Armory, not after an individual. Likewise, this metro station should be named National Airport.

Now, many people will think this is a petty picayune issue, but it is a principle. We voted unanimously against unfunded Federal mandates. This is an unfunded Federal mandate. That principle should be preserved, and so should respect for local government wishes.

Mr. Speaker, this Congress should reject this language that purports to honor Ronald Reagan, but actually defiles his legacy.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2299, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–110) on the resolution (H. Res. 178) providing for consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## THE ENERGY SHORTAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, this evening I want to devote my comments to a focus on energy and the energy shortage that we have. On one hand I think in some areas we have an energy crisis, on the other hand I think at times we really have an energy problem. In either case, whether an energy crisis or an energy problem, the fact is we need to apply an ingredient called common sense.

There is a lot of areas of common sense. We can find a lot of common sense, like conservation. Issues like conservation, when applied to energy, can be done without a lot of pain. It does not affect our life-style. In fact, it is a contribution to our country's energy woes, so to speak. So I will visit a little about conservation this evening.

I also want to address where we are, what kind of problem we are facing in future generations. I think it is incumbent upon us, as leaders, to exercise some leadership not for today, which obviously we have to do, but for the future. Our questions about energy should not be questions about energy today exclusively, but should in fact include questions about energy for tomorrow. Of course issues like conservation and issues like alternative power, solar and other types, wind power, et cetera, are a part of our leadership obligations to help address or at least help prepare some answers for future generations on their energy problems.

I thought it would be very good this evening to take a look at what common sense does for us. For example, hydropower. Hydropower does not use coal. Hydropower does not use electricity. It generates electricity. Hydropower does not require natural gas. Hydropower does not require fuel. The fuel that generates hydropower is the natural flow of water. So we are going to talk a little about hydropower. We are going to talk about why hydropower is important for our environment.

In our mad rush to supply energy, regardless of the source, we always have to consider what is the impact to the environment and how can we mitigate the environment. In some cases, not just mitigate the environment, and in fact mitigation of the environment may be old news, the new news for the environment may mean that we have to enhance the environment, a step higher than mitigation of the environment. But I want to stress here this evening that mitigation or enhancement of the environment is not an exclusive set of its own. In other words, we can have the environment, and we can have power production regardless of the source. In fact, through utilization of common sense, we can have protection of an environment and production of energy resources that every one of my colleagues in this room and every one of their constituents is dependent upon.

Something a little interesting happened the other day. I like to mountain bike. I like to ride bikes, though I am just learning. My wife, Lori, Carey and Bruce are trying to get me educated on riding these bikes in a little more sophisticated form, but I saw someone the other day on a mountain bike and we were talking and this individual said to me, he says, You know, mining is so terrible and the energy companies are so terrible, look what they are doing. So I said, You know what, that bike you have got, that bike you paid $3,000 or $4,000 for, has titanium in it. It is interesting to me you criticize on one side but you take advantage on the other.

My reason for using this example this evening is to tell my colleagues that I think this mountain biker can have a titanium bike because I think we can have production of the metals and production of the energy we need while maintaining a balance with the environment. If we do not think, and if that individual does not think, we can, then that individual should give up his titanium mountain bike. I think we can, and I think common sense will allow us.

Of course, the most basic thing that common sense can do for us is conservation.

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Mr. Speaker, I have addressed my colleagues any number of times about conservation, things that do not impact one's life; for example, making sure that your ceiling fan is going in a clockwise motion so it draws the cool air up to the ceiling. If it is going counterclockwise, it defeats your purpose.

We talked about the fact and I recommend to people across this country, take out your owner's manual on your car and take a look at the people who designed that car, who test drove that car, who manufactured that car, who sold that car; take a look at how often they say you should change the oil on that car, and then take a look at a quick lube recommendation, and I am not referring specifically to any quick lube. They will tell you change your oil every 3,000 miles. Guess what the manufacturer, the engineer, the salesman of that car, the owner's manual of that car will tell you? You do not need to change it every 3,000 miles. You can change it every 6,000 miles, and they will warranty the car. They will still warranty the car for 3 years or 24,000 miles.

It is not painless to turn off the lights in your house when you leave. In fact, in Europe in many of the hotels, you actually have to have a card. When you go into your hotel room, you take a card, there is a slot, and before you can turn your lights on, you slide in the card. What happens, when you leave, as you pull the card out, all of the lights go off in your hotel room. Now you can program it in such a way that if for security purposes you needed a light on, it would leave that single light on or a couple of lights, but it helps you remember to turn them off.

These are common-sense approaches on conservation. The good news is conservation can be employed by all of us without a lot of pain in our life-style. The bad news is conservation is not the answer. Conservation is a part of the answer. Imagine that we are putting a model together. Conservation is about 10 percent of that model. Maybe we can push it to 20 percent of that model.

Alternative energy, exercising leadership in the future will allow us to go from 2 or 3 percent of alternative energy to making that a bigger part of our model. But in the meantime, we have to go to what we have been doing, and that is we have got to continue to explore for oil-based resources. There is no other way around it. You can have all kind of pie-in-the-sky wishes. You can have all kinds of people lecture from a podium like this to you saying alternative energy is the answer. It is not the answer. Conservation is the answer. It is not the answer. It is a part of the answer.

Alternative energy is a very important part of the answer. Take a look. If you took all of the alternative energy known to mankind today throughout

the world, and you put that energy exclusively for the use of the citizens of the United States of America, it would supply 3 percent of our needs. Three percent. That is assuming you take all of the alternative energy from around the world. We need to increase that percentage; but it is not the total answer. It is part of the answer.

Conservation, look at what happened in California. In California the people conserve not because Governor Gray Davis, who is trying to play like a guardian angel in this situation, and he is not, nor are some Republicans, but frankly the leader of California is trying to come across as the leader to take the people of California out of this crisis. In my opinion, he largely led them in there.

The fact is they are not conserving in California because of their Governor, it is because prices went up. It is the same thing with my wife and I. My wife and I have really been conserving on energy. Why? Not because Gray Davis out of California is having a problem. It is not because I read some government program that said you ought to conserve, it is because of the fact that my gas bill doubled, and that has a way of forcing conservation.

Off the subject for a moment, that is one of the problems with price caps. When you go out to the consumer and say, no matter how much of this energy you use, no matter what time of day you use it, whether it is during peak usage or off-peak hours, it does not matter, you are going to pay the same price regardless, do you know what that does? It encourages use and discourages conservation.

What encourages more conservation than any other factor in the last 6 months? Price. The market. Supply and demand.

What has happened in California, and by the way, when you talk about California, let me point out a couple of things. I am not one of those people that thinks that California should die on the vine. I do not think we should walk away from California. California is a State, and we are the United States. But that does not mean we should not say to California, hey, you are going to have to pull yourself up by your bootstraps. You are going to have to employ self-help. Part of the way you are going to have to help yourself is to be honest, elected officials, and go to your consumers and say this is the true cost of energy. Do not shield it and pretend that it does not exist by subsidizing it with State dollars.

The Governor is subsidizing your electrical costs. You are not paying the true costs. Does that mean you will never have to? Do not kid yourself. Soon it will come back to bite you. Right now California is spending billions and billions and billions of dollars by selling bonds and raising money to pay this. They are keeping the prices capped to a large extent. In the short run it sounds great, and in the short run it is a political recipe for success. They think you are the greatest guy in town.

In the long run, trying to artificially alter the market, in the long run it has been proved since the days of Adam Smith when he wrote the book The Wealth of Nations, every time the government has stepped in on rent control, on gas control, on energy control, energy price caps, it always backfires. It has never worked. It has never worked in the history of the country.

Let us go back to California. Now, remember, California, especially the Governor of California, and I am not trying to be particularly terse up here, but I have heard the Governor time and time and time again blame everybody but the people of California, blame everybody except the leadership of California. It is because of Congress. It is the utility companies. Ironically, the Governor of California wants to run for President someday, so he blames the power companies in the State of Texas. It is those villains down there in Texas.

You know what, California, we have 50 States. We have 50 States. One State is in your predicament. Why? Because California leads this country in the philosophy of do not build it in my backyard. California leads this Nation in the philosophy, no, we do not want natural gas transmission lines. Do not talk about electrical transmission lines in our State, or generation facilities in our State.

California, you are too important to this Nation for you to take those positions. California is the sixth most powerful economy of the world. If California was a country of its own, it would be the sixth most powerful economic country in the world, much more powerful from an economic point of view than the country of France.

We need, whether you like California or not, and I happen to like it, we need California. We need them healthy, and I want them to come out of this energy crisis; but let us not come out of here with some artificial wave of the magic wand and think everything is right. We have to sit down and put everything on the table. We have to come up with an energy policy.

Why do I mention energy policy? Do you know why? Because in the State of California, they had an energy policy, kind of partial deregulation. Their energy policy was sell the generation plants, tell the consumers they will not have any increase in the prices; no matter how much they use the energy, no matter how short the supply, the price stays the same.

California decided not to buy long-term contracts on the electrical market, but instead to buy on the spot market, which means you go out tomorrow and you say, what is the price? I will buy it. If the price goes up, you are stuck on Wednesday. If the price goes down, you benefit on Thursday. If the price goes up, you are stuck on Friday. That is what California decided to do. They decided to roll the dice.

Well, the consequences of that are that California got itself into this energy crunch. Can we get California out of it? The answer is, yes, of course. Do we have an obligation to help California? In my opinion, yes, of course.

But California has got to pitch in. I want California to be successful, but California has got to help us on conservation, and kudos to the people of California. In the last month, I saw a number the other day where the California people have conserved a 10 percent increase in conservation. That is a significant number. That is a big help. That shows us and the rest of the Nation that the citizens of California are taking this energy crisis seriously, and they are taking a look at this so-called energy policy that they have. They realize, most citizens of California, that it needs to be amended, but amended in such a way that your energy policy works for future generations.

Mr. Speaker, my focus here this evening is as much for future generations as it is for this generation. So California needs an energy policy that is realistic in price, that is realistic in alternative energy, that is realistic in conservation, but it is also realistic in exploration and allowing electrical transmission lines and allowing generation plants to be built.

At the national level can we stand up proudly and talk about the energy policy we have coming out of Washington, D.C.? There is no energy policy. There is none. For 8 years under the previous administration, we had no energy policy. This President, and I commend the President and I commend the Vice President, Vice President CHENEY, President Bush, they have made some tough statements. They said we have to put everything on the table. It does not mean that it stays on the table. But ANWR, and of course the publicity that you have seen about Alaska is so negative, I cannot imagine how they can get enough votes out of here. But controversial or not, the President's energy policy said let us put it on the table. Let us put together an energy policy because we owe it to the future generation and our own generation and our colleagues like the State of California to come up with an energy policy that is going to work.

And that is why I am speaking tonight, because I think all of us, putting our minds together, we have the greatest mind in the world in this country, we can resolve this. It is not really the kind of crisis that some people say. Sure, we have rolling blackouts, and sure it is a crisis for an individual like a senior citizen who loses his air conditioning or a farmer whose fans go off for his chickens or turkeys. It is the

warning sign. It is a shot over our bow. It is saying to us when Washington, D.C. is the leader of this country, you have an obligation, Washington, colleagues, we have an obligation to put together an energy policy.

The first thing we have to consider when we put together an energy policy is we have to make sure we do not buy into this pie in the sky that conservation alone is going to do it. Conservation will not. It will not do it alone. It is a part, it is a very important part, of our solution. Alternative energy will not do it alone. It is a part.

□ 1930

Do not buy this pie in the sky that we can walk right out of this without drilling another well for oil; without drilling another well for gas; without putting another electrical transmission line in place; without putting a natural gas transmission line in place; we can go ahead and get ourselves out of this and protect future generations, and I will repeat, and protect future generations by simply adopting alternative energy.

Hopefully, in 50 years or 20 years or less we will have that available; but today, for our leadership today, we need to look at what tools are there. Conservation is a part. Alternative energy is a part. Exploration is a part. Hydropower, which we are going to talk about in more depth in a few minutes, is an important part. We can put these parts together on a model, put it there, stick it here, put it together; and it is an energy policy. It is in that energy policy that we can take our leadership roles. It is that energy policy that we can employ in this country so that not one State ends up in the kind of situation that the State of California is in. Because our country is much too strong a country to allow even one State like California or any State to get into the kind of crunch they are in.

But, like I said, California. I am a big fan of California. I love California. But I want you to know, it is like talking to your son or your daughter, tough love, you have got to help us out. There has got to be a little self-help involved here.

Let us look at the fundamental thing that we need to take into consideration as we begin to construct this model of energy policy. Let us take a look at growth in U.S. energy consumption. Obviously, we know that growth in consumption is outpacing production. This is the energy production, 1990 to 2000, so this is a 10-year growth rate, the green line. That is the projected. That was the production. This red line is energy consumption. Take a look at how this line, look at the angle of it versus the angle of our production, energy production. In this country, by the way. In this country.

So my colleagues say, SCOTT, that's fine, you've got production here, you've got energy consumption there, this country would be in collapse. You're not meeting your demand. You've got too big a gap, this huge margin. How do you meet that gap? I will tell you how. We meet that gap because we are becoming by the day more and more and more dependent on foreign oil. In other words, the leaders like Saddam Hussein, the leaders in different countries throughout this world who are not necessarily friendly to the United States, they will bargain with the United States with money, green; but they are not necessarily our friend. They can shut off the tap anytime they want to. We are becoming more and more dependent.

As long as this blue space continues to grow in width, it means we are becoming more dependent, not on alternative energy as we should, not on consumption as we should, but on foreign oil as we should not. If we could apply to this line energy consumption and we could put in some serious conservation, and by conservation I do not mean you cannot drive your car anymore. I do not mean that you have to walk to the grocery store, that you cannot have a mountain bike that is not made of titanium, or you cannot have a boat made for you so you can river raft on the river or a lawn mower, these different things, refrigeration in your house and so on. I am not saying you have to shut that off, although if you have an extra refrigerator, by the way, in your garage, empty it. More likely than not you are not even using it. You could save yourselves $17 a month. That is just a little conservation hint there.

So we can lower consumption. But the fact is this: we can with conservation lower this a little. The demand will continue, but we can lower consumption through conservation there. Alternative energy helps us. It does not lower consumption, but it gives us a different method, a different angle of consumption. Those are answers, but they do not come anywhere close to filling the gap, which means we become more and more on a daily basis dependent upon foreign oil. That is not good energy policy.

Now, let us take a look at power plant generation. There seems to be a phobia out there that we are not building generation facilities anywhere in this country, that we have completely ignored electrical generation facilities. That is not true. Remember that primarily the problem that exists today is in the State of California. One State. There are reasons that that specific State got into trouble versus the other 49 States.

There are problems up in the Northwest. That is not because of a failure of planning or a failure of leadership. It is because they are having a drought. The Columbia River is way short on water. They do depend on hydropower up there. But in fact when you take a look at what we have coming online, believe it or not, last year we had 158 generation plants come online. Obviously, they came online in most of the States except for the State of California, which did not have them in California. They were not building generation. But we are throughout the rest of the country.

So I wanted to point out, last year 158 new power units were completed nationwide, or three plants a week. Three generation facilities a week last year came online. Construction this year is slated to set a record for new power generation. A March report by the firm Energy Ventures Analysis found that power units already in operation or under construction will add 51,805 megawatts in 2001, enough to power half the homes in the Nation. In fact what this suggests is we may very well in certain areas of this country within the next 12 to 18 months actually have an electrical glut, an energy glut. Can you imagine, after what we have been through the last 3 months that actually we would go into a glut-type situation? That is possible.

Let us go on. Utilities and generators have announced plans for equally ambitious additions for 2002 through 2004. According to the filings, the electricity industry expects to build 1,453 new power units during that 4-year period of time, taking time off for weekends. So if you take weekends off, that amounts to one new plant a day for 5 years running. Not all of these may ultimately be built, but the point is this: we are now building generation plants; we will have the generation plants that are necessary for us to meet electrical demand. This is not oil consumption. This is electrical demand.

But there is another factor to this. You may have a lot of power plants in the State of Texas, but you have got to have the ability to share that power, move that power among transmission lines. So you cannot just build an electrical generation facility. You have got to be able to put in transmission lines to distribute that to the areas where the demand is high and the supply is low. But I think there is pretty good news in the future, especially for future generations, as far as our capability to generate electricity. I think even California, that the market, once you get to the market, the less you try and artificially manipulate the market, the more market common sense comes into play.

What do I mean? If a town closes its own hamburger shop, the only hamburger shop in the town, and there is a demand for hamburgers, what tends to happen? You not only have it replaced by one hamburger operation, you end up with two or three hamburger operations. It is the same thing here. If you do not artificially toy with the market, I think we are going to have adequate supply. But that means that we have to

have capability to put that supply where the demand is. That means, Governor of California, you have got to build transmission lines in your State. Frankly, every other State has got to do the same, because we are not in California's situation today. Forty-nine States are not. Forty-nine States in my opinion did more appropriate planning. The reason that we are not in that crisis is because we planned for today.

But the big question is: Have we planned for tomorrow? Every State should pay attention. Let us learn from the painful lessons that California has suffered. Let us take a look at what our own energy demands are. What can we do for conservation? What can we do for electrical generation? Where can we put transmission lines? Where can we put natural gas transmission lines? Those are the questions that an energy policy brings up.

Earlier I mentioned to you that the predominant problem was right here in the State of California. And of course we have explained why. California has tried to artificially toy with the market. They tried partial deregulation. They did not do full deregulation. They put on price caps promising the consumers that for at least a 3-year period of time, no matter how much energy they used, no matter what time of the day they used it, no matter where the generation or transmission was, the price would not go up.

California continued to toy with the market. California continued to manipulate in an artificial fashion the market. That is why California is one of 50 States that now has that problem. The rest of the States are not problem-free. I mentioned earlier the Pacific Northwest, the Columbia River. They are very dependent on hydropower. Texas actually has an ample supply of energy, in part I think because of what their previous Governor and their current Governor, Rick Perry, has instituted; but we do not have the transmission lines that we should have to move it out of Texas to other parts of the country. I think that will be answered within the near future.

In the mid-Atlantic, most of these States have planned very well for the energy problems that they have got. You have got an isolated problem in New York City, although New York City has not hesitated. As soon as the Mayor of New York realized, Mayor Giuliani, that there were problems with electrical supply, they not only tried to slow down demand through conservation but they also figured out slowing down demand through conservation is not the only answer, it is a part of the answer; the other part is we have got to put in some temporary generation facilities to get us through the summer until we can put our energy policy in place. That is what New York has done. It appears that New York is going to have much less of a problem getting through this summer than everyone originally anticipated.

As I mentioned earlier, there are a number of different alternatives that can provide energy that I think utilize the factor of common sense. There are a lot of things if we slow down enough to assess what kind of situation we are in and how we want to go out of it, i.e., an energy policy which this President, frankly, has decided to put forward, despite the criticism, despite the controversy, it has brought up the debate onto this House floor, which is going to be healthy for all of our constituents. The issue here is, What are some good, commonsense ways of producing the energy that we need? One of them, of course, is hydropower.

Let us talk about hydropower for a moment. Hydropower electricity. Conservation combined with common sense. Conservation combined with common sense, the two C's. Worldwide about 20 percent of all electricity is generated by hydropower. In our country it provides about 10 percent of our power. We are the second largest producer of hydropower. Canada is the first.

Now, keep in mind that every time you talk about hydropower, or you talk about new hydropower, you are going to have the radical environmentalists, the ones who in many cases are very hypocritical, hypocrites. They come to work; they drive up to the meeting to protest hydropower. They go home and use their lights. They have all kinds of recreational vehicles, whether it is a mountain bike, a motorcycle or whatever. They are very dependent on the energy market, and they are dependent on hydropower. Yet it is the radical environmentalists that are not using common sense. It is the commonsense environmentalists that are helping develop and deploy an energy policy that will work for this country.

Let us move and talk for a moment about hydropower. I know my colleagues have an understanding of hydropower; but to some of them out here, they are in areas where they are not dependent on hydropower. Out in the West we are very dependent on hydropower. In fact, Lake Powell provides a great deal of hydropower. Ironically, the national Sierra Club, the radical environmental policy of that club, not all Sierra Club members, but the radical policy of the national Sierra Club is to tear down Lake Powell. That is not a commonsense approach.

Let us take a look at how a hydroelectric dam works. You have the dam. Here is your dam that has to be built. Behind the dam obviously you end up with a reservoir. That reservoir does a number of things. Environmentally, while some of the radical environmentalists will tell you that all it does is damage the environment, in fact at Lake Powell, it has provided lots of water and habitat for species. It has become very important. It is one of the major recreational areas, if not the major recreational facility, in the entire west of the United States. We talk about being able to bring family and unite families. You go down to Lake Powell. That is the family recreation spot of the West.

□ 1945

So you get a lot of benefit out of the reservoir. What you do with the reservoir, you drop the water through the reservoir. It turns the turbine and this is your generator. The turbine goes up to your generator and produces electricity. Hydropower plants capture the energy of falling water. It is the fall of the water, the creation of that energy. It is that that generates the electricity. We do not have to use natural gas here. We do not have to use coal. We do not have to use gasoline or oil. It is a part of nature. We are able to take water, drop it at a steep enough angle; and that water, the power, the energy of that water, generates that electricity.

It supplies 10 percent of the needs of this country. Imagine what we could do if we could have smart, environmentally sensitive hydropower plants and reduce our dependence on oil coming out of the ground. We could do a lot with hydropower. Hydropower is probably the cleanest energy of which we use a major component. In other words, natural gas generators, obviously we are using natural gas. Coal generation, we know that we have an impact there but hydropower has a lot of positive attributes. So my point in bringing up hydropower is I wanted to talk about how we can use hydropower in a commonsense approach and not hurt the environment, mitigate the impact to the environment.

Hydropower is clean. When you use hydropower, it prevents the burning of 22 billion gallons of oil. Listen to this. The hydropower in our country, which provides 10 percent of the power of our country, because we use the energy off the drop of that water it saves us from having to burn 22 billion gallons of oil, or 120 million tons of coal each year. Imagine that. Because we have been able to capture the energy from the drop in that water, we do not burn 120 million tons of coal. Think of that. You want to talk about cleanliness for the environment. We save and do not burn 22 billion gallons of oil.

So the next time you have a radical environmentalist come up to you and talk to you about how evil hydropower is, say, wait a minute. If we did not have the hydropower but we continue to have the need for the electricity, how would you meet that need?

Now, sure, conservation helps; and, sure, some alternative solar helps some. Wind, it helps but not much.

How do you meet that margin, Mr. Radical Environmentalist? Why do you want to do go back to burning 22 billion gallons of oil? Do you want to go to 120 million tons of coal?

Hydropower has a lot of positive benefits. It does not produce greenhouse gases or other higher pollution. Hydropower leaves behind no waste. Reservoirs formed by the hydropower projects in Wisconsin, for example, have expanded water-based recreation resources; and they support diverse, healthy, and productive fisheries. In fact, there are some catch rates for game fish like walleye and smallmouth bass are substantially higher on hydropower reservoirs than natural lakes. It comes back to the point that I am trying to make. We have renewable energy and it is utilized with common sense.

Hydropower is the leading source of renewable energy. It provides more than 97 percent of all electricity generated by renewable resources.

Now, what are the other resources? The other sources include geothermal, wind, and biomass and solar is in there, too, but that only counts for 3 percent. The 97 percent of our renewable resources, in other words we can drop that water and drop that water, 97 percent of it in this country is hydropower.

I will very quickly just show you an illustration of hydropower. Take a look at that hydropower. The next time a radical environmentalist comes up to you and says, Hi, we should not have a dam, we should not use hydropower, that it is evil for some reason. And you say well, what is the alternative? Well, the alternative is let us rely on the other renewable energy. That is it, that is what they are telling you. They are telling you that instead you can drop this hydropower and replace it with this little tiny sliver.

Now there is no doubt, as Vice President CHENEY has said on occasions, numerous occasions, and the President has said, we need to expand this if we can, this red slice of the pie make it bigger and bigger, come up with other alternative energy but today it is not realistic and tomorrow it is not going to be realistic, but maybe for future generations we can put it on the right track and it can become more realistic.

I thought this was very interesting, and I wanted to point it out to my colleagues. This is the average power production expense per kilowatt hour. That is how you measure electricity, per kilowatt hour. Here is fossil fuel steam, generating steam. In other words, you burn coal, you create steam and the steam drives the turbine. Right there, those are the costs.

Now the green represents the amount of fuel you have to consume. How much coal? Remember that 127 million tons of coal? How much fuel do you have to use? That is maintenance to keep the turbine, to oil it, to make sure it is running correctly and in operation, your operational expenses. For fossil-fueled steam, there is operation, there is maintenance, and there is the cost of fuel. For nuclear, the operational expense, because of the safeguards they have to deploy, are extensive in nuclear. Here is maintenance and right there is the cost of fuel, nuclear fuel.

Now remember that we should not say that any of these are not efficient. We are going to need a combination of all of these in combination with conservation, in combination with solar and so on.

Look at hydroelectric. Hydroelectric has operation. It has maintenance, but there is no fuel expense with hydroelectric generation. Why? As I have said earlier, the fuel for hydroelectric generation is the result of the energy that is created with the drop of the water. That is what this chart shows you. Here is the gas turbine. Look how much energy it takes, how much fuel it takes to turn that gas turbine to create that generation of electricity.

That is why hydropower is important. That is why when you hear comments by people that say take it out, dams are terrible, keep in mind that dams do a number of things. One, they provide recreation. Two, they provide fisheries. Three, they provide flood control. Four, in the West, as you know, in the West it is arid. Out where I live, we get all the water we could possibly use for about 5 weeks. It is called spring runoff from the mountains.

I live at the highest elevation in the country. My district is the Rocky Mountains of Colorado. Now, for 6 weeks we have all the water we can use. Unfortunately, most of the time it comes when we are not using it. So what do we have to do? We have to store it. For 6 weeks we are okay, but we have to get through all of those other weeks in the year. We have to go through 46 or whatever other weeks are left we have to go through those weeks, and we have to have storage. So the dams provide storage. So if you are going to go ahead and provide storage and you are going to provide recreation and you are going to provide flood control and you are going to provide fisheries, why not generate electricity? Why not use hydropower to the extent that we can?

That is not speaking to the elimination of nuclear. In fact, most of France is generated, their electricity is nuclear. It is not to say we should not use natural gas. It is not to say we should not use the coal generated or oil generated, but it is to say that when combined with conservation, when combined with alternative energy, this commonsense approach of putting hydropower is a major factor of generation in this country of electricity in this country, is something we simply cannot ignore and we should not ignore it.

Let common sense dominate every other approach we are using in here.

Time allows me to bring up another chart here. Let us talk about it, the primary purpose or benefit of all U.S. dams. So this chart takes a look at all the dams in the United States and figures out in a pie chart exactly what is that dam utilized for. Remember, I told you that you will often hear the radical side of environmentalism, the radical side, not the commonsense approach, not the approach most of us use, but the radical approach will say no dam is a good dam.

For example, the national Sierra Club, the radical environmentalist leadership of that group that exists are the ones who want to take down Lake Powell, have never in their organization's history supported a dam storage project. Well, can you find out very many situations where never is always the answer? Never have hydropower? Never have conservation? Of course not.

There is a balance in there. Somewhere there is a balance. Take a look at what the balance does. Irrigation, 11 percent. Do not discount what irrigation means. In the West, as I told you, most of our water comes in a very short period of time. We do not have heavy rainfall. In fact, it was not until I left the mountains and came out here to Washington, my home is in the mountains but this is my work station, I could not believe the rains you guys get back here.

It is incredible, but back there we have to store it. And a lot of what you ate today is a result of somewhere water being stored so the crops can be irrigated.

Recreation 35 percent. Most of my colleagues here, somewhere during their year they will enjoy recreation provided as a result of storage of water, in some sport, whether it is sitting on a houseboat, whether it is fishing, et cetera, et cetera.

Stocked farm ponds, very important, again storage of water. Flood control. Now, in the West that is huge. Anywhere it is huge. Flood control, take a look at what happened, the devastation of floods before we were able to control floods, before we were able to get a hand on water and control it.

Public water supply, 12 percent. Now when you buy on, when somebody comes to your door and they do this all the time, some of the radical environmentalist approach is to come to your door with a petition and they ask for a contribution, by the way. It is usually a money raising racket but they will come to your door and they will say, hey, help us stop the terrible oppression of the environment, because they want to build a hydroelectric. What your response should be is, first of all, I care about the environment. I want that environment protected.

On the other hand, we are enjoying lights and our municipality needs

water. When you are at your home, we kind of take for granted, especially when you live in a city, anywhere really but I guess in a city you kind of take for granted you turn on the water in the city you better have the water running.

The city supplies the water. It comes out of city hall. It is clean. It tastes good and it is there whenever we want it. Know what? The way the cities, most cities in this country, are able to provide that is because they have stored it somewhere, because it does not rain equally every day. It does not rain necessarily when you need it. So you have to store it.

So when people ask you to sign a petition and want to lead you down the path of the London Bridge for sale in the U.S. by telling you that there is no need for dams or hydropower, step back, use common sense and say, in some cases a dam may not be right and in all cases that it is right, the environment must be mitigated or enhanced. It cannot be ignored. In the past, I would be the first to admit that in some cases it was ignored, and we have paid for that and paid for that. We cannot allow it ever to happen again, but somewhere in the middle there is common sense. Somewhere in the middle this energy warning that we are getting in California, it is more of a crisis than it is anywhere else in the country. Let us listen to the message that is being sent to us and that is we, as mature leaders, we have an inherent obligation, it is inherent and it is an obligation, it is a fiduciary responsibility to provide for the future generations and to exercise leadership for today. The way we do that is we take a look at the energy package as a whole. We put everything on the table. We put conservation on the table. We put energy exploration on the table. We put alternative energy on the table. We put the environment on the table. You know what? Common minds with a little sense can put together common sense, and that is how we are going to be able to do this.

As I said, and I want to reiterate a couple of very important points, I have a chart here on conservation, I have a couple of charts on conservation, I said earlier in my comments this evening I complimented the people of California. Now I have been harsh on the people of California, particularly the elected leadership of the State of California, because frankly they are trying to make believe that there is an easy way out of this. Well, it is too good to be true. If it sounds too good to be true, it is. So I have been critical to the leadership. I have been critical of price caps, which are great on a short-term basis. I am sure that the Governor of California will continue to lift his numbers up in the polls because artificially he is telling people no pain in the short run. He will not be there in the long run when the pain begins to develop.

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The fact is, and what is important here that I want to compliment, is that the people in California have in the last 30 to 40 days, not as a result of their Governor, not as a result of their elected leadership, but as a result of the market, have begun conservation more seriously than they have in many, many years. And the rest of us, taking a look at California's pain that they have suffered, have decided too maybe we ought to conserve.

Look, I am the first one to tell you, I am the first one to step forward and tell you last year at this time, when natural gas was plentiful, when electricity was plentiful, I ran the air conditioning probably cooler than I needed it. I probably had it running when I ran out to the grocery store. I probably did not check to see what direction my fan was running to make sure it was cooling the house instead of defeating the purpose.

But you know what? I saw what happened in California. I have an obligation. All of us have an obligation, and we can do it without a lot of pain to help conserve.

But while we conserve, and again I compliment those people of California who have done that, and throughout the rest of the Nation, do not kid yourself. I remember once when I was young, my father told me, my father and mother both sat us all down, they are wonderful people, both are alive and well in Glenwood Springs, they sat us down and said to us, The last person you ever want to fool is yourself. Don't fool yourself. Don't pretend that what is happening is not happening. Figure out what is happening and figure out how you are going to adapt to it.

That is exactly my point here this evening. Let us figure out what is going on. We know we have an energy shortage, but do not buy into the pie in the sky that we can resolve it all through conservation, because we cannot. Do not buy the pie in the sky that we can do it all through alternative energy, at least today. We cannot. Do not buy that all we need to do is build and build and build power plants and put oil wells wherever they want to put them, because that is not common sense.

That does not work, to destroy our environment like that; and I do not know anybody that is seriously proposing anything like that. But what we have to do is meet in the middle. We have to use a combination of conservation. As I said earlier, we have to use a combination of conservation, alternative energy, exploration and transmission. We have got to be able to move the power that we produce from the supply point to the demand point all at the same time.

When we deal with demand, conservation helps lower demand. Alternative energy helps answer demand, like hydropower. That is why I focused this evening on hydropower. There is an energy production facility that does not use fuel. It does not need coal, it does not need natural gas, it does not need oil-generated steam to produce electricity. Hydropower produces it without fuel.

Now, that does not mean every river or every location is good for a dam. Obviously, as I said earlier, and I want to stress it again, because there is misinterpretation that is often taken advantage of when you speak like this, hydropower and the environment can go hand in hand, and there will be times where the protection in the environment overrides the need of hydropower in a particular location. But it is just as crazy to say that the environment will always prevent hydropower as it is to say that the environment should never be a consideration and hydropower should go wherever we want to put hydropower.

Again, coming back to the theme of my remarks this evening, in the middle, as I think our President and Vice President have attempted to say, in the middle we need to have an energy policy; and in the middle of America, meaning the people, not the geographical location, but the middle of common sense, we as a people can figure out how to provide, without a dramatic change in our life styles, because I do not think it is necessary, we can provide the energy needs on one hand for the people, the demands that they have, while at the same time protecting and enhancing our environment, while at the same time reducing our dependence on foreign oil.

That is not a dream, but it can only be accomplished if we have an energy policy; and we have not had one in the last administration, 8 years. We had plenty of gas; we had plenty of oil and plenty of transmission. We did not plan for the future.

We should have been planning then, but we have got to plan today. And despite all the criticism and all the controversy that is being heaped on the President and the Vice President, primarily, by the way, by the Democratic operatives, not by the conservative Democrats on this House floor, but by the Democrat operatives, by the people who are more focused on the election of the next President than they are on the needs of this Nation, those are the people that are really developing the criticism and manipulating it and marketing it in such a way that some people can be convinced we should not have an energy policy that involves any type of electrical generation, any type of exploration. They simply are not aware of what I have tried to emphasize this evening, and that is it will always demand a combination, a combination of protection in the environment, combined with exploration, combined with alternative energy, combined with conservation.

So, in summary, Mr. Speaker, I intend to continue to come to you, to urge that we as a body come up with commonsense solutions. It may sound repetitive, but I have got to drill it in and drill it in. We all need to drill it into each other.

This country demands and deserves that its leaders provide an energy policy. We should follow the direction of the President and the Vice President in trying to put one together. It does not have to be his, but at least we ought to have this debate that we are having tonight.

## STRONG HMO REFORM NEEDED

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. GREEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. GREEN of Texas. Mr. Speaker, I am glad to follow my colleague from Colorado. I appreciate his statements on Texas and our power success. Typically, we do have success in power because we build generation plants.

But that is not what I am here tonight to talk about. I am really here to talk about managed care reform and the Patients' Bill of Rights and HMO reform, and give a Texas perspective, because we have had since 1977 a very strong HMO reform bill that is in Texas law. Let me give the reasons why we need a Federal law to that effect.

For one thing, last week the Senate kicked off their debate on legislation that is critical in importance to our Nation's health care system, which is a Patients' Bill of Rights. In the Senate it is the McCain-Kennedy-Edwards bill, and in the House it is the Ganske-Dingell-Norwood Bipartisan Patient Protection Act. They both do the same thing, the Senate and House bills. They ensure patients and their doctors have control over the important medical decisions, and not HMO bureaucrats or someone else who may not know anything about medicine except what they may look at in files.

America's health insurance system has changed dramatically over the last 25 years. When Congress passed the Employee Retirement Income Security Act in 1975, most Americans had some type of traditional insurance indemnity plan, an 80–20 plan like most of us used to have. They went to their doctor, they received the health care they needed, and the doctors were reimbursed by insurance companies.

But all of that has changed with the advent of managed care, which has meant most patients first get preapproval for their health care from their insurance company. If the HMO does not approve the treatment, the patient cannot get it. If that patient is hurt because they are denied appropriate health care, that is just too bad under Federal law.

Even worse, a patient cannot seek redress against that HMO for the damages in State court or even Federal Court, although there have been Federal cases filed recently; and some of them may sound better than others. But, again, typically Federal law does not allow a patient to sue under ERISA. ERISA exempts HMOs from being sued in State court, and requires them to be filed in Federal Court.

Again, the Federal courts have not always been the place where you can get real redress for insurance-type lawsuits. Even if an HMO is found guilty of wrongdoing in Federal court, they are only responsible for the cost of the care they denied. So, in other words, if you are not given appropriate treatment for cancer, and 6 months or a year later that HMO is found to have wrongfully denied treatment, then they go back and give you that cancer treatment. But, again, 6 months or a year later health care delayed is health care denied, and your cancer may grow.

So what does all that mean? Let us say an HMO denies bone marrow transplant to a cancer patient, even though it is medically necessary and the only way the patient will survive. That patient dies as a result of that bone marrow transplant being denied. The family of that cancer patient can now sue in Federal Court and only recover the cost of providing that bone marrow transplant. They cannot recover anything for that lost loved one, whether it be lost wages for that spouse or their children who may still be minors, and they cannot be compensated for their loss of that individual.

Really what that means is that insurance company knows that the only thing they are going to have to do is provide that treatment, so why not deny your initial amount, when they know the only thing they are going to have to pay ultimately is that amount? So, in other words, they earn the interest while they are waiting for you to get to Federal Court, which, in most cases, can take months and years. That is hardly justice for anyone who has lost a loved one.

With more than 160 million Americans receiving their health insurance through some kind of managed care, Congress needs to act. That is exactly what the Ganske-Dingell-Norwood Bipartisan Patients' Bill of Rights does. The legislation would hold insurance companies accountable for their decisions that hurt or kill patients, just like a doctor is held responsible for his or her medical decisions that hurt or kill a patient.

Mr. Speaker, there are two entities in this country currently not held responsible in State courts: HMOs and diplomats from another country. It was never Congress' intent to provide HMOs with the blanket immunity part of the ERISA bill passed in 1975 before we even had managed care and HMOs. It is time we corrected that mistake and close the ERISA loophole and provide for all Americans a meaningful and enforceable Patients' Bill of Rights.

Now, let me get to the point of why it is important to examine the Texas experience, because, again, States can pass laws, and those affect the insurance policies that are licensed and sold and regulated by that.

For example, the State of Texas. That is why insurance policies that are licensed or come under ERISA are not covered by State law. So even though Texas passed a Patients' Bill of Rights in 1997 that is similar to the Ganske-Dingell-Norwood Bipartisan Patient Protection Act, it does not work unless it is under State law.

Sixty percent of the people in my district in Houston, Texas, receive their insurance coverage under Federal law regulation and not State law. The State of Texas passed a Patients' Bill of Rights in 1997. It had a number of good things in it. One was access. Texans had direct access to specialists. Women could directly go to their OB-GYN, and children had direct access to their pediatrician. Communication. The Texas bill eliminates gag clauses which prohibited doctors from discussing treatment options with their patients, even though those treatment options were not part of or provided for in their plan.

It provided for emergency room care for patients who reasonably believe they are suffering and went to an emergency room, an emergency medical condition.

One of the important parts of Texas law is required for internal and external appeals. That ensures patients have access to independent objective panels to determine if treatments are medically necessary, so it is not just the HMO saying you are not eligible for that treatment. You can appeal to an independent and external panel and that decision is made.

Accountability. That is why it is important that any Patients' Bill of Rights includes accountability, because all the other things I have listed are not important if you do not have accountability, accountability in health insurance plans. Denial of claims results in that injury or death to that patient, so you have to have accountability.

In 1997 in Texas they originally passed, maybe it was 1995, they originally passed a Patients' Bill of Rights that then Governor Bush, now President Bush, vetoed. But in 1997 there were compromises made and the bill passed the legislature overwhelmingly. Governor Bush at that time did not sign the bill, but he let it become law without his signature.

My concern is we are hearing some of the same arguments today that we