

I would hope, Mr. Speaker, that Speaker HASTERT would allow us to bring up the FREE Act so we could have a free and full debate on price gouging in this Congress.

Look at this next article: Fuel Costs Ease But Could Climb Higher. Why? Money is flowing into direct or indirect purchases of oil futures as an inflation hedge. That flow sends futures higher, fueling more inflation, and then fueling more money into futures positions as an inflation hedge. That is price gouging. That is market manipulation. That is why we have the PUMP Act.

If we would pass the PUMP Act, bring it to the floor for debate, get it out of committee and put it before the House here, we could lower the price of a barrel of oil by \$20.

[From USA Today]

#### STATES FIND IT TOUGH TO PROVE GAS PRICES ILLEGAL

(By James R. Healey and Matt Krantz)

Arizona's comprehensive investigation into that state's high fuel prices after Hurricane Katrina concludes that while there was "profiteering" at all levels of the oil industry, nothing illegal took place.

Washington's attorney general's office said in a report last week that its more recent investigation of today's high prices "has not found any evidence so far of illegal activity among gasoline retailers or producers in Washington."

Together, the two reports show that it is hard for authorities to prove consumers are being ripped off even in times of extraordinary price increases.

Attorneys general in at least nine states, responding to outrage by their residents, are investigating whether current high gasoline prices are a result of wrongdoing by the petroleum industry, according to the National Association of Attorneys General.

Arizona's statewide average price is \$3.022, still nearly 11 cents less than the record \$3.131 shortly after Katrina, according to travel club AM's daily survey.

Washington's average \$3.011 Monday set a record for that state.

The attorney general in California, where the statewide average hit a record \$3.251 a gallon Monday, says he will subpoena documents from the state's 21 refineries, including those operated by major oil companies ChevronTexaco, ExxonMobil and ConocoPhillips.

The attorney general's office said state data for 2006 show that crude oil prices have risen 14%, but the difference between what oil companies pay for crude oil and prices at the pump has soared 130%.

Gasoline is made from crude oil, which accounts for roughly 55% of the pump price for gasoline, the U.S. government says.

And Washington Attorney General Rob McKenna, in a statement about his investigation, said, "Gas prices are influenced by the basic laws of supply and demand."

Energy-industry veterans wonder if such probes are misleading.

California's own Energy Commission, for instance, acknowledges in an explanation of fuel prices on its website: "Rumors and charges of collusion among the oil companies have been raised for decades with nothing ever proven."

Charles Swanson, director of Ernst & Young's Energy Center, says, "Politicians can posture all they want, but there's nothing they can do to help."

Some states have made price-gouging cases. Florida sued individual gas stations for overcharging after Katrina.

But Florida, unlike Arizona, has an anti-gouging law. It is in effect only when a state of emergency is declared. Florida was a hurricane target, making an emergency declaration logical.

Arizona's report, unveiled last week, says, "Profit margins realized by every segment of the oil industry were two or three times their normal margins."

But the state has no law making that illegal, underscoring, the report says, the need for a federal price-gouging law.

The Federal Trade Commission is expected to deliver a report by May 22 that will say whether the agency found any price manipulation after Katrina.

[From USA Today, May 2, 2006]

#### FUEL COSTS EASE BUT COULD CLIMB HIGHER

(By James R. Healey)

Gasoline prices have stopped their spring-loaded daily leaps, but it's too soon to say the worst is over.

The numbers on the pump have declined slightly three consecutive days, to a nationwide average \$2.919 a gallon Monday, according to travel club AAA. It's the first time that's happened since late March. But the March respite totaled just 0.8 of a cent over three days and turned out to be only a hiccup that before prices zipped higher.

AAA warns that might happen again. "A few days of slight declines does not make a trend," spokesman Geoff Sundstrom cautions. "We may continue to see higher prices between now and Memorial Day."

That's the beginning of the warm-weather driving season, when gasoline consumption rises as Americans take more vacations and weekend trips.

A weekly report by the U.S. Energy Information Administration showed a U.S. average Monday identical to AAA's—\$2.919—up a just 0.5 of a cent from a week ago. That's a big slowdown after four weeks of prices jumping an average 10.4 cents a gallon per week.

On one hand, it should be no surprise that prices are easing. U.S. gasoline supplies are ample. U.S. demand is a little soft. Refineries are mostly through with their routine maintenance and are cranking out generous amounts of gasoline.

But prices aren't down as far as they should be under those circumstances, energy veterans say. That's partly because petroleum products have become an investment instead of traders' best guess about the value of crude oil, gasoline and heating oil the next few months.

"Money is flowing into direct or indirect purchases of oil futures as an inflation hedge. That flow sends futures higher, fueling more inflation, and then fueling more money into futures positions as an inflation hedge," says Tom Kloza, senior analyst at the Oil Price Information Service. Oil rose \$1.82 to settle at \$73.70 Monday.

Still, "We can put to rest some of the hyperbole—\$3.50 average for gasoline, or \$4-plus," he says.

Keeping upward pressure on prices:

Hostility toward the U.S. in oil-producers Iran and Venezuela implies shortages at any minute.

Indelible memories of disruptions caused by hurricanes in the Gulf of Mexico last year keep petroleum traders jumpy about supplies. That makes them willing to pay more for oil and for the gasoline made from it.

"We're heading into the peak demand season and the potential for refinery outages" from hurricanes, cautions Thomas Bentz, senior energy analyst at BNP Paribas, a big investment bank.

The U.S. Minerals Management Service in its latest report, April 19, said that 22.3% of Gulf oil output still hadn't restarted after

hurricane damage last year. The MMS plans to update that number Wednesday.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MURPHY) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Most glorious Lord of life, You alone triumph over death and sin, for You alone are eternal and holy. Prove Your victory in us. Take this nation and make it Your own. With leadership from this body of Congress, raise up a people who are unafraid to look into the face of darkness, and by will, science, and prayer push back the door of death. Strengthen all human frailty that we may continue to fight against evil and become a Nation of hope and a people of virtue. For our soul takes wing by placing our trust in You, now and forever. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the bill on the calendar.

#### BETTY DICK RESIDENCE PROTECTION ACT

The Clerk called the Senate bill (S. 584) to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park.

There being no objection, the Clerk read the Senate bill as follows:

S. 584

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

# SECTION 1. SHORT TITLE.

This Act may be cited as the "Betty Dick Residence Protection Act".

# SEC. 2. PURPOSE.

The purpose of this Act is to require the Secretary of the Interior to permit the continued occupancy and use of the property described in section 4(b) by Betty Dick for the remainder of her natural life.

# SEC. 3. DEFINITIONS.

In this Act:

(1) **AGREEMENT.**—The term "Agreement" means the agreement between the National Park Service and Fred Dick entitled "Settlement Agreement" and dated July 17, 1980.

(2) **MAP.**—The term "map" means the map entitled "RMNP Land Occupancy" and dated September 2005, which identifies approximately 8 acres for the occupancy and use by the tenant.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(4) **TENANT.**—The term "tenant" means Betty Dick, widow of George Fredrick Dick, who held a 25-year reservation of occupancy and use at a property within the boundaries of Rocky Mountain National Park.

# SEC. 4. RIGHT OF OCCUPANCY.

(a) **IN GENERAL.**—The Secretary shall allow the tenant to continue to occupy and use the property described in subsection (b) for the remainder of the natural life of the tenant, subject to the requirements of this Act.

(b) **DESCRIPTION OF PROPERTY.**—The property referred to in subsection (a) is the land and any improvements to the land within the boundaries of Rocky Mountain National Park identified on the map as "residence" and "occupancy area".

(c) **TERMS AND CONDITIONS.**—

(1) **IN GENERAL.**—Except as otherwise provided in this Act, the occupancy and use of the property identified in subsection (b) by the tenant shall be subject to the same terms and conditions specified in the Agreement.

(2) **PAYMENTS.**—

(A) **IN GENERAL.**—In exchange for the continued occupancy and use of the property, the tenant shall annually pay to the Secretary an amount equal to 1/25 of the amount specified in section 3(B) of the Agreement.

(B) **ADVANCE PAYMENT REQUIRED.**—The annual payments required under subparagraph (A) shall be paid in advance by not later than May 1 of each year.

(C) **DISPOSITION.**—Amounts received by the Secretary under this paragraph shall be—

(i) deposited in a special account in the Treasury of the United States; and

(ii) made available, without further appropriation, to the Rocky Mountain National Park until expended.

(3) **PUBLIC ACCESS.**—The public shall have access to both banks of the main channel of the Colorado River.

(d) **TERMINATION.**—The right of occupancy and use authorized under this Act—

(1) shall not be extended to any individual other than the tenant; and

(2) shall terminate—

(A) on the death of the tenant;

(B) if the tenant does not make a payment required under subsection (c)(2); or

(C) if the tenant otherwise fails to comply with the terms of this Act.

(e) **EFFECT.**—Nothing in this Act—

(1) allows the construction of any structure on the property described in subsection (b) not in existence on November 30, 2004; or

(2) applies to the occupancy or use of the property described in subsection (b) by any person other than the tenant.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

## NO IS NOT AN ENERGY POLICY

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, House Democrats sure do like to stand on this floor and complain about energy costs, but when push comes to shove, they refuse to do anything about it. In fact, since President Clinton vetoed legislation to open ANWR to drilling in 1995, House Democrats have taken a page out of his book by voting no to energy solutions time and time again.

While House Republicans have proven our commitment to lowering the cost of fuel, House Democrats have opposed many measures to increase the supply of American energy.

A large number of Democrats voted against legislation expanding clean nuclear energy supplies. Democrats voted against legislation that would encourage refinery expansion. They voted against legislation that would ban price gouging, and many voted against legislation that would promote greater conservation.

I cannot for the life of me understand why the Democrats continue to complain about energy when they continue to vote "no" on every responsible proposal that would help us produce more American energy at affordable prices. Voting "no" is not a sound energy policy.

## LESS THAN 2 WEEKS UNTIL PRESCRIPTION DRUG SIGN-UP DEADLINE

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, if this House does not act within the next 2 weeks, millions of American seniors will face the egregious and unfair prescription drug tax.

As this calendar shows, May 15 is the deadline President Bush and congressional Republicans created for seniors to sign up for a prescription drug plan. In town hall meetings I have held throughout my district, the seniors of Missouri District 5 are outraged by and confused over Medicare part D. If they do not sign up for a plan within the next 13 days, a penalty of at least a 7 percent premium tax will be forced on every single individual every single month for the rest of their lives simply because they did not sign up for this confusing and sometimes less beneficial Medicare part D program.

For over a month, Democrats have come to this floor almost daily urging Republicans to join us in preventing this grave injustice from taking place on May 15. Time is running out for Congress to do the right thing and support this extension. America seniors cannot afford a Bush prescription drug tax.

## CONDEMNING MEXICO'S DECRIMINALIZATION OF DRUGS

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I am here to talk about some things the protesters did not mention yesterday. Millions of American young people who travel to Mexico for spring break and summer vacation will now legally be able to use cocaine, heroin, ecstasy, and marijuana because the Mexican government just voted to legalize the possession of these drugs in small quantities.

How much is okay? Two ecstasy pills, four joints, four lines of cocaine, and 25 milligrams of heroin are now all allowed.

Are you surprised? Earlier this year, the Mexican government provided maps to illegals to help them cross our borders. The Mexican military recently got caught providing an armed escort to Mexican drug dealers into Texas. And Mexico's president, along with a million protesters, now want us to reward illegal behavior with amnesty and permanent citizenship. Why? So they can earn money here and send it back to Mexico. After all, at \$16 billion, it is Mexico's second highest source revenue behind oil.

It makes you wonder. Were people protesting the wrong government yesterday?

## GENOCIDE IN DARFUR

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Yes, there was a tremendous amount of demonstrating on yesterday, and people concerned about immigration were marching. But then also there were those of us marching who were concerned about genocide in the region of Darfur: Genocide that should never be allowed in a civilized society; genocide that this country and other nations throughout the world have stood idly by while hundreds of thousands of individuals are being killed, murdered, raped. It is the shame of the century. Our Nation can do better, and the world can do better. We must stop the genocide in Darfur.

## AMERICA'S ENERGY NEEDS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)