

Pomeroy	Scott (GA)	Thompson (CA)	Myrick	Regula	Waxman
Price (NC)	Scott (VA)	Thompson (MS)	Payne	Rodriguez	Woolsey
Rahall	Serrano	Tierney	Pickering	Roybal-Allard	Young (AK)
Reyes	Shays	Towns	Rangel	Sherman	
Ross	Skelton	Turner (TX)			
Rothman	Slaughter	Udall (CO)			
Ruppersberger	Smith (WA)	Udall (NM)			
Rush	Snyder	Van Hollen			
Ryan (OH)	Solis	Velazquez			
Sabo	Spratt	Visclosky			
Sanchez, Linda	Stark	Waters			
T.	Stenholm	Watson			
Sanchez, Loretta	Strickland	Watt			
Sanders	Stupak	Weiner			
Sandlin	Tanner	Wexler			
Schakowsky	Tauscher	Wu			
Schiff	Taylor (MS)	Wynn			

## NOES—219

Aderholt	Gerlach	Osborne
Akin	Gibbons	Ose
Bachus	Gilchrest	Otter
Baker	Gillmor	Oxley
Ballenger	Gingrey	Paul
Barrett (SC)	Goode	Pearce
Bartlett (MD)	Goodlatte	Pence
Barton (TX)	Goss	Peterson (PA)
Bass	Granger	Petri
Beauprez	Graves	Pitts
Bereuter	Green (WI)	Platts
Biggart	Greenwood	Pombo
Billirakis	Gutknecht	Porter
Bishop (UT)	Harris	Portman
Blackburn	Hart	Pryce (OH)
Blunt	Hastings (WA)	Putnam
Boehlert	Hayes	Quinn
Boehner	Hayworth	Radanovich
Bonilla	Hefley	Ramstad
Bonner	Hensarling	Rehberg
Bono	Herger	Renzi
Boozman	Hobson	Reynolds
Bradley (NH)	Hoekstra	Rogers (AL)
Brady (TX)	Hostettler	Rogers (KY)
Brown (SC)	Houghton	Rogers (MI)
Brown-Waite,	Hulshof	Rohrabacher
Ginny	Hunter	Ros-Lehtinen
Burgess	Hyde	Royce
Burns	Isakson	Ryan (WI)
Burr	Issa	Ryun (KS)
Burton (IN)	Istook	Saxton
Buyer	Jenkins	Schrock
Calvert	Johnson (CT)	Sensenbrenner
Camp	Johnson (IL)	Sessions
Cannon	Johnson, Sam	Shadegg
Cantor	Jones (NC)	Shaw
Capito	Kelly	Sherwood
Carter	Kennedy (MN)	Shimkus
Castle	King (IA)	Shuster
Chabot	King (NY)	Simmons
Chocola	Kingston	Simpson
Coble	Kirk	Smith (MI)
Cole	Kline	Smith (NJ)
Collins	Knollenberg	Smith (TX)
Cox	Kolbe	Souder
Crane	LaHood	Stearns
Crenshaw	Latham	Sullivan
Cubin	LaTourette	Sweeney
Culberson	Leach	Tancredo
Cunningham	Lewis (CA)	Tauzin
Deal (GA)	Lewis (KY)	Taylor (NC)
DeLay	Linder	Terry
DeMint	LoBiondo	Thomas
Diaz-Balart, L.	Lucas (OK)	Thornberry
Diaz-Balart, M.	Manzullo	Tiahrt
Doolittle	McCotter	Tiberi
Dreier	McCreary	Toomey
Duncan	McHugh	Turner (OH)
Dunn	McInnis	Upton
Ehlers	McKeon	Vitter
Emerson	Mica	Walden (OR)
English	Miller (FL)	Walsh
Everett	Miller (MI)	Wamp
Feeney	Miller, Gary	Weldon (FL)
Ferguson	Moran (KS)	Weldon (PA)
Flake	Murphy	Weller
Fletcher	Musgrave	Whitfield
Foley	Nethercutt	Wicker
Forbes	Neugebauer	Wilson (NM)
Fossella	Ney	Wilson (SC)
Franks (AZ)	Northup	Wolf
Frelinghuysen	Norwood	Young (FL)
Galleghy	Nunes	
Garrett (NJ)	Nussle	

## NOT VOTING—23

Abercrombie	DeGette	Keller
Ackerman	Gephardt	Kucinich
Clay	Janklow	Meehan
Davis, Tom	John	Mollohan

Myrick	Regula	Waxman
Payne	Rodriguez	Woolsey
Pickering	Roybal-Allard	Young (AK)
Rangel	Sherman	

□ 2057

Mr. LIPINSKI changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2877

Mr. CRANE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2877.

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

There was no objection.

## ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITABLE ACT OF 2003

Mr. RUPPERSBERGER. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the child tax credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

Number one, the House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

□ 2100

Two, the House conferees shall be instructed to include in the conference report the provision of the Senate amendment, not included in the House amendment, that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child tax credit based on earnings of the individual serving in the combat zone.

Three, the House conferees shall be instructed to include in the conference report all of the other provisions from the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provision.

Four, to the maximum extent possible within the scope of the conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of astronauts who died in the Columbia disaster.

Five, the House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

## APPOINTMENT OF CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with a Senate amendment thereto, disagree to the amendment, and agree to a conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. DINGELL.  
Mr. DINGELL. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Dingell moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to resolve by September 12, 2003, the differences between the House and Senate regarding the electric reliability provisions contained in the House bill (section 16031 of the House bill) and the corresponding provisions contained in the Senate amendment (section 206 of the Senate amendment).

The SPEAKER pro tempore. Pursuant to clause 7(b) of rule XXII, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Louisiana (Mr. TAUZIN) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, the motion is quite simple, and I would hope that my colleagues on both sides of the aisle will support it. It simply states that the conferees should be instructed to resolve their difference on the electric reliability provisions of the legislation in the next week.

This is not a difficult task. In fact, it is very simple. The language in both

the Senate and the House bills are very similar, and we have reached tentative agreement on the outlines of the provision in the last Congress. If we can reach agreement quickly on this matter at this time as I expect, we can bring a bill to the floor in a matter of days that contains these provisions and have those provisions on the desk of the President for signature immediately. Then the conferees can turn to the more contentious matters in the legislation.

The people of my district, as well as 50 million other Americans, were affected by the August blackout, and they are looking to us for action to see that this does not occur again. They do not want common sense answers to be delayed or held hostage as we debate unrelated controversial provisions that have had the practical effect of killing this legislation for the last 8 or 9 years.

As I have said on other occasions, what we need to do today, and in this conference, is to kill the snake closest to us, and that is the question of the failure of our electric reliability system. I do not contend that the reliability provision alone would have prevented the August blackout. We are still looking into the cause of the blackout, and just as it would be wrong to suggest that the more controversial provisions in this bill would have prevented the blackout, I can make no such claims about these provisions. But the reliability provisions of this bill will certainly do much good. And in the hearings of the last two days before the conference committee, they have proven to be the kind of provisions that would do much to prevent the kind of situation we saw last August 14. They are not in contention, nor are they contentious.

Both President Clinton and President Bush have endorsed the proposals. And Democrats like my colleague, the gentleman from Maryland (Mr. WYNN) and Republicans have introduced these proposals. Unfortunately, each year they have been caught up in larger electricity matters such as deregulation and the repeal of the Public Utilities Holding Company Act, matters of intense controversy. We can get to these more controversial provisions later. But they are the same provisions as I have noted that prevented us from passing a comprehensive energy bill for 8 long years.

Let me explain briefly why these reliability provisions are important. Following the blackouts of 1965, the electric industry established the North American Electric Reliability Council, NERC, to establish reliability standards for the operation of the electricity grid. These are voluntary standards and, unfortunately, they are not always followed as we have found out in the hearings yesterday and today.

According to NERC, last year there were over 500 violations of the rules that could have been subject to some \$9 million in fines had they been authorized. The practical effect of the reli-

ability provisions would be to codify the NERC as the electric reliability organization charged with setting reliability standards and enforcing them through appropriate penalties and other actions. Since we are all in basic agreement over the reliability provisions, all we need to do is to finalize the agreement and to bring them to the floor under suspension and then continue the conference on more controversial matters.

As a conferee, I am prepared to do my part to work on all of these matters. I note that our chairman of last year did an excellent job in developing the conference agreements in many areas, and I expect similar progress this year.

There is no need to take the reliability of our electric grid hostage to other controversial provisions. Many of the controversies are not of a partisan nature. For example, recently Republican Senators and the administration announced an agreement on language to stall regulations establishing standard market design for utilities.

While many of our colleagues in the House disagree, we will find that some of the provisions could make problems worse. Last year, when we failed to reach agreement on the entire bill, we decided to pass the pipeline safety provisions separately from the rest of the legislation, a good and a sensible approach to a difficult problem. That bipartisan, bicameral agreement was supported by both the industry and public interest groups.

The reliability provisions also have broad appeal amongst the utility industry regulators and consumer advocates.

I urge my colleagues to vote for this motion, and let the American people know that we will, we have, and we do take important steps to prevent blackouts while debating other issues. I urge my colleagues to support the motion.

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

Mr. TAUZIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in the strongest opposition possible to this motion to instruct. It is rather cleverly worded. It is cleverly worded because as we would expect from someone as talented as my friend, the gentleman from Michigan (Mr. DINGELL), in parliamentary terms it says separate this issue from the rest of the energy bill and pass this issue, leaving to limbo, perhaps, the rest of the comprehensive energy bill.

It does precisely what we should never do and that is to ignore the fact that the blackout is just part of an awful energy situation that exists in this country. Oh, yeah, we just had a big blackout in the Northeast, but do not forget that just recently Alan Greenspan made four or five trips to this Hill to warn us of a natural gas crisis facing this country this winter.

We are paying twice as much for natural gas as we did this time last year.

Petrochemical plants in my district are beginning to lay off workers and threatening to move their production to offshore facilities in other countries because we pay twice as much for natural gas in America as we do anywhere else in the world.

Has anybody noticed the price at the pump lately? Have my colleagues noticed the awful situation with gasoline prices? Do you think for a second that the problem in the Northeast is just a single, isolated problem in the whole energy situation our country faces?

On the contrary, the situation in the Northeast is just one of many enormous problems in our energy marketplace. Also, as my colleagues might recall exhibited was the awful situation of the California energy crisis just a few years ago.

In this country we face the possibility of huge natural gas price cost increases to consumers as winter approaches. We face the situation where low-income beneficiaries whom we are trying to help with LIHEAP funds may not be able to pay their energy costs this winter. We saw the price spikes in gasoline.

To strip off one piece of this bill for political expediency would not only be foolish, it would be disastrous.

The House and Senate have both finally passed comprehensive energy bills after a great deal of deliberation. The Senate passed the bill they passed last year. We improved our product. The conferees have just been named, and we have agreed to go to conference.

But my colleagues should know on the day the Senate passed that bill by unanimous consent, our staffs and the Senate committee and the House committee began work immediately, conforming the two bills.

And now that the conferees are appointed, we are going to bring in a conference report before the end of this month and vote on it on this House floor. We are going to pass the comprehensive energy title.

It will include, by the way, all the improvements that have been recommended in the transmission grids following the New York and Northeast blackouts. Those improvements were passed last April on this House floor and are contained in the comprehensive bill.

They include transmission incentives to build new transmission systems. They include new provisions on siting to make sure the Federal Government is involved in interstate siting of transmission lines so States cannot block interstate improvements to transmission facilities. It will eliminate the artificial barriers to the new investment grid called the Public Utility Holding Company Act. It will change the transmission tax treatment to create more favorable tax treatments to encourage people to invest in improvements in transmission grids so we do not have the problems we saw in California and now in the Northeast.

We passed, in this comprehensive energy bill, massive improvements in energy efficiency and conservation all designed to help reliability of our systems. Do my colleagues want to throw those away tonight?

Of course, H.R. 6 addresses all the urgent needs of the energy sector by increasing the production of oil and gas and other energy resources, particularly renewables, by dramatically increasing LIHEAP funding, by making significant investments in energy research and development including the President's Freedom Car Initiative.

Mr. Speaker, my committee has just conducted two very full days of hearings on the August blackouts. With the testimony from nearly 30 witnesses working with our Secretary of Energy, Mr. Abraham, and others, we will get to the bottom of what happened just a few weeks ago. But the overwhelming message I got from those hearings is that abundant, reliable energy sources are the lifeline of our economy.

If we walk away from all the policy improvements that this bill provides, we will be turning our backs on the people of this country, our economy, and a reliable and secure energy future for this country.

So I urge my colleagues to defeat this motion to instruct. While it is not binding, it is a wrong signal. It needs to be defeated tonight.

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

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman from Michigan for yielding time.

Mr. Speaker, I rise in support of the motion to instruct conferees offered by my friend and colleague the gentleman from Michigan (Mr. DINGELL).

As the distinguished chairman of the Committee on Energy and Commerce has stated, for the past two days, we sat in hearings on the full Committee on Energy and Commerce on the reasons for the blackout that paralyzed a huge portion of the Northeast and the upper Midwest including my home State of Michigan.

□ 2115

One thing that witnesses in those hearings agree on is that there must be mandatory reliability standards for the transmission grid in this country with some real enforcement authority.

The distinguished chairman talked about this may be a political expedient bill or motion. The gentleman from Michigan (Mr. DINGELL) has had this bill for close to 8 years. For 8 years we have been trying to get reliability, mandatory reliability standards with real enforcement.

Every witness we heard, every witness we heard agreed with the Dingell motion, that we have to have mandatory reliability standards, there has to be accountability and who is responsible. What we have seen for the last 2

days is everybody pointing their fingers at everybody else and everyone saying it is not my fault. These are not my words. Witnesses, including Secretary of Energy Spencer Abraham, Governors Granholm of Michigan and Taft of Ohio, to State public service commissioners and operators of the regional transmission organizations and electric power generators and transmission companies all agreed. We need some mandatory reliability standards, what we have in this motion to instruct.

The present system of voluntary standards does not provide enough assurance of reliability.

The House bill, H.R. 6, allows the North American Electric Reliability Council, NERC as we call it, to set and enforce mandatory standards for cooperation among utilities. No enforcement, no fines, no penalties if they violate these standards. NERC is a voluntary compliance, not mandatory.

NERC was created after the massive 1965 blackout when Congress, and I was not here then, but Congress back then said this should never happen again. So they created NERC. Measures taken then have not been enough to prevent the disastrous consequences that affected more than 50 million people on August 14th with the August blackout.

In Michigan alone there were more than \$20 million in losses to public entities, 70 manufacturing plants that had to shut down and more than \$1 billion in expected losses to business when it is all totaled up.

There are genuine and serious differences about other provisions in the House and Senate energy bills that have to be worked out in the conference. There is little dispute about the need for mandatory reliability standards for the aging electricity transmission grid in our country.

The motion to instruct, this motion by the gentleman from Michigan (Mr. DINGELL), joined by many of us on this side of the aisle, will ensure that electricity reliability is not held hostage to what may be a long, drawn-out process on the energy bill as a whole.

In the last 2 years, this House has passed comprehensive energy legislation. It has never made it to the conference. It has never been passed by the Senate. We do not want a situation where once again this goes to a conference and it dies as we adjourn for the year. We have this aged electrical transmission power grid out there. Everyone talks about a way we can improve it. Right now we have to talk about how can we get some reliability into it right now.

All the incentives in H.R. 6, all the things that are put forth in H.R. 6 will not take place for years. Let us put some reliability into the system now.

This motion to instruct will do that. Let us not hold reliable energy hostage in the conference report. Vote yes on the motion to instruct.

Mr. TAUZIN. Mr. Speaker, I yield myself 30 seconds.

That was a wonderful speech, but what was not very clear and should be made clear is that enforceable reliability standards are in the House bill that was passed in this House 254 to 175, with 40 Democrat votes joining us and we passed it. It is in the Senate bill. It is already in the conference. We passed it last April.

Secondly, I want to remind my friend this is not the end of the conference. This is the first year of a 2-year Congress. We are going to get this bill done in the next few weeks.

Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS), my friend, a great gentleman from the Northeast, who knows a lot about energy because he is on the Committee on Energy and Commerce.

Mr. BASS. Mr. Speaker, I rise in opposition to the motion to instruct. Clearly the Northeast is deeply affected by this blackout, and there are provisions in the energy bill that is currently in conference that need to be included and will be included. We have had 2 days of hearings and there has been one clear message, and that is, if there is any message, that we need mandatory reliability standards, and as the Chairman just said, they are in the energy bill.

What is going on now is an effort to totally eviscerate the energy bill in the name of this one particular provision.

I voted against the energy bill on the floor of the House, but there have been changes worked on and made in conference that may make this bill considerably more attractive to Members like me, and I think it is mistaken, premature, and misguided to vote for a motion that entirely eviscerates this effort to develop a national energy strategy in the name of preserving a provision that is already in the bill. This is not the time for this motion. Vote it down.

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, let me begin by thanking my colleague, the distinguished ranking member from Michigan, for allowing me this time.

I rise in strong support of the motion to instruct conferees on the energy bill. This motion instructs the conferees to promptly agree on a measure to provide mandatory electricity reliability standards that would help avert the type of widespread blackout we just saw in August.

Very interesting, my colleague just used the term eviscerate the energy bill. We are not trying to eviscerate the energy bill. What we are saying is simply this: There are provisions that we agree on, Democrats and Republicans, and that is that we need mandatory reliability standards. If we agree on both of these on this issue, why not pass it? Why not do what is doable?

That is not to say that we should not discuss a comprehensive bill. It is not to say we should not try to reach a

comprehensive bill on drilling in Alaska, on natural gas, on alternative energy sources, but the issue is that the blackout in the Northeast had nothing to do with ANWR, nothing to do with Alaska. It had nothing to do with natural gas prices. It has nothing to do with solar energy and alternative energy. It had to do with problems with our electricity grid.

If there are measures that we can take, and this is not the final measure, but if there are measures we can take now to address this problem, I think we ought to do it.

Currently, we do not have an electricity grid that meets the requirements of a 21st century economy. In fact, our electricity grid is overburdened, outdated and underfunded.

It is critical that Congress focus on reliability standards for the national electricity grid. In fact, today we had a panel testify, an industry panel testify before the Committee on Energy and Commerce, and that panel said unanimously we need mandatory reliability standards to avoid the kinds of problems we have experienced.

Yesterday, my colleague, the gentleman from Michigan (Mr. DINGELL) introduced legislation to provide for mandatory reliability standards, but I would note and emphasize that this approach has bipartisan appeal.

Earlier this year, several months prior to the blackout, the gentleman from North Carolina (Mr. BURR) from the Republican side and myself introduced H.R. 1370, an interstate transmission act, which also requires mandatory electricity reliability standards.

We need an electric reliability organization with Federal Energy Regulatory Commission oversight. This would facilitate the development and enforcement of mandatory reliability rules and standards that are binding on all electric companies and market participants.

These standards would include, first of all, technical standards relating to the maintenance and operation of electrical systems; performance standards for electrical systems; and preparedness standards related to the ability of those managing the electrical system to respond to anomalies or unexpected events on the grid.

For example, we must require working and compatible hardware that monitors our transmission systems for faults and disturbances in order to contain problems and keep electrical systems up and running. These monitoring systems should, at selected switch yards and substations, include the installation of dynamic disturbance recording equipment and fault recorders to provide data that would enable the verification of power flow and provide warnings of a disturbance in the bulk power system.

Importantly, these monitoring systems must be compatible so that we can report and analyze disturbances in the system quickly and concisely. A

compatible transmission monitoring system over interconnected regions can help contain the problems we have experienced recently.

Finally, mandatory reliability standards would provide the Federal Government with the tools to sanction companies that do not comply with reliability standards. This language in the Burr-Wynn bill and the Dingell reliability bill would accomplish these goals.

As we are moving toward a conference, if we can agree on a comprehensive bill, I certainly will be supportive of that; but if we cannot, I submit that we should do that which is within our grasp immediately to address a problem that is confronting this country, and that is, we need mandatory reliability standards now. There is agreement. We ought to act on it. I urge the adoption of the instructions to the conferees.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS), a distinguished member of our Committee on Energy and Commerce, who is also a lieutenant colonel.

Mr. SHIMKUS. Mr. Speaker, I thank the chairman for this time.

I sat in 2 days of hearings, too, and I would agree that most all of the panels said we need mandatory reliability standards, but 99 percent of them said we also need an empowered FERC. They also said we needed the ability to site. Even the Governors from Ohio and Michigan said if the States cannot get engaged in the siting of transmission after a date certain, we need a Federal authority to site transmission power, and they all said that. They also said there has to be a return on the investment so that capital will flow to the grid. Yes, they said mandatory reliability standards, but they said much, much more, and that is why I oppose this motion.

What has been the biggest concern on electricity in the last couple of years? It is an issue that is because of a constrained grid, because we need to expand the grid. Whether it is market manipulation, because of supply and demand issues in California, if they had an expanded grid that would not have been a problem. If it bottlenecks in the Northeast, they call it a cascade, and a power outage. If we would have had an expanded grid, that probably would not have been a problem.

Illinois needs a national energy plan. We need an expanded grid. We need to have our coal mines reopened and electricity generation. We need to keep our marginal oil wells open. We need to make sure that we decrease our reliance on foreign oil by enacting an ethanol standard, 5 billion renewable fuel standard for ethanol.

The Speaker and the chairman enacted a natural gas task force. Why? We are doubling demand for natural gas, and we are not doing anything on the supply end. So producers are stopping to produce fertilizer for our farm-

ers. The price to dry corn has doubled, and it is disastrous for the agriculture community.

Do we want to continue to be reliant on foreign imported fossil fuel? The answer is no. I spoke in the hearings. I said this reliability issue is a Band-Aid. We need more than a Band-Aid. We need a healing. We need structural reform and a national energy plan. That is why any attempt to do anything other than this is really an attempt to kill a national energy bill. That is what it is. That is what we have identified, and Illinois cannot afford not to move on coal generation, transmission, ethanol, nuclear power, a transmission grid, and any other attempt to split this bill apart and not move now is an attempt to kill the bill.

I thank the Chairman for the time.

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

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. POMBO), the distinguished chairman of the Committee on Resources of the House of Representatives.

Mr. POMBO. Mr. Speaker, I thank the chairman for yielding me the time.

It is interesting to listen to this debate here tonight, and some of what my colleague was saying earlier I agree with; that in terms of the blackout that they had in the Northeast, it had very little to do, if anything, to do with the other parts of the bill, and I agree with him on that. But when we got into this process several years ago, the reason that we did was because we had so many challenges in terms of delivering a reliable source of energy for the people in this country that we had so many different things that we had to take on.

We had a problem with reliability and ability to deliver natural gas at an affordable price to our constituents, and that is one part of the bill. We had problems with gaining access for power lines and gas lines across public lands, and that is one part of the bill. We have a problem with an overdependence on foreign sources for our energy in this country, and that is a part of the bill. All of the different parts of the energy bill, as they moved through the Committee on Resources and the Committee on Energy and Commerce, were all about trying to deal with all of these definite challenges and all of these problems and trying to come up with a way in a balanced approach to deal with those problems.

Electricity is one problem and that is part of the bigger balanced energy package that passed this House for the second time this last April, and hopefully when going into conference it is something that we can gain bipartisan support on, as we had in the House, and move it quickly through and begin to address all of these different problems.

□ 2130

It appears to me that because of the blackout we are now using that as an

excuse not to do all of the other things. How else are we going to deal with the natural gas crisis that has developed in this country? The lack of an affordable, reliable supply of natural gas is a very real problem. And in a couple of months, when we hit the wintertime and everybody is using natural gas, the constituents are going to be screaming about that, and we have to address that.

Now, this bill does not solve all the problems, but it does go a long way in terms of dealing with all of these challenges that have built up because this country has not had an energy policy for so many years. It is hard to do. It is difficult to put all this together in a package, but it is something that this country desperately needs. Electricity is part of it, natural gas is part of it, access and right-of-way issues are part of it, and production is part of it. Production has to be part of supplying for our future.

So I do believe that this is an extremely important bill. Unfortunately, I will have to oppose the Dingell motion to instruct conferees.

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of the motion to instruct conferees offered by the distinguished gentleman from Michigan. The gentleman is not only well suited to offer this motion because of his position as the ranking Democrat on the Committee on Energy and Commerce; but in addition, his district was one of those most affected by the August 14 blackout.

On August 14 I was in Israel watching CNN International very late at night when the first blackout was announced. And as one city after another was mentioned as being affected and thousands and thousands more people were being affected, my first thought, and I am sure that is true of many Americans, was, oh no, this feels like it was another terrorist attack. And while I was relieved, as many people were, of course, to find out that that was not the case, I was not really comforted then or now.

Life as we know it virtually stops when we have this kind of catastrophic event. Life stops as we know it when the power goes out. Commerce and industry stop, elevators stop, subways stop, home respirators stop, water from the tap stopped in many places. And though Americans rose to the occasion, the vulnerability of our entire economy, our health and our safety was made devastatingly clear to each and every one of us. It became clear that our very national security is now depending on an unreliable electricity grid.

Now, that is the bad news. The good news is that even before we know exactly every detail on how it happened, there are steps that we can take to make our system more reliable and our

people more secure. And the further good news is that this is not bad news, this is good news; that there is a broad consensus around what to do. So let us do it.

I do not find compelling at all that this is not the total answer to everything; that we have to worry about gas prices; that we have to worry about gasoline prices. Yes, we do. But we are facing a crisis that could cripple us right now. So let us do it. This is a simple, noncontroversial, constructive solution. And it does not mean that we have to deal with what we know to be controversial issues. Drilling in the Alaska wilderness is not going to prevent the kind of blackouts that can cripple our country. So why not deal with something clear and simple and constructive right now?

So I would urge my colleagues to put aside what may be very partisan differences on things that we cannot agree on. We will deal with those. I am convinced that we can come to an agreement on those, and, yes, separate out now that which we can deal with that may avert a catastrophe that could cripple our Nation, jeopardize our security, and the health of our people. I urge a "yes" vote on the motion to instruct that the gentleman from Michigan (Mr. DINGELL) has offered.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Oregon (Mr. WALDEN), a distinguished member of the Committee on Energy and Commerce from the Northwest.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the gentleman for yielding me this time. I find the gentlewoman's comments disturbing for this reason. What we really heard her say, and what we are hearing on this motion is, we are only going to deal with something when it is a crisis. And that is all we are going to deal with is what is the crisis of the moment. That is a poor way to do public policy.

In fact, when the other side of the aisle had the opportunity to offer an alternative to the energy bill, they did not include these reliability standards in the opportunity that was offered in the committee, nor the second time when it was offered on the floor, nor the third time when they offered an alternative on the motion to recommit. So three chances, and then their lights went out. Now we have a crisis, and now this is all we are going to deal with, when it was not something they wanted to deal with in the bill to begin with from their side.

Why would we jettison additional funding for LIHEAP when we know that natural gas prices are going through the roof and the poorest among us are going to have trouble paying their heating bills this winter? Are we going to wait for a crisis then deal with LIHEAP then, when we can deal with it here in this bill? If this motion to instruct were held, we would not be dealing with it.

Why would we get rid of the provisions in this bill that deal with market

transparency requirements that require increased FERC enforcement authority to prevent anticompetitive practices in electricity markets? Why would we not deal with that? Is there controversy over that? No, but there is no crisis at the moment. There was in 2001 in the West, when we had rolling brownouts and blackouts in California and prices through the roof. Why do we not solve that here? Why would we walk away? Because the crisis is behind us? I do not think that makes sense.

What we found after our blackouts in 1996 and after 2001 is that the grid needed investment and improvement. We came to the Congress, those from the Northwest, and we came to the President, and the President agreed and the Congress agreed to give Bonneville additional borrowing authority so we could begin constructing the additions that were needed in our grid. We needed to invest. That has been done.

That is what is needed around the country; and this legislation, H.R. 6, has provisions in it both to encourage research and development of new technology to make the wires more capable of transmitting more power as well as incentives to help expand the grid so it has the capacity to carry the power where it is needed when it is needed. Those provisions, if this motion were to prevail and be followed by the committee, would all be stricken. All we would deal with is the reliability standards, and that does not make sense to me.

There are many other provisions in this bill to help in natural gas, to help with domestic production of oil that we should deal with. They are separate, yes. They are getting domestic oil production up and domestic gas production up and gas and oil where we need it and when we need it to keep prices in check. Those are important. And, no, they are not related to the blackout. Of course not. But they are related when you pull up to the pump and pay \$2.10 per gallon, or when you turn on your heater or your hot water tank and you are paying \$3, \$4, \$6, and \$7 for natural gas.

We need to deal with energy policy for this country in a comprehensive and thorough manner. This legislation does that. I ask my colleagues to vote against the motion to instruct.

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

Mr. TAUZIN. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Louisiana (Mr. TAUZIN) has 15½ minutes remaining, and the gentleman from Michigan (Mr. DINGELL) has 13 minutes remaining.

Mr. TAUZIN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. BUYER), a member of our committee.

Mr. BUYER. Mr. Speaker, I cannot support the motion to instruct offered

by the gentleman from Michigan (Mr. DINGELL) because I am not going to permit politics to override substance. The gentleman from Oregon (Mr. WALDEN) was correct that when the gentleman had an opportunity during the committee when he offered a substitute that he did not bring up this issue. When it came to the House floor on the motion to recommit, the gentleman's recommittal motion addressed hydro-power, not mandatory reliability standards. And as a matter of fact, many of the Democrats did not support this bill in committee and did not support the bill on the floor. But now, when we go through a blackout, all of a sudden we need to pull this out of the national energy bill and pass this? No, I do not believe we can permit politics to override substance.

H.R. 6 is an extremely important bill that the gentleman from Louisiana (Mr. TAUZIN) has spent a lot of time on. The national energy bill is about a national energy policy. And the United States, as the sole remaining superpower, needs a broad-based and diversified portfolio with regard to our energy sources. So it is about coal, and we need to make an investments in clean coal technology. It is about oil. Yes, we have our imports, but we have to also do domestic drilling, exploration and drilling. It is about natural gas. Boy, have we messed this one up.

The Democrats controlled Congress in 1990 when they passed the Clean Air Act. They want us to move from coal-powered generation to natural gas, and at the same time they passed these laws to lock up the lands. We cannot gain access to natural gas, whether it is off the Eastern Shore, whether it is out of the gulf, whether it is off the Pacific or in the western States or in Alaska. So we move to a demand for the increased utilization of natural gas and at the same time cut off access to natural gas. And people wonder why there is a natural gas shortage. Congress created it.

This bill addresses that. There are also issues on nuclear power. The Federal Government has not even authorized a permit to build a nuclear facility in over 20 years. There is more computing power in our automobiles than what was in the Apollo mission to the Moon. We can do much better today.

The issues also deal with renewables, whether it is in wind or solar or hydrogen or fuel cell technologies. This bill is comprehensive. We should not go and try to pick and choose, pull something out of the bill and then turn to the American people as if we have done something. There is an electrification portion of this bill. My Democrat colleagues on the committee did not like that this was part of the bill. I think it was pretty smart that the gentleman from Louisiana (Mr. TAUZIN) made this part of that bill. Very telling.

We said the power grid was frail and outdated, and guess what happened? Congress was not the Nostradamus, because we knew this grid was outdated.

There are utility companies that are undercapitalized. This bill gives those incentives to do things smartly with regard to our infrastructure, not only by trying to bring transparency to the grid but on how we move and distribute that power. Very important.

So I hope that Chairman TAUZIN, as he goes to that conference, that he is able to address the issues on natural gas and the other issue dealing with the discussion today at his hearing on the need for interconnection standards on distributed energy.

So, Mr. Speaker, I have to oppose the motion of the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, the fact is that if the efforts of the gentleman from Michigan (Mr. DINGELL) had been successful in years past, it is very possible that August 16 would not have happened. It is a simple fact, and I want my colleagues to listen to this, the American people are watching, that if we reject this amendment, they have a right to know who is responsible if a blackout occurs next year and we have not yet taken action on this measure.

Now, I listened to my colleague from Illinois, and he is a good friend of mine, I respect him a lot, and he talked about a lot of things. He talked about ethanol. He talked about coal and natural gas. And he talked about nuclear energy and about renewables. And I support all of these things. We all do. But the fact is that some of the provisions regarding these aspects of the energy bill are controversial.

Now, our chairman says that this reliability provision is in the energy bill. It is. But does he actually believe that that bill is going to get through the Senate and be sent to the President and be signed into law? I think that is very questionable. It has not happened in the recent past. We have a responsibility to do what we can do, and what we can do is agree on reliability standards.

Now, others of my Republican colleagues implied that somehow this effort was an attempt to dismantle the energy bill, to jettison, that word was used, to jettison provisions or to dismantle provisions. Quite to the contrary. All we are trying to do is to separate from the larger energy bill this portion that we can agree on and that we can actually pass and have signed into law and give the American people some confidence that this Chamber has the ability to do something that they need to have done.

□ 2145

Mr. Speaker, that is all we are asking for. Now I believe that they are attempting to take this provision that is popular, that is well established as a need, and use it to try to accomplish something in the energy bill that they cannot accomplish without it. I think

that is what is happening. I hope the American people are paying attention. We ought to accept this amendment. We ought to get on with separating this issue out, passing it here in the House, encouraging the conference to proceed with their work.

We are not encouraging the conference to jettison any part of the energy bill at this point. We are simply asking for a reasonable action on the part of this House. I support this bill. We need a stand-alone piece of legislation that deals with reliability. August 14 happened. Lives were in jeopardy, economies were injured, and we can fix this problem.

Mr. Speaker, I ask the gentleman from Louisiana (Mr. TAUZIN) to reconsider his position and accept this amendment for the merit it deserves, and let us move forward.

Mr. TAUZIN. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. SHADEGG), a distinguished member of our committee.

Mr. SHADEGG. Mr. Speaker, I rise in opposition to the motion to instruct. The reality is that the motion to instruct will in fact stop all of the other reforms in this bill, in H.R. 6, that we have worked on so hard through the years to get to this point and focus the entire issue on reliability. That might be important if we had reached a point where the conference was not resolving the issues. If this conference had met for months and had not been able to resolve the other provisions in the bill, perhaps we would have to say we have to focus on one issue that we can pass. But the conference committee has not even met yet.

I want to comment on another issue of this debate. The point here is what we are being urged to do is to focus only on reliability because that is the crisis of the moment. Again as the gentleman from Oregon (Mr. WALDEN) pointed out, if we only legislate on the emergency of the moment, that is a poor way to construct public policy, and it is the way to create the precise kind of circumstance that led to the blackout we just experienced. The reality is it requires forethought, and the reality is reliability is a problem, but it is not the only problem.

If this legislation did not include reliability provisions, perhaps it would make some sense to focus on that issue; but no one here, no one is arguing that we should not deal with reliability. Indeed, the bill does deal with reliability. What is being argued is if we adopt this motion to instruct, we drop everything else.

Well, I have a flash for my colleagues on the other side: In Arizona the crisis is not a blackout. That blackout did not strike my State. The crisis in my State of Arizona is gasoline. We had gasoline prices spike 2 weeks ago in Arizona to over \$3.99 a gallon. We had people sitting in lines to buy gasoline because they could not get gasoline because a pipeline broke.

There are other issues involved in the energy issue than simply reliability,

and my constituents in Arizona absolutely do not want us at this early stage in the process to throw out all of the important reforms in the legislation. They are concerned about the natural gas shortage, and they are happy that H.R. 6 will encourage natural gas supplies. They recognize that we are more and more reliant upon natural gas. Indeed, many more new natural gas plants have been built in Arizona, and more and more of our energy is coming from natural gas. We had better do something about the production of natural gas. That would be thrown out with this motion to instruct.

My colleagues are deeply concerned about renewable fuels and improving energy conservation. They want to promote renewable energy and alternative energy. They do not want that thrown out.

One of the interesting things in this debate is that it was hydropower that enabled the blackout to end in less time than it otherwise would have. If we focus solely on reliability issues, we will throw out the important provisions in this legislation that deal with hydropower. It simply is pennywise and pound foolish not to deal with a comprehensive energy bill. I urge my colleagues to reject the motion to instruct.

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

Mr. TAUZIN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. GILLMOR).

Mr. GILLMOR. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the motion to instruct.

The gentleman from Michigan and I agree on having reliability standards. We both represent districts affected by the blackout; but the need for reliability standards is why we already included language in both the House and Senate versions of the bill passed earlier this year. A reliability provision is not a substitute for a robust energy package that we urgently need to address fundamental infrastructure production and conservation issues that are critical to our Nation's energy security.

I think it is interesting as we go through this process, after the blackout many of the same people who are saying the only thing we ought to focus on are reliability standards are exactly the same people that before the blackout, when it was important, voted against legislation that had reliability standards in it. But just passing reliability standards would not have prevented the blackout of August 14. There was a lot more to it than that.

We have to look at what has been happening in energy, in electricity in the last few decades. Electrical use has been growing significantly and steadily, and it has been growing at a faster rate than transmission capacity. We are putting more and more power into an older grid that is less and less able

to handle it. Why? Because we have not had a good energy policy. The problem is going to get worse if all projections are correct, and simply passing reliability standards will not correct it.

We need to solve the problem. We need the things that are in H.R. 6. We need conservation to take some of the load off the grid. We need to encourage as a country renewable fuels. That is also part of H.R. 6. We need to increase our energy supply. If we do not increase the supply to keep our economy growing, to keep jobs, we can post reliability standards on every wall in America and people will have a lot of time to read them because they are not going to have any energy to have jobs. We need the provisions in H.R. 6, reliability standards, conservation, renewable fuels and increased supply. For that reason we ought to vote no on the motion to instruct.

Mr. TAUZIN. Mr. Speaker, I am delighted and honored to yield 5 minutes to the gentleman from Texas (Mr. BARTON), a subcommittee chairman, and one of the principal architects of this comprehensive energy plan we are trying to save tonight.

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

Mr. BARTON of Texas. Mr. Speaker, natural gas prices at the wellhead are over \$5 or approaching \$5 a thousand cubic feet. The motion to instruct by the gentleman from Michigan (Mr. DINGELL) does absolutely nothing about that problem. Gasoline prices are averaging \$1.50 a gallon all over the country, and in some parts they are over \$2 a gallon. The motion to instruct does nothing about that.

The President's hydrogen fuel cell initiative, which we all applauded when the President was before us during the State of the Union and which I know the gentleman from Michigan (Mr. DINGELL) supports, there is nothing in the motion to instruct that does anything about that.

Many of my friends on the minority side of the aisle very strongly support an R&D clean coal technology program in the bill which passed the House last April. There is nothing to instruct conferees on that particular issue.

Everybody I know of is for hydro-power and hydro reforms in the House-passed bill awaiting conference with the Senate. There is nothing in the gentleman's motion to instruct about hydro licensing reform.

If we only want to focus on electricity, the gentleman's motion on reliability standards does not say anything at all about the need for a regional transmission organizational policy, does not do anything at all for siting authority which is desperately needed, does not do anything at all to create any new incentives to build and operate transmission.

In fact, if all we did was pass the reliability provisions the gentleman from Michigan (Mr. DINGELL) has put before the body this evening, if that is all we

did, we would not even solve the problem of the blackout that happened on August 14 in the Northeast, because if we only do reliability standards and we do nothing else structurally in electricity, you can have all of the mandatory standards that you want and if you flip that switch and there is no electricity to go through that switch, the lights are not going to come on.

The only way, even if we have mandatory enforceable reliability standards, that we are really going to prevent the kind of problem that happened on August 14 is if we do a comprehensive energy bill, which we did on this floor I believe on April 9 of this year, where we did address the natural gas issue. We did address the oil issue and the gasoline issue. We did address the hydrogen fuel initiative and clean coal technology. We did address hydro licensing reform, and we did address a comprehensive electricity title that does include mandatory standards for reliability, that does include an RTO policy, that does include a Federal backstop for siting and does include incentives to build and operate new transmission. I could on and on.

There is nothing wrong with the gentleman from Michigan's motion to instruct conferees to do reliability. We have done it. We did it on April 9, but we need to do more than that. We need a comprehensive energy bill that is integrated and interconnected. The House has passed it on a bipartisan basis. We are going to nominate conferees to go to conference with the Senate.

As the chairman of the full committee has so aptly pointed out, we can have a comprehensive energy bill conference report back before this body and the other body by the end of this month if we work together in a good-faith, bipartisan fashion. I invite the gentleman from Michigan (Mr. DINGELL) to do that. I am sure he will be a conferee. And let us be sure that we do not just do a little bit that does not really solve the problem. Let us do a comprehensive bill that solves the problem. To quote a famous sports shoemaker, let us just do it. Let us just do it. Do it right, do it now, do it together.

Mr. TAUZIN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, it was February 2001 that I was honored to assume the role of chairman of the Committee on Energy and Commerce of this great House. It was in August of that same year that our Committee on Energy and Commerce, together with the Committee on Ways and Means, Committee on Resources, Committee on Science, numerous committees of this body, helped to report to the floor a comprehensive energy bill for our country following the disaster in California, recognizing the disasters to come in the Northeast. It took the Senate almost 2 years to finally pass their version at the end of the conference when it was too late to finish the conference report.

This year in this Congress, this House had the wisdom to pass this bill as early as April of the first year of the Congress, and the Senate in just 7 short months has passed their version and now joins us tonight in a conference to finish the work.

□ 2200

Many, many votes have gone by since August of 2001. In fact, prior to that in committee, many votes were taken. I find it strange that on the night we finally appoint the conferees to finish this awesome task, on this night, my friend, the gentleman from Michigan, who was the main opponent of the comprehensive energy bill on the floor when we brought it here in April of this year, brings this motion to take one small piece of that bill and to leave, in fact, the rest behind. That is the game.

Is it a coincidence that every person who spoke on the other side voted against the comprehensive energy bill when we brought it to the floor? I do not think so. I think this is an effort to help derail the final passage of that great bill. We are not going to let them get away with that because this country cannot do without this comprehensive energy bill. It is critical for this country.

We had 13 recorded votes on the floor tonight. Thirteen times we came to this floor and we put our card into the electronic voting machine and we made a decision for this country. We are two votes away on the floor of this House and in the other body, one in this House, one in the other body, we are two votes away from finishing the most comprehensive energy package to help this country on its way again than we have ever been. When this conference brings its conference report before the end of the month to this floor and to the Senate, we are two votes away from putting it on the President's desk for final signature.

I know those of you who voted against it, those of you who were in the 175-Member minority who voted against the passage, would probably not like to see us finish, but this country wants us to finish. People in the Northeast who went through that blackout want us to do a comprehensive bill. The people in the Northwest, in California who had their problems a few years ago want us to do this bill. Americans who suffer with high energy prices want us to do this bill.

Let us reject this motion to do away with this bill and to simply pick it to death. I urge my colleagues to reject this motion to instruct.

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

Mr. Speaker, I love my colleagues on the other side. I know they are sincere and I understand and I sympathize with them because they have difficulty in understanding the parliamentary situation.

We have been grappling around with the business of passing a comprehen-

sive energy bill now for about 8 years. I have listened to my colleagues on the other side promise us that we would have a bill on the floor in 2 weeks, or we would have a bill passed by the end of the session. None of those promises have been good. We are still grappling around with a piece of legislation. The Senate, it could not pass a bill, so they took the bill that they had passed last year and they passed it and they went to conference. The Member of the Senate who says he will be the senior Member of the Senate body considering this legislation says they are going to write the bill in conference.

What bill are they going to write? I do not know. But I have written several large energy bills, and I would note to my colleagues that the time of the writing of these, including the time in conference, was somewhere between 18 months and 2 years, the full period of a session in the Congress and the second session besides.

I would remind my colleagues that what happened in this country on August 14 was we had the biggest blackout that we have had, one of three which have affected major areas of the country, but a number of others which have affected smaller regions such as parts of the Midwest and the Far West and the Northwest, areas which supposedly were rich in electric power.

We are not trying to foreclose the consideration of all of the items in this overall comprehensive energy bill that my Republican colleagues want, but we want to pass a bill which will address the most immediate and serious energy problem which this country confronts and that is the problem of blackouts and shutdowns of electrical utility service to the consumers of this country. Such an event occurred on August 14. Elevators stopped between floors; subway cars stopped in subways; factories shut down; explosions occurred in refineries; steel mills shut down; huge losses occurred to business; huge losses occurred to manufacturing; thousands of businesses shut down; millions of Americans were without electric service. Fortunately, the one good thing that can be said is no one died. But everybody was put at risk in the Northeast.

One of the problems about the situation is that we do not exactly know what all caused this, but we know that one of the major problems was the fact that there are no enforceable standards to enforce reliability upon the system. This is something upon which there is broad agreement in this body and in the Senate. It goes across the lines of partisanship. It is something on which everybody agrees, and it is something which can be quickly and easily done.

What I say is not to kill the whole bill, but to pass expeditiously those portions which will address the immediate and serious problem which this country confronts. Let us move towards breaking those portions out, putting them speedily on the floor, putting them speedily on the floor in the

Senate, and sending them to the President so that he may sign them and Americans may understand that we will have a decent program for the protection of the American consuming public and American industry with regard to reliability of electrical service.

There is no difference in view between me and my good friend, the chairman of the committee, about whether or not we ought to go forward with a comprehensive energy bill. This can be done at the same time. But we can speedily move forward the question of reliability and afford Americans the comfort, the safety and the security of that step by providing assured safety for them in their electric utility service.

What all is involved in this comprehensive energy bill? Clean air and clear skies are now going to be put in in the conference, we hear, a matter which is neither germane nor is it within the new matter rule. They are going to talk about drilling in the Arctic Wildlife Refuge, a matter which has triggered filibusters in the Senate; tax credits for oil and gas and matters of that kind; repeal of the Public Utility Holding Company Act; renewable fuels; royalty relief for people in the energy production business; funding for ethanol; MTBE liability relief, an extremely controversial question; global warming on which the Senate voted 95 to nothing against, fuel efficiency in automobiles; and scores of other questions.

Those are matters which will take much time in conference. These are not matters which can be addressed easily and which can be on the floor in 2 weeks as my good friend the chairman of the committee tells us. Much though he might want that and much though I might want it, it is not something which is easily done. We agree that the country needs an electric reliability bill. This motion to instruct the conferees makes that possible.

Mr. Speaker, the chairman of the committee and I both agree the country needs a comprehensive energy bill to diversify our supplies, to create energy independence as much as we can, and to increase the energy security of this country. All that this motion advocates is that we do promptly what we can do to prevent another blackout. It avoids long, tedious discussions which will delay the probability of legislation being enacted quickly and before we might confront this same problem which could occur again even as we speak.

I would point out to my Republican colleagues that I do not seek the perfect solution to energy problems. We have been working on energy problems since I came to this place many years ago. We have consumed enormous amounts of time of the Congress in working on energy supply, energy sufficiency, and other questions of that sort. We can roll up our sleeves and work on those matters while we are moving this other legislation forward

quickly and put reliability legislation on the floors of the Congress and on the desk of the President to assure safety and security for the American people.

I would remind my Republican colleagues of the old legislative axiom that the perfect good is the enemy of the good. It may be a perfect good to wrestle around and wrangle around about a piece of legislation which will deal with every imaginable energy problem, which will evoke the support and the enthusiasm of every special interest in this town and in this country, but it is not the way to assure that we do the things which we can do quickly and well while we work upon the other more difficult and controversial questions.

I would point out we have not yet appointed conferees. The Senate does not yet have even the vaguest idea of what it is upon which they may agree. They had to send to conference a curious concoction of last year's energy bill with the simple statement that the chairman of the Senate conferees is going to write the bill as the matter is considered in conference, hardly an open and transparent and intelligent way in which we might legislate.

I would urge my colleagues, let us do that which we can do quickly and let us do that which will take us longer with more deliberate and careful and thoughtful effort which will lead us to a quicker and better solution to the problems we confront.

I urge the adoption of the motion to instruct conferees. It is consistent with our responsibilities. It is consistent with the public interest. It gives protection to the American people in a fashion on matters that greatly concern them about their safety, about the well-being of themselves and their families and about the well-being and the efficiency and the capability of the American economy to provide the things that are necessary for us all.

Let us deal with those things which can quickly be addressed, and let us then work more slowly in the conference on other matters. And if they can be moved as fast as my good friend, the chairman of the committee, says, then we will have something on the floor in the next couple of weeks. If not, then there is nothing lost because we will be able to wrangle around interminably on these matters as we have for so long.

Mr. MARKEY. Mr. Speaker, I rise in support of the motion to instruct that is being offered by the gentleman from Michigan (Mr. DINGELL).

Our constituents want to know what caused the August 14th blackout, and what we are going to do to prevent it from happening again.

Unfortunately, the testimony the Energy and Commerce Committee received from the Department of Energy and the Federal Energy Regulatory Commission yesterday, indicates that the Bush Administration remains pretty much in the dark about the causes of the blackout.

At the same time, the Bush Administration continues to press for the immediate adoption of an energy bill that contains language that would make sweeping deregulatory changes in electricity law and launch a wide-ranging assault on our environment in the name of increasing oil and gas production. The Administration is essentially saying that these radical proposals are needed to prevent the recurrence of an event whose causes they say remain unknown. But if we don't know what caused the blackout in the first place, how can we know whether the proposed cure is worse than the disease? That's like a doctor telling you he has no idea what caused you to black out, but he'd like to see you in the morning for brain surgery. When you hear that, you know it's time to get a second opinion.

And the gentleman from Michigan has very helpfully offered a second opinion. Instead of a full frontal electricity lobotomy, he proposes a more modest initial course of treatment. His motion essentially says that we should quickly reach agreement on the consensus reliability language, and put the rest of the electricity title on hold for a later day. This solution, if adopted by the conferees would allow this Congress to solve a very real problem that we already know exists—the fact that existing electric utility reliability standards are purely voluntary and unenforceable. We know this is a problem. It very well may have contributed to the August 14th blackout. We should deal with it quickly, and not hold its ultimate resolution hostage to a resolution of the very complex and contentious issues of PUHCA-repeal, Regional Transmission Organizations, Native Load protection, incentive ratemaking, renewable portfolio standards, and a whole host of other entirely unrelated energy issues that are in the House and Senate bills.

We should set aside all of these issues now, at the very least until we've heard back from the U.S.-Canada Task Force on the causes of the blackout. Instead, we should just pass a clean, stand alone reliability bill, and do it now. If we get further recommendations from the Task Force after it completes its work, we can decide if more legislation is needed.

But right now, we should, reject once and for all this ridiculous notion that drilling in the Arctic Wildlife Refuge is somehow needed to prevent future blackouts. Oil is for cars and trucks, not for air conditioners, refrigerators, ovens or light bulbs. Only about 3 percent of the oil our nation consumes is used for electricity.

What stopped working during the blackout? Our lights, our cooling, our refrigerators, our ovens.

Our cars and SUVs ran just fine.

It is ridiculous to use the blackout as an argument for drilling in the Arctic Refuge and other pristine public lands, and it exposes those who make the argument desperate for an outcome, driven by ideology, not facts.

The only relationship between the electricity blackout and gasoline is that several refineries shut down temporarily, which the oil industry used as an excuse to raise the price of gasoline to record-breaking levels nationwide over the Labor Day weekend.

I don't think that was justified, but at least the relationship is clear—electricity doesn't depend on reliable oil—oil depends on reliable electricity.

That is why we should stop searching in Alaska for solutions to the blackout. The prob-

lem is not in Alaska, it is in Ohio. The solutions won't be found above the Arctic Circle, but below Lake Erie.

Yesterday, Energy Secretary Abraham and FERC Chairman Pat Wood essentially told our Committee "we'll get back to you later" with some answers about what caused the blackout. So right now, we really don't have all the answers. We do know, however, that this \$7–10 billion dollar hit to the economy could happen again tomorrow. Before we enact comprehensive energy legislation, we should know what caused the blackout.

We can, as a first step, pass by consensus reliability language that is in both the House and Senate bills, and defer action on the broader issues of FERC oversight, PUHCA and other issues that are just too contentious to resolve quickly. After we've gotten some answers, we can then come back and consider whether we should do other things. But is we legislate right now, we are just firing a shot in the dark—a shot that could hit our constituents and our economy with very severe consequences.

I urge adoption of the Dingell motion to instruct.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. COOPER. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. COOPER moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child