

thank them for their service to this Nation. May God bless them and may God bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### CONFUSING DAY FOR REPUBLICANS AND CONSERVATIVES

The SPEAKER pro tempore (Mr. GRUCCI). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, first let me, too, congratulate, as a fellow Midwesterner, the city of Detroit. We had many escaping slaves go through the Underground Railroad through Detroit. We provide many auto parts. Unfortunately, our beloved Pistons used to be the Fort Wayne Pistons, and they, too, moved to Detroit; and I wish they would win as many games in Detroit as they used to win in Fort Wayne.

But today has been a confusing day for Republicans and conservatives. We had a handout during the amendment of the gentleman from Michigan (Mr. HOEKSTRA) to eliminate the national testing that came from the Republicans.

It said that, if one voted to eliminate national testing, one would wipe out the President's cornerstone of accountability. Without assessment, schools cannot be held accountable for improving student achievement. Without annual assessment information, parents are powerless to choose a better-performing school. For over 35 years, there has been little or no academic accountability in K-12 education programs. We need more accountability for Federal tax dollars, not less.

This is really confusing. It is a Republican handout.

Now, let us apply this to economics. Without the cornerstone of accountability, without assessments, business cannot be held accountable for improving business achievement. Without annual assessment information, workers are powerless to choose a better-performing business. For over 35 years, there has been little or no business accountability in ergonomics programs. We need more accountability for Federal tax dollars, not less.

Now, let us try health insurance. Without assessments, businesses cannot be held accountable for improving health insurance. Without annual assessment information, workers are powerless to choose a better-performing business. For over 35 years, there has been little or no business accountability in health insurance programs. We need more accountability for Federal tax dollars, not less.

This is a disturbing trend. Since when did the Republican Party stand for national accountability when we have always argued for local responsibility and accountability. It is not a question of accountability, it is accountability to whom. That is really what we have been arguing over today.

I am curious what is happening to our party. A few minutes ago, a group of conservative Republicans had been hauled down to the White House for a combination of persuasion and subtle threats. I hope that the people in this body can still vote their conscience, and we have not handed over our voting cards to the deals developed with Senator KENNEDY in the Senate, with veto power for the House Democrats.

My friend from South Carolina is under heavy pressure not to even offer his minimal State flexibility for a mere seven States because it might upset the Democrats. This scaled down Straight A's was accepted by Senator KENNEDY. Apparently, we must stay to his left, and then what is to guarantee that we can even hold that in conference. It used to be that the House was the conservative body. Now, apparently, it is Senator KENNEDY who is the conservative.

President Bush is a great President. I agree with him on almost everything, and I am so enthusiastic about his leadership. But on this issue, he has chosen to go with Democrats and a liberal bill. About every major conservative organization in America, including Dr. Dobson, Rush Limbaugh, the home schoolers, the Family Research Council, over 40, I think now, 50 conservative organizations oppose this bill.

Maybe there is only going to be 5 or 10 or even 20 Members with the courage to vote no in the end. The pressures are great on us. Forty-nine Republicans today stood up to the President on national testing. Last year, we probably had over 220. Interestingly, this year, the Democrats kind of switched sides, because previously the Democrats had been for national testing. That is partly why people are distrustful of politicians, because it appears that one does not take a ideological position and stick with it, it is more a party position. It is a very upsetting trend in America.

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Part of my concern is that there will not always be a President Bush. We do not know who is going to be the next president. And when we pass things that mandate national testing, we are taking a risk that the next president will not be George W. Bush and, instead, we may have someone who is going to ram this stuff down our throat, and we may regret and rue the day that we passed a bill with less flexibility, more money, more bureaucracy, and now national testing.

#### BUSH ADMINISTRATION NATIONAL ENERGY POLICY

The SPEAKER pro tempore (Mr. GRUCCI). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, this is a continuing discussion of the so-called national energy policy of the Bush administration. Buried way back in the back of this report, under appendix one, under summary of recommendations, on an unnumbered page, is a recommendation that the Federal Government and, of course, the States' rights party, my Republican friends, should mandate that every State in America adopt energy deregulation.

Now, if it was working somewhere, that might be a good idea, but we have all seen the extraordinary disaster in California. The disaster in California is spreading across the western United States. It is extracting billions, billions of dollars from residential ratepayers, small businesses and large businesses, and upstreaming that money to a few special companies. It happens that three or four of them are based in Houston, Texas, in particular, one really outstanding corporate citizen named Reliant Energy.

Now, Reliant saw its profits go from \$27 million last year to over \$500 million in 1 year. What great new thing did they invent or provide? Nothing. What they managed to do was buy cheap a couple of energy plants in California and begin the most sophisticated gaming of the energy market as reported in Sunday's San Francisco Chronicle, and all of us in the west are paying. In fact, in the Pacific Northwest, we are paying higher average wholesale prices than are the people of California.

This manipulation is spreading across the entire western United States, and now the Bush administration thinks this is such a great thing, we should spread it across the entire United States with a new mandate that every State adopt this. Now, my colleagues may say, ah, well, the California system is flawed. Well, I tell my colleagues, take out the flaws of the California system and go to Montana. You will find that all the large manufacturers in Montana are closing down because Pennsylvania Power & Light bought their generation, gaming them, and they cannot afford the power any more.

Or let us go to New England. In New England, PGE of California, that says they are broke in California, sent the money to the parent company. The parent company created a new company, which is PGE of New England. And PGE of New England is manipulating the market there and has raised the prices substantially.

This is the great new thing the Bush administration wants to bring to all of America: more profits, rolling blackouts, price gouging, and a mandate from the Republican administration that every State be subject to this sort of case.

Now, this is because of the undue influence of Enron, the largest energy conglomerate in the world. In fact, the CEO of Enron has personally, personally, over the years, given George Bush \$2 million to run for office, and has personally chosen the two new appointees to the Federal Energy Regulatory Commission to make certain that his interests are protected. And he is the only person that Vice President DICK CHENEY could name when he said he had been meeting with lots of people, lots of people, outside of certain special interests. In fact, he mentioned Ken Lay, Enron. Of course, he does happen to be the head of the largest energy conglomerate in the world, and they are profiting well.

But let us get back to Reliant for a moment. Here is what came out in the paper. They are cycling their plants up and down, destroying the plants, in fact, causing additional maintenance and long-term outages and long-term deterioration to game the market in 10-minute increments. They have a direct phone line from Houston, Texas, to their plant operators in California. And the guys in Texas are not looking to see whether the lights are on or off or the people need the juice or the businesses need the electricity. They are looking to see what the price is. And when the price starts to go down, they call the plant and they say, shut it down. They shut down. They watch, they watch, and 10 minutes later, if the price starts to go up, crank it up, we can make more money. This is the future.

I thought that the key for electricity was reliability, affordability and service. We were promised that deregulation would be more reliable, more affordable with better service. And instead we find that deregulation is rife with market manipulation, profiteering, and unreliable service, with rolling blackouts and brownouts, bankrupting businesses and residential consumers alike. And now the Bush administration thinks that is so spiffy that everybody in America should be subject to that.

That is definitely one part of their plan that has to go when this Congress acts on the so-called national energy policy.

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#### TRIBUTE TO JUDGE FIDENCIO M. GUERRA, SR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

Mr. HINOJOSA. Mr. Speaker, I rise today in our Nation's capital to render a salute to State District Judge Fidencio M. Guerra, Sr., of McAllen, Texas, on behalf of the citizens of the Fifteenth Congressional District of Texas and in honor of his outstanding service and dedication to the Judiciary in the State of Texas.

Judge Guerra was born on a small ranch in Jim Hogg County, Texas, on

August the 6th, 1909. Like my father, he grew up in a time where few, if any, Hispanics held leadership positions in the community or the government. He graduated from McAllen High School and went on to the University of Texas where he completed his law degree in 1940. The following year he married Estela Margo, a high school teacher.

During World War II, he was quick to volunteer to serve his country and was assigned to the State Department's legal office. In this capacity, he was sent by special assignment to the U.S. embassy in Bogota, Colombia, and the U.S. Embassy in Madrid, Spain, where he helped negotiate several international cases, including the disposition of Axis war assets in Colombia and assisting the Spanish government in dealing with war refugees.

After the war, he returned to McAllen, Texas, and continued his practice of law. In 1949, Judge Guerra was appointed Assistant Attorney General for the State of Texas where he was instrumental in presenting the State's case against the U.S. government over offshore mineral rights claims. The case ultimately reached the Supreme Court. As one of the first Hispanics to serve in the Texas State Judiciary, he was a role model to my generation and showed us that we too could succeed and hold public office.

During the 1950s, Judge Guerra and his wife Estela became leader in protecting and expanding educational opportunities for Hispanic students. Estela, who passed away in 1999, was a Spanish language teacher at Edinburg High School and also at McAllen High School for 20 years before her retirement in 1977. She received numerous awards for her dedicated service to the children of south Texas, including the American Association of Spanish and Portuguese Servantes Award.

In 1952, Judge Guerra was appointed as the presiding judge of the newly created 139th District Court at the new Hidalgo County Courthouse in Edinburg, Texas. He was successful in his bid to retain his post in the 1956 election, and until his retirement in 1980 ran unopposed in every single election. Even retirement did not slow down Judge Guerra. He continued to serve as a senior visiting judge until the early 1990s.

Judge Guerra has always been willing to answer the call to service both from his government and his community. He remains active in various community organizations, such as Our Lady of Sorrow Catholic Church, the Knights of Columbus, and the McAllen Rotary Club.

Judge Guerra and Estela raised seven children and taught them the value of staying in school and completing their education. Their children have followed their example and are professionals and community leaders. Diane Maria was a teacher; Robert is a retired teacher; Carlos is an attorney; Fidencio, Jr. is an attorney and former State district judge; Brenda is a teacher; Judy is a special education teacher;

and Daniel is a doctor. They continue Judge Guerra's legacy by teaching today's children that anything is possible if you work hard, you have integrity and follow your dreams.

In conclusion, Judge Guerra's dedicated commitment to both the Hispanic community in the State of Texas is an inspiration and challenge for us all. At age 91, he remains active in the community of McAllen. He truly exemplifies the values to which we all should aspire. Texas is a better place because of his many contributions. And as his Congressman, I wish him continued good health and good fortune. Thank you, Judge Guerra, Sr.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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#### ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, before I begin the speech I had planned, I would like to comment on some of the comments made by other speakers.

I want to add my voice to the gentleman from Michigan (Mr. BONIOR) when he spoke about how Federal employees, particularly those at the IRS, are doing the work of this country and doing it in a professional manner. He quoted from a rather vicious attack that proposes that somehow if we have a flat tax, that all problems of tax administration will be solved and the IRS could be dismantled.

Mr. Speaker, I headed the organization that collects the largest flat tax in America, the California sales tax, and let me assure my colleagues that flat taxes involve some of the same contentiousness, some of the same enforcement concerns as does any other tax or a progressive tax. And the IRS employees were professional and responsible, just as were our auditors, just as were our tax collectors with the California State Board of Equalization.

Let me also comment about the speech of my friend, the gentleman from Oregon (Mr. DEFazio), where he said that one company, Reliant, that made \$500 million, increased its profit by 2,000 percent. The gentleman from Oregon said, well, they did not do anything creative to raise that money. I have to disagree. Reliant, along with some of its sister corporations, invented a new definition for the term "the plant is closed for maintenance." "Closed for maintenance" means closed to maintain an outrageous price for each kilowatt. A new definition and true creativity.

They invented new ways to gouge California consumers, and they invented new ways to seek power here in