that in July of 2005 we put an Energy Policy Act on the floor of this body. I would like to point out that that was a conference report that every relevant committee in the House of Representatives had had hearings and open markups on; we had a full conference with the Senate that was open, that the ranking member on the Democratic side at the time which was in the minority, Mr. DINGELL, signed the conference report. The ranking member in the Senate, Mr. BINGAMAN of New Mexico voted for the conference report.

And I said on the House floor when that conference report passed that it was an excellent bill for stationary energy, but it was not an excellent bill on mobility energy because we did not have in that report to drill in ANWR. We did not have in that bill to drill and explore in the Outer Continental Shelf, for the simple reason we didn't have the votes, primarily in the other body, to put those things in the bill.

But the conference report that was voted on was bipartisan, it went through the regular process, it was not done the night before or the morning of and put on the floor under a suspension rule. And where it was, what was in the bill was good and is working today.

But I said on the floor at the time, you can go back and look at it in the CONGRESSIONAL RECORD, on mobility energy, it was not as good as I think it should have been because simply we didn't have the votes.

Today, the American people support drilling in ANWR. Today, the American people want to drill in the OCS, or at least explore what is in there, and we can't get those bills to the floor, Mr. Speaker.

So I would ask that, at some point in time, after these political shams are concluded, we put some of those bills on the floor and see where the votes are. I think there is a bipartisan majority for those bills right now on the floor of this House.

Mr. BARROW. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. Mr. Speaker, when it comes to reducing gasoline and energy costs, the American people don't want more talk. They want action. They want Congress to make a difference. That is what this bill is all about.

By releasing up to 70 million barrels of oil from the Strategic Petroleum Reserve, we can lower gasoline prices immediately, not 10 years from now, not 20 years from now, immediately. That is not speculation. That is not a gimmick. This was done by former President Bush back in 1991 when he released 17 million barrels from SPR, and prices went down over 35 percent in just a few days afterwards.

Now, some people may not think we are in an emergency. They say well,

SPR is supposed to be used for emergencies. Well, if being at war, if Americans, hardworking Americans paying $4 a gallon for gasoline, if American business is hurting, if our economy teetering on recession, and many families have been living with the effects in their lives of recession for months, if not years now, if that is not an emergency, what is?

You know, I can understand why my colleagues have pushed for long-term energy policies. I will support a bipartisan long-term energy policy. But let's not just talk about what we will do that will benefit Americans 10 years from now. Let's do something today that will benefit us today; and not just benefits American businesses and hardworking families, but our Nation's defense.

I co-chair the House Army Caucus, a bipartisan organization. I can tell you, the United States Army today is paying hundreds of millions of dollars, if not billions of dollars more because of high energy costs.

Helping businesses, helping hardworking families meet their budgets by lowering gasoline costs, supporting our Nation's defense at a time of war, I think those are excellent reasons to support this tested process to bring down gasoline costs.

Now, I can understand why oil speculators may not want this bill. But the American people want it and they deserve it.

Mr. BARTON of Texas. I would like to yield 2 minutes to the distinguished ranking member of the Energy and Air Quality Subcommittee of the Energy and Commerce Committee, Mr. UPTON of Michigan.

Mr. UPTON. Mr. Speaker, we need to send the signal across America that we are, indeed, going to get serious about this issue. And I was glad that a few moments ago, Speaker PELOSI referenced Mr. Pickens' plan, and I sure would like to vote on that. I sure would like to talk about all the things that he wants to do, because it is more than just one. We cannot afford to not have a plan to increase supply. In 2007, production fell from 125,000 barrels a day worldwide, while demand grew by a million barrels a day.

I voted a couple of weeks ago to halt oil from going into SPR. But I believe seriously that it would be terribly unwise to now remove oil from that reserve.

This bill is going to hurt us if it is enacted, long-term, particularly if there is a disruption. It is a Band-Aid, at best. It will remove our insurance policy in case something even worse happens.

Last week, in my district, gasoline fell from $4.21 a gallon to, a week later, earlier this week, to under $4. It was reflective of the price of oil at the barrel, where that fell from $140 a barrel to $125 today. Why is that?

One of the reasons I am convinced that the world price of oil fell was because President Bush took the very first step by saying that he would lift the moratorium on offshore drilling. But of course we know it is a two-step process. The executive branch and the legislative branch have to act.

But what happened was, it got the attention of those speculators on Wall Street. They might have said, I am convinced that they did, maybe Congress is going to do something. The President has taken the first step. Maybe the Congress will follow suit.

So it was no accident that the price at the barrel head fell dramatically from $140 to under $125 today. Let's send a signal to the American public that we are going to get serious about this. Let's defeat this bill.

Mr. BARROW. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my Georgia colleague and member of our Energy and Commerce Committee for yielding to me.

And I stand here in strong support of H.R. 6578, the Consumer Energy Supply Act for 2008, introduced by my good friend from Texas and a leader in the House on energy issues, NICK LAMPSON, as well as my esteemed colleague on our committee, Representative ED MARKEY of Massachusetts.

Now, I have to admit, I agree—we need everything, Mr. Speaker. We need to drill more. And frankly, my Michigan colleague, maybe we ought to drill in the part of Lake Michigan that we are not allowed to drill in, since Canada drills there and probably exports that gas to us.

But this bill is so important because this is something we can do immediately. Today's rising petroleum gasoline prices are taking a toll on our hardworking families, even in our district that produce a lot of refined products.

And let's be clear. There are no quick fixes or easy answers to the high price of gas. Prices are set by complex factors like climbing world demand and geopolitical events.

But for the problems within our control, the proper management of the Strategic Petroleum Reserve, or the SPR, we need to take steps necessary to protect the American consumers' interest.

I do not believe the current administration has properly managed the SPR. The SPR exists to protect us during the energy crisis, and is almost full to its 227 million barrel capacity.

But while the cost per barrel of oil skyrocketed, the administration continued to purchase high-priced oil off the market to put in the SPR, limiting the amount of oil available. Granted, it is a small amount, but it would still allow for that additional oil to be on the market.

But Congress fixed that when it sent legislation to the President. And I supported it and it was signed in law to suspend oil additions to the SPR until the end of the year, unless the price of oil falls below $75.

I also believe that when oil prices are very high, we should release SPR oil into the market to increase supply, as the Department of Energy did in response to Hurricane Katrina.

Consistent with the Government Accountability Office recommendation to add heavy crude to our national reserves, this bill would modernize SPR by requiring DOE——

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

Mr. BARROW of Georgia. I yield the gentleman an additional 30 seconds, Mr. Speaker.

Mr. GENE GREEN of Texas. By requiring the DOE to conduct the sale or exchange within 6 months the 70 million barrels of light crude for heavy crude. The GAO found that refineries who, if forced to rely solely on SPR oil during an emergency, would experience a 5 percent reduction in their production capacity. This bill will increase the ability of refineries to respond to supply disruption, and optimize our SPR's effectiveness.

This release would have an immediate impact on the market, reducing the prices at the pump, and easing the effects of energy market speculation.

This is a good first step. And I urge my colleagues, make this step, because we do have a lot of other steps we have to make.

Mr. BARTON of Texas. Mr. Speaker, I want to yield 2 minutes to a distinguished member of the Energy and Commerce Committee, Mr. TERRY of Nebraska.

Mr. TERRY. We use, in this country, 20 million barrels of oil per day; 14 of that we import. In fact, a little over 14 million barrels per day we import.

It is my personal mission and dream that we can displace that 14 million barrels per day that we import, and use our own American-made resources instead.

This bill here today, releasing 10 percent of the SPR, equals 3½ days of our total use. Now, that will, using my understanding of economics, will reduce the price at the pump by a few cents for a few days. So we have to balance that against the harm that is being caused by the high gas prices to our constituents, to people on lower income, especially with our national security needs, which is the intention of SPR.

It is intended that when we go through an OPEC crisis where they cut off the supply to us, that we have our domestic reserves ready in case of such an emergency. And when you look at world politics today, with Iran and Israel and Nigeria and Venezuela, that is a real issue that we have to deal with.

Now, the Speaker recognizes now that supply is the issue, that demand is outstripping world supply of oil, and we have to now add to our supply. I agree with the Speaker's statement when she says, free our resources.

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So let's have a vote on freeing our resources. We've got American resources,

whether it's alternative energies, and why don't we make the tax credit permanent for alternative and renewable energy as opposed to the 1 year that was brought to us by the Democrat leadership? We can add, then, additional conservation. And the House did pass conservation in automobile fuel efficiency, but let's use the resources that we have with oil and get the resources in the middle of America and in Alaska and free our resources.

Mr. BARROW. Mr. Speaker, at this time I am pleased to yield an additional 2 minutes to the author of this legislation, the distinguished gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Thank you, Mr. BARROW, for yielding me the time.

You know, advances in technology over the years have led to the ability to efficiently process heavy oil as it has become a larger part of the market. In fact, 40 percent of oil accepted last year by refineries was heavier than the oil contained in the Strategic Petroleum Reserve. That's a critical point in my opinion.

Earlier we put into the RECORD the GAO report, and I would like to submit for the RECORD the report that was mentioned within the GAO report that came from the Department of Energy and read just one paragraph from it:

''To address the compatibility issues of the 11 heavy crude refiners and provide full protection for the Nation for all disruption scenarios, the SPR would need for approximately 10 percent of its inventory to be heavy oil. With consideration being given to a larger Reserve and additional storage sites, it may be desirable, and physically viable to store lower gravity crude than what is currently stored in the 700 million barrel Reserve.''

The GAO stated that the Department of Energy may have underestimated this amount in recent testimony. All the more reason why we should be looking at how we can find a solution to this problem, use an opportunity that is available to us.

That's exactly what I started out to do in November. When I approached many of my colleagues at this House, this is something that we should not be down here using partisan rhetoric over, pointing the finger at one side not doing something the other side should be doing. We understand this is a small part of the problem that we're going to be facing. It is only one thing that needs to be addressed. But it is one part, and it can make a difference.

And who cares if it's 1 percent or 3 percent or 5 percent or 10 percent? If the American people see the people from this House trying to do something that will make a difference in their lives, help with the pain at the pump, isn't it worth the effort? That's what we set out to do. That's all we set out to do. And there is no reason in the world why this legislation should not be made law of the land.

EXECUTIVE SUMMARY

Over the past two decades, many refiners in the United States (U.S.) have expanded and ramped their refineries to process higher sulfur, lower gravity crudes to increase their refining economics and profitability. As a result, overall U.S. crude oil imports have been consistently moving from the higher quality crudes toward the lower quality crudes.

The Strategic Petroleum Reserve (SPR) inventory consists of high quality oils that have been previously determined to be the best crudes to address oil supply disruptions. However, the industry's trend toward the use of lower quality crudes has raised the question about how well the current SPR crude inventory can meet refiner needs.

This study provides a comprehensive assessment of the compatibility of the crudes stored in the SPR with respect to U.S. refining capabilities and likely disruption demands. Specifically, the study addresses SPR crude compatibility from two aspects (1) the compatibility and physical limitations of U.S. refiners to substitute and refine SPR crude in place of their usual foreign crude supplies, and (2) the capability of the SPR to meet the Nation's refinery needs in the event of potential supply disruptions.

A. SPR INVENTORY

As of December 31, 2004, the SPR had a total inventory of 681 million barrels (MMBbls) in storage at its four underground storage sites along the Texas and Louisiana Gulf Coast.

The SPR storage sites maintain only two crude type segregations. One is a sweet crude having a sulfur content of less than 0.5 percent and an API gravity ranging between 35° and 37°, and the other is a sour crude having a sulfur content of approximately 1.4 percent and an API gravity ranging between 30° and 34°. The SPR's mix of sweet and sour crudes is roughly 45 percent sweet and 55 percent sour.

COMPATIBILITY WITH U.S. REFINER PROCESSING CAPABILITIES

In 2004, the U.S. had 149 operating refineries which processed an average of 15.3 million barrels of crude oil per day (MMBbl/D). Of this total, 7.0 MMBbl/D came from U.S. domestic oilfields or Canada, and are considered secure crude supplies. The remainder, 8.3 MMBbl/D, was foreign imports (exclusive of Canadian), for which SPR crude would be considered a replacement in the event of an import disruption.

A two step approach was used to evaluate the compatibility of each of the 149 refineries with respect to SPR crudes. A screening analysis was then used to classify refiners as (a) not SPR connected, (b) domestic/Canadian only, (c) fully SPR compatible, (d) high SPR compatibility, or (e) low SPR compatibility. An engineering analysis was then used to determine the maximum volume of SPR crude the refinery can process and the extent the refinery will be forced to reduce refinery runs.

In 2005, of the Nation's 149 refineries, 44 refineries were identified as having compatibility issues with using SPR crudes. Thirty three of these refineries were classed as ''high compatibility'', where the use of SPR crude would not substantially impact their refining operations. Eleven of the refineries were classed as ''low compatibility,'' where the capability to substitute SPR crude for heavy oil imports was limited. These 11 refineries are all located in PADD III on the Gulf Coast and predominantly import crude from Mexico and Venezuela. If all of this oil were disrupted, these 11 refineries would need to reduce U.S. refining runs by approxImately 508 MBbl/D (3.3 percent of U.S. refining). Gasoline production would not be affected, but the production of distillate fuels (jet and diesel) would be reduced.

C. COMPATIBILITY WITH U.S. NEEDS IN A DISRUPTION

From a world oil market perspective, the study evaluates the compatibility of SPR crudes with respect to U.S. crude shortages resulting from five major supply disruptions which have the potential of occurring within the next 10 years. The disruption scenarios were: a Persian Gulf oil disruption, a Saudi Arabia oil disruption, a Nigerian oil disruption, a Venezuela oil disruption, and a hurricane disruption of the domestic Gulf of Mexico oil production.

The results show that the SPR crudes are fully capable of satisfying U.S. refiner demands under four of the five disruption scenarios. The only disruption case where the SPR was not fully capable of mitigating the crude loss due to incompatibility issues was the Venezuela oil disruption. Even in this case, the SPR sour crude is effective as a blending stock and will reduce the potential shortfall of U.S. heavy oil runs from 2,200 MBbl/D to 450 MBbl/D.

The reduced refiner run of 450 MBbl/D will not impact the production of motor gasoline in the United States, but it will reduce the production of jet fuel, diesel fuel, kerosene, residual fuels, and other heavier refined products.

D. CONCLUSIONS

In general, the crudes currently stored in the SPR are compatible and desirable for the majority of the U.S. refineries and are well suited to mitigate most supply disruptions. There are, however, eleven PADD III refineries which have been specifically configured for processing heavy crude largely from Latin America that would be impacted in the event of a disruption of foreign crude supplies. However, they would still be able to process a limited quantity of SPR crude and maintain their full production of gasoline.

To address the compatibility issues of the eleven heavy crude refiners and provide full protection for the Nation for all disruption scenarios, the SPR would need for approximately 10 percent of its inventory to be heavy oil. With consideration being given to a larger Reserve and additional storage sites, it may be desirable, and physically viable to store lower gravity crude than what is currently stored in the 700 million barrel Reserve.

GAO stated DOE may have underestimated this amount in recent testimony.

I. INTRODUCTION

The Strategic Petroleum Reserve (SPR) is the largest government owned stockpile of crude oil in the world. Since the SPR was authorized in 1975, the reserve has grown to 681 million barrels (MMBbls) by the end of 2004.

The crude is stored in salt caverns at four storage sites along the Louisiana and Texas Gulf Coast. The sites are known as West Hackberry, Bryan Mound, Big Hill, and Bayou Choctaw.

The SPR is connected to U.S. refineries by pipeline and by waterway. Refineries along the Gulf of Mexico are connected to the SPR by local pipelines. Refineries in Chicago and other mid-continent areas are connected to the SPR by interstate pipelines. Refineries along the Atlantic Coast and West Coast can be supplied with SPR oil using tankers that load oil through Gulf of Mexico marine terminals. The SPR distribution system has been carefully developed to serve the needs of the Nation in the event of a foreign crude oil supply disruption.

Crude has been acquired from 25 countries over the past 30 years. The quality of the stored oil is classified as light. This crude quality has been and it remains adequate to support most foreseeable supply disruptions. In recent years, however, refineries in the

U.S. have imported increasing quantities of heavy crude largely from Venezuela and Mexico. The trend toward heavier oil imports raises a question about how well the current light oil in storage will mitigate future heavy oil supply disruptions.

This study was undertaken to assess the compatibility of SPR crude with respect to the current and future crude requirements of U.S. refineries. The objective of the study is two-fold:

Assess the capabilities and physical limitations of U.S. refineries to substitute and refine SPR crude in place of foreign crude supplies, and

Assess the capability of the SPR to meet U.S. refinery needs in the event of a supply disruption.

To accomplish these objectives, a methodology was developed to identify U.S. refineries with crude compatibility issues. Refinery data were systematically evaluated to determine the refineries that could not fully use SPR crude because of crude quality differences. These refineries would need to reduce crude input into the refinery and this would reduce the amount of jet fuel and diesel fuel that would be available during the disruption.

The compatibility assessment results were incorporated mathematically into models that simulate the world petroleum market. Five disruption scenarios were identified as having a high probability of occurring at least once over the next decade. The scenarios were selected to evaluate the SPR response capabilities in both volume and in the capability to provide compatible crude.

Chapter II summarizes key information about the volume and quality of oil currently stored by the SPR and how that oil compares with the oil currently imported by U.S. refiners. Limits on the capability to substitute SPR crude in an emergency are addressed.

Chapter III is a comprehensive assessment of the compatibility of SPR crude with U.S. refineries. The assessment addresses the physical limitations of the refineries, the maximum volume of SPR crude that could be utilized, and the extent the refineries would need to reduce runs due to compatibility issues.

Chapter IV summarizes the results of five disruption scenarios. The capability of the SPR to meet refinery demands under emergency conditions is presented and discussed.

Chapter V addresses the issue of future storage of heavy oil and the need and rationale to provide a heavy oil component to meet a future heavy oil disruption.

Chapter VI presents the overall conclusions and recommendations from the study.

Appendix A contains the analysis results for each of the 149 refineries in the U.S. that processed oil in 2004. The compatibility of each refinery is presented and the individual results summarized by region.

Appendix B discusses the two models used in the disruption analysis. One model establishes the optimal drawdown from the SPR in response to a supply disruption. The second simulates the world petroleum market and estimates the impact of the disruption on the flow of petroleum around the world.

Appendix C is a world map that displays the impact of each supply disruption on the worldwide flow of petroleum. Data that support the analysis are also presented.

Mr. BARTON of Texas. Mr. Speaker, can I inquire as to the time remaining on each side.

The SPEAKER pro tempore (Mr. SCHIFF). The gentleman from Texas has 4½ minutes remaining. The gentleman from Georgia has 7 minutes remaining

Mr. BARTON of Texas. Mr. Speaker, could I ask unanimous consent for 10 additional minutes equally divided between the majority and minority? That would give me enough time to take the three remaining speakers that I have. It would be 5 minutes for the majority and 5 additional minutes for the minority.

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

Mr. BARROW. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. BARTON of Texas. I would yield 2 minutes to the gentleman from California (Mr. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I returned to this House after 16 years because I believed that this was a forum for dealing with the problems facing the American people. That's why I come to the this floor so disappointed.

If I were to go to a doctor suffering from cancer and the doctor were to give me only aspirin, I would say that he would be guilty of medical malpractice. What we have here on the floor of the House is leadership malpractice. The American people understand we're suffering from not enough supply. And so what is the answer we get here today? We're going to open up the SPR, the Strategic Petroleum Reserve. And they say the reason this works is it's worked three times in the past. But examine how it has worked in the past.

In each and every instance, we had a temporary disruption of supply. We were able to affect that because we had a temporary infusion of supply. What we have here today is a long-term issue of lack of supply. And the Speaker said and other Members on the other side of the aisle said, Well, look. We shouldn't be begging foreign countries to give us more oil.

No. What we're requiring the American people to do is to beg the Congress to allow us to produce more American oil. And why should the leadership of this House refuse to allow us to have American workers using American ingenuity, American creativity to produce more American energy?

This is the hoax on this floor. To say that somehow taking this out of the Strategic Petroleum Reserve is going to give you any long-term benefit is nothing more than a hoax. A couple of cents for a couple of days. It also takes away our ability to respond to temporary disruptions in the future, which is the reason this was put in in the first place.

Why should we be afraid of Americans producing American oil? Free America. Let Americans produce American oil. Let's get rid of this leadership malpractice we see on the floor today.

Mr. BARROW. Mr. Speaker, I'm pleased to yield an additional 2 minutes to the distinguished coauthor of this legislation, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. How did we get here? It's very simple. President Bush and Dick Cheney were elected 8 years ago. They put together a secret energy plan. Two oilmen now in the White House. And here is the simple mathematics. Two oilmen plus two terms in office equals $4 a gallon for gasoline for every American consumer across the country. Very simple mathematics.

The Democratic energy plan, on the other hand, is very simple. Right now deploy the Strategic Petroleum Reserve. Put the fear of the Lord into speculators, into OPEC, into the oil industry. The price will plummet. It did in 1991 when President Bush's father used it; it did in 2000 when President Clinton used it; it did when President Bush himself used it after Hurricane Katrina. This is a huge emergency for families as they look at their pocketbooks. They're being tipped upside down. The President should use it.

And for the Democrats, after the Republicans controlled Congress for 12 years, in 2007 the Democrats took over. We increased the fuel economy standard for the vehicles which we have to drive, the appliance-efficiency standards, the lighting standards, new biofuels policy. We backed out with that bill that passed in December of 2007, the Democratic bill, 4.1 million barrels of oil per day over the next 10 to 20 years.

Right now we spend $387 million a day to send American troops over into the Middle East, and we have to purchase 2.1 million barrels a day from the Persian Gulf. Our bill in December that President Bush signed backs out that oil.

But the Republicans had 12 years of control of this Congress to do something about it. They did not. Now they say we need a renewable electricity center so electricity is generated from renewables. The Republicans are saying no.

Vote ''yes'' on this bill. This is the solution the consumers need before Labor Day.

Mr. BARTON of Texas. Mr. Speaker, I'm going to yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN), a member of the Energy and Commerce Committee.

Mrs. BLACKBURN. I thank the gentleman from Texas for his leadership on this issue. Indeed, he understands how the people of our great Nation, and certainly of my district of Tennessee, are suffering with the increase in the price at the pump that they have seen since January of 2007. In my district of Tennessee, this has changed. So I have come to the floor today to oppose this bill because it is the wrong bill at the wrong time.

And one of the things that we have come to realize, and I think it's been a painful realization for many people, is they have watched the Democrat leadership of this House. They have seen that the Democrat majority is not wanting to take the action that is necessary to address the issue, whether we're talking about short term for immediate relief, mid-range so that we

can address what is coming next, and then long term so that little children, like my new grandson who is 2 months old, will have a consistent steady and dependable energy supply.

Indeed, releasing a portion of the SPR is the wrong move now. Americans are wanting to see American solutions and American exploration take place to address this issue.

Congress has the ability to do that, and we continue to be blocked from taking the necessary actions by the liberal leadership that is choosing to not take the actions necessary to address this.

Our Nation is being placed at risk. Not only our energy security, but our national security is placed at risk by the actions of a kick-the-can Congress who wants to just finish it out, get away for an August recess, and not address the issue at hand. At $4 a gallon, the price at the pump, indeed it is time for us to take action.

Mr. BARROW. Mr. Speaker, before proposing accommodation to my friend from Texas, I would like to confirm the amount of time that we have left. It's my understanding we have 5 minutes remaining; is that correct?

The SPEAKER pro tempore. That is correct.

Mr. BARROW. Mr. Speaker, what I propose to do is reserve the balance of our time and at the same time ask unanimous consent that my friend from Texas may be allowed to control 3 minutes of our remaining time.

The SPEAKER pro tempore. Without objection, the gentleman from Texas will control 3 additional minutes.

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, is the gentleman from Georgia prepared to close?

Mr. BARROW. We have no further speakers on our side. I would reserve the balance of our time.

Mr. BARTON of Texas. I have one unanimous consent request, and then I'm prepared to close.

I yield to the distinguished gentleman from Connecticut (Mr. SHAYS) for a unanimous consent request.

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

Mr. SHAYS. Mr. Speaker, I rise in support of this legislation, though I also support drilling.

I rise in support of H.R. 6578, the Consumer Energy Supply Act, which would release 70 million barrels of light, sweet crude oil currently from the Strategic Petroleum Reserve (SPR) and replace it with the same amount of heavy crude oil within 6 months. That is approximately 10 percent of the 701 million barrels currently in the reserve.

As our demand for oil increases, it is important the SPR reflects our refining capacity. Forty percent of our refining capacity is heavy crude oil, and 60 percent is light crude.

This legislation allows us to better manage the SPR by making sure we are saving some heavy crude oil.

This measure, however, does not replace our need to develop a comprehensive energy plan. We must increase conservation and energy efficiency—increasing the fuel economy of cars, minivans, SUVs and light trucks and improve the efficiency of appliances; build a market for renewable energy—solar, wind, geothermal, biomass; increase our domestic supply of oil, natural gas and nuclear power and reduce speculation in the oil futures market.

The Consumer Energy Supply Act will improve the Strategic Petroleum Reserve and, in fact, make it more strategic, ensuring we have the type of crude that better reflects our refining capacity. I urge a yes vote on H.R. 6578.

Mr. BARTON of Texas. Mr. Speaker, I have how much time?

The SPEAKER pro tempore. The gentleman from Texas has 3½ minutes remaining.

Mr. BARTON of Texas. I yield myself 3½ minutes.

First, Mr. Speaker, I want to thank my friend from Georgia for yielding 3 minutes of his time. I sincerely appreciate it.

I want to point out some of the fallacies in the debate as quickly as I can.

The first fallacy is that nothing that we do in terms of developing domestic energy supplies in the United States is going to take effect for 10 years. That's poppycock. We can convert coal to liquids within the next 2 years. We can be drilling in the eastern Gulf of Mexico, if it's allowed, within the next year. We can be doing major pilot projects on our shale oil resources within the next year. We can be drilling in parts of Federal lands that are currently snafued because of Federal permitting within the next year. Those are all things that can be done very quickly.

Even up in ANWR, it's not going to take 10 years if we give the green light to drill and develop ANWR. It will definitely take more than 2 to 3 years, but you could have production in ANWR, I'm told, within 5 years.

The thing that we have got to do in this country if we're going to bring energy prices down and keep them down is change the fundamental difference between supply and demand in the world oil market. You have got 85 million barrels of oil we're using worldwide, and we've got approximately 86 million barrels of oil that's available. That less than 1 percent supply margin is what brings these high prices.

A gimmick like we have today where we take some oil out of the SPR for 60 days and then hopefully put it in within the next 6 years is not going to change that fundamental. If it has a temporary supply price decrease, that's a positive. I'll admit that.

□ 1415

But if it has, it's only temporary because you are not changing the fundamental supply-demand equation on the world oil market.

So what Republicans are saying is, let's have a strategic plan. Perhaps releasing some oil from the SPR is part of that plan, perhaps. That's what hearings are about. That's what a regular order process in the committee system would be about. So we're not saying that we never want to release any oil from the SPR, but we are saying it ought to be a part of a strategic plan, and part of that strategic plan has got to be to develop domestic American energy resources.

And Speaker PELOSI, for some reason, is adamantly afraid of that kind of a bill coming to the floor. I don't care if it's a GENE GREEN bill, a JOHN DINGELL bill, a RICK BOUCHER bill, a STENY HOYER bill; but let a bill come up that's got some real domestic energy supply in it and have an honest debate, and let's see where the votes are. Let's don't have an energy gimmick of the week.

That's what this is. It's the latest energy gimmick of the week, and if it has a positive effect—and I say that as an if—it will be temporary because if you take 70 million barrels—and oh, by the way, I want to give a hint to my friends on the majority side who drafted the bill. You've got a drafting error in the bill. It won't do what you think it will do, but I will let you find it. If it were to become law, which it won't, but if it were, it won't put 70 million barrels of oil on the market. So you find the mistake. You developed it in the midnight. You find the mistake.

With that, vote ''no'' on the bill, and let's bring a rational, long-term, strategic plan to the floor in the next 2 weeks.

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

In the course of this debate, from time to time it has seemed as though folks were talking about this as if this was draw-down authority, as if this was just a pure draw-down from the Strategic Petroleum Reserve. I think it's important to emphasize this is not a draw-down proposal.

This legislation proposes a swap. It proposes a swap for that which is best saved for tomorrow in exchange for that which is best used today. We propose to put in the ground what we should save for tomorrow, and put back into the system what we're getting out of the ground now which is best used today. We should use today what's best for today and save for tomorrow what's best for tomorrow.

Also, much has been made, or rather, little has been made of the fact that this is just 3½ days of national consumption being added into the supply system. Only 1 percent of national consumption is being talked about here.

When Mark Twain was born, he was the 100th person born in the town of Hannibal, Missouri. He said, you know, when I was born, I increased the population of my town by 1 percent. That's more than most folks can say in this world.

Well, by this legislation, we can increase the supply of oil and what we've refined into gas in this country by 1 percent, and that's more than we can say about most of the pieces of legislation that we get to vote on from time to time.

Also, it's important to recognize that this 3½ days, this extra 1 percent, is a far greater percent of the thing on which the world price rests. The world price rests on the very thin margin between daily worldwide production and daily worldwide consumption. What is that margin? That margin is a mere 1 million barrels a day. So we're talking about putting into the system 70 times the world's daily float, the difference between daily production and daily consumption.

That is a very significant factor. It is not only a decent percentage of what we consume; it's a very significant factor of that very thin margin that contributes the most to the runaway cost of gas and oil in the world today.

With that, Mr. Speaker, I wish to commend my colleague from Texas for his conduct and debate.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this bill for two reasons.

First, because it would provide for a quick increase in the supply of petroleum in our consumer market and so could reduce the likelihood of further short-term increases in the price of gasoline and other refined products.

And, second, because it will do this in a way that is both cost-effective and protective of our national-security interests.

Under the bill, the Energy Department, DOE, within 30 days would begin selling light grade oil now stored in the Strategic Petroleum Reserve. At least 20 million barrels would be offered for sale within 30 days after sales begin, and sales would continue for 6 months or until 70 million barrels have been sold, whichever comes first.

But the draw-down would not be permanent because the bill would require the Energy Department to acquire, through purchase, using money from the sales, or exchange, heavy grade petroleum for storage in the strategic reserve, to replace the light-grade petroleum that would be sold.

Right now, slightly more than 700 million barrels of oil are stored in the strategic reserve—so the amount to be sold under the bill would be only about 10 percent of the amount on hand.

And, importantly, the bill specifies that the amount of oil stored in the strategic reserve could not drop below 90 percent of the amount stored when the bill is enacted. The most recent data I have seen indicate that the reserve is currently filled nearly to capacity, so the bill will not cause a significant reduction in the amount stored.

Also, the Government Accountability Office, GAO, says that it would be a good idea to increase the extent to which we store heavy oil in the reserve. In testimony earlier this year, Frank Rusco, GAO's acting director for natural resources and environment, said that "to decrease the cost of filling the reserve and improve its efficiency . . . DOE should include at least 10 percent heavy crude oils in the SPR . . . Having heavy crude oil in the SPR would also make the SPR more compatible with many U.S. refineries, helping these refineries run more efficiently in the event that a supply disruption triggers use of the SPR."

So, this bill not only is compatible with the national-security purposes of the SPR, it can actually assist in achieving them.

But, Mr. Speaker, while I think this bill deserves support, I also think we should recognize that it is not a "silver bullet" for the factors that have led to the current high price of oil and products such as gasoline that are made from oil.

According to the nonpartisan Congressional Research Service, CRS, it is not easy to predict exactly how adding 70 million barrels of easily refined oil from the strategic reserve would affect the market.

CRS's most recent report does point out that "prices might decline after additional refined product entered the market," but the same report also notes that oil from the strategic reserve (SPR) "is not sold at below-market prices. Bids on SPR oil are accepted only if the bids are deemed fair to the U.S. government. If the announcement itself that the SPR is going to be tapped does not prompt or contribute to a softening of prices, there may be limited interest on the part of the oil industry in bidding on SPR supply."

This underlines the need for a more comprehensive approach to energy issues that combines short-term steps with other changes that will take effect in a longer time frame.

For example, I think we should reduce the tariff—that is, the tax—on imported ethanol, so that it will again be a safeguard against subsidizing foreign blenders rather than a trade barrier against imports of this fuel that can add to our supplies and thus further reduce the pressure on prices. I have introduced a bill (H.R. 6234, the Imported Ethanol Facilitation Act) that would do just that.

In addition, I am open to increasing the extent to which Federal lands on the outer continental shelf can be subject to exploration for and development of energy resources, and I support adding a stronger due-diligence requirement to promote more rapid exploration and development on existing leases on those lands and onshore as well.

We also need to continue to work to reduce the potential for artificial increases in prices through improper speculation or other market-distorting activities.

And we need to keep pushing for continued aggressive development of alternative sources of energy—especially renewable sources—to reduce our dependence on petroleum as well as for greater efficiencies in the way we use energy, so that we can do more with the same or reduced amounts.

In other words, this bill is not all that is required for a better energy policy. But I think it does have the potential to assist consumers in the short run, without harming the national-security purposes served by maintaining our strategic petroleum reserve. So, I will vote for it and encourage all our colleagues to do so as well.

Mr. LEVIN. Mr. Speaker, all of us are aware of the soaring cost of gasoline and the impact it is having on the people we represent. Our constituents want to know what we're doing to provide relief at the pump.

Over the initial opposition of the White House, the Congress has already passed legislation to suspend further oil purchases for the Strategic Petroleum Reserve this year, freeing up 70,000 gallons of oil a day for use by consumers. Further action is needed to help the economy and help consumers.

The bill before the House today takes the next step. It requires the Energy Department to release 70 million barrels of light, sweet crude oil from the Strategic Petroleum Reserve in exchange for the same amount of heavier grade crude oil. Light, sweet crude oil contains less sulfur and is the easiest oil to refine into gasoline. Under this legislation, the Secretary of Energy would be directed to deploy 70 million barrels of light crude oil over the next six months. Passage of this bill would also be a shot across the bow of the speculators who have been driving up the cost of oil. More than any other action the Federal Government could take, this proposal has the greatest potential to reduce gasoline prices in the near term.

I know that some of my colleagues will object to the use of the Strategic Petroleum Reserve for this purpose. They will protest that the Reserve is for use in emergencies. Like a broken record, they will repeat their call to open up the entire Outer Continental Shelf to oil drilling. I do not agree. Rising oil and gasoline prices are causing serious damage to our Nation's economy. We have before us the means to mitigate some of that damage and do so immediately.

Vast areas of the Outer Continental Shelf are already open to drilling. Less than 2 years ago, and with my support, Congress voted to open up an additional 8.3 million acres for offshore exploration and drilling. All told, the oil companies are using only 10.5 million of the 44 million offshore acres that have already been leased to them. In any case, according to the Bush Administration's own Energy Information Administration, even if we repealed the offshore ban today, oil and gas production would not begin there until 2017 at the earliest; further, lifting the remaining offshore drilling restrictions and I quote from the EIA analysis "would not have a significant impact on domestic crude oil and natural gas production or prices before 2030."

We cannot wait until 2030. The need for relief at the pump is immediate. I urge all my colleagues to join me in supporting the legislation before the House.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of this legislation.

The proposal before us today would require the President to release small amounts of sweet, light crude oil from the Strategic Petroleum Reserve. That oil would be replaced by heavy crude, at a later date and at a lower price.

In the face of record high oil prices, this is a common sense step for a number of reasons.

First, earlier releases from the SPR, by each of the last three Presidents, brought down oil prices by between 9 percent and 33 percent within weeks. There is no reason to believe that we won't see a similar result today. Putting more oil on the market is a sure way to reduce prices.

Second, we have the SPR in place for national emergencies. The damage that these high oil prices are doing to individual consumers and to our economy as a whole certainly qualifies as such an emergency. In addition, the SPR is already at a record 97 percent of capacity and this legislation requires that it not drop below 90 percent.

Third, releasing oil from the SPR is one of the few steps that we can take to actually affect prices immediately. President Bush and his supporters continue to call for opening our entire coast to new drilling and to begin exploring in the Alaska National Wildlife Refuge. But this failed "drill-only" strategy would have zero effect on oil prices today and is what has

gotten us into this mess in the first place. It would simply be one more gift for a favored special interest of this Administration, the oil and gas industry.

Democrats have a better plan. We are working on legislation to crack down on what appears to be rampant speculation that may be driving up prices by as much as 20 percent, according to some experts. In addition, we have voted to force oil and gas companies to drill on the lands they have leased or lose access to them and to speed up construction of a natural gas pipeline in Alaska. If enacted, that legislation would help increase supply in the medium term.

For the long term, we have enacted expansion of many energy efficiency measures, such as the first increase in auto efficiency standards in 32 years, that will help us use less energy across our economy. And we are moving forward with greater incentives to encourage the use of alternative and renewable resources. We must continue to build on these measures so we can begin a much-needed transition away from an economy based on fossil fuels.

But these measures, as critically important as they are, will take time. In the meantime we have to move to help consumers today. And that is what this legislation would do.

Madam Speaker, high gas prices are hurting the American people and crippling our economy.

While we have seen the price of oil drop by some $20 a barrel in the last week or two, it is still at ridiculously high levels and prices at the pump are still way over $4 a gallon in my district and many others.

And while my constituents across the South and Central Coast are finding it hard to afford to go to the grocery store, take their kids to soccer and even get to work, the big oil companies are once again reporting record profits.

This is an absolute disgrace and this Congress is moving to put an end to that situation with this legislation.

I urge my colleagues to support this common sense bill to help American consumers.

Mr. COURTNEY. Mr. Speaker, I rise today in strong support of H.R. 6578, the Consumer Energy Supply Act, which would require a 70 million barrel exchange of light oil from the SPR in exchange for heavier crude at a later date. I introduced similar legislation in May 2008 to exchange 50 million barrels of light crude oil.

I believe, it is critically important to use the Strategic Petroleum Reserve, SPR, to address our national energy crisis. The SPR was created to protect the United States from oil supply disruptions and is now more than 97 percent full, its highest level ever. Unfortunately, the Energy Department's Energy Information Administration announced on July 23, 2008 that non SPR crude oil stocks are down more than 55 million barrels from a year ago and distillate stocks are only a few million barrels above last year's levels.

As I travel around Connecticut's Second Congressional District and meet with my constituents, I hear from families, school administrators and businesses about their concerns with high energy prices. While gasoline prices continue to hover above $4 per gallon in eastern Connecticut, residents and heating oil dealers are also concerned about the price and supply of heating oil this year.

At an April 2008 hearing before the House Select Committee on Energy Independence and Global Warming, Melanie Kenderdine, with MIT and formerly of the Energy Department, testified that an exchange of 50 million barrels of light crude from the SPR "could be expected to temporarily drive down oil prices without appreciably reducing the insurance value of the SPR in the near term."

In 2000, when heating oil stocks were low, the Administration undertook an exchange of 30 million barrels of oil from the SPR and the impact on prices was immediate. All of the oil was refined, despite worries about refining capacity, and crude oil prices dropped almost 20 percent. In addition, there were sufficient heating oil supplies that winter.

We need more oil on the market now to bring down the price of crude oil and gasoline and before the cold New England winter sets in. That is why I introduced my legislation and why I recognize that even more oil is needed on the market than my bill required. I urge my colleagues to support H.R. 6578.

Mr. BARROW. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. BARROW) that the House suspend the rules and pass the bill, H.R. 6578, 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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 268, nays 157, not voting 10, as follows:

[Roll No. 527]

YEAS—268

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Foster
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Klein (FL)
Knollenberg
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield (KY)
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—157

Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Dreier
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kirk
Kline (MN)
Kuhl (NY)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Roskam
Royce
Ryan (WI)

Sali
Saxton
Scalise
Schmidt
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Bishop (UT)
Boswell
Brown-Waite, Ginny
Cubin
Hinojosa
Hulshof
Jones (OH)
LaHood
Ortiz
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to vote.

□ 1444

Messrs. SHUSTER, SAXTON and DAVIS of Virginia changed their vote from ''yea'' to ''nay.''

Mr. WHITFIELD of Kentucky and Ms. CORRINE BROWN of Florida changed their vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on rollcall No. 527, I inadvertently missed this vote. I was delayed getting to the floor. Had I been present, I would have voted "yea."

NATIONAL HIGHWAY BRIDGE RECONSTRUCTION AND INSPECTION ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1344 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3999.

□ 1444

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3999) to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes, with Mrs. CHRISTENSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, July 23, 2008, amendment No. 11 printed in part B of House Report 110–760 by the gentleman from Minnesota (Mr. OBERSTAR) had been disposed of.

AMENDMENT NO. 10 OFFERED BY MR. CHILDERS

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. CHILDERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CHILDERS:

At the end of section 5, add the following:

(d) COMPLIANCE WITH IMMIGRATION AND NATIONALITY ACT.—None of the funds appropriated pursuant to subsection (a) may be used to employ workers in violation of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 416, noes 1, answered ''present'' 6, not voting 16, as follows:

[Roll No. 528]

AYES—416

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—1

Moore (WI)

ANSWERED ''PRESENT''—6

Clarke
Edwards (MD)
Ellison
Grijalva
Honda
Towns

NOT VOTING—16

Bishop (UT)
Boswell
Brown-Waite, Ginny
Cubin
DeLauro
Faleomavaega
Fortuño
Hinojosa
Hulshof
Johnson, Sam
LaHood
Ortiz
Rush
Slaughter
Sutton
Young (AK)

□ 1503

Mr. CRENSHAW changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for: