

"(2)(A) The Secretary concerned shall provide for early and continued public participation in connection with consideration of an application for a right-of-way under this subsection by making a copy of such application available for public inspection in the vicinity of the affected lands for at least 90 days prior to acting on the application and by conducting at least 1 public meeting thereon at a time and location likely to assure public participation.

"(B) All information, including documents and testimony, related to the concerned Secretary's decision on an application under this subsection shall be available for public inspection in regional or local offices of the Bureau of Land Management or Forest Service, and at the same time as such Secretary decides whether or not to grant or issue the requested right-of-way, such Secretary shall publish in the Federal Register an appropriate document stating and explaining the basis for such decision.

"(3)(A) If facilities of a system described in paragraph (1) would be located on lands under the administrative jurisdiction of a single agency of the United States, that agency shall have the principal role in preparing any analysis, under applicable law, of the effects of construction and operation of such facilities on the environment. If such facilities would be located on lands under the administrative jurisdiction of more than 1 such agency, each such agency involved may enter into an agreement among themselves in order to avoid duplication of responsibility or effort, to expedite the consideration of applications for rights-of-way or other rights with respect to use of such lands, to issue joint regulations in appropriate cases, and to assure that decisions about such system are based on a comprehensive review of possible effects on Federal lands and resources.

"(B) Any analysis described in subparagraph (A) of this paragraph shall be prepared by an agency of the United States with administrative jurisdiction over affected lands, or by an independent contractor selected by such an agency, and not by the applicant for a right-of-way under this subsection or by any other party selected or reimbursed by such applicant.

"(C) Nothing in this paragraph shall be construed as precluding an agency of the United States from requiring an applicant for a right-of-way under this section or any other party to provide any necessary information in connection with an analysis described in subparagraph (A) or in connection with decisions about any other aspect of a system described in paragraph (1) of this subsection."

(c) EFFECTIVE DATE AND IMPLEMENTATION.—(1) The amendments to the Federal Land Policy and Management Act of 1976 made by this section shall not apply to any project for which the land-management agency has completed a final review of an application for a right-of-way prior to the enactment of this section.

(2) No later than 1 year after the date of enactment of this Act, the Secretaries of the Interior and Agriculture shall issue joint regulations to:

(A) establish procedures for appropriate public participation in decisions relating to applications for rights-of-way of the type covered by section 501(d) of the Federal Land Policy and Management Act of 1976; and

(B) establish procedures to coordinate, so far as possible, the timing of review by such Secretaries regarding such applications with review of related projects by other Federal agencies.

SEC. 3102. DAMS IN NATIONAL PARKS.

(a) PROHIBITION.—(1) Except as provided in paragraph (2), no individual corporation, partnership, Federal or State agency, politi-

cal subdivision, or any other legal entity may commence construction of—

(A) any new dam or other new impoundment within the external boundaries of any unit of the National Park System; or

(B) any new dam or other new impoundment which, after the date of enactment of this Act, will inundate any land within the external boundaries of any unit of the National Park System.

(2) The provisions of this subsection shall not apply to a project developed by the National Park Service that the Secretary of the Interior determines necessary to meet the purposes for which the affected unit of the National Park System was established if such project would not degrade the resources or values of such unit.

(b) DEFINITIONS.—For purposes of this section, the following terms shall have the following meanings:

(1) The term "new dam or other new impoundment" means any facility for impoundment or obstruction of the flow of water, construction of which commences after the enactment of this Act.

(2) The term "impoundment" means the formation of a body of water upstream from a dam or other structure caused by the construction or operation of the dam or other structure.

(3) The term "inundate" means to permanently or intermittently cover land with water.

(c) CONCURRENCE.—Notwithstanding any other provision of law, no department or agency of the United States shall renew or reissue any license, or issue a new license, for any dam or other facility for impoundment or obstruction of the flow of water that is located on or that inundates any land within the National Park System, if such action would result in new or increased effects on the resources and values of such land, unless the Secretary of the Interior concurs in such action.

(d) SCOPE.—The prohibition of this section shall be in addition to, and not in lieu of, any other prohibition or restriction on activities within any unit of the National Park System.

(e) OTHER PROJECTS.—Nothing in this section prohibits the Secretary of the Army or any other Federal department or agency from undertaking a study of any project or from submitting a recommendation to Congress for the authorization or licensing of such project.

SEC. 3103. STATE OR LOCAL GOVERNMENT LANDS.

Section 21 of the Federal Power Act is amended as follows:

(1) In the first sentence after the word "right" insert ", temporarily during project construction,".

(2) In the first sentence after the word "damage" insert "(and to restore and repair)."

(3) After the first sentence insert: "The term 'unimproved dam site' shall not include any site or area that was acquired by a State or local government or agency thereof solely for the purposes of a public park, recreation, or wildlife refuge before the date such licensee is issued a license by the Commission and is owned and operated for such purposes, except that nothing in this sentence shall preclude a State or local government from consenting to the acquisition of such site or area with the licensee."

The amendments made by this section to section 21 of the Federal Power Act shall apply to the exercise of eminent domain by any licensee under such section after the date of enactment of this Act.

SEC. 3104. COORDINATION WITH FEDERAL AGENCIES.

Section 6(g) of the Land and Water Conservation Fund Act of 1965 is amended by in-

serting the following at the end thereof: "If a State has enacted statutory provisions providing for the permanent protection of the natural, ecological, cultural, scenic, or recreational resources of designated river segments within that State, if such protection is part of a comprehensive Statewide plan approved by the Secretary of the Interior under section 6, and if such provisions prohibit the development of new hydroelectric power projects on such designated segments, neither the Secretary nor any other officer or agent of the United States (other than the Secretary of the Army or the Chief of the United States Soil Conservation Service) shall assist or issue an original license or an exemption for the construction of any new hydroelectric power project if the project is located wholly within that State and if such assistance, license, or exemption would be inconsistent with such prohibition. The preceding sentence shall not apply to any project authorized for construction by the Secretary of the Army before, on, or after the date of the enactment of this section and not subsequently deauthorized pursuant to the provisions of Title X of Public Law 99-662 or any other provision of law."

It was decided in the } Yeas ..... 195  
negative ..... } Nays ..... 221

Table with 3 columns: §60.10, [Roll No. 142], and a list of names. The table lists names of representatives associated with §60.10 and Roll No. 142, categorized by 'AYES—195' and 'NAYS—221'.

Walker Wise Young (AK)
Weber Wolf Young (FL)
Whitten Wylie Zeliff

It was decided in the affirmative { Yeas ..... 318
Nays ..... 98

Tanner Vander Jagt Whitten
Taylor (MS) Vento Williams
Thomas (GA) Visclosky Wilson
Thomas (WY) Volkmer Wise
Thornton Walsh Wolf
Torres Washington Wolpe
Torrice Waters Wyden
Traficant Waxman Wylie
Traxler Weber Yates
Unsoeld Weiss Yatrom
Upton Weldon Young (FL)
Valentine Wheat Zimmer

NOES—221

Abercrombie Hertel Peterson (MN)
Ackerman Hoagland Petri
Allen Hochbrueckner Pickett
Andrews (ME) Horn Pickle
Andrews (NJ) Horton Porter
Andrews (TX) Hoyer Poshard
Annunzio Hughes Quillen
Applegate Jefferson Rahall
Aspin Jenkins Ramstad
Atkins Johnson (CT) Rangel
AuCoin Johnson (SD) Ravelle
Bacchus Johnston Reed
Beilenson Jones (GA) Richardson
Bennett Jontz Ridge
Bereuter Kanjorski Riggs
Berman Kaptur Rinaldo
Bilbray Kennedy Roemer
Blackwell Kennelly Rose
Boehlert Kildee Roybal
Borski Kleczka Russo
Brooks Klug Sabo
Browder Kolter Sanders
Bryant Kostmayer Sangmeister
Bustamante LaFalce Savage
Byron Lantos Sawyer
Cardin LaRocco Saxton
Carper Leach Scheuer
Chandler Lehman (CA) Schiff
Clay Lehman (FL) Schroeder
Coleman (TX) Levin (MI) Schumer
Condit Lewis (GA) Sensenbrenner
Costello Long Serrano
Cox (IL) Shays Lowey (NY)
Coyne Luken Sikorski
Cramer Machtley Sisisky
Darden Matsui Skaggs
de la Garza Mavroules Skeeen
DeFazio Mazzoli Slattery
DeLauro McCurdy Slaughter
Dellums McDermott Smith (FL)
Dixon McHugh Smith (NJ)
Dooley Meyers Snowe
Dorgan (ND) Mfume Solarz
Downey Miller (CA) Solomon
Durbin Spratt
Dwyer Mineta Staggars
Dymally Mink Stallings
Early Moakley Stark
Edwards (CA) Moody Stokes
Engel Moran Studds
Erdreich Morella Synar
Evans Morrison Tallon
Fascell Mrazek Tanner
Fawell Murphy Torres
Fazio Nagle Torricelli
Feighan Natcher Traxler
Fish Neal (MA) Unsoeld
Flake Neal (NC) Vento
Foglietta Nowak Vucanovich
Frank (MA) Oberstar Walsh
Franks (CT) Obey Washington
Frost Olin Waters
Gaydos Olver Waxman
Gejdenson Owens (NY) Weiss
Gephardt Owens (UT) Weldon
Gilchrest Pallone Wheat
Gilman Panetta Williams
Glickman Pastor Wilson
Gonzalez Payne (NJ) Wolpe
Gordon Pease Wyden
Green Pelosi Yates
Hall (OH) Penny Yatrom
Hayes (IL) Perkins Zimmer
Henry Peterson (FL)

NOT VOTING—18

Alexander Collins (IL) Martinez
Anthony Dannemeyer McDade
Bentley Donnelly Michel
Boxer Guarini Oakar
Bruce Lagomarsino Packard
Campbell (CA) Levine (CA) Smith (OR)

So the amendment to the amendment was not agreed to.

After some further time,

¶60.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. MILLER of California.

¶60.12 [Roll No. 143] AYES—318

Abercrombie Gilchrest Murphy
Ackerman Gillmor Murtha
Allen Gilman Nagle
Andrews (ME) Gingrich Natcher
Andrews (NJ) Glickman Neal (MA)
Andrews (TX) Gonzalez Neal (NC)
Annunzio Goodling Nowak
Applegate Gordon Oberstar
Aspin Obey
Atkins Gradison Olin
AuCoin Green Olver
Bacchus Guarini Ortiz
Barnard Gunderson Owens (NY)
Beilenson Hall (OH) Owens (UT)
Bennett Hamilton Pallone
Bereuter Panetta Parker
Berman Harris Pastor
Bevill Hatcher Patterson
Bilbray Hayes (IL) Payne (NJ)
Bilirakis Hefner Payne (VA)
Blackwell Henry Pease
Boehlert Hertel Pelosi
Hoagland Hoagland Pelosi
Hobson Hobson Penny
Borski Hochbrueckner Perkins
Boucher Brewster Peterson (FL)
Brewster Brooks Peterson (MN)
Brooks Broomfield Petri
Bryant Hubbard Pickle
Bustamante Huckaby Porter
Hughes Huchaby Poshard
Byron Hutto Price
Callahan Jacobs Pursell
Campbell (CO) James Quillen
Cardin Jefferson Rahall
Carper Jenkins Ramstad
Chapman Johnson (CT) Rangel
Clay Johnson (SD) Ravenel
Clement Johnston Ray
Coleman (MO) Jones (GA) Reed
Coleman (TX) Jones (NC) Regula
Condit Jontz Richardson
Cooper Kanjorski Ridge
Kaptur Kaptur Riggs
Kennedy Kennedy Rinaldo
Kennelly Kennelly Roe
Kildee Kildee Roemer
Kleczka Kleczka Ros-Lehtinen
Klug Klug Rose
Kolter Kolter Rostenkowski
Kostmayer Kostmayer Roth
LaFalce LaFalce Roukema
Lancaster Lancaster Rowland
Lantos Lantos Roybal
LaRocco LaRocco Russo
Laughlin Laughlin Sabo
Leach Leach Sanders
Sangmeister Sangmeister
Santorium Santorium
Savage Savage
Sawyer Sawyer
Saxton Saxton
Scheuer Scheuer
Schiff Schiff
Schroeder Schroeder
Schumer Schumer
Sensenbrenner Sensenbrenner
Serrano Serrano
Sharp Sharp
Shaw Shaw
Shays Shays
Sikorski Sikorski
Sisisky Sisisky
Skaggs Skaggs
Skelton Skelton
Slattery Slattery
Slaughter Slaughter
Smith (FL) Smith (FL)
Smith (IA) Smith (IA)
Smith (NJ) Smith (NJ)
Smith (TX) Smith (TX)
Snowe Snowe
Solarz Solarz
Solomon Solomon
Spratt Spratt
Staggars Staggars
Stallings Stallings
Stark Stark
Stokes Stokes
Studds Studds
Sundquist Sundquist
Swett Swett
Synar Synar
Tallon Tallon

NOES—98

Allard Hall (TX) Moorhead
Anderson Hancock Myers
Archer Hansen Nichols
Armey Hastert Nussle
Baker Hayes (LA) Orton
Barrett Hefley Oxley
Barton Herger Paxon
Bateman Holloway Pickett
Bliley Hopkins Rhodes
Boehner Houghton Ritter
Bunning Hunter Roberts
Burton Hyde Rogers
Camp Inhofe Rohrabacher
Carr Ireland Sarpaluis
Chandler Johnson (TX) Schaefer
Clinger Kasich Schulze
Coble Kolbe Shuster
Collins (MI) Kopetski Skeeen
Combest Kyl Smith (OR)
Conyers Lent Spence
Cunningham Lewis (CA) Stearns
Davis Lightfoot Stenholm
DeLay Livingston Stump
Dingell Lowery (CA) Swift
Doolittle Manton Taulin
Dornan (CA) Marlenee Taylor (NC)
Edwards (OK) McCandless Thomas (CA)
Edwards (TX) McCrery Towns
Emerson McEwen Vucanovich
Fields McGrath Walker
Ford (MI) McMillan (NC) Young (AK)
Gekas Miller (OH) Zeliff
Grandy Molinari

NOT VOTING—18

Alexander Bruce Levine (CA)
Anthony Campbell (CA) Martinez
Ballenger Collins (IL) McDade
Bentley Dannemeyer Michel
Boxer Donnelly Oakar
Brown Lagomarsino Packard

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. GEPHARDT, assumed the Chair.

When Mr. SKAGGS, Chairman, pursuant to House Resolution 464, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Comprehensive National Energy Policy Act".

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
TITLE I—ENERGY EFFICIENCY
Sec. 101. Findings, purpose, and definition.
Subtitle A—Buildings
Sec. 111. Residential and commercial building energy efficiency codes and standards.
Sec. 112. Voluntary home energy efficiency ratings.
Subtitle B—Federal Agency Energy Management
Sec. 121. Federal energy management amendments.
Sec. 122. Energy savings performance contracts.