

Chairman YOUNG, in support of this resolution that authorizes use of the Capitol Grounds on Saturday, September 8, for activities associated with the National Book Festival. This is a two-day event hosted jointly by the Library of Congress and First Lady Laura Bush.

On Friday, September 7, children in classrooms and libraries across the country will enjoy an interactive reading session with the First Lady at the Library of Congress through satellite communication. On Friday evening, Members of Congress, recognized authors, publishers, and community leaders will gather in the Library's Thomas Jefferson Building for a performance by leading authors and actors bringing to life memorable American stories.

On Saturday, September 8, on the Capitol Grounds, distinguished authors and actors and national celebrities will treat the public to special readings and book signings. Performances by well-known artists, drawing on the Library's collection of American music, will close the event.

I support the resolution and urge my colleagues to join me in support of the book festival.

Mr. WATTS of Oklahoma. Mr. Speaker, today I rise in support of S. Con. Res. 41, and support reading and literacy programs all over this great nation.

Mr. Speaker, I commend the First Lady, Laura Bush and her initiative to get our country reading. Reading is fundamental to the development of the nation's young minds. There is no skill that can be attained like reading. Once you have learned to read, you will never stop.

Mr. Speaker what better place for a festival of books and reading than on the Capitol grounds, the pinnacle of American freedom and what better person to lead the charge than the First Lady of the United States, Mrs. Laura Bush. As a former teacher, no one understands the importance of reading more than Mrs. Laura Bush.

Mr. Speaker, I urge all of my colleagues to stand in support of Mrs. Bush and reading by voting for S. Con. Res. 41.

Mr. COSTELLO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 41.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1159

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. Con. Res. 41 and H.R. 819, the measures just considered by the House.

The SPEAKER pro tempore (Mr. SHAW). Is there objection to the request of the gentleman from Ohio?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at noon), the House stood in recess subject to the call of the Chair.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 1 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2216, 2001 SUPPLEMENTAL APPROPRIATIONS ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 171, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 171

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule provides that the bill will be considered for amendment by paragraph.

The rule makes in order the amendment printed in part B of the Committee on Rules report, which may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendment printed in part B of the Committee on Rules report. The rule waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of rule XXI, prohibiting nonemergency designated amendments to be offered to an appropriations bill containing an emergency designation.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. And finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, this should not be a controversial rule. It is totally open. Members can offer all of the amendments that they want, as long as the amendments comply with the regular rules of this House.

Meanwhile, the underlying bill provides vital relief to our Nation's Armed Forces and aid to areas that have been devastated by natural disasters; and, unfortunately, we had a lot of that last year.

port the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Yesterday the Committee on Rules met and granted an open rule for H.R. 2216. The rule waives all points of order against consideration of the bill. It provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule provides that an amendment printed in Part A of the Committee on Rules report accompanying the rule shall be considered as adopted. The rule waives points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill.

The rule provides that the bill will be considered for amendment by paragraph. The rule makes in order the amendment printed in part B of the Committee on Rules report, which may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

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Meanwhile, the underlying bill provides vital relief to our Nation's Armed Forces and aid to areas that have been devastated by natural disasters; and, unfortunately, we had a lot of that last year.

My friend, the gentleman from Texas (Mr. FROST), who is managing this rule for the minority, has always been a strong advocate for the military; and I am sure that he appreciates the defense items in this bill.

Without help from Congress, our Nation may fall short on its promise to provide adequate health care for our men and women in uniform. So today, we will provide an additional \$1.4 billion for Department of Defense health programs.

At the same time, we are providing an additional \$6.3 billion largely to help our military maintain its facilities and its top-notch training and equipment. We know we have had a problem with that in the last few years. Interestingly, we will also allocate a small amount of funds to make the U.S.S. *Cole*, which was bombed by terrorists in Yemen, seaworthy again.

We are not only taking care of the emergency needs of our military, though. Several communities in the Midwest have been devastated by floods and tornadoes, so we are giving the Army Corps of Engineers \$116 million to mitigate the damages from these natural disasters.

I urge my colleagues to support this open rule and to support the underlying bill. This legislation is a strong step forward, as we work to take care of our military personnel and take care of those who are hurting here at home.

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

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

Mr. Speaker, I rise in opposition to one of the most unfair, bizarre, and partisan rules reported by the Committee on Rules in a very long time. If the issues were not so serious, this rule would be laughable.

Let us start with the unfair part. Repeatedly during the Presidential campaign last year, then-candidate President Bush told the American public, and especially every man and woman in uniform, "help is on the way" for our military. Many who serve in our armed services as well as many others concerned about our national defense believed what candidate Bush promised. Many other Republicans ran last fall making the same kind of promises. This rule proves those campaign promises were made with a wink.

Last night on a straight party-line vote, the Committee on Rules refused to give our colleague, the gentleman from Missouri (Mr. SKELTON) the ranking Democrat on the Committee on Armed Services, the opportunity to offer an amendment that would increase supplemental funding for the Department of Defense by \$2.7 billion. The gentleman from Missouri (Mr. SKELTON) is a strong advocate for our military but he is especially an advocate for the soldiers, sailors, airmen, and Marines who serve their Nation and each and every one of us. The \$2.7 billion he included in his amendment is some but certainly not all that the De-

partment of Defense desperately needs for readiness and quality of life issues.

If we do not appropriate the funds the gentleman from Missouri (Mr. SKELTON) is seeking, our armed services will not have the resources they need for training for the rest of the year, nor will there be funds to move forward on improving housing or making other quality of life improvements for our troops.

Mr. Speaker, every single Republican on the Committee on Rules voted against the President's promise that help is on the way. Every single Democrat on the committee voted in favor of the men and women who serve our Nation and to provide them with the help they need to ensure our national defense is second to none.

Now let us examine the bizarre part of the rule. Everyone in this country knows what tropical storm Allison did in Houston, in parts of Texas and Louisiana and now in Pennsylvania. This storm has left a major disaster in its wake. What did the Keystone Cops on the other side of the aisle do on this bill and rule? First, the Committee on Appropriations cut the money for the Federal Emergency Management Administration just after this disaster hit the Gulf Coast and at the very beginning of the hurricane and tornado system. They cut the money for FEMA. The committee cut \$389 million out of the money available for the rest of the fiscal year, money that had already been appropriated by this Congress just when the extent of the disaster in Houston has been preliminarily estimated to total \$2 billion and will very likely continue to rise.

And that figure, Mr. Speaker, does not even take into account the damage in Louisiana, other areas affected along the Gulf Coast, and what will be needed to clean up in Pennsylvania. So the committee cut \$389 million from FEMA. What did the Committee on Rules do? Their solution is even more bizarre than the action taken by the Committee on Appropriations.

Last night the Republicans on the Committee on Rules made in order an amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY) which would restore the cuts in FEMA funding, but that comes at a very steep price. The House is being offered the chance to restore the \$389 million in FEMA, only if we are willing to make over \$1 billion in cuts in nondefense discretionary programs in the current year.

To translate this, that means that we can restore FEMA emergency money only if we are willing to cut Head Start, cut funds for education, \$70 million from the Veterans' Administration medical program, cut public safety officers for our schools and neighborhood health centers. What have these people been smoking, Mr. Speaker?

All the Republicans on the Committee on Rules had to do was make in order a bipartisan amendment by the gentleman from North Carolina (Mr.

JONES), a Republican; by the gentleman from Texas (Mr. BENTSEN), a Democrat; and the gentleman from Pennsylvania (Mr. HOEFFEL), a Democrat. Their amendment would simply have restored these funds to FEMA, funds which have previously been appropriated by this Congress. Just ask the constituents of the gentleman from North Carolina (Mr. JONES) or the constituents of the gentleman from Texas (Mr. BENTSEN) in Houston or the people outside of Philadelphia represented by the gentleman from Pennsylvania (Mr. HOEFFEL). They know firsthand how important the Federal Government can be, especially when disaster strikes close to home.

It is beyond me, and many Members of this body as well, why it is necessary to cut 2½ times more out of the budget already approved by the Congress in order to restore funds already appropriated by this Congress that helps thousands of Americans who have been affected by this storm.

I cannot find a good reason to justify cutting \$70 million out of the medical services for the Veterans' Administration in order to not make cuts in disaster assistance. This move on the part of the Republicans on the Committee on Rules is truly one of the most bizarre and mean-spirited things they have done in a very long time. Let me be very clear what we are talking about.

The Congress appropriated this money for FEMA. That was last year. Appropriated this money. And then the Congress, the Committee on Appropriations, came in and said we want to cut this money that was already appropriated last year, we want to take it away from FEMA so they do not have enough money to help the people down in Houston and Louisiana and Pennsylvania. The Committee on Rules said we should not cut this money, we should not take away the money from FEMA that Congress already appropriated, so let us give it back to FEMA but let us take it out of Head Start and community police officers and veterans' medical care. What a crazy result, Mr. Speaker.

Finally, let us talk about the partisan nature of this rule. West Coast Democrats appeared before the committee to seek permission to offer the Inslee-Pelosi amendment that would require the Federal Energy Regulatory Commission to impose cost-based pricing for electricity in the Western power market. Now on Monday FERC did order some relief for electricity customers on the West Coast. But even though their order is an improvement over the current pricing mechanism, there are many who believe this action will not offer enough relief to consumers and businesses on the West Coast as we move into the hottest summer months.

□ 1315

Our colleagues, the gentleman from Washington (Mr. INSLEE), the gentlewoman from California (Ms. PELOSI),

the gentlewoman from California (Ms. ESHOO), and many, many others asked for the opportunity for the House to at least debate this issue. This supplemental is the only train leaving the station, and it represents the only real opportunity the House will have to debate equitable, just, and reasonable pricing for electricity. This bill represents the only opportunity to debate the issue of refunds for overcharges FERC admits were made but for which it will not provide a remedy.

With the most partisan of intent, the Republicans on the Committee on Rules rejected these requests made by west coast Democrats seeking to find some relief for their constituents. For example, the gentleman from Washington (Mr. BAIRD) also requested that an amendment be made in order that could help local school districts who in the coming months may be forced to lay off teachers, cancel purchases of new books or computers, shut down after-school programs or cancel arts, music or technology classes in order to pay for the rising cost of heating and cooling schools. But instead of putting children first, the Republican majority on the Committee on Rules refused to make this important amendment in order. This is partisan politics at its worst, Mr. Speaker. For that reason, I will oppose the previous question on this rule.

It is my intention to oppose the previous question in order to be able to offer an amendment to this rule that would make it less partisan, less unfair, and certainly a lot less bizarre. The House should have the opportunity to debate adding funds for the Department of Defense to meet its highest priorities in the remaining month of the fiscal year; the House should have an opportunity to restore funds to FEMA without cutting Head Start and veterans' medical care; and the House should debate the energy issues that are so disastrous to so many communities on the west coast.

Therefore, Mr. Speaker, I urge my colleagues to oppose the previous question and oppose the passage of this rule.

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

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

I do want to remind my colleagues that this is an open rule. It is the first I have heard an open rule called bizarre and mean-spirited. It does quite honestly provide \$5.5 billion for urgent defense needs. But I want to remind my colleagues, we are waiting on the Rumsfeld report before we do the defense budget; and then we will be dealing with the other needs of the military, as well as we are going to be doing an energy bill, and that is the appropriate time to deal with the energy question that we are facing now.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me this time.

Mr. Speaker, I rise in strong support of this rule and the underlying legislation. Today, I would like to focus on the provisions within this bill dealing with nuclear cleanup. As the chairman of the Nuclear Cleanup Caucus, I have expressed clear reservations with the administration's initial budget request for this program. I am very pleased that they now have requested, and the Committee on Appropriations has included, \$180 million in supplemental funding for this vital effort. Specifically, over \$50 million of this money will provide a necessary bridge at the Hanford site for this fiscal year to prevent layoffs. I would hope that our field managers be provided with the maximum flexibility to mitigate shortfalls and reduce impacts with this money.

The administration should be commended for including this money in their supplemental request. After submitting their initial budget, I have had multiple opportunities to meet with Office of Management and Budget Director Daniels regarding the legal, contractual, and moral obligation the government has to ensure the cleanup program stays on schedule throughout this Nation. Recognizing the shortfall in the administration's request, the congressional budget resolution provides for up to \$1 billion in additional money for nuclear cleanup in fiscal year 2002. The inclusion of this money in the supplemental is the first step in fulfillment of that requirement.

I would also like to commend the Committee on Appropriations for their commitment to environmental cleanup. Throughout this process, the Committee on Appropriations, and specifically the gentleman from Alabama (Mr. CALLAHAN), has worked with me and other caucus members to ensure that adequate funding is provided in fiscal year 2002. Yesterday's markup of Energy and Water appropriations to me is a great step in ensuring that this shortfall is eliminated. I look forward to working with the gentleman from Florida (Mr. YOUNG) and the gentleman from Alabama (Mr. CALLAHAN) in the future to ensure that this funding is a reality.

Accordingly, I urge my colleagues to support this open rule and the underlying legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAUBO).

Ms. DELAUBO. Mr. Speaker, I rise in opposition to this rule because it blocks critical amendments which would have helped vulnerable Americans with soaring energy bills. My amendment would have provided \$600 million this year for emergency low-income heating energy assistance, a

funding increase of \$300 million. It would have provided \$1.4 billion in these emergency low-income energy assistance funds for next year. It would have restored \$300 million to the Federal Emergency Management Agency, FEMA's, disaster relief fund. These funds are critical for Americans who are facing skyrocketing energy bills this summer and those communities that have been devastated by Tropical Storm Allison.

Low-income energy funds appropriated for this year have all been released. We have 19 States that have exhausted all of their LIHEAP funds, or they soon will. This amendment would have provided immediate relief for those States that are trying to deal with delinquent energy payments and that are preparing for the scorching temperatures this summer.

This past winter, 3.6 million families in nearly half of the United States risked having their energy cut off because of outrageous energy costs. It really is incredible and it is wrong. Further, the amendment would have provided advance funding for later this year, after September 30. There will be no Labor-HHS bill at that time. That means that people who are going to be struggling with energy costs into the winter are going to have to just suck it up because there will not be funding there until this body makes a decision to deal with low-income energy funds in the future.

Finally, the amendment would have said to FEMA, we will restore \$300 million of your resources to deal with Tropical Storm Allison. Today, the director of FEMA has said that it will take not the \$2 billion that he thought but now \$4 billion to deal with the cleanup and to deal with what is happening with mosquitoes following that storm. And what do we want to do at this juncture? Instead of making that money available for the folks in this Nation, we are rescinding the money, taking back \$300 million, in fact, so that the people of this country, people in the South and who are suffering from what happened with Tropical Storm Allison are going to be on their own.

I oppose this rule because it jeopardizes our most vulnerable populations. Vote it down.

Mrs. MYRICK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I listened with interest to my colleague from Connecticut wanting to offer further amendments to expand LIHEAP, which is the low-income heating assistance program. This bill increases LIHEAP by \$300 million, which is twice what the President requested, and the gentlewoman from Connecticut can offer her amendment as long as there is an offset. It is an open rule. I think that is a very reasonable approach to this problem.

There has been some criticism that we are not waiving the rules of the

House which are long established here to deal with the problem of electricity and energy in this country.

On Monday, the Federal Energy Regulatory Commission passed an order that extended their price mitigation and price monitoring program in California and across the West. I think that is a wonderful step and will probably ensure that consumers in California and the West are going to be paying reasonable prices for electricity in the West. In fact, in the other body, Senator FEINSTEIN of California, who coauthored the bill on price caps, said yesterday that the FERC action was a giant step forward and they do not intend to move forward and press this issue. It is only a small number of folks in the House that seem to be wanting to move in that direction. The reality is, in the Committee on Energy and Commerce for about a 2-week period, we struggled privately and in a bipartisan way with the issue of what we can do to reduce the cost and the price of electricity in California and the West.

Through that process, I think a lot of us came to realize just how badly we could mess this up if we try to go back to a system of setting prices at the Federal level from the Congress. FERC has a lot more flexibility, a lot more expertise and latitude than we do in this body. We should not set price caps in legislation. Trying to solve the problem with price caps is going to make the supply problem even worse and prolong the crisis. It would probably deny electricity to California because States like New Mexico would not sell on the spot market to California if they were going to be forced to sell below their own cost. As a result, we would see more blackouts, more problems in the State of California, a lack of investment in the real problem, which is a shortage of supply and California's failure to build for the future.

Price caps never produced another kilowatt of electricity. It is unreasonable when we are going to be facing major energy legislation in this Congress, sometime in the next 6 weeks, to ask to put this price cap measure on something completely unrelated and to ask us as a House to waive the long-standing rules of the House to make this up today rather than the context of what we really should be doing, which is a long-term, balanced approach to national energy policy, an approach that includes conservation, that includes increased supply, that fixes our aging infrastructure, and that includes government reform.

I look forward to that debate and to bringing that comprehensive bill to the floor of the House. But today is not the day. I do not think we should be willing to waive the longstanding rules of the House to take this up in a mish-mash fashion.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT).

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

Mr. GEPHARDT. Mr. Speaker, I rise to ask Members to oppose the previous question and rule so that we can give people immediate relief with their energy needs. Today, we have an opportunity to do something to help millions of Americans. We should vote to put temporary caps on wholesale electric prices in the western United States and take a commonsense step to give consumers substantial help with low-income energy assistance.

Unfortunately, the Republican majority has been unwilling to take real action on this critical issue. They continue to ignore people's real needs and today will not even let us take a vote on one of the most compelling problems facing America.

In San Francisco last month, one small business owner lost between \$3,000 and \$4,000 in 1 hour during a rolling blackout. This bill does nothing for him. Thousands of people are on life support machines on the west coast. This bill does nothing for them. Millions of people are paying through the nose for a commodity that is like air and water in their lives. This bill does nothing for them. A large percentage of small businesses in the San Diego area are at or near bankruptcy. This bill does nothing for them. Thousands of families in California and the west coast have seen their residential energy prices go up twice, three times, five times, in some cases 10 times. This bill does nothing for them.

We have an emergency in our country. Yet the Republican leadership treats it as if it does not exist. We are glad that Federal regulators are finally listening and moving in the right direction. But their recent order is still a day late and a dollar short. It lets generators continue to make record profits and does nothing to help those affected by overcharges recover their losses. It opens the door to market manipulation and does nothing to stop the blackouts that are threatening people even this week.

□ 1330

So the time has come for sensible steps that will actually do something for people. We have been regulating utilities for decades, including wholesale electric prices; and we have one of the best power systems in the world. All we say is that we need temporary relief to this historic model so we can stabilize the market and give people real relief. We recognize this is not a long-term answer to the problem. In California, the Governor has permitted 16 new plants to bring in new supply. Four of them will be online this summer. Help is on the way, but help is needed now. This is a financial emergency. We need to address this emergency in this bill. It is unreasonable to bring a supplemental appropriation out on this floor and not even allow the minority the right to debate and vote on such a measure.

I urge Members to vote against the previous question and vote against the rule.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me this time.

Mr. Speaker, under the President's leadership, the country is beginning to focus on the need to take firm steps to enhance our energy security. The President is putting people over politics. I wish the minority would do the same.

Across the Nation, we are seeing the predictable consequences of allowing regulatory red tape and government intrusions to constrain our ability to produce the energy that we need.

Mr. Speaker, our energy security sustains our quality of life. The amendments offered by the minority threaten our freedom and our energy security, and that is why they should be rejected and not allowed in this rule. We need to solve the shortage of energy with a broad and a balanced plan. We need to encourage initiatives to reduce demand by conserving energy. We need to encourage the introduction of new technology that will allow us to accomplish more with the energy that we use. But there should be no confusion about the unmistakable need to expand the diversity of supply and to increase the production of energy.

Unfortunately, the electricity crisis in California offers an object lesson in the danger of allowing political half measures to be substituted for a successful market-based solution. We are talking about price caps.

Today, politicians in California are demanding additional government regulation as the pathway to relief from the consequences of earlier government regulation. Let us be clear about this. In every place government price controls have been tried, those price controls have failed to achieve the results that their supporters have promised. They failed when Republican Presidents used them; they failed when Democrat Presidents used them. All government price controls can offer California is the specter of longer and more frequent blackouts.

The electricity marketplace in California, as we all know, is severely dysfunctional. The people of California are suffering today because the demand of electricity exceeds the available supply. Until that fundamental imbalance is resolved, their problems will continue. It happened because politicians in California place so much red tape and regulation on the energy sector that energy suppliers could not build the power plants needed to supply California's energy-hungry economy. That is the fundamental problem in California.

Government price controls cannot work because all they do is prolong and exacerbate the problem. California

must begin building the capacity it needs to create the additional electricity that its markets demand. That is the only way out. Price controls will not create an additional, not one additional, megawatt of electricity. What they will do is discourage the construction of new power plants and dissuade electricity generators from investing in the improvements and advancements that will actually increase the supply of electricity in California.

Government price controls fly in the face of the most basic laws of economics. They swim against supply and demand. Members should reject that siren song of price caps. Remember this, government price controls will mean more blackouts. I urge the adoption of this rule and reject the opposition.

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

Mr. Speaker, my friend, the gentleman from Texas (Mr. DELAY), has actually made some very interesting points, points that ought to be debated on the floor. What the Committee on Rules is doing is saying, no, we are not going to let the gentleman from Texas (Mr. DELAY) speak at length about his points, or people that believe the way he does; and we are not going to let people from California, the west coast, speak on the other side. They will not even permit this debate to occur; and that is why we object to this rule, and that is why we are going to fight the previous question.

I think the gentleman from Texas (Mr. DELAY) ought to have lots of time to make his arguments, and I think people on the other side ought to have an equal amount of time. Their rule would prevent that from happening.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding this time to me.

Mr. Speaker, I rise in strong opposition to the rule considering the supplemental appropriation bill that is before us. Although many of my colleagues are upset because the rule does not permit various amendments as it relates to the energy crisis or disaster relief, my reason for opposing the rule is quite simple. It does not permit an amendment that would allow us to do more for our American men and women in uniform. This is a serious matter.

At the outset, I want to note that the \$5.6 billion included in the bill for the Defense Department by the Committee on Appropriations, which is recommended by the OMB, is helpful but not adequate to address acute funding shortfalls that all the military services are experiencing.

I proposed an amendment to the bill to increase funding for the Department by \$2.7 billion. That amendment has not been made in order by the rule and protected against points of order, and that is a shame.

Mr. Speaker, it is no secret to anyone that the armed services are called on

to perform a myriad of missions all around the world, many of them on short notice. Whether it is defending against adversaries like Saddam Hussein or protecting our allies in Korea, or building a democracy in the Balkans, our military does a wonderful job, a great job, of protecting our national security interests. We owe it to our servicemen and women to ensure that they are trained and ready to perform those missions, that they have the best equipment we can provide and have adequate compensation and quality of life for their families.

The roofs are leaking on the family housing. The spare-parts bins are empty. The training is being curtailed, and unfortunately this supplemental bill as reported does not go far enough in meeting these goals, and follows the OMB recommendations. My amendment would add \$2.74 billion to the bill all for additional defense appropriations. Of this total, the vast majority, about \$2 billion, would be for operation and maintenance for flying hours and spare parts and real property maintenance and depot maintenance and uniforms, the unglamorous nuts and bolts, essentials that really make our military work. Another \$400 million would fund military personnel and priorities, subsistence allowances, housing allowances, to keep our service members off food stamps, to pay for unbudgeted National Guard and Reserve personnel costs.

My amendment would also add about \$300 million for high-priority procurement costs. For example, I would add \$65 million to replace the EP-3 that is being cut to pieces on Hainan Island, China, and \$49 million in additional funds to expedite the repair of the U.S.S. *Cole*.

Finally, my amendment would appropriate additional funds for ammunition. I oppose this rule.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), our chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of the rule, and I rise in support of the previous question and also will be rising in support of the supplemental appropriations bill.

There are 435 of us in this Chamber and if each one of us were to write our own version of this supplemental, there would probably be 435 different versions; and we cannot have that. In our process, that is not the way it works. So the Committee on Appropriations, in an effort to allow Members to make a major contribution to the final product, the Committee on Appropriations asks for an open rule. I have never asked the Committee on Rules to give me a closed rule on any appropriations bill.

This is an open rule, meaning that any Member who has an amendment that is germane to the bill, that is an appropriations item, that they will be able to offer that amendment.

We would possibly agree with some; possibly we will not agree with some. We will make that determination once the debate takes place.

As an announcement to our Members, I wanted to tell them that although we were late getting our numbers, specific numbers, from the administration, we are still well under way. This is the first appropriations bill of the season. However, if we look at it technically, it is the last appropriations because of the fiscal year 2001 season because it is a fiscal year 2001 supplemental. For the benefit of the Members, the Committee on Appropriations has reported out this supplemental, plus three other of the major appropriations bills for fiscal year 2002. The fourth appropriations bill has already been reported by the subcommittee, and next week there will be four additional subcommittee mark-ups. I say this so that Members will know that the Committee on Appropriations is moving expeditiously, despite the fact that we got off to a very, very late start.

I listened with interest to what the gentleman from Missouri (Mr. SKELTON) said on the amendment that he would offer, and I cannot disagree with him. There is a large list of shortfalls in our military services. There are many things that they need that we are not providing. We are anticipating a very substantial budget amendment from the President sometime within the next couple of weeks that will address many of the issues that the amendment of the gentleman from Missouri (Mr. SKELTON) raises. Those of us who work with national defense issues every day of our legislative lives are concerned that there are tremendous shortfalls in the needs of our national defense establishment, shortfalls in the needs of quality-of-life issues for our men and women who serve in uniform, and we are going to address those.

The bill that we provide today has certain budgetary constraints. The budget resolution for fiscal year 2001 sets certain budgetary restraints. The \$6.5 billion presented by this bill is the top line in those budgetary constraints. There is not much we can do about that. So we present a bill with the best advice and consent that we could have from the appropriations members to use that \$6.5 billion in a cost-effective way.

Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for giving me this opportunity, and I do hope that we can expedite consideration of the previous question, the rule and get right to the bill. This could be a long day.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time.

Mr. Speaker, I asked the Committee on Rules for a rather simple amendment that would have allowed for the

House to vote on whether or not to strike the rescission in the supplemental of \$389 million from the FEMA disaster account. Now, the distinguished chairman of the committee just spoke, and I know he worked very hard on putting this bill together, and he talked about the budgetary constraints.

I appreciate that fact, but we have to remember some of the budgetary constraints in this bill are self-imposed by the committee because the committee added \$273 million in spending in the defense accounts that was not requested by the administration. It added \$469 million in nondefense accounts that was not requested by the administration, and then it found the impetus to declare \$388 million in spending emergency but in order to meet the constraints it took the money that the Congress had appropriated and been signed into law for emergency relief and rescinded it and then it says, well, that money is not needed; we are not going to need it. If we need it, we will get it later.

□ 1345

But that is not a real savings. Mathematically, you know we are going to spend that money. But the fact is, FEMA does not have sufficient money. The storm in Harris County is now estimated to cost \$4 billion. FEMA has already put out a couple of hundred million dollars, and they expect to put out another \$130 million in the next 30 days.

There are storms happening all over the country. The district of the gentleman from Wisconsin (Mr. OBEY) just got hit yesterday with a storm. The gentleman from North Carolina (Mr. JONES), a Republican, was there asking for the same waiver, because FEMA is still paying for Hurricane Floyd that happened 2 years ago.

Now we are playing budget politics with FEMA money. Fifty thousand people in Harris County have either been displaced from their homes or are having to replace their homes. FEMA is estimating that the number of claims is going to rise to 90,000, and the three major hospitals and the largest medical center in the world are effectively shut down. The estimated damage to the Texas Medical Center alone will probably equal \$2 billion.

Yet the committee thought it would make sense to cut at least a quarter and ultimately really a third of the available FEMA money in the current fiscal year in order to pay for additional spending on other projects that the White House did not even ask for. Here is a letter from the White House. They agree. They say they are puzzled. They are puzzled by the action taken by the committee.

I know the committee worked very hard. In fact, when the committee did this, Allison had not even occurred yet. But it has occurred now, and we can very simply fix this matter. You were able to declare sufficient funding for

projects you thought were important emergencies. Do it for another 39 million, but put back the money that the Congress voted on, that the President signed into law, so it can be spent on disaster assistance, because I assure you we will be back. It will take more. This is like the California earthquake in 1992 and 1993.

Mr. Speaker, I urge my colleagues to defeat the previous question and defeat the rule.

Mr. Speaker, I rise today in opposition to the rule. The Emergency Supplemental is a paradox in its truest of forms. While donning the mask of emergency relief, this bill actually rescinds funding from FEMA's Disaster Recovery Fund in order to finance new and often unrequested projects.

Mr. Speaker, in the wake of Tropical Storm Allison, more than 50,000 Texans from Harris County, are either in temporary housing or working to make their homes livable again. With preliminary damage assessments totaling \$4.88 billion in Harris County alone, now is not the time to rescind \$389 million from FEMA's Disaster Recovery Fund. According to FEMA's latest estimates, the amount of Disaster Recovery Funds necessary to assist the state of Texas total \$1.98 billion. And that cost will certainly rise. This legislation is setting all of us up for another messy supplemental down the road. We are just 19 days into hurricane season, a revision of nearly one-third of FEMA's available assistance funding is unconscionable.

This measure has not garnered the support of the Administration. In fact, OMB Director Daniels said, "this action would preclude prompt assistance" for future disasters. The Disaster Recovery Fund is appropriated for the specific purpose of assisting local communities in the event of unforeseen disasters. The authors of this bill felt this account to be money burning a hole in their pockets. The Disaster Recovery Fund is not a savings account for new projects. This money is critical to the recovery process of hard-working taxpayers in the wake of natural disasters.

To impede or delay FEMA aid in favor of new spending is a desertion of our duty in this body. I urge my colleagues to vote against this rule because it fails to protect the amendment I offered and a similar proposal offered by my colleague from North Carolina, Mr. JONES. Furthermore, it protects an amendment that inexplicably calls for offsetting previously appropriated disaster funds.

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

Mr. Speaker, I would like to remind my colleagues that there is an amendment being offered to replace the FEMA money in this bill.

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

Mr. Speaker, I would remind my friend from North Carolina that the peculiar amendment that the Committee on Rules made in order to restore the FEMA money takes it out of Head Start and takes it out of Community Policing. We are saying that is a legitimate emergency. There is no reason to do that in the bizarre and peculiar way in which they have put the money back in.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, one would have thought that this emergency supplemental bill coming up when it did right on the heels of the storm damage and flooding to Houston, it would have provided an opportunity for this Congress to speak very clearly to the people in that area that their contract with our country is one that, in time of distress or natural disaster, we are there for them. Instead, we are sending the exact opposite message, a message of no confidence, by reducing the funding in FEMA.

As a person who represents an area beset by earthquakes, I know how important the message from Washington is in the recovery. As a grandmother of grandchildren in Houston seeing the onset of mosquitos following the flood, I know personally the need for the increased funding in the emergency bill, and am bewildered, again from my own experience representing an area that is disaster-prone, that this committee would not rise to the occasion.

So I rise in opposition to the rule on the supplemental appropriations bill because it misses opportunities on many scores. All we were asking for was a legitimate debate on spending priorities that are of an emergency nature for this Congress to address.

We have missed the opportunity because of this rule to have the chance to stabilize the electricity markets in the western United States. We have missed the opportunity to discuss the Eshoo amendment to ensure refunds for electricity charges in the western regions that were not just and reasonable. In fact, there are about \$8.9 billion in refunds. We have missed the opportunity to ensure that the DeLauro amendment would be discussed, which would increase the LIHEAP funding so it would be available to low income families throughout the summer and fall. Finally, we have missed the opportunity to provide the leadership required for this country in the fight to treat AIDS and prevent new infections globally.

Mr. Speaker, I urge my colleagues to defeat the rule because it is a gag rule on discussion of issues of an emergency nature.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I am pleased that the Coast Guard is included in the supplemental budget, but I am very concerned about the direction of the 2002 Coast Guard budget. If there are no changes, it is predictable that we will be standing here again this time next year, hat in hand, advocating for the Coast Guard, just as happened last year, when we painted ourselves into the same corner requiring \$655 million in supplemental Coast Guard funding.

Now, everyone knows that budget constraints have been so severe and chronic that the Coast Guard can barely keep its fleet in the water and its planes in the air. By the way, the Coast Guard operates the second oldest major naval fleet in the world, 39th out of 40. That is shameful.

We reduce operational funding while cutting back on capital investment; we short-change housing, health coverage and retirement. Then we wonder why retention and training suffer. We admire the rescues, such as depicted in the movie "Perfect Storm," but divert assets away from the core mission of saving lives. And, remember, the Coast Guard saves 5,000 lives each and every year.

The 2002 authorization bill passed by this House just 2 weeks ago responded to these challenges by boosting the Coast Guard's operating budget for next year by \$300 million. That promise stands unfulfilled thus far in the appropriations process. The funding bill approved since by the Subcommittee on Appropriations cut that \$300 million, as well as an additional \$60 million to embark on a program of replacing aging Coast Guard cutters that, on the average, are 27 years old.

The consequences are real, Mr. Speaker. Just this week came reports that the Coast Guard recalled port security forces that were sent overseas to protect U.S. naval units after the Destroyer Cole was attacked. Why? Because we cannot afford it any more.

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

Mr. MARKEY. Mr. Speaker, the Federal Energy Regulatory Commission on Monday ruled that they are not going to offer any true relief to California. What they said was that they were going to engage in a faith-based energy policy. They would pray for consumers in California and across the West, but they really would not do anything for them.

In the TV game show, the weakest link gets kicked off the show. But on Monday, the Republican-controlled FERC decided that the weakest link gets to set the prices for the entire western electricity market. This FERC order perpetuates the nonsense of having the least efficient generator of electricity set the benchmark price for all of the other generators.

This is a formula for allowing energy generators to continue to tip consumers across the West upside down and to shake money out of their pockets. While saying we are going to mitigate the size of the windfall, it does not in any way deal with the fact that a windfall will be enjoyed by these energy producers of historic size. Instead, they should have imposed a cost of service time-out on California and the West.

That is why the gentlewoman from California (Ms. PELOSI) and the gentlewoman from California (Ms. ESHOO) and the gentleman from Washington

(Mr. INSLEE) wanted to bring amendments out here on the floor to deal with the pricing issues, to deal with the refunds for overcharges. But they have been denied. That is why, in a larger sense, Congresswoman DELAURITO wanted to bring out a LIHEAP amendment of an additional \$600 million for emergency funding and \$1.2 billion for the year 2002. We should reject this proposal.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, my good friend the gentleman from Massachusetts (Mr. MARKEY), and he is my good friend, we work together on privacy issues and telecommunications issues, this is one we agree to disagree on.

The great State of California has buy-cap authority today. If the Governor of California thinks that electricity prices are too high, since the State is buying all the wholesale power, all he has got to do is pick up the phone and call the gentleman who is negotiating these contracts, I do not know if it is on a day-to-day basis, but it is generally a man named David Freeman, a very smart individual, and say do not pay more than \$100 a megawatt, or more than \$50, or more than \$200, whatever it is. The Governor of California has buy-cap authority right now.

What has happened? What has happened is in the last 6 months, as California began to grapple with the fact that they are a part of the real world, they cannot suspend economic laws, they have begun to negotiate contracts, and long-term contracts from 1 year to 5 years to 10 years, some of those contracts are becoming public and they are finding out they are paying above market prices.

Now, I do not think the political leadership in the great State of California started out to pay above market prices. I think just the opposite. But it is fundamental; if you try to pick a political price for any commodity, and, almost by definition, you are going to pick the wrong price, because markets change. Every time we have tried price caps on any commodity in this country for any length of time, the only certainty has been it has led to shortages, disruptions, it has led to unequal distribution of that commodity.

So I think the Committee on Rules was eminently fair. This is a spending supplemental. It is not a policy supplemental. We should not have extraneous amendments on items like price caps that do not make sense in the real world, and I hope we vote for the rule.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague yielding. I want my colleagues to know that the gentleman who chairs the subcommittee, the appropriate subcommittee in this policy arena, has been more than cooperative with those of us from California worried about the challenges that we face in the West. Indeed, he spent hours and hours trying to examine where in the Federal law we might make changes that would improve that condition.

Finally he came to the conclusion that, outside of the FERC taking a temporary action to try to help California, that literally the flexibility was available already. The reality, as the chairman has said, is that over months now, and indeed years now, California has been headed towards a crisis that finally we are bearing the fruit of. I want the chairman to know how much we appreciate his cooperation, his efforts to help us. I want the body to know I very much appreciate the gentleman's efforts to try to cooperate with us, and in turn he has essentially sent the message, you have the flexibility at home; solve the problem at home where it started in the first place.

Mr. BARTON of Texas. Mr. Speaker, reclaiming my time, I want to thank the gentleman.

Briefly, the recent Federal Energy Regulatory Commission on Friday was unanimous, three Republicans, two Democrats; the old commissioners, the new commissioners. It is a price mitigation strategy that lets the market work, but it does not let any particular supplier manipulate the market.

The partial version of this that was put in back in April has been working. This version, which goes 7 days a week, 24 hours a day, will help California and the West Coast this summer.

□ 1400

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

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I am proud to represent the Eighth District of Texas. We have had many homes and businesses destroyed in Tropical Storm Allison. Let me tell the Members, the last thing people in Houston need are politicians trying to score points off our misery. That is exactly what we have heard here today.

I am 100 percent certain, and FEMA is 100 percent certain, that there is today and will continue to be sufficient funding within our Federal aid and FEMA to ensure disaster aid to victims of Tropical Storm Allison. My colleagues in Congress who are using scare tactics to needlessly heap even more misery onto the families and businesses harmed by Allison ought to be ashamed of themselves.

The only debate is whether Congress will fund future FEMA emergencies, future FEMA emergencies out of this

bill now, or within the FEMA budget that will be taken up in a few short weeks. I believe that playing petty politics when people's lives have been destroyed is absolutely despicable.

My advice to my friends on the other side is to knock it off. Let us work together for the sake of our State and communities. Let us stop pointing fingers. Let us join hands, Republicans and Democrats alike, to help those in our Houston region, the Texas Medical Center, our families, and our businesses that desperately need help today, and to knock off the politics and stop trying to score points off their misery.

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

Mr. Speaker, perhaps the previous speaker was confused. Perhaps he did not realize that this supplemental bill has money in it for this fiscal year. We are talking about the fiscal year that is currently in process, fiscal year 2001, and it is the money that the Republicans sought to strip from this bill. They now have a bizarre scheme to back the money back in, but are taking it out of other domestic programs, like Head Start and community policing.

We are just saying, do the right thing, the rational thing: just permit the money to be restored. It is an emergency. Do not take it out of other programs.

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

Mr. FROST. I yield to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, no one is playing politics with this. This is the White House position, and they are Republicans. On the other side, the junior Senator from our home State, who is a Republican, is talking about adding money to FEMA, not taking money out.

All we are saying is, strike the rescission. The fact is, the committee is the one that added money above what the White House requested. They are using the FEMA money to pay for it.

My colleague knows, even from today's Houston Chronicle, FEMA has already spent about \$400 million. FEMA tells us that of the \$1.6 billion in the account, there is only about \$1.1 billion left. If we have this rescission, that takes the amount of money available down to \$700 million. That means the amount of money FEMA has to just do what they are doing right now is going to be reduced. FEMA is going to need money to move quickly while they are still paying for North Carolina, while they are still paying for other things.

There is no politics in this. If politics is standing up for one's constituents to get what they need to get back on their feet, than I am guilty of those kinds of politics, and so is Mr. Bush in the White House, because we are of the same position.

The fact is, we are not pointing fingers at anybody. All we are saying, make in order an amendment so it is not subject to a point of order. They

can find the money elsewhere. They made this designation before the storm occurred.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. BRADY of Texas. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. BRADY of Texas. Let me state the facts directly from FEMA, those on the ground and working:

"FEMA's disaster account has sufficient funding to ensure disaster aid to those victims of Tropical Storm Allison flooding. FEMA assures those in Texas, Louisiana, Florida, fighting to recover now, that FEMA stands ready and able to help them."

This issue deals with affecting future response efforts and our ability to help them.

The fact of the matter is, the gentleman and I are friends, but the gentleman is playing politics at a time when our community simply cannot afford it. We need to work together.

Mr. TAUZIN. Mr. Speaker, I wanted to quickly address a subject in support of this rule that has arisen on the floor regarding California.

Our committee, led by the gentleman from Texas (Mr. BARTON), did a marvelous job of producing a set of solutions that could help the California problem out that included both demand reduction and supply increases, getting the QS back on, getting the Governor and the President to make some administrative decisions that have helped California, I think, a great deal.

One of the recommendations we made in that bill and passed on to the FERC was the recommendations to do price mitigation on a 24-hour basis 7 days a week. Unanimously, Democrats and Republicans have now endorsed that proposal. It is now the order of the FERC. Senator FEINSTEIN has said with this order in place she is not even asking for the price control bill that she originally sponsored on the Senate side.

This notion of putting price controls into this debate is absolutely ludicrous. The reason California got in trouble was because California had price caps at the retail level, and attempted price caps at the wholesale level. Those price caps did something very remarkable. Those price caps reduced conservation in California by 8 percent, encouraged excessive demand, a 6 percent growth, the highest in the Nation, and put California in a shortage position where it did not have enough power plants to supply the needs of that economy.

This price mitigation plan now adopted by the FERC, as recommended by our committee, together with 17 Members of the Republican California delegation, a plan first suggested to us by the gentleman from California (Mr. OSE), is now in place and will serve to make sure that price spikes do not occur in those periods of time when California is really short.

This has been a rough and tumble negotiated process, but we have produced a solution that does in fact help order that market without doing what California did incorrectly, without putting hard price caps in place that do nothing but shorten supply, increase demand, and dampen the need for conservation.

Since the price caps on rates have been lifted in California, guess what, conservation has increased 13 percent. Now that the Governor has authorized the construction of new plants in California, put old plants back online, put QS back on, there is less of a danger of blackouts; it is not solved yet, but there is much less of a danger of blackouts.

In short, the work done by the subcommittee led by the gentleman from Texas (Mr. BARTON), with the help and counsel of the California Members of the Republican party and with the President and the FERC now following in a bipartisan fashion the adoption of the price mitigation plan, we are well on our way, at least, to beginning to settle the California problem that unfortunately the policymakers in California put the people of California through.

Let me say something else: California is 12 percent of this Nation's economy. We could not afford not to help. California needs to have a good supply of energy. It needs to have prices people can afford. It needs to have a market that is reasonable, like the rest of America, where supply meets demand; where conservation is encouraged, not dampened or weakened; and where new supplies are always brought on board when there is a real and honest demand for those supplies.

Silicon Valley cannot afford to go dark. America cannot afford to have this new economy darken because we have not solved those problems.

I want to thank the gentleman from Texas (Mr. BARTON) for the courageous work he has done. I want to thank the FERC for making I think a very wise decision in this price mitigation plan. I want to thank all of the Members who agree with me that this issue ought to be put to bed.

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

Mr. Speaker, I urge the defeat of the previous question.

There is an amendment to the rule that would have been offered if the previous question is defeated.

The amendment would allow for the consideration of two very important amendments to the supplemental.

The first is the amendment proposed by the gentleman from Missouri (Mr. SKELTON). The Skelton amendment would add \$2.7 million to the Department of Defense so in the last 3 months of the fiscal year the Armed Forces are not forced to cut back on training and operations and maintenance because of the shortfall in funds.

The second is the amendment offered by the gentleman from Washington

(Mr. INSLEE) and the gentlewoman from California (Ms. PELOSI). This amendment would require the Federal Energy Regulatory Commission to impose cost-of-service-based rates on electricity in the West.

Mrs. MYRICK. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to reiterate what the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Commerce said, that this is not about policy. We have done some good things, along with the gentleman from Texas (Chairman BARTON), and we do appreciate very much their hard work.

Mr. BLUMENAUER. Mr. Speaker, the FY 2001 Supplemental Appropriations bill should be an opportunity for Congress to address some important funding shortfalls facing our country. Instead, we are seeing self-fulfilling prophecy played out that is the direct result of the misguided Republican strategy to disconnect spending for tax policy. The \$389 million FEMA disaster relief cut in the FY 2001 Supplemental Appropriations bill is the first manifestation of what's wrong with the Republican budget strategy.

Today's rule limits debate on the bill and prevents important Democratic alternatives from being brought to the floor, rather than having an open debate on the trade-offs that Congress has made to cut taxes and limit spending. We are prevented from voting on amendments aimed at restoring funding to assist the thousands of people needing disaster relief, ensuring that low-income families have access to affordable energy and heating, or addressing the energy crisis that is crippling the West Coast.

The FEMA cut, in particular, could not come at a more inopportune time. Earlier this month we witnessed an example of the type of destructive results that may be a result of global climate change. We are seeing an increase in both frequency and intensity of extreme weather incidents. The devastating efforts of Tropical Storm Allison on Texas, Louisiana, and Florida killed almost 60 people, dumped 3 feet of rain in 6 days, and damaged 20,000 homes. Just today, FEMA director Joe Albaugh stated that the damage from Tropical Storm Allison may be as high as \$4 billion to deal with clean-up and related health threats associated with storm damage.

Today's Supplemental Appropriations bill illustrates how we in Congress have put ourselves into a tax cut and budget box. The cuts to FEMA's disaster relief program are one of the most egregious aspects of our shortsighted tax and budget policy. For these reasons, I urge Members to vote against the previous question and oppose the rule.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in opposition to the rule for the supplemental appropriations bill because the Rules Committee failed to protect several key amendments—including the Inslee/Pelosi amendment and the Eshoo amendment—and have prevented us from acting on California's emergency needs today.

There is the mistaken belief by some that the recent action by the Federal Energy Regulatory Commission (FERC) has solved California's energy concerns.

But the FERC decision falls far short of what is needed in California. For example, be-

cause FERC based the price caps on the most inefficient operators, Californians will continue to pay high energy costs.

Further, FERC does not address the price gouging that has already taken place. Therefore, it has no provisions for the \$6 billion in potential illegal overcharges that have been referred to FERC for action.

These two concerns would have been appropriate for the House to consider today, but the Rules Committee has prevented us from taking up two key amendments that would have addressed them.

Essentially, the Republican leadership has decided that the big electric generators can continue to make windfall profits at the expense of business and residential customers across California.

The impact of this price gouging on the jobs and lives of my constituents has already taken a toll.

L.A. Dye & Print Works Incorporated, one of southern California's largest textile firms, employing 700 people, closed its doors at the end of April. There natural gas costs had soared from about \$120,000 per month to over \$600,000 per month—that's five times higher than their costs at the start of 2000.

Some have argued that this crisis is one of California's making, but California has stepped forward vigorously to meet this challenge.

We were one of the most energy efficient states—now we've cut energy use by 11 percent during this crisis to become the most energy efficient state in the union.

We've acted to bring additional generating capacity on line as quickly as possible, and 16 major power plants with a generation capacity of over 10,000 megawatts have received siting approval.

Ten of these power plants are currently under construction, and four are scheduled to be on line this summer.

But we have immediate problems because as many as 30 days of rolling black-outs have been predicted for this summer.

The impact of black-outs will be severe on families suffering through California's 100+ degree days without air-conditioning.

The impact will also be severe on the senior citizens who have medications that need refrigeration.

Our businesses and manufacturers face unpredictable electricity shortages, requiring them to shut down operations during black-outs and send workers home.

And let's not forget a black-out's impact on our public safety officials—our police officers, fire fighters and emergency medical personnel—as they try to cope with a community whose stoplights are suddenly out of order, or whose emergency communications system is inoperative.

We are facing an emergency in California, and that is why we wanted the House to consider emergency provisions today during consideration of the supplemental appropriations bill.

This emergency in California is quickly spilling over to other western states and eventually will make its way to states across this nation.

As the 5th largest economy in the world, California's energy crisis is having an enormous detrimental impact on the nation's economy.

Unfortunately, we have heard the message from the Republican leadership to the 33 mil-

lion citizens in California and Americans across this country loud and clear.

That message is: we won't discuss your emergency, we don't care about its impact on California and the nation, and therefore we will not support relief for your businesses and citizens.

By preventing amendments affecting millions of Americans from even being debated and voted on, the leadership of the House of Representatives turns their back on every American they have sworn to serve.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. FOLEY). The question is on ordering the previous question.

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

Mr. FROST. 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.

Pursuant to clause 8 and 9 of rule XX, this 15-minute vote on ordering the previous question will be followed immediately by a 5-minute vote, if ordered, on adoption of the resolution, and a 5-minute vote on the motion to suspend the rules debated earlier today.

The vote was taken by electronic device, and there were—yeas 222, nays 205, not voting 5, as follows:

[Roll No. 169]

YEAS—222

Abercrombie	Davis, Jo Ann	Hayworth
Aderholt	Davis, Tom	Hefley
Akin	Deal	Herger
Armeny	DeLay	Hilleary
Bachus	DeMint	Hobson
Baker	Diaz-Balart	Hoekstra
Ballenger	Doolittle	Horn
Barr	Dreier	Hostettler
Bartlett	Duncan	Hulshof
Barton	Dunn	Hunter
Bass	Ehlers	Hutchinson
Bereuter	Ehrlich	Hyde
Biggert	Emerson	Isakson
Bilirakis	English	Issa
Blunt	Everett	Istook
Boehlert	Ferguson	Jenkins
Boehner	Flake	Johnson (CT)
Bonilla	Fletcher	Johnson (IL)
Bono	Foley	Johnson, Sam
Brady (TX)	Fossella	Jones (NC)
Brown (SC)	Frelinghuysen	Keller
Bryant	Gallagly	Kelly
Burr	Ganske	Kennedy (MN)
Burton	Gekas	Kerns
Buyer	Gibbons	King (NY)
Callahan	Gilchrest	Kingston
Calvert	Gillmor	Kirk
Camp	Gilmor	Knollenberg
Cannon	Goode	Kolbe
Cantor	Goodlatte	LaHood
Capito	Gordon	Largent
Castle	Goss	Latham
Chabot	Graham	LaTourette
Chambliss	Granger	Leach
Coble	Graves	Lewis (CA)
Collins	Green (WI)	Lewis (KY)
Combest	Greenwood	Linder
Cooksey	Grucci	LoBiondo
Crane	Gutknecht	Lucas (OK)
Crenshaw	Hansen	Manzullo
Cubin	Hart	McCrary
Culberson	Hastings (WA)	McHugh
Cunningham	Hayes	McInnis

