CONGRESSIONAL RECORD—HOUSE


The CHAIRMAN. If there is no further debate on the Visclosky motion to strike, it will remain in abeyance pending disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read:

The Clerk read as follows:

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation’s early atomic energy program, $150,000,000, to remain available until expended (Provided, That the United States Army Corps of Engineers under this program shall undertake the following functions and activities to be performed at eligible sites where remediation has been completed: sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, selection of the necessary and appropriate response actions as the lead Federal agency, cleanup and closeout of sites, and any other functions and activities determined by the Chief of Engineers as necessary for carrying out this program, including the acquisition of real estate interests where necessary, which may be transferred upon completion of remediation to the administrative jurisdiction of the Department of Energy: Provided further, That response actions by the United States Army Corps of Engineers under this program shall be subject to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et seq.), and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR, Chapter 1, Part 300: Provided further, That these provisions do not alter, curtail or limit the authorities, functions or responsibilities under CERCLA or, except as stated herein, under the Atomic Energy Act (42 U.S.C. 2011 et seq.); Provided further, That any sums recovered under CERCLA or other authority from a liable party, contractor, insurer, surety, or other person for any expenditures by the Army Corps of Engineers or the Department of Energy for response actions under the Formerly Utilized Sites Remedial Action Program shall be credited to this account and will be available until expended for response action costs for any eligible site: Provided further, That the Secretary of Energy may exercise the authority of 42 U.S.C. 2208 to make payments in lieu of taxes for Federally-owned property where Formerly Utilized Sites Remedial Action Program activities are conducted, regardless of which Federal agency has administrative jurisdiction over the property and notwithstanding references to “the activities of the Commission” in 42 U.S.C. 2208: Provided further, That the unexpended balances of prior appropriations to the Secretary of Energy in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account, and counted as a fund for one of the same period time as originally enacted.

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentlemen from Pennsylvania (Mr. Shuster), I raise a point of order against the portion of the Formerly Utilized Sites Remedial Action Program beginning with the last comma on page 7, line 7 through page 9 line 2, on the grounds that it is legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House. This program has not been authorized for fiscal year 2000. In fact, it is likely that there has never been an authorization for this program. The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The portion of the identification of the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

A subpart of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentlemen from Indiana wish to be heard on the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. Does the gentleman from Indiana wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

Mr. PAUL, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

Mr. VISCLOSKY. Mr. Chairman, I wish to be heard on the point of order.

Mr. VISCLOSKY. Mr. Chairman, I wish to be heard on the point of order.

Mr. PAUL, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

Mr. SCHAFFER. The Comptroller General has determined that the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

A subpart of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.

Mr. VISCLOSKY. Mr. Chairman, I wish to be heard on the point of order.

Mr. PAUL, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SKELETON (at the request of Mr. G야HART) for today and July 30 on account of official business.

Mr. KELCH, for 5 minutes, August 2.

Mr. ISAKSON, for 5 minutes.

Mr. PAUL, for 5 minutes.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

Mr. VISCLOSKY. Mr. Chairman, I wish to be heard on the point of order.

Mr. PACKARD. Mr. Chairman, I concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

Mr. PAUL, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. G야SS, for 5 minutes, today.

Mr. VISCLOSKY. Mr. Chairman, I wish to be heard on the point of order.

Mr. PACKARD. Mr. Chairman, I concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

Mr. PAUL, for 5 minutes.

Mr. SCHAFFER, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 305. An act to reform unfair and anti-competitive practices in the professional boxing industry, to the Committee on Commerce; in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in the case of such provisos as fall within the jurisdiction of the committee concerned.