

PROVIDING FOR CONSIDERATION OF H.R. 4614, ENERGY  
AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

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JUNE 25 (legislative day, JUNE 24), 2004.—Referred to the House Calendar and  
ordered to be printed

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Mr. SESSIONS, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 694]

The Committee on Rules, having had under consideration House Resolution 694, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4614, the Energy and Water Development Appropriations Act for fiscal year 2005, under an open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill.

Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record.

Finally, the rule provides one motion to recommit with or without instructions.

The waiver of all points of order against consideration of the bill includes a waiver of clause 4(c) of rule XIII (requiring the three-day availability of printed hearings on a general appropriation bill). The waiver of clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill) is nec-

essary because there are numerous legislative provisions included in the bill.

#### COMMITTEE VOTES

Pursuant to clause 3(c) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

##### *Rules Committee record vote No. 301*

Date: June 24, 2004.

Measure: H.R. 4614—Energy and Water Development Appropriations Act, 2005.

Motion by: Mr. Frost.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Representative Eshoo which amends the Federal Power Act to require that Federal Energy Regulatory Commission order refunds whenever sellers of electricity charge rates that are not just and reasonable. This will require FERC to order refunds stemming from the market manipulation that occurred in the West in 2000 and 2001. It also requires FERC to disclose documents and evidence that it has obtained in its investigation of Enron and manipulation in the Western energy market, and it requires FERC to allow states to fully participate in FERC proceedings and negotiations on market manipulation.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Slaughter—Yea; McGovern—Yea; Dreier—Nay.

##### *Rules Committee record vote No. 302*

Date: June 24, 2004.

Measure: H.R. 4614—Energy and Water Development Appropriations Act, 2005.

Motion by: Mr. McGovern.

Summary of motion: To provide a waiver protecting from a point of order the section beginning with “Provided” on page 39, line 23, through page 40, line 4.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; Slaughter—Yea; McGovern—Yea; Dreier—Nay.