

schools would join the ranks of the most highly paid teachers in the state.

This is not a giveaway to teachers. To assure high quality, these changes would be directly tied to rigorous performance assessments. In fact, the entire structure of reform would be subject to ongoing review by an Independent Office for Research and Accountability that would identify target schools for augmented support and determine whether the Commission's intensified strategies are producing desired results.

What hope is there that these ideas will be acted upon? After all, similar proposals have been floated in the past.

The answer is that at this particular moment, we are blessed with a rare opportunity that combines a potential multi-billion dollar windfall for the city's school system with contract renewal negotiations between the United Federation of Teachers and the city and an upcoming Mayoral election.

Clearly the biggest barrier to school reform has been money. For decades, the city has been unable to offer the kind of teacher salaries found in the suburbs and upstate because it has not received a proportionate share of funding. More recently, under the provisions of the federal No Child Left Behind Act, city schools have been asked to meet clear and specific targets for student achievement even as they have been denied the wherewithal to do so. Now the courts have recognized that this amounts to a violation of our children's Constitutional right to a sound, basic education. A panel of special judges has recommended that the state make amends by providing the city with an additional \$14 billion in operating and facilities funds over the next five years. That decision is being appealed, but many believe that within the next year, money will actually change hands.

That's a huge step, and certainly little else can happen without it. But it is only the beginning. Plaintiffs have won similar lawsuits in other states, gotten their money, and still were unable to enact meaningful reform. Usually this was because they failed to bring together all school stakeholders in a meaningful dialogue.

In New York City, the City Council commission began such a dialogue with the public hearings it held during this past year. But obstacles remain. One of the long-standing bones of contention has been the seniority system that allows the most experienced teachers to essentially choose their placements. Given the low pay and working conditions in struggling schools, most elect to work in higher-performing institutions where they can make a decent living and be effective. Not surprisingly, the union has fiercely defended this system.

The city government, for its part, has responded—with justification—that its hands are tied.

Lately, however, there have been encouraging signs. Both Randi Weingarten, the UFT president, and Joel Klein, the city schools chancellor, have said that in principle, they believe the key to turning around struggling schools is to populate them with excellent, experienced teachers. Mayor Bloomberg, who has made education reform the centerpiece of his first term, is running for a reelection. It is a moment, in short, when promises are being made; when compromise is in the air; and when unprecedented new financial resources seem likely to come our way.

That said, the beginning of the new school year is almost upon us. The teacher contract talks are at a critical point. So let's make the most of our opportunity. We have identified a clear priority—to put great teachers in the schools that need them most, as rapidly as possible. We have the political will to do

so, and soon we will have the money. If we fail to deliver, history—and our children—will judge us harshly indeed.

IN RECOGNITION OF THE 1965
VOTING RIGHTS ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 29, 2005

Mr. DAVIS of Illinois. Mr. Speaker, on this 40th anniversary of the landmark Voting Rights Act of 1965, we must pause to recognize the importance of this legislation. A century before its passing, the 15th Amendment guaranteed the right for Black men to vote. In 1920, women were also granted that right. Despite these laws, minority men and women were still prevented from voting through discriminatory means common to Jim Crow, antebellum South including poll taxes, literacy tests, gerrymandering and language discrimination. Through the Voting Rights Act, considered one of the foremost pieces of Civil Rights legislation, Congress saw the discrimination and realized the critical need to protect the minority. We must continue to do so.

The most basic and fundamental principles of any democracy are equal opportunity, equal protection under the law and guarantee of the right to participate, to have that right protected and to have that participation count.

Unfortunately in the last two Presidential elections and in an increasing number of elections across the country are being marred with allegations of manipulation, chicanery, trickery, intimidation and outright illegal acts of fraud, thievery, and violence. All of these acts and actions have served to undermine confidence in our electoral system, disrupt the process of normalcy, and are beginning to shake the very foundation of our democracy. We must not waver in our commitment to our citizens and continue to ensure that their vote matters.

The face of America is changing every day. Diversity of race, ethnicity, language and other aspects of the American citizen are evident in our society. The need to protect the rights of the electorate despite these differences is a constant struggle. This 40-year-old legislation stood the test of time. It is our duty to continue to protect the right to vote, one of the most basic rights, for all Americans.

CONFERENCE REPORT ON H.R. 6,
ENERGY POLICY ACT OF 2005

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Mr. UDALL of Colorado. Mr. Speaker, I regret that I cannot support this legislation.

There is nothing I would rather vote for than a balanced energy bill that sets us on a forward-looking course—one that acknowledges that this country is overly dependent on a single energy source—fossil fuels—to the detriment of our environment, our national security, and our economy.

But at a time of sky-rocketing oil prices, this report doesn't do what it needs to do—help us

balance our energy portfolio and increase the contributions of alternative energy sources to our energy mix.

The process of developing the conference report is much improved from last year's contentious debate. Senate and House conferees worked together cooperatively and were able to compromise on a number of provisions and bridge difficult differences of opinion. I believe Chairman BARTON and Ranking Member DINGELL and on the Senate side, Chairman DOMENICI and Ranking Member BINGAMAN, have done a good job in this respect.

The conference report itself is also an improvement over the bill passed by the House earlier this year.

It includes an extension of the Renewable Energy Production Tax Credit for another 2 years, which will take us through the end of 2007. This is very good news. The report also includes clean energy bonds provisions from the Senate bill which will enable electric cooperatives to invest in renewable generation.

It also removes the methyl bromide tertiary-butyl ether, MTBE, liability waiver that would have let industry off the hook. It's true that the conference report does provide a "backdoor immunity" that could derail many legal claims by denying communities and states the right to be heard in state forums. But I believe that the conferees took a big step forward by dropping the liability waiver.

On energy efficiency, the conference report goes beyond the House bill in establishing new energy efficiency standards for 15 products. It also includes numerous energy efficiency tax provisions for alternative fuel vehicles, energy efficient appliances and new and existing homes, among others, provisions contained in the Energy Efficiency Cornerstone Act that I introduced with my colleague Rep. ZACH WAMP and others.

Electricity provisions are strengthened—not only does the conference report include new standards for grid reliability, but it also includes consumer protections in electric markets, such as new merger review, a prohibition on market manipulation, improved market transparency, among others. These protections are especially important given that the bill repeals the Public Utility Holding Company Act, PUHCA, which restricts the ownership and operations of power companies and their ability to control energy prices.

Another way in which the conference report has improved on the House bill is its treatment of oil shale.

This is a subject of particular concern to Coloradans, because Colorado has the most significant amounts of oil shale—and also the most experience with oil shale fever. In Colorado, we have had several bouts of that syndrome. The last one started during the 1970s energy crisis and ended abruptly on "Black Sunday" in 1982. That was when Exxon announced it was pulling out of the Colony shale project, an event that left an impact crater from the Western Slope to downtown Denver. There followed an exodus of other companies that had been working on oil shale—which led to an echoing exodus of jobs and of Coloradans who had nowhere else to turn.

The House bill would have required the Interior Department to set up a new leasing program for commercial development of oil shale, with final regulations to be in place by the end of next year. In other words, it called for a crash program to meet a short, arbitrary deadline.

In the Resources Committee, I tried to change that. An amendment I offered would not have barred oil shale development. Instead, it would have said that before we leap again, we should take a look and have a clear idea of where we are apt to land. Under my amendment, the Department of the Interior would be told to prepare regulations for a new oil shale leasing program—and to get them finished “promptly” after finishing the analysis required by NEPA and the regular process for developing new federal regulations.

Unfortunately, the Republican leadership of the Resources Committee opposed my amendment, and so it was not adopted. The result is that that part of the House bill was much uglier than it should have been.

The oil shale part of the conference report, while not necessarily a thing of real beauty, is definitely better. It calls for a programmatic environmental impact statement as the first step, and requires issuance of final regulations for a new commercial leasing program only after that statement has been completed. Further, it requires the Interior Department to consult with the Governor of Colorado (and the governors of other relevant states) and other interested parties in order to determine the level of support for development of oil shale (or tar sands) resources, and provides that leasing will then occur only if there is sufficient interest and support. This is a much better way to proceed than through the kind of crash program called for in the House-passed bill.

And, while I think the need for a new oil shale task force or a new office within DOE is doubtful at best, the conference report’s provisions related to experimental leases are sensible and worthwhile.

There were a few good things in the House bill that I am glad are retained in the conference report—after all, in a 1,725-page bill, there are bound to be some good provisions, but in this case they are far outweighed by the bad.

For example, I support most of the provisions developed by the Science Committee, and I commend Chairman BOEHLERT and Ranking Member GORDON for their bipartisan approach.

In particular, I’m pleased that the Science Committee bill included generous authorization levels for renewable energy and energy efficiency R&D. As Co-chair of the Renewable Energy and Energy Efficiency Caucus, this funding is very important to me.

I am also pleased that the conference report includes the Clean Green School Bus Act, a bill that Chairman BOEHLERT and I drafted that authorizes grants to help school districts replace aging diesel vehicles with clean, alternative fuel buses. H.R. 6 also includes provisions from legislation I introduced on distributed power, which would direct the Secretary of Energy to develop and implement a strategy for research, development, and demonstration of distributed power energy systems.

Unfortunately, though, as a whole this conference report—like the bills we’ve debated twice before—basically retains the status quo and does little to provide solutions to the real energy problems facing this country.

This conference report provides oil and gas companies massive forgiveness of royalty payments. It exempts industry from requirements of the Safe Drinking Water Act when they inject harmful chemicals into the ground during

drilling. It exempts oil and gas construction sites from storm water runoff regulations under the Clean Water Act. It authorizes up to \$1.5 billion in new subsidies to the oil industry for ultra-deep oil drilling and exploration. It establishes an exclusion under the National Environmental Policy Act for oil and gas development activities.

Of the bill’s total \$14.6 billion in tax incentives, \$9.3 billion (or 64 percent) is for traditional energy sources such as oil, natural gas, and nuclear power. The oil and gas industries are getting these massive subsidies from the taxpayer at the same time that their profits have never been higher. Meanwhile, renewables and energy efficiency technologies are allocated \$5.3 billion, or just 26 percent of the total incentives in the bill.

And then there are all the things the bill would not do. It would not increase vehicle fuel economy standards, which have been frozen since 1996. Raising CAFE standards is the single biggest step we can take to reduce oil consumption, since about half of the oil used in the U.S. goes into the gas tanks of our passenger vehicles.

This conference report avoids the whole question of mandatory action on climate change, excluding even the toothless Senate-passed resolution that recognized the need for immediate action by Congress to implement mandatory caps on greenhouse gas emissions.

It also does not include the Renewable Portfolio Standard, RPS, part of the Senate-passed bill, which would require utilities to generate 10 percent of their power from renewable sources by 2020. Colorado is uniquely positioned to take advantage of alternative energy opportunities, such as wind and sun. Colorado’s voters approved Amendment 37 last year, a state RPS, which is making a difference in our energy supply.

But a Federal RPS would yield numerous rewards in the long-term for the whole country, including increased energy independence and security, economic development opportunities in depressed communities, maintaining a competitive advantage internationally, protecting our environment, and helping our farmers develop long-term income sources. The absence of an RPS in this conference report is a serious setback for forward-thinking energy policy.

Most importantly, according to analyses conducted by the Department of Energy’s Energy Information Administration, this energy bill will neither lower gas prices nor reduce U.S. dependence on foreign oil, with foreign imports predicted to increase from 58 percent to 68 percent in the next 20 years. Coloradans on average are already on average \$2.25 for a gallon of regular gas. This bill will do nothing to bring those prices down.

I don’t always agree with President Bush. But I think he is absolutely right about one thing—at \$55 a barrel, we don’t need incentives to oil and gas companies to explore. Instead, we need a strategy to wean our Nation from its dependence on fossil fuels, especially foreign oil.

In conclusion, Mr. Speaker, we need a plan in place to increase our energy security. Thirteen percent of the twenty million barrels of oil we consume each day comes from the Persian Gulf. In fact, fully 30 percent of the world’s oil supply comes from this same volatile and politically unstable region of the world. Yet with only 3 percent of the world’s known

oil reserves, we are not in a position to solve our energy vulnerability by drilling at home.

This bill does nothing to tackle this fundamental problem. For every step it takes to move us away from our oil/carbon-based economy, it takes two in the opposite direction. I only wish my colleagues in the House could understand that a vision of a clean energy future is not radical science fiction but is instead based on science and technology that exists today. Given the magnitude of the crisis ahead, we can surely put more public investment behind new energy sources that will free us from our dependence on oil.

Earlier this year, President Bush spoke at the opening of the Abraham Lincoln Museum in Springfield, Illinois and attempted to draw parallels between his goal of expanding freedom in the world and Lincoln’s effort to expand freedom in the U.S. I have some questions about that comparison, but I do think it is good to consider Lincoln’s example when we debate public policy.

In fact, I wish President Bush and the Republicans would draw a few more parallels to Lincoln in their approach to energy policy—because, as that greatest of Republican Presidents said, “The dogmas of the quiet past are inadequate for the stormy present. Our present is piled high with difficulties. We must think anew and act anew—then we will save our country.”

And while we are not engaged in a civil war, our excessive dependence on fossil energy is a pressing matter of national security. We have an energy security crisis. We need to think anew to devise an energy security strategy that will give future generations of Americans an energy less dependent on oil and fossil fuels.

Unfortunately, too much of this bill reflects not just a failure but an absolute refusal to think anew. Provision after provision reflects a stubborn insistence on old ideas—more tax subsidies, more royalty giveaways, more restrictions on public participation, more limits on environmental reviews—and a hostility to the search for new approaches.

Maybe we could have afforded such a mistake in the past. But now the stakes are too high—because, as I said, energy policy isn’t just an economic issue, it’s a national security issue. America’s dependence on imported oil poses a risk to our homeland security and economic well-being.

Unfortunately, this conference report does not think anew and is not adequate to the challenges of this stormy present. For that reason, I cannot vote for it.

CONFERENCE REPORT ON H.R. 6,
ENERGY POLICY ACT OF 2005

SPEECH OF

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Ms. KILPATRICK of Michigan. Mr. Speaker, despite the President’s oversell, this bill does nothing to improve our energy independence and does little to provide for a cleaner environment. The bill does nothing to lower gasoline prices, which are at an all-time high.

This bill is a corporate giveaway to the largest multinational oil companies, coal, utility