

qualify as works made for hire—namely the same law that existed prior to the November 29, 1999 enactment of Section 1000(a)(9). If Section 2(a) were not given retroactive effect, then sound records created or contracted for between November 29, 1999 and the date of enactment of this bill could be treated differently than sound recordings created before or after those dates. Such a result would be both confusing for the courts to administer and unfair to those who happened to enter into agreements to author sound recordings after November 29, 1999 and before the date of this bill's enactment.

Unfortunately, there is some question as to whether it is constitutional under the Fifth and Fourteenth Amendments of the U.S. Constitution to give Section 2(a) retroactive effect. If the courts disagree with our conclusion that Congress can constitutionally make these provisions retroactive, we have added a severability clause in Section 2(b)(2) to ensure that the courts will not strike down the whole bill.

In short, we believe passage of this bill is vital to ensure that whatever rights the authors of sound recordings may have had previously are restored, and that such restoration is achieved in a way that does not unfairly impair the rights of others. I urge all my colleagues to support this legislation when it is brought to the House floor for their consideration.

A DISASTER FOR SAN DIEGO: DEREGULATION OF ELECTRIC UTILITIES

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

Mr. FILNER. Mr. Speaker, I rise tonight to tell my colleagues about a tragic situation going on in San Diego, California. Like all of my colleagues, I went home at the beginning of August for a work period in our district, but what I found in San Diego was a disaster, and not a natural disaster but a man-made disaster, a disaster made by a few companies who are willing to put the whole quality of life of San Diegoans at risk for their own profit; a disaster that did not affect only a few people, but affected all of the residents of San Diego County, 2½ million people.

□ 1930

What was the basis of this disaster? San Diego is the first area in California to fully deregulate the electrical utility industry, to fully deregulate, which means that San Diegoans pay the market price for electricity. The market price is determined by the few generators of electricity who control the power grid into San Diego.

So what was the result of this deregulation, a deregulation which was supposed to bring competition and lower the cost? It doubled and then tripled the cost of electricity in just 3 months. In just 3 months, if they were a resident in San Diego County, their bill went up from \$45 to \$50 to \$100 one

month and \$150 the next month. If they were a small business struggling to get by, their \$800 bill went up to \$1,500 in one month and then went up to \$2,500 the next month.

How could they stay in business with those increases in prices?

Hospitals, libraries, youth centers, schools, the military, all of their budgets thrown into turmoil. And what was the reaction of people? Rebellion. Many people just tore up their bills.

Elected bodies in San Diego County said they are not going to pay the doubled or tripled price, they are going to pay only what they paid the year before, because they knew their costs were not determined by a supply-and-demand function but by price gouging and manipulation of the market.

Rallies were held. Demonstrations took place. Political figures at the city, county, State level tried to begin to solve this problem. The State legislature acted earlier this week by putting a cap on the retail price of electricity, a cap on the retail price. But what the State legislature did was merely put a Band-Aid on a bleeding city. Because that price was just deferred to a later time. It was not refunded. It was deferred. And the people who would have to pay that price were not the folks who gouged San Diegoans to begin with, but the actual consumers who were the victims of this price gouging.

We must go beyond what the State of California's legislature did. The Federal Government must act and can act. The wholesale price of electricity can be set by the Federal Energy Regulatory Commission. And this Congress should direct that commission, known as FERC, to in fact roll back the wholesale price of electricity to the price that was paid before deregulation in which people had made profits and good profits at that price; and yet they were charging and are now charging prices double, triple, quadruple, five times what they were before deregulation.

I have a bill, my colleagues, called the Help San Diego Act: Halt Electricity Price Gouging in San Diego and Halt it Now.

The people in San Diego cannot survive the doubled and tripled prices of electricity rates. Small businesses are going under. Seniors are having to make choices between using their air conditioning or paying for their food or medical prescriptions.

I ask my colleagues to look closely at San Diego, a little dot on the southwest corner of our Nation, because we are the poster children for the future. The rest of the State of California will soon be deregulated. Many of my colleagues in their States have deregulation bills in their legislatures. This House has deregulation bills in front of it. This deregulation cannot work, my colleagues, when a basic commodity is

controlled by a few monopoly corporations.

The San Diego example makes it clear the consumer must be protected if this kind of policy is going to be pursued.

Deregulation in California took place without consumer protection. It took place in an atmosphere of monopoly control of a basic commodity. My city was in danger of dying economically. We have stopped it temporarily with State legislative action. But the Federal Government must act now. FERC must roll back the wholesale price of electricity retroactively.

The people, the companies, who forced these unconscionable rates on the citizens of San Diego should pay the price and not the consumers, the victims themselves.

My colleagues, look closely at San Diego. Your city may be next.

SLORC REGIME INTENSIFIES CRACKDOWN ON OPPOSITION IN BURMA

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

Mr. ROHRBACHER. Mr. Speaker, yes, I think the people should watch San Diego. It is a pity that the liberal-left coalition that controls the Democratic Party is so allied with extreme environmentalists that for 20 years they have prevented the development of any new energy resources in California. So now the people of San Diego and all of California suffer under this loss because we are having an energy shortage in a State where we should have abundance in energy.

Unfortunately, the only solution that we have being offered seems to be price controls rather than developing new energy sources, which will only make the situation worse.

But tonight I need to talk about what is going on in Burma, which is something of importance now because thousands of lives are at stake in that country.

During the past week, the SLORC regime, which controls Burma with an iron fist, a regime backed by the Communist Chinese, has intensified their crackdown on the opposition in Burma. This is a new round of brutality by the SLORC regime, and it occurred after democracy leader Aung San Suu Kyi was prevented from leaving Rangoon to visit her party's members outside the capital city.

Soldiers surrounded her car. This is a Nobel Prize winner, the person who is the rightful governmental leader of that country because of the elections her party won. She was forced to sit in a car in the sun for a full week and then forcibly return to the capital.

Aung San Suu Kyi is one of the true heroes of our time. She is now under