HOUSE OF REPRESENTATIVES—*Thursday, June 28, 2001*

The House met at 9 a.m.

The Reverend Byron E. Powers, Senior Pastor, The Church Love is Building, Church of God, Sheffield, Ohio, offered the following prayer:

So we pray. Almighty and Gracious God, Your Word declares that ''this is the day that the Lord has made.'' We recognize this day that You have given us, these great United States, for our heritage. Help us to treasure and guard it. Help us, this day, always to prove ourselves to be cognizant of Your favor and eager to fulfill Your awesome purpose in this world. Forgive us for our sin, the discord, confusion, pride, and arrogance, that hinders our relationship with You and one another.

In our diversity, mold us into one united people. Empower our leaders this day with the spirit of wisdom, so that righteousness, justice, and peace may prevail and that, through obedience to Your commandments, we may show forth Your praise among the nations of the Earth.

So, Heavenly Father, we ask this day that our Nation and leaders will be blessed; that our influence will be enlarged; that Your hand would be upon us, and keep us from evil that we may not cause pain. We pray this in Your Name that is above all others. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. HALL) come forward and lead the House in the Pledge of Allegiance.

Mr. HALL of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The gentleman from Ohio (Mr. NEY) is recognized for 1 minute. All other 1-minutes will be after business today.

WELCOME TO GUEST CHAPLAIN, THE REVEREND BYRON E. POWERS

(Mr. NEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEY. Mr. Speaker, it is my privilege to welcome the Honorable Reverend Byron E. Powers as our guest chaplain. Reverend Powers is currently the Senior Pastor of the Church Love Is Building in Sheffield, Ohio, one of the great parishes in the region.

Reverend Powers has devoted his life to helping others, and previously served as the senior pastor for churches in Illinois and Florida. He has earned a Bachelor of Arts in Psychology from Lee University and a Master of Arts in Clinical Pastoral Counseling from Ashland Theological Seminary. In addition to his pastoral responsibilities, he currently serves as senior chaplain to the Lorain Police Department. He has been married for 19 years to his wife Frankie, and they have three wonderful children, Sarah, Rachel and Nathan.

Reverend Powers is a leader in the community. His commitment and compassion for those less fortunate has led him to assist many in the area around Sheffield while working tirelessly to serve his community and the great State of Ohio.

It is my distinct pleasure to welcome Reverend Powers to the Congress of the United States and thank him for leading the House in prayer.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The SPEAKER. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2311.

□ 0906

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, June 27, 2001, a demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. BONIOR) had been postponed and the bill was open for amendment from page 22, line 19, through page 23, line 4.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment offered by the gentleman from Colorado (Mr. TANCREDO); amendment No. 4 offered by the gentleman from Colorado (Mr. TANCREDO); amendment offered by the gentleman from New York (Mr. HINCHEY); amendment No. 2 offered by the gentleman from Ohio (Mr. KUCINICH); and amendment offered by the gentleman from Michigan (Mr. BONIOR).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. TANCREDO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TANCREDO:

Page 2, line 18, after the dollar amount, insert the following: ''(reduced by $9,900,000)''.

Page 18, line 2, after the dollar amount, insert the following: ''(increased by $9,900,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 39, noes 372, not voting 22, as follows:

[Roll No. 199]

AYES—39

Bartlett	Hinchey	Rivers
Biggert	Holt	Royce
Boswell	Luther	Schaffer
Cannon	McCollum	Sensenbrenner
Davis, Jo Ann	McKinney	Shadegg
DeGette	Moran (KS)	Shays
Doggett	Osborne	Smith (MI)
Ehlers	Paul	Sununu
Flake	Pence	Tancredo
Gilchrest	Pickering	Terry
Goode	Pitts	Toomey
Gutknecht	Radanovich	Udall (CO)
Hefley	Ramstad	Udall (NM)

NOES—372

Abercrombie	Bachus	Barrett
Ackerman	Baird	Bass
Aderholt	Baker	Becerra
Akin	Baldacci	Bentsen
Allen	Baldwin	Bereuter
Andrews	Ballenger	Berkley
Armey	Barcia	Berman
Baca	Barr	Berry

Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—22

Barton
Bonilla
Burton
Buyer
Clayton
Dooley
Ehrlich
Greenwood
Grucci
Harman
Hyde
Leach
Mica
Moran (VA)
Owens
Platts
Putnam
Serrano
Smith (TX)
Thomas
Waxman
Young (AK)

□ 0934

Messrs. LAMPSON, LARSEN of Washington, BLAGOJEVICH, LARGENT, DAVIS of Illinois, and MALONEY of Connecticut changed their vote from ''aye'' to ''no.''

Mr. PICKERING and Ms. McCOLLUM changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRUCCI. Mr. Chairman, on rollcall vote No. 199, I was detained in traffic and was unable to make it to the floor to vote on the Tancredo amendment increasing funding for the Department of Energy's Renewable Energy Research Program, while offsetting the Army Corps of Engineers General Investigations Account. Had I been present, I would have voted in the negative.

Mr. MICA. Mr. Chairman, on rollcall No. 199, I was unavoidably detained. Had I been present, I would have voted "no."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 4 OFFERED BY MR. TANCREDO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TANCREDO:

In title I, strike section 105 (relating to shore protection projects cost sharing).

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 333, not voting 16, as follows:

[Roll No. 200]

AYES—84

Baldwin
Barr
Bartlett
Bass
Bereuter
Blumenauer
Bryant
Cannon
Chabot
Clay
Cubin
DeFazio
DeGette
DeLay
Doggett
Eshoo
Farr
Flake
Foley
Frank
Gibbons
Gilchrest
Goode
Goodlatte
Graves
Hayworth
Hefley
Hill
Hooley
Hostettler
Inslee
Johnson (CT)
Johnson (IL)
Kelly
Kerns
Kildee
Kind (WI)
Kolbe
Largent
Larsen (WA)
Lee
Lofgren
Luther
Maloney (CT)
Matheson
McCollum
McGovern
McKinney
Meehan
Miller, Gary
Miller, George
Moore
Moran (KS)
Neal
Otter
Paul
Pence
Peterson (MN)
Petri
Pitts
Ramstad
Rivers
Sabo
Sanchez
Schaffer
Sensenbrenner
Shadegg
Shays
Sherman
Smith (MI)
Smith (WA)
Snyder
Solis
Stark
Sununu
Tancredo
Terry
Tiahrt
Tiberi
Toomey
Udall (CO)
Udall (NM)
Upton
Waters

NOES—333

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Evans
Everett
Fattah
Ferguson
Filner
Fletcher
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)

Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Mink
Mollohan
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Phelps
Pickering
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—16

Barton
Burton
Buyer
Dooley
Ehrlich
Greenwood
Leach
Moran (VA)
Owens
Platts
Putnam
Radanovich
Ryun (KS)
Smith (TX)
Thomas
Young (AK)

□ 0944

Mr. CAMP and Mr. ROHRABACHER changed their vote from ''aye'' to ''no.''

Mr. SHERMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

In title III, in the item relating to ''DEPARTMENT OF ENERGY PROGRAMS; ENERGY SUPPLY'' after the aggregate dollar amount, insert the following: ''(increased by $50,000,000)''.

In title III, in the item relating to ''ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL NUCLEAR SECURITY ADMINISTRATION; WEAPONS ACTIVITIES'' after the aggregate dollar amount, insert the following: ''(reduced by $60,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 258, not voting 12, as follows:

[Roll No. 201]

AYES—163

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Berkley
Berman
Blumenauer
Boehlert
Bonior
Boswell
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Frost
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (MI)
Smith (WA)
Solis
Stark
Strickland
Stupak
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wu
Wynn

NOES—258

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Regula
Rehberg
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schiff
Schrock
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—12

Barton
Burton
Buyer
Dooley
Ehrlich
Leach
Platts
Putnam
Radanovich
Smith (TX)
Thomas
Young (AK)

□ 0952

Mr. PASTOR changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. KUCINICH

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by

the gentleman from Ohio (Mr. KUCINICH), on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KUCINICH:

In title III, in the item relating to ''WEAPONS ACTIVITIES,'' after aggregate dollar amount, insert the following; ''(reduced by $112,500,000)''.

In title III, in the item relating to ''DEFENSE NUCLEAR NONPROLIFERATIONS'', after the aggregate dollar amount, insert the following: ''(increased by $66,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 331, not voting 11, as follows:

[Roll No. 202]

AYES—91

Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Blumenauer
Bonior
Brown (OH)
Carson (IN)
Clay
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Frank
Hilliard
Hinchey
Honda
Hooley
Jackson (IL)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Lee
Levin
LoBiondo
Luther
Maloney (NY)
Markey
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Miller, George
Mink
Moore
Moran (VA)
Nadler
Neal
Ney
Oberstar
Obey
Olver
Owens
Pallone
Paul
Payne
Pelosi
Rahall
Rangel
Rivers
Rothman
Rush
Ryan (WI)
Sabo
Sanders
Sawyer
Schakowsky
Serrano
Smith (NJ)
Smith (WA)
Stark
Strickland
Tiberi
Tierney
Toomey
Udall (CO)
Velázquez
Waters
Weiner
Woolsey
Wu

NOES—331

Abercrombie
Ackerman
Aderholt
Akin
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Roukema
Roybal-Allard
Royce
Ryun (KS)
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NOT VOTING—11

Barton
Burton
Ehrlich
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

□ 1001

Mrs. KELLY changed her vote from ''aye'' to ''no.''

Mr. KIND and Mr. FRANK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHRLICH. Mr. Chairman, on rollcall Nos. 199, 200, 201, and 202, I was unable to vote. Had I been present, I would have voted "no" on all four.

AMENDMENT OFFERED BY MR. BONIOR

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. BONIOR), on which further proceedings were postponed, and which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 265, noes 157, not voting 11, as follows:

[Roll No. 203]

AYES—265

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frost
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (WI)
Greenwood
Gutierrez

Gutknecht
Hall (OH)
Harman
Hastings (FL)
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wilson
Woolsey
Wu
Wynn
Young (FL)

NOES—157

Aderholt
Akin
Armey
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Cannon
Cantor
Carson (OK)
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Everett
Flake
Forbes
Frelinghuysen
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Graham
Granger
Graves
Green (TX)
Grucci
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Horn
Hostettler
Houghton
Hulshof
Hunter
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Keller
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
Lampson
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Northup
Norwood
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Rehberg
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (WA)
Souder
Spence
Stenholm
Stump
Sununu
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Turner
Vitter
Walden
Watkins (OK)
Watts (OK)
Weldon (PA)
Whitfield
Wicker
Wolf

NOT VOTING—11

Barton
Burton
Fletcher
Leach
Platts
Putnam
Radanovich
Ros-Lehtinen
Smith (TX)
Thomas
Young (AK)

□ 1010

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, no further amendments to the bill shall be in order except the following amendments, which may be offered only by the Member designated in the request, or a designee, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question:

The amendment by the gentleman from Ohio, Mr. TRAFICANT, regarding drilling, for 20 minutes;

The amendment by the gentlewoman from Nevada, Ms. BERKLEY, regarding nuclear waste, for 20 minutes;

The amendment by the gentleman from Ohio, Mr. TRAFICANT, regarding Buy American, for 10 minutes;

The amendment by the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, regarding bio/environmental research, for 10 minutes;

The amendment by the gentlewoman from New York, Mrs. KELLY, regarding the Nuclear Regulatory Commission Inspector General salaries and expenses, for 10 minutes; and

The amendment by the gentleman from Florida, Mr. DAVIS, regarding the Gulf Stream natural gas pipeline, for 60 minutes.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 39, line 18, be considered as read, printed in the RECORD, and open to amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKY. Mr. Chairman, reserving the right to object, my understanding is that will still limit the universe to those amendments announced by the chairman, with the same time limits. It will not open it up to any new amendments.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, the gentleman is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The text of the remainder of the bill through page 39, line 18, is as follows:

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $845,341,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $688,045,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $10,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 30 passenger motor vehicles, of which 27 shall be for replacement only, $5,174,539,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,092,878,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $143,208,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $487,464,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $310,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2002, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $4,891,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to $8,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,038,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $5,200,000 in reimbursements, to remain available until expended: *Provided*, That up to $1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $172,165,000, to remain available until expended, of which $166,651,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, $1,227,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That up to $152,624,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,663,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $181,155,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $181,155,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2002 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $0: *Provided further*, That none of the funds made available to the Federal Energy Regulatory Commission in this or any other Act may be used to authorize construction of the Gulfstream Natural Gas Project.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $21,900,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. None of the funds appropriated in other than Energy and Water Development Appropriations Acts may be used for Department of Energy laboratory directed research and development (LDRD).

SEC. 308. Not later than March 31, 2002, the Secretary of Energy, after consultation with the Nuclear Regulatory Commission and the Occupational Safety and Health Administration, shall transmit to the Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Education and the Workforce of the House of Representatives, and to the Committee on Appropriations, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report containing an implementation plan for the transfer, on October 1, 2002—

(1) from the Department of Energy to the Nuclear Regulatory Commission of regulatory authority over nuclear safety at the Department of Energy's science laboratories; and

(2) from the Department of Energy to the Occupational Safety and Health Administration of regulatory authority over worker safety at such laboratories.

Out of funds appropriated by this Act for Environment, Safety, and Health, the Secretary of Energy shall transfer $4,000,000 to

the Nuclear Regulatory Commission and $120,000 to the Occupational Safety and Health Administration. For purposes of this section, the Department of Energy's science laboratories are the Argonne National Laboratory, the Brookhaven National Laboratory, the Lawrence Berkeley National Laboratory, the Oak Ridge National Laboratory, the Pacific Northwest National Laboratory, the Ames Laboratory, the Fermi National Accelerator Laboratory, the Princeton Plasma Physics Laboratory, the Stanford Linear Accelerator Center, and the Thomas Jefferson National Accelerator Facility.

SEC. 309. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a participant. For purposes of this section, the term ''user facility'' includes, but is not limited to: a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and any other Department facility designated by the Department as a user facility.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended notwithstanding section 405 of said Act, and, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $71,290,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $516,900,000, to remain available until expended: *Provided*, That of the amount appropriated herein, $23,650,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $473,520,000 in fiscal year 2002 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $43,380,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,180,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,933,000 in fiscal year 2002 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $247,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,100,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

The CHAIRMAN. Are there any points of order to any of the sections so opened?

POINT OF ORDER

Mr. LARGENT. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LARGENT. Mr. Chairman, I make a point of order that section 308 of the bill, beginning on page 32, line 24, and ending on page 34, line 6, violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on appropriations bills.

As I understand the intent of section 308, the language in question directs the Secretary of Energy to write a report to Congress on a plan to transfer certain regulatory functions in DOE science laboratories to the Nuclear Regulatory Commission and the Occupational Safety and Health Administration. My reading of the amendment, however, goes much further. I think that the language contained in the bill would actually effectuate the transfer of these functions to the NRC and OSHA.

In any event, Mr. Chairman, the language of section 308 clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the rules of the House because it changes current law, where no plan to transfer these functions is present.

I therefore insist on my point of order.

The CHAIRMAN. Does any other Member care to be heard on the point of order?

Hearing none, for the reasons stated by the gentleman from Oklahoma (Mr. LARGENT), the point of order is sustained, and section 308 of the bill will be stricken.

The CHAIRMAN. Are there amendments to the bill?

AMENDMENT NO. 1 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. TRAFICANT:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act may be made available to any person or entity convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an amendment that has been offered and accepted on all appropriations bills. It is good for America.

I will yield to the distinguished chairman of the subcommittee, who has done a fine job on the bill, and would hope that he would also look favorably at my next amendment as well.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, certainly this is something not only that we forgot to put in, which should have been put in, but we appreciate the gentleman bringing it to our attention and allowing us to be a part of his effort to continue to encourage companies to buy American.

We have no objection to this amendment and would happily accept it.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to my good friend and classmate, the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman yielding.

On behalf of all the steelworkers I represent, I am also happy to accept the gentleman's amendment.

Mr. TRAFICANT. Mr. Chairman, I ask for an aye vote, and I yield back the balance of my time.

The CHAIRMAN. Does any Member claim time in opposition to the amendment?

Hearing none, the question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. TRAFICANT:

At the end of the bill (before the short title) add the following section:

SEC. . No fund in this Act may be used to drill for oil and gas, through, in or under, the Mosquito Creek Reservoir, Trumbull County, Ohio.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

□ 1015

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

I want to give a little background on this amendment, and I want the appropriators to know that I have gone three times to the authorizing committee. This is the only drinking water supply for 125,000 of my constituents. The Senators, both Republicans, and every mayor supports stopping the banning of slant drilling under a lake when there are so many natural resources in that region.

Let me tell my colleagues about the hypocrisy. Our Department of Natural Resources will not allow any drilling on adjacent wetland in the Mesquito Reservoir because there are trumpet swans and Canadian geese habitat. I have 125,000 people that depend on this for drinking water with no backup water supply. And just on June 3, not counting last year, we had an earthquake of 3.0 in the district of the gentleman from Ohio (Mr. LATOURETTE), district to the north, not far from this lake.

Now, I have supported energy development. I have tried not to be hypocritical, because everybody says, not in my backyard. But when I believe that there are people, as we did in Florida, when there is fresh water, as we have done with the Great Lakes; God almighty, this is just common sense, and I did not have an amendment for this bill until I had seen the efforts made at the Great Lakes, and I worked 3 years through the authorizing committee.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, the gentleman mentioned the word ''hypocrisy,'' and the gentleman knows how opposed I am to any form of hypocrisy. If indeed it is as the gentleman says that this could imperil the drinking water of the gentleman's constituents, we will have no part of that. We will be happy to accept the gentleman's amendment.

Mr. TRAFICANT. Mr. Chairman, I am very proud and honored that the gentleman has taken that position.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I would also be happy to join with the Chair and announce my acceptance of the amendment from my distinguished classmate of the State of Ohio.

Mr. TRAFICANT. Mr. Chairman, I appreciate that.

In closing, I would just like to say that I will not call for a recorded vote, but I would like to see the eyes of the distinguished gentleman from Alabama (Mr. CALLAHAN), the powerful chairman, and I want a commitment, because I know the gentleman from Florida (Mr. YOUNG) has fought hard to preserve fresh water drinking supplies and people close to drilling. I am not going to ask for a vote, with an understanding that my language will be preserved and protected as best as possible in conference.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, it will be preserved as best as possible.

Mr. TRAFICANT. Mr. Chairman, that is good enough for me. The gentleman's word has always been good enough. I thank the Congress for considering the people in my district.

Mr. Chairman, I ask for an ''aye'' vote.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MS. BERKLEY

Ms. BERKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. BERKLEY:

Page 37, after line 11, insert the following:

TITLE IV–A

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For additional expenses of the Nuclear Waste Technical Review Board, to be derived from the Nuclear Waste Fund, for the Board (1) to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy relating to the packaging and transportation of high-level radioactive waste and spent nuclear fuel, as authorized by section 503 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10263), (2) to hold hearings, sit and act, take testimony, and receive evidence, as authorized by section 504(a) of such Act (42 U.S.C. 10264(a)), and (3) to request the Secretary (or any contractor of the Secretary) to provide the Board with records, files, papers, data, and information, as authorized by section 504(b) of such Act (42 U.S.C. 10264(b)); and the aggregate amount otherwise provided in this Act for ''Energy Programs—Nuclear Waste Disposal'' is hereby reduced by; $500,000.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentlewoman from Nevada (Ms. BERKLEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment regarding the transportation of high-level nuclear waste. As we are all aware, the Department of Energy is nearing completion on its report on whether Yucca Mountain should be licensed as the Nation's repository for high-level nuclear waste. The DOE has written lengthy reports on hundreds of issues relating to the project, but has remained eerily silent on the one issue that affects almost every Member of this House: the transportation of nuclear waste across the country.

If the proposed Yucca Mountain repository is approved, the transfer of high-level nuclear waste would necessitate the shipment of over 77,000 tons of lethal nuclear waste through at least 43 States. The DOE has itself recognized that such transfers may result in as many as 300 accidents with potentially catastrophic consequences, yet it has not published national shipping routes. Members of Congress and the American public have a right to know if high-level radioactive waste is going to be trucked through their districts, past their homes and hospitals, their children's schools, and on their neighborhood roads, and they have a right to know what kind of impact these shipments will have on their communities.

That is why I am offering an amendment that would transfer $500,000 to the Nuclear Waste Technical Review Board to help them encourage the DOE to publicize the transportation routes. It is only a matter of common sense and sound public policy that this body would seek the assurance of a review board composed of our country's top nuclear scientists on a matter of such importance and so fraught with danger for our citizens. It seems only appropriate to ensure that the board is given the resources it needs to hold hearings, take testimony, and receive evidence to evaluate the DOE's transportation routes. It is, after all, vitally important that Members of Congress understand fully the potential impact on our communities, our constituents and on the environment.

This amendment builds on the language of the committee report acknowledging the serious public concern with shipping nuclear waste across the country by road and rail and the need to select transportation routes. I want to thank the chairman and the ranking member for their efforts in this regard. Our amendment helps move forward the committee's intent by employing the Nuclear Waste Technical Review Board to analyze the routes and their potential impacts and to further encourage the DOE to make public, make public their proposed routes.

Let me be clear. This is not a vote on whether or not one supports a nuclear repository at Yucca Mountain. This amendment is about whether Members of Congress and our constituents have a right to know, the right to know whether nuclear waste is going to be traveling through our communities. A vote for this amendment is a vote in favor of protecting our neighborhoods from bureaucrats with too little information and too much secrecy. This is, in the end, about the public's right to know.

Mr. Chairman, I strongly urge my colleagues to support this amendment. Again, I want to thank the chairman and the ranking member for their work.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I reluctantly rise in opposition to the gentlewoman's amendment.

Mr. Chairman, I yield myself such time as I may consume.

First let me say to the gentlewoman that we are all concerned about the transportation part of the ultimate storage at Yucca Mountain. During the last month, I have traveled to Yucca Mountain and looked at the facility. We have discussed the transportation part of the storage site at Yucca Mountain, and we agree with the gentlewoman that we should be prepared. However, we have ample time to be prepared.

For the gentlewoman's information, we already have provided $3.1 million in the bill for the Nuclear Waste Technical Review Board. They tell us they can live with that much money, and I really do not think that taking another $500,000 and putting it into that study is going to enhance the solution to the gentlewoman's problems at all. Our major concern is that we have a safe conveyance. If, indeed, Yucca Mountain is approved, we need some safe capability of delivering the products through the various States and through the State of Nevada to the site.

So I would agree with the gentlewoman that we should be concerned about it, and we are concerned about it. We brought this up in our committee hearings, and the Department of Energy told us that they had opted to defer more serious transportation planning until after the completion of the review of final site. The final determination has not yet been made. What the Department is saying is that as soon as final determination is made, it is still going to be 6, 7, maybe 9 years before the repository opens. It is going to take a long time, we will still have ample time to study the transportation possibilities. I think that at this time putting an additional $500,000 into a review board that really does not need the money is not the answer to the gentlewoman's problems.

So I would respectfully disagree with the gentlewoman's amendment.

Ms. BERKLEY. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentlewoman from Nevada.

Ms. BERKLEY. Mr. Chairman, I thank the distinguished gentleman.

I think the gentleman is making my point for me, and I appreciate the fact that you have come to Nevada and toured Yucca Mountain. The fact of the matter is the Nuclear Waste Technical Review Board says they do not need the money because they do not have anything to study now because the DOE has not offered the trade routes. The reality of the situation is that the people in this House, our colleagues, have a right to know and their constituents have a right to know if the DOE and our government is planning to use their roads through their neighborhoods, through their towns, to transport 77,000 tons of the most toxic nuclear material known to mankind.

This is a right-to-know issue, and the DOE's feet should be held to the fire, and if giving another half a million dollars to the technical review board so that they can force the DOE to publish those trade routes, I think that is a very important thing.

Also, the committee language, with all due respect, says that they should start doing the trade routes in the State of Nevada. It is my contention that we are doing this a little bass-ackwards. We should not be doing Nevada first, we should be doing all of the transportation routes getting to Nevada, and Nevada should be the last leg of the journey, not the first.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, we must decide on whether or not that is going to definitely be the site. Once that determination is made, there will be ample time to provide ample resources to the review board to make certain that the public is fully aware of how the transportation needs are going to be met.

So I think the gentlewoman is on the right track; I think she is just a little early, because in a sense, it is an admission that it is going to happen.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman yielding, and I also rise in opposition to the amendment. I appreciate the gentlewoman's concern, but I would also voice the opinion that it is very premature, because this is, after all, about Yucca Mountain, and the site has not been decided upon. The chairman mentioned 6, 7 years. It might be longer than that, and the gentlewoman also suggested that while language in the report talks about the State of Nevada's transportation problem, we should be concerned about other States.

I would just read a sentence or two from the committee report from page 119. This is our language: ''The Department should use available funds in fiscal year 2002 to initiate the selection of

transportation routes in Nevada and other States in cooperation with the States and to begin planning for construction of a rail line to the repository site.''

So again, reluctantly, I also am very opposed to the gentlewoman's amendment.

Mr. CALLAHAN. Mr. Chairman, I reserve the balance of my time.

Ms. BERKLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Now, the reason the gentlewoman is raising the issue is quite simple. First of all, we are told that this nuclear technology is so safe that none of us have to worry, none of us have to be concerned at all as the materials are transported down streets in our own communities. On the other hand, there is a law on the books which indemnifies, which makes sure that none of the companies that own the trucks or the trains are liable in the event of an accident.

Well, that is not a good combination. One cannot say on the one hand it is safe and on the other hand say, well, we have to indemnify against any risks of the truck drivers and the train drivers. Who would want people careening through their neighborhoods with no insurance in large trucks, much less trucks or trains with nuclear materials there? So they become ''mobile Chernobyls,'' in a sense. They become these very dangerous vehicles.

What the gentlewoman is saying is that we should have advanced knowledge of which routes are going to be taken, what the precautions are that are being put into place. It is just kind of a common-sense, anticipatory way of looking at these issues, especially since this recipe has been constructed, which could be an invitation to recklessness, to willful misconduct, to excessive drinking or drug-taking by the truck drivers or the train conductors, because they are not liable for any accidents.

□ 1030

And that is why I think the gentlewoman is so concerned. And I think what this issue does is just help to spotlight how concerned all Americans should be if this material starts to move through their neighborhoods.

Ms. BERKLEY. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN. The gentlewoman from Nevada (Ms. BERKLEY) has 4½ minutes remaining, and the gentleman from Alabama (Mr. CALLAHAN) has 5½ minutes remaining.

Mr. CALLAHAN. Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, two nights ago this House passed legislation that would prohibit dangerous trucks coming to this country from Mexico. Certainly trucks containing nuclear waste going through our neighborhoods is more serious than dangerous Mexican trucks, which we prohibited from coming onto our highways.

It seems to me there is not one of us that can go home to our constituents and say we voted down a piece of legislation that would demand that the Department of Energy actually publish the proposed transportation routes of 77,000 tons of toxic nuclear waste. This nuclear waste is going to be coming across all our neighborhoods, all of our towns, through our communities, through 43 States en route to Yucca Mountain, Nevada.

Now, I appreciate the fact that both the chairman and the ranking member suggest that perhaps this is premature, but listening to what the administration has been saying with their new reliance on nuclear energy and the fact that in the committee language itself, although there has not been completion of the scientific study saying Yucca Mountain will be the Nation's repository, certainly nobody reading the signs can say that this country is not trying very hard to make Yucca Mountain, which has been selected as the only site, the one that is acceptable for nuclear waste. I might add, however, that it is not acceptable, and it is very apparent that it is not.

The fact of the matter is that we have a right to know, and we have a right to protect our constituents. Our constituents, American citizens, have a right to know what their government intends to do. And I would like to hearken back to the nuclear atomic weapons tests that were conducted at the Nevada test site in the 1950s and the 1960s, when we were told there was absolutely no danger to detonating those atomic weapons in the middle of the Nevada desert. The fact of the matter is, every single, and let me repeat that, every single employee of the Nevada test site that worked on those atomic tests are all dying of cancer now and other horrible, heinous ailments. And that is because our Federal Government said, Don't worry, be happy; there is nothing wrong. This is a similar situation 50 years later, and we are hearing the exact same thing from our Federal Government.

For this body not to stand up and protect each one of our constituents, and make sure that that nuclear waste and those trucks are not going to be barreling down our neighborhood streets I think is most irresponsible for anybody that does not support this legislation. This is the single most important issue to the people in Southern Nevada, the people that I represent. I again urge all of my colleagues to stand with us, stand with me, and make a determination to keep our neighborhoods, our schools, our hospitals, and the people that we represent safe.

Mr. BACA. Mr. Chairman, I rise in support of the Berkley amendment to the Energy and Water FY 2002 Appropriations bill, H.R. 2311.

We must study the problems associated with the transportation of nuclear waste and protect our communities.

The likeliest routes will truck much of California's radioactive waste along Interstate 15 and along train tracks straight through San Bernardino County.

It has been said that used fuel is so dangerous that the nuclear plants must isolate the fuel from human contact for 10,000 years. So why would we run the risk of shipping it through our backyards without the proper scientific research and before we have weighed all our options?

Congress has spent billions of dollars on the Yucca Mountain storage site and it is still unknown whether this site is environmentally sound or not. Why should our tax dollars be spent and our health be put at risk without finding out all aspects of this issue? Scientific studies show that transporting such material has potential risks that could end in catastrophic disasters and yet no other option has been proposed.

We must ensure the security of our community. Nuclear waste is a serious issue that must be handled very carefully and thoroughly. I am committed to protecting the health and environment of the 42nd district of California along with all the districts in the United States.

Ms. BERKLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. BERKLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY) will be postponed.

AMENDMENT OFFERED BY MRS. KELLY

Mrs. KELLY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. KELLY:

In title IV, in the item relating to ''NUCLEAR REGULATORY COMMISSION—SALARIES AND EXPENSES'', after the second and fourth dollar amounts, insert the following: ''(reduced by $700,000)''.

In title IV, in the item relating to ''NUCLEAR REGULATORY COMMISSION—OFFICE OF INSPECTOR GENERAL'', after the first and second dollar amounts, insert the following: ''(increased by $700,000)''.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentlewoman from New York (Mrs. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise for the purpose of entering into this colloquy with the distinguished chairman of the committee, the gentleman from Alabama (Mr. CALLAHAN).

I wish to discuss the importance of providing additional funding for the NRC Inspector General. I feel that providing the Inspector General with more resources will help the NRC better perform its responsibility of ensuring the safe operation of our Nation's nuclear power plants. Through my own experience, I have found that the agency's priorities have not always been what they should be.

In February of last year, an accident occurred at the Indian Point 2 nuclear power plant in my district. A steam generator tube burst, and the plant was shut down immediately. It goes without saying the people in the community surrounding the plant, myself included, were seriously troubled by this accident. We expected the Federal agency responsible for handling nuclear safety would make every effort to quickly repair and restore public confidence in the plant. I regret to say that the NRC fell short of this very reasonable expectation.

Though the agency itself acknowledged that this plant had the highest risk assessment of any plant in the Nation, they were on red as risk assessment, they demonstrated a stunning indifference to a litany of legitimate concerns about the plant's safety. The NRC chairman refused to play any role whatsoever in the very difficult deliberation as to when the plant ought to be started. The NRC chairman refused to hold a commission hearing at the plant, or even come to Buchanan to see the plant and the surrounding community firsthand.

Not once during the entire 11-month period that the plant was down did the chairman or any of the NRC commissioners think they ought to come to Buchanan, New York, and look at this plant. So the chairman can imagine my profound concern when I learned about some of the places that the NRC chairman and the commissioners did think they ought to go during the time the plant was down: places like Korea, Spain, and Mexico. The public record indicates that during the time the Indian Point 2 plant was down, the chairman of the NRC visited a nuclear power plant in Scotland. He visited three in Canada.

During this time, investigators from the IG's office were at Indian Point cataloguing all of their mistakes. They found a troubling number of things at this plant, and the most troubling they discovered was that an inspection performed back in 1997 plainly indicated the strong likelihood of a leak. The NRC had that information back in 1997. It showed that there was a strong likelihood of a leak, but nothing was done because nobody at the NRC ever looked at the inspection report. This should not have happened.

I realize there is a new interest in nuclear power, and I should say that I am not against nuclear power. But the way that the NRC handled the Nation's most troubled plant raises some real concerns. I understand the gentleman from Alabama has provided a generous increase in the funding for the Inspector General in this bill. I commend him and thank him for it.

Is it the gentleman's understanding that this additional funding will be available for further independent reviews of NRC regulating activities?

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. I thank the gentlewoman for her work on this issue, Mr. Chairman; and I share her feelings about the importance of ensuring that the NRC Inspector General is provided the resources it needs for conducting independent reviews. This additional $680 million that we have in this bill is available for this very purpose.

Mrs. KELLY. I thank the gentleman. I would ask only that the gentleman continue to keep in mind the importance of a strong funding level for the NRC Inspector General as we continue to work on this bill, and also that he continue to vigorously oversee the agency to ensure that unnecessary travel expenses are not incurred by the NRC officials.

Mr. CALLAHAN. If the gentlewoman will yield further, I will continue to closely monitor all expenditures incurred by NRC officials to ensure that their resources are not improperly squandered.

Mrs. KELLY. I thank the gentleman from Alabama very much, the distinguished chairman of the subcommittee.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

Mr. DAVIS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Florida:

In title III, in the item relating to ''FEDERAL ENERGY REGULATORY COMMISSION—SALARIES AND EXPENSES'', strike the last proviso (relating to Gulfstream Natural Gas Project).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2001, the gentleman from Florida (Mr. DAVIS) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to set the context of this amendment because it takes us back a little bit. Last week, we had a debate on the floor of the House of Representatives. It was a very hearty, very democratic debate on the floor about an amendment I offered, along with the gentleman from Florida (Mr. SCARBOROUGH), to prevent the Secretary of the Interior from going forward with issuing any new leases for offshore oil drilling, oil and gas, 17 miles off the coast of Pensacola, some of the most pristine beaches in not just the State of Florida but of the country, and about 200 miles off the coast of Tampa Bay, my home.

The House adopted our amendment by a vote of 247, and the bill is now in the Senate where it will be debated there. Unfortunately, the highly esteemed chairman of the Subcommittee on Energy and Water Development, the gentleman from Alabama (Mr. CALLAHAN), was in Alabama, with other members of the Alabama delegation traveling with the President, and was not present for the debate. I regret that, and I know he certainly regrets it as well. But the House has done its will and spoke on that particular issue.

The reason I rise today to offer this amendment is because the gentleman from Alabama (Mr. CALLAHAN) has inserted some language in this particular bill we are debating, which I think is fair to describe as a response to the debate last week. What that language, which I will speak about in more detail in a while, along with other Members both Democrats and Republicans, what that language does is to punish the State of Florida and, I would submit, other States who have a stake in a natural gas pipeline that has already had $800 million spent on it and is due to open in approximately 1 year.

The language that the gentleman from Alabama (Mr. CALLAHAN) has inserted would basically bring that pipeline to a grinding halt. I think that is an irresponsible position for the House of Representatives to take today. I personally would not want to go home on the 4th of July and have to explain that I had voted for a bill that had that language in it.

I do understand the gentleman's point. His point is he wishes he had been here for the debate, and I think he disagrees in the strongest terms with the outcome of the debate last week. But that debate is over, and we are dealing with a new issue today and it is an issue that affects hundreds of workers' lives.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment.

Mr. Chairman, let me say that, as the gentleman from Florida just mentioned, yes, they did bring up this measure while I, along with the other members of the Alabama delegation, were traveling with the President last week, which is their prerogative. I think, out of deference to me and to my State and to my delegation, that they should have at least informed us the night before of their intent. But they failed to do that, which is their prerogative. They do not have to notify me of anything if they do not want to. But I thought it awful strange they waited until we got out of town. When it was obvious we could not get back, this did not allow us the opportunity to defend our State.

But this amendment has nothing to do with that. As the gentleman from Florida said, the vote last Thursday was the will of the Congress. This has nothing to do with permitting the drilling of oil off the coast of Alabama, which 181 does. It has nothing to do with that.

I think it is the height of hypocrisy for Floridians, especially the sponsor of this amendment, to say we are not going to allow drilling for natural gas in the Gulf of Mexico because it is 270 miles off the coast of Tampa, but at the same time we want a pipeline from Alabama to Florida because we need this gas. They tell us that a 142 percent expectation of increased need is going to take place in the next 6 years in Florida. So what they said was, do not drill for the gas, but go ahead and build the pipeline and supply us with gas.

Mr. Chairman, they have got to make up their mind. It is the height of hypocrisy to try to pull the wool over the Floridians' eyes just because it might look good in the local newspaper, or statewide newspaper, if someone happens to be running for a public office statewide. It is the height of hypocrisy to on the one hand go to your people and say, look how strong I am, look how faithful I am, look what I am doing to protect the beautiful beaches of Florida, look what I have done, reelect me or send me to another office, do all of these good things; but let us go ahead and build that pipeline because we know it is going to happen anyway. And if it is not going to happen anyway, well, then, we do not want them drilling off the coast of Alabama for additional resources. We are going to take this resource away from the people of Alabama.

So they are saying to Alabamans, you suffer, but do not let us suffer. Let us run our air conditioners all year long, because the weather and the climate in Florida is so wonderful and so beautiful it requires that they have more air-conditioning. We want to do that. We want to provide for Floridians the ample resources they need, thereby ensuring they will not have the same energy crisis in Florida, which is what is going to happen.

We do not want that to happen to our neighbors in Florida, and we are not going to let that happen. But, in my opinion, why build a pipeline to transport a gas when the author of this bill is the one who authored the other bill saying do not drill for gas.

□ 1045

Mr. Chairman, why are we going to disrupt the sandy bottom of the beautiful Gulf of Mexico and risk that brown sand turning the beautiful beaches of the panhandle in Destin and in Pensacola into a brown beach instead of a sugar-white beach? Why would we risk that if we are not going to have a resource? It is a mystery to me.

The only solution I can find to that mystery is that someone is grandstanding here. Someone either believes or wants it to happen on the one hand, and is trying for some reason to convince the Floridians that might read about this that he is a savior of Florida, and maybe he is.

I think Jeb Bush has done more, Mr. Chairman, to preserve the pristine beaches of Florida and make sure that there is no offshore drilling off the coast of Florida than anybody in history, and he is to be commended for that. But I do not know how we can tolerate the hypocrisy of what we are hearing here today, and that is do not drill for oil. That is accepted. That is not in question today; but just in case we do, then send it to Florida through this pipeline that we are going to lay on the bottom of the beautiful Gulf of Mexico.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Chairman, I yield 4 minutes to myself to respond.

Mr. Chairman, I am going to stick to the facts today. I think that holds us up to the standard that we should be held up to. First, I am flattered at the notion that I had the chance to control the timing of the debate last week. I wish I had that much influence. It is clear that the gentleman from Florida (Mr. SCARBOROUGH) and I do not.

As far as the notice, I regret that the gentleman from Alabama was not aware. The amendment was not filed until the morning of the debate because I had difficulties with the Congressional Budget Office getting an amendment that would not be subject to a point of order, and that is the reason why the amendment only has a 6-month duration for the fiscal year.

Mr. Chairman, let me correct something the gentleman from Alabama said. Section 181 is 200 miles, not 270 miles, off the coast of Tampa Bay, my home. That is where I grew up. I remember an oil spill that happened there when I was a child. It was not a rig, it was a barge, but it had the same impact. This is 17 miles from the district that the gentleman from Florida (Mr. SCARBOROUGH) represents, and he can talk about that better than I can.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I might point out that they are already drilling now within 1 mile of the district of the gentleman from Florida (Mr. SCARBOROUGH). That is not an argument.

These waters are primarily the waters within 17 miles of the beaches or offshore land of the gentleman from Florida (Mr. SCARBOROUGH) that belong to and are the State of Alabama. They are directly south of Alabama and not Florida. We can argue all we want by slanting arrows to Alabama that these are areas off the gentleman from Florida's (Mr. SCARBOROUGH) beaches, but that is not factual. That is misleading. That is hypocrisy.

Mr. DAVIS of Florida. Reclaiming my time, Mr. Chairman, let us stick with the facts and not hyperbole. It is 17 miles. The gentleman and I can disagree whether or not that is Florida's coast or not. The fact is it is 17 miles from some of the most pristine beaches of not just Florida, but in the country.

Mr. Chairman, the gentleman from Alabama (Mr. CALLAHAN) said yesterday on numerous occasions that he wanted to be remembered as a champion of Florida's beaches, and after he retired, and I hope that is not soon, Mr. Chairman, to travel around our beautiful beaches. That is where many of the gentleman's constituents and constituents of Democrat and Republican Members of Congress head this summer, to our beaches.

No, we do not want drilling off our coast that poses an unreasonable risk, and we do need energy, Mr. Chairman. The gentleman from Alabama (Mr. CALLAHAN) is correct about that. I know the gentleman from Alabama (Mr. CALLAHAN) wants energy for his State, too, but that does not mean he has to live next door to a nuclear power facility or any type of facility at all.

This is about balance. That is what the debate is about. It is about balance in terms of protecting our cherished environment.

Let me tell the gentleman, if it is hypocritical for Floridians to cherish their environment, then I proudly wear that label. We think there can be balance achieved, but we do not think that the language in the bill that the amendment addresses does anything to achieve that balance.

Let me also say this is not about allocating credit and blame. The public is too smart for that. I am pleased the

gentleman from Alabama (Mr. CALLAHAN) mentioned the Governor of the State of Florida. He supports my amendment, Mr. Chairman; and Floridians support this amendment.

If this pipeline was not being built yet, I think the gentleman from Alabama (Mr. CALLAHAN) could have a plausible basis for his position. But let me just state the facts, and then yield to the gentleman from Florida (Mr. SCARBOROUGH).

This pipeline has had $800 million spent on it. There are hundreds of workers all over the country who are thankfully on the verge of earning a bonus for early completion. What are we saying to these workers and their families if we pass a bill today that brings that project to a grinding halt? I do not think that is responsible. That is what we ought to be debating today, whether or not the Congress ought to take that position.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Florida for this amendment. I want to underline what he said about the Governor of the State of Florida. Jeb Bush not only supported our efforts last week, he supported our efforts in a bill that we have dropped regarding 181; and he and the State of Florida support the pipeline.

I think there is some hypocrisy going on here. I also think some people are having some fun, and I have no problem with people having fun on the House floor with some tongue-in-cheek amendments. But I could not help being moved yesterday by the gentleman from Alabama's (Mr. CALLAHAN) love for northwest Florida beaches, and his stated desire to protect those beaches. And he said yesterday that he is going to do everything he can to protect the environment of northwest Florida. He specifically noted the scenic beauty of the beaches from Perdido Key all of the way over to Panama City beach, Destin, Seaside. It is a wonderful place, is it not, Mr. Chairman? And he knows because we are neighbors.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SCARBOROUGH. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, the gentleman from Alabama (Mr. CALLAHAN) also spoke of his love for the pristine beaches of the west coast of Florida, not just the northwest. He favored all of our beaches yesterday in that debate.

Mr. SCARBOROUGH. Yes, sir, and they are beautiful, too, sir. Mr. Chairman, my grandmother would term what the gentleman from Alabama (Mr. CALLAHAN) is doing for us in northwest Florida as gracious plenty; but I have to say, I thought I could do one thing in return to help his constituents the way he is trying to help mine, and if we can get a unanimous consent later on, maybe after this vote, perhaps we could offer my amendment which passed through legislative counsel last night, and I am introducing an amendment to protect the workers of the district of the gentleman from Alabama (Mr. CALLAHAN) and the State of Alabama from layoffs and firings that would occur if the Callahan language were to survive.

As much as I appreciate his love for the natural beauty of northwest Florida, I feel an equally pressing need to show my affection for the working men and women of the State of Alabama.

Just as he wants to protect Florida bases, I want to protect Alabama jobs that would be lost if those who are currently employed working on the Gulfstream natural gas project are not able to complete their work. And that is in my district, too, at Berg Steel and across the States of Louisiana and Texas and Alabama.

I fear, though, that the precedent that is being set by what the chairman has attempted to do in this bill could be dangerous because, let us think about it. Just for 1 second, let us think about it. If we use this logic that is being used, like, for instance, communities that do not want drilling 17 miles off their beaches should not be able to get natural gas, well, let us see how that would apply to other things.

If one likes chicken, under the amendment's logic, community chicken farms would have to spring up on every block because it would be hypocritical not to have chicken coops in the back yards of everybody's house that eats chicken. Think about sausage. In Pensacola, Florida, we have a place called The Coffee Cup. It is a greasy spoon that serves bacon, and I will be the first to admit, I love bacon. I consume bacon. But I sure as heck do not want to have a self-sustaining Coffee Cup slaughterhouse in the parking lot behind that restaurant and every other restaurant, but, using this logic, would have to do it.

Got milk? Better tie up the cow behind the barn because if one likes milk, if you consume milk, you better have the cow. Just like on the commercial where the guy goes up, he wants milk on his cereal, it looks preposterous. That is the world that we are heading into if we have protectionism where if you consume it in your district, you have to make it in your district.

Mr. Chairman, that is why I think this is tongue-in-cheek, because the gentleman from Alabama (Mr. CALLAHAN) knows that is not the way that the American economy works. The gentleman from Alabama (Mr. CALLAHAN) knows that there are strengths in every area. Texas, Louisiana, Mississippi, Alabama, they have their strengths. Northwest Florida and the State of Florida, they also have their strengths; and who among us does not know that Florida's strength lies in its natural beauty of its beaches.

I want to say that I understand that the chairman was upset because we took this vote when the State of Alabama Caucus, most of them, were out of the Capitol. Mr. Chairman, as I said to you in the cloak room before I hugged you for trying to protect my district so much, my staff worker that was responsible for tracking the whereabouts of the Alabama delegation must have been off that day. I know it will shock the gentleman, but I did not know that the delegation was down with the President in Alabama. I found out when we were on the floor, and if the gentleman from Alabama (Mr. CALLAHAN) wants, we can have, maybe after this amendment passes, we can have a unanimous consent decree that we pass something that suggests that had the Alabama delegation been here, the Davis-Scarborough amendment would have passed 247 to 194 instead of 247 to 188. It was not even close.

That being said, there is common courtesy in the House. I can tell the gentleman, the gentleman from Florida (Mr. DAVIS) and I had no idea that the Alabama delegation was gone. If we had, certainly we could have delayed it. But I can tell the gentleman, neither the gentleman from Florida (Mr. DAVIS) nor I controls what happens on this floor.

So I will say once again, it does not make sense for us to have this philosophy that if one does not produce it, one cannot consume it. It leads to a thousand different ridiculous conclusions. Therefore, I am hoping that the Davis-Scarborough amendment will pass and that we can move forward and that we can have the pipeline that will help workers not only in Florida, but also in Alabama, Louisiana, Mississippi and Texas.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair reminds Members to direct their comments to the Chair and not to other Members.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say that once again we are experiencing sort of a demagoguery, sort of an attempt to mislead the Members of Congress as to what this amendment is all about.

This amendment has zero to do with drilling off the coast of Alabama or Florida. It has nothing to do with it. I mean, that is water under the dam. That water is gone. They did that in my absence, and I will accept the gentleman's apology. And let me apologize to him. I never thought the gentleman ought to keep track of me. I never thought that the gentleman ought to get his scheduler to poll to see where the Alabama delegation is. But this is a body of compromise, a body of congeniality, a body of friendship. I would

never think of doing this to anyone in Florida when I knew they were gone; but that is water under the dam.

This amendment has zero to do with the drilling aspect, and quit trying to tell the Members of this body that it does. It has to do with the laying of a pipeline from Mobile, Alabama, my district, to Florida, and even the Florida newspapers are saying that the gas pipeline will cause damage in the Gulf of Mexico.

So here we have the Florida Naples Daily saying that it is going to cause damage to the environment, and now we do not have the Florida delegation defending that, they are saying, go ahead and destroy our environment. Build that nasty old pipeline. Bring the gas in from somewhere else.

□ 1100

Mr. Chairman, we ought to talk about the subject matter, not what happened last week.

Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), a distinguished and knowledgeable Member of this issue and also a member of the subcommittee.

Mr. WICKER. I thank the gentleman for yielding me this time.

Mr. Chairman, a former Member of this body once went down in history when he made the statement, ''Don't confuse me with the facts, my mind is made up.''

Although the chairman of the subcommittee has just told us that this is not about the drilling in lease area 181, I did have to feel that way last week during the discussion of the Davis amendment. ''Don't confuse us with the facts,'' some of our colleagues said, ''our minds are made up.''

''Forget the fact that this Nation is in an energy crisis. Just forget the fact that area 181 is way out in the Gulf of Mexico. My mind is made up. Forget the fact that we need to get rid of our dependence on foreign sources of energy. Just forget that. Don't confuse me with that fact, our minds are made up.''

And then there was the constant discussion last week about drilling off the coast of Florida. Even The Washington Post, the next day, talked about drilling off the coast of Florida without giving the reader the foggiest notion of what we were talking about.

So what we are talking about, Mr. Chairman, is drilling in the colored-in area here which is called ''Sale 181 Area.''

As Members can see, it is over 213 miles from Tampa Bay, this drilling which our friends from Florida are calling off the coast of Florida. 213 miles away. Over 100 miles away from Panama City there. Yet it is being described by people in that delegation as being off the coast of Florida.

Now, it is true that there is a small strip of water, a small strip of the gulf in lease area 181 that goes up to the coast of Alabama. I want to suggest, perhaps, to the gentleman from Alabama (Mr. CALLAHAN) that he should apologize on behalf of the State of Alabama for being so close to Pensacola, Florida. But the fact of the matter is that this strip that extends within 17 miles of the coast of Alabama is Alabama territory. I think Alabama should get to make that choice.

And also forget the fact, our friends tell us, the supporters of the Davis amendment, that drilling offshore is not only environmentally sound nowadays but it can even be environmentally friendly.

Now, let me say a word of caution to my colleagues, Mr. Chairman. And I mean this sincerely. There has been the use of the word ''hypocrisy'' by both sides. Someone is going to jump up sometime and ask that words be taken down. I wish we would not use the word ''hypocrisy.'' I think that has been established as perhaps going above and beyond what we can do on the floor here. But I do think there is a degree of audacity in this argument here. And the audacity, the gentleman from Florida (Mr. SCARBOROUGH) is right, it is bipartisan. It is bipartisan.

I learned from the State Department yesterday that most nations in the world claim 12 nautical miles off the coast as their territory. Only one nation does not do this and that is Communist China. They claim 200 miles. There is a little bit of a parallel here. The people of Florida are saying off the coast of Florida is 213 miles, ''That's our coast.'' Off the coast of Florida is 108 miles from Fort Walton Beach. They are saying, ''Don't give us the 12 nautical miles. Give us 108 miles. Give us 213 miles.'' A bit of audacity there.

Let me just say this. Perhaps we do not need this pipeline anymore. We were talking last week with the Davis amendment about 7.8 trillion cubic feet of natural gas. I think this body, Mr. Chairman, made a grave mistake to decide that this Nation will forgo this very needed natural resource. It is not a question of where you put the sausage factory. It is not a question of where you bring the cow. This is where the natural gas is. It is right there in lease area 181. We have decided, and I hope we can reverse that decision, Mr. Chairman, we have decided to forgo it. So since we are not going to have the 7.8 trillion cubic feet, I say there is no need for the pipeline to carry only 1 million cubic feet per day.

I urge the defeat of the Davis amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

The gentleman who last spoke wants to redebate the amendment last week and the chairman does not and I respect the chairman's view on that. I do not think we should redebate it. But since he brought it up, let me respond.

There are 21 days of crude oil in section 181. We do not think as Floridians we should have to choose between satisfying our energy needs and exposing ourselves to undue environmental risk for 21 days of crude oil. The House has spoken on that. We sent a very strong message that we need a more balanced approach to environmental and energy policy, not just in Florida but in the country, and that vote stands.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. I thank the gentleman for yielding me this time.

I stand today to say that I support the amendment offered by the gentleman from Florida (Mr. DAVIS). I was struck a little bit by the idea that we are not here because of what happened last week. And so at some point I would like the gentleman from Alabama to tell me why we are here then.

This is a project that, in fact, is going to be completed by this winter, about 753 miles long. The fact of the matter is that in my district, because this comes through my district, it was controversial. FERC held public hearings at which the concerns of these interested citizens were heard. In response, Gulfstream modified the pipeline plan and now FERC is reviewing the revised plan. So I do not think there is really a legitimate reason at this time for the House to stop this process, and I think that is what this amendment actually would do and why we are here.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Mrs. THURMAN. I yield to the gentleman from Alabama.

Mr. CALLAHAN. No, that is not why we are here. This has nothing to do with the drilling. It has to do with the fact that there is not going to be any natural gas and if there is not going to be, why build a pipeline. That is why we are here. It has only to do with the pipeline, not the drilling.

Mrs. THURMAN. Reclaiming my time, there has been natural gas and there continues to be natural gas. We have natural gas already. So I think that is kind of not true.

We get natural gas from other places. All we are saying is, we do not want the drilling in Florida. I think the gentleman can understand that. I mean, I have been to some of these other States where they have beaches and, quite frankly, I do not like getting into Louisiana's water because it is greasy and nasty and looks bad and I do not like it. I apologize to the gentleman from Louisiana (Mr. TAUZIN), but I have been there and I have swam in some of those areas, in Lake Charles. So we have some real concerns about what is going on. We have some concerns about the idea that this is taking place today.

Maybe it was not the gentleman from Alabama's intention because of what

happened last week, but some of the articles that I have read in Florida actually do say that, and that this was controversial.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

In response to the gentlewoman as to why we are doing it today, I had my staff poll the Florida delegation to make certain they were all going to be here today and that was the appropriate time to bring it up, when the Florida delegation was all here.

In response to the gentleman from Mississippi's suggestion about Pensacola, Mr. Chairman, a lot of people in that Panhandle called me my entire tenure when I was in the Senate asking me to annex them into Alabama. Maybe that is a solution. If we annex the whole Panhandle into Alabama, then they will not have any argument about it being 17 miles away.

And with further respect to his indication that my words could be taken down for saying the word ''hypocrisy,'' maybe he is right. It is the height of arrogance that causes us to be here today.

Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, I think it is very interesting, I hope our Members are watching this debate, because it is so telling about what is going on in the debate about providing energy so that Americans can turn on their lights, turn their stoves on and get natural gas, heat their homes. It is just amazing to me.

The Florida delegation, Mr. Chairman, says that they want to keep this pipeline, that if we do away with the pipeline it is going to cost jobs. But last week they did not care about the jobs that would be lost by shutting down a lease sale. And now we are listening to the argument that exploring and producing oil and gas, natural gas, is like raising chickens. I guess if I asked the Florida delegation where does natural gas come from, they would say, ''My stove.''

Mr. Chairman, I rise to oppose this amendment to let Floridians share in the shortages that they are forcing on the rest of America. Last week, our friends from Florida torpedoed an extremely promising field of oil and gas. That action jeopardized our energy security. However, they do not apply that policy consistently. It turns out that Floridians are far more accommodating on energy issues that directly benefit their own State.

They shot down lease sale 181 even though it holds billions of barrels of oil and trillions of cubic feet of natural gas. The Florida delegation ignored the important role that these reserves could have in the lowering of our national dependence on foreign sources.

It is common knowledge that America is increasingly relying on natural gas to produce electricity. That trend is happening because making electricity with natural gas can be less taxing on the environment than other types of generation. Well, it has to come from somewhere.

They will not let us find more in the gulf, but Florida sure is not resisting the trend toward natural gas. Florida's natural gas demand for electricity will double over the next 20 years. Florida's population will grow by a third over the same time period. And they plan to supply electricity to their expanded population with generating plants that burn natural gas. This is the height, oh, I have to use the word, of arrogance. Of arrogance. I did not want to use the word. This is the height of arrogance. Florida is happy to burn it, but they block the rest of America from securing a steady and adequate supply of natural gas.

That is why Members from Florida are not blocking a proposed natural gas pipeline that will stretch 800 miles through gulf waters from Alabama to the beaches of Florida. And these are the same gulf waters that Florida placed off-limits to exploration that could help the rest of the country. I oppose the gentleman from Florida's amendment to block opposition to this pipeline.

Florida rivals California as a prime example of the not-in-my-backyard syndrome. Let Florida take the lead in conservation. Let them make do with half the natural gas that they are projected to need. If Florida is going to lead America to greater dependence on foreign sources of energy, then let them do it on their own.

There is another thing Floridians ought to remember, as pretty as their beaches may be, they are still a long walk from most places in America. And if their reactionary opposition to oil exploration holds sway, tourists will be making their way to Florida on shoe leather. Members should oppose this amendment to help Floridians understand the implications of their actions.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 2 minutes to respond to the previous comments.

First, there is a very important distinction between my amendment today and the amendment last week. The purpose of the amendment last week was to protect the beaches of Florida. It was not to punish any other State. I am not going to speak to what the purpose of the language in the bill is, but I will tell you what the effect is. The effect is to punish Florida, not to protect anybody else.

Secondly, with respect to jobs. Last week, every Member of Congress that spoke in opposition to the Davis-Scarborough amendment was from an oil-producing State and they were protecting jobs in their areas. As I said on the floor and I will say again today, they do not have to apologize for that. But let me just say today, this is not about protecting jobs in Florida. This is about protecting jobs in Texas, Alabama, North Carolina and other States. Those are the States where there are hundreds of workers who have already spent time building a pipeline that is nearing completion. So this is not about protecting jobs in Florida today.

Thirdly, the gentleman from Texas (Mr. DELAY) made the comment that we want natural gas but we do not want rigs off our coast. Yes, we think that is a false choice.

□ 1115

We do not think we should have to choose between spoiling our beaches and running the air conditioner. We think we can have balance. Know what? If people in Texas and Louisiana want to drill more off their coast and sell us their natural gas, and I am sure they will mark it up for a pretty reasonable profit, they should do that but we do not want that. We have not given up on our beaches. They may have given up on our beaches but we have not given up on our beaches, and that is why we do not want the rigs in our backyard.

Now let me say another very important reason why this amendment needs to be adopted. We want competition in Florida. We do not want to happen in Florida what happened in California, which is the market fails and the consumers get squeezed. This pipeline will create competition. We will have more than one pipeline in Florida, and that is good for consumers. It is the way the market is supposed to work. It is good, old-fashioned competition.

Finally, the statement was made that Florida needs to do more in conservation energy efficiency. That is absolutely correct, but let us do it together as a country, and Texas and Florida, let us work together as a Congress to empower consumers and States to do more to use energy more wisely and more efficiently.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, let me just say, I have always respected the gentleman from Texas (Mr. DELAY) because he shoots it straight, and what he told us during his 4 minutes was what this is really about, and this provision really is about punishing Florida. It is an act of revenge because of what happened last week.

Regarding a couple of the statements of the gentleman from Mississippi (Mr. WICKER), he once again said it is way out in the Gulf of Mexico. It is not. It is 17 miles.

Another thing, the gentleman from Alabama (Chairman CALLAHAN) is offended because he said this is a House of courtesy, that he should have been notified because it is a House of courtesy. Right after that, he accused me

personally of demagoguery and hypocrisy and of intentionally misleading Members.

I did not take his words down because he loves the northwest Florida environment so much. Also, I had the gentleman from Mississippi (Mr. WICKER) to come up soon afterwards and try to tone things down, as I hope we can do. Unfortunately, the gentleman from Mississippi (Mr. WICKER) then went on and compared my district to Communist China, but we will talk about that at another day.

I hope we can tone this down, and I hope we can understand what this really is all about. It is about punishing the State of Florida because over 200, almost 250 people, in this Chamber voted to protect our shoreline.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond somewhat to the comments of the gentleman from Florida (Mr. SCARBOROUGH) about where we are today and why we are here.

He keeps bringing up, everyone keeps bringing up, the vote that took place last week in our absence. As to whether or not it was done in the still of the night while I was gone, that is something that we can resolve. Maybe it was not. Maybe they had good intentions. Maybe they were just, I do not want to say ignorant, of my absence, but and I apologized to him, as I have already said, about the hypocrisy word; and I have changed that to arrogance. That is not the issue.

The issue is the pipeline, and the issue is what is going to be put in the pipeline. The gentleman from Florida has already said that they already have pipelines going into Florida; they want to build more pipelines because they need more natural gas. Now since we are not going to be able to drill in this particular section of the gulf, there is not going to be any more natural gas. So why build a pipeline when the gentleman's own newspapers in Florida are telling him that it could be devastating to his own environment? And therein comes my want to protect the beautiful beaches of Florida and especially the beautiful beaches of the Tampa Bay area.

When I take my boat to Florida, as I mentioned the other day, when I retire, if I ever do, when I go there I am going to go dock at a marina in Sarasota. That is where I want to be because that water is so pure, those beaches are so clean. I do not want to do anything to damage those beaches.

This is not about drilling. This is about the fact that this body decided we do not need any more drilling; we do not need any more natural gas. If we are not going to have any more natural gas, why do we need a pipeline to transport it? Therein lies the arrogance of what I was referring to when I mentioned the word hypocrisy. That is what I was referring to.

Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce, who is more impacted by this than Alabama, than Florida, than anybody else, because it is closer to his district than anywhere else; and he is about as knowledgeable of this industry as anyone in this body.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me this time.

Mr. Chairman, I do want to calm things down because things get said in the heat of argument that I know Members would rather they did not say. So let me put something on the record.

The wetlands, the pristine wetlands in many cases, in my State are precious to me, and the waters of Louisiana are precious. They produce 28 percent of this Nation's landings and seafood that all of us enjoy, and we do it simultaneously with producing 27 percent of the Nation's natural gas and 27 percent of the Nation's oil. Keep that in mind.

Our people have made a commitment to this country, not just to keep our wetlands safe, not just to keep our fisheries up and sound and running for everyone, but also to produce oil and gas for the rest of the country, including Florida. There is a national wildlife reserve in my district called Mandalay. I asked Secretary Norton if she ever came to it. She said she did not.

Come to Mandalay National Wildlife Reserve in my district, come and see it. It is full of wildlife, not just a few wildlife like one herd of caribou, but a massive amount of wildlife. We have 100 wells drilled in Mandalay National Wildlife Reserve producing oil and gas for the rest of America.

I asked her, is the National Wildlife Reserve in Louisiana less precious than ANWR? Less precious than section 181? Less precious than any block of land off of California? Why is it that this country makes a moral judgment that drilling off the coast of Florida? Even if this block were really off the coast of Florida instead of off the coast of Alabama and Louisiana and Mississippi, even if the facts were right that this land we are talking about in the gulf were really closer to Florida than it is to Louisiana in its entirety, not just in one little point, even if that judgment was right, and I question that, what makes production of resources in those areas of the country more desirable, from a moral standpoint, than production in the beautiful wetlands of Louisiana?

Now, I take quarrel with the gentlewoman who talked about our waters. We drained 40-something States through Louisiana. A lot of muddy water comes through Louisiana. Yet our wetlands are precious to us, but yet we accommodate this Nation in its oil and gas needs.

The gentleman from Alabama (Mr. CALLAHAN) has raised a good question. We are going to debate an energy policy on this floor pretty soon. We ought to think about the morality of an energy policy that says for some parts of America one does not have to take any risk, one does not have to take any risk at all, because somebody else will take the risk for them. Somebody else's wetlands, somebody else's coast is going to take a risk for them.

I asked Secretary Norton what would happen to this country if Louisiana decided to put an amendment on this floor to stop oil and gas drilling off our coast because we thought our Mandalay wetlands and our wetlands were as precious as the wetlands and the beaches of other States of this country? If we decided not to take that risk anymore, what would happen to this country if we lost 27 percent of the oil and the gas?

What was the answer? It would be pretty severe.

I said, no, ma'am. It would be catastrophic. This country would fall apart.

We are already buying oil from Iraq to turn it into jet fuel to put it in our planes to fly over Iraq to bomb the radar sites that are trying to kill American pilots today. How stupid is that policy? In a few short weeks we are going to be debating real broad national energy policy. And, yes, we will talk about conservation, and we will talk about protecting the environment and supplying this country with the energy it needs so that Americans can turn on the lights and they will not be off as they were in California this summer.

We have a moral question to answer in this body, too. Is it moral to protect some people from the risks of production and to ask some of us to do it all? The answer should be no. A pipeline is not needed if the natural gas is not produced.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. CARSON).

Mr. CARSON of Oklahoma. Mr. Chairman, I rise in strong support of the Davis amendment to strike the language from the appropriations bill that would stop the Gulf Stream pipeline in mid-construction.

The chairman and the gentleman from Louisiana (Mr. TAUZIN) raised great points about the need for an energy policy in this country, and in the interest of consistency it should be noted that I voted to explore and produce in section 181, just as I support opening up other public lands across this country.

It is critical that construction of this pipeline be allowed to continue, especially at a time when we do recognize the need for improving our energy infrastructure. I think both of us on both

sides of the aisle would agree that improving and increasing our infrastructure and its ability to supply the country with needed energy is a key component of any sensible energy policy. The completion of this pipeline will provide much needed natural gas throughout central and southern Florida, as well as providing many jobs for the people of the Gulf Coast region.

After all, pipes have already been ordered and delivered. Commitments have been made to construction companies. Contracts have been signed with customers. Power plants are now being built in anticipation of this project being completed.

The gentleman from Alabama (Mr. CALLAHAN) is right that this is not a vote about section 181. I was in the minority of this House in supporting drilling and exploration there. Today, the question is whether in the annals of all the wise policy tools at our disposal whether we shall cut off our nose to spite our face. Passing this appropriations bills with a prohibition would have the effect of stopping this pipeline and its construction.

The Federal Energy Regulatory Commission has already approved the project. The construction materials are already ordered at the cost of $800 million. The current language would prevent FERC from continuing the various approvals that are needed for ongoing construction.

Keeping this language in the energy and water appropriations bill would be both bad energy policy and bad public policy. If we are serious about a national energy policy, if we are serious about improving our infrastructure, let us build this pipeline.

Let us not act in petulance or in haste just because we lost one vote in this House. Let us work together to improve our national energy policy. I strongly encourage a ''yes'' vote on the Davis amendment to strike this unfortunate language from the energy and water appropriations billing.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me this time.

Mr. Chairman, the steel industry in Alabama is struggling. We have just lost two steel mills. That means that steel workers, iron workers, boiler makers, electricians, sheet metal workers, railroad crafts have been put out of work.

The Davis amendment allows the construction of a natural gas pipeline from Alabama to Florida. We just heard the gentleman say that contracts have already been let. That pipeline is to be constructed largely with imported steel. That adds insult to injury for those of us in Alabama. For that reason, the members of the steel caucus, those who have those crafts in their States, should be aware that a yes vote on the Davis amendment will allow the continued use of imported steel and steel products for the construction of this pipeline. That is why yesterday the gentleman from Pennsylvania (Mr. ENGLISH), chairman of the Congressional Steel Caucus, sent a letter to all members of the steel caucus and I want to reiterate to anyone who has a steel industry in their district to take a long look and vote no on this measure.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, nobody has answered the question yet why we are here. The gentleman from Mississippi (Mr. WICKER) said we are here to redebate the amendment; the gentleman from Alabama (Mr. CALLAHAN) to put the language in the amendment, but he still has not told us why we are here.

Let me say what is happening because this is a fact. We have opened a can of worms here today. I would say to the gentleman from Alabama (Mr. CALLAHAN), we are hearing a new debate and the debate is that a pipeline on which $800 million has already been spent, we are going to debate whether it used the right kind of steel and if it did not we are going to shut it down. That is lunacy. Yes, this pipeline has some steel from other countries and it also has a lot of steel from the United States. Some of it was fabricated in Mobile, Alabama.

Let me add something else. I have been asked questions whether this is a unionized project or not. We are going to debate whether this was unionized after it has been built? What are we going to do deconstruct the thing and build a fishing reef off the coast of Mobile? This is a unionized project. Is it 100 percent unionized? No, it is not. So is that a basis to defeat the amendment and scrap this project? Lunacy.

Let me also point out, this pipeline was built to transport natural gas that is already being drilled and extracted in the Mobile area.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

□ 1130

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman for yielding me time.

Just very quickly, I want to say that we did find out why we are here today. Again, the gentleman from Texas (Mr. DELAY) is a straight shooter. He told us why we are here today, because of the vote of last week; basically telling Florida if you do not want to drill, then you do not get our gas.

He also talked about oil, which, of course, everybody says this is not about oil, it is about natural gas. It is about oil, eventually.

Also I just want to say to the gentleman from Louisiana (Mr. TAUZIN), certainly Louisiana does take the risk; but it takes an economic risk. That is what America is about. He says that everybody has to go ahead and do what Louisiana is doing, or else we are all in danger and are not going to be able to put fuel into jets.

Well, that is what capitalism is all about. People make economic choices. They decide what their region or their State or their country is best at; and then, after they make that decision, they pursue it.

Louisiana decided that drilling for natural gas and oil made economic sense, and I applaud them. That is capitalism. We in Florida have decided that our natural resources and our beautiful beaches, which are the best in the world, and they are ranked the best in the world, year in and year out, we have made the economic decision that we want to do everything we can to protect those beaches.

So, if you want to talk about sort of disingenuousness or audacity, do not tell me that I do not love America because it does not make the economic sense in the State of Florida to drill in our wetlands as it does in Louisiana. If Alabama, Mississippi, Louisiana, Texas, and Alaska want to drill for oil, God bless them. That is what America is about, that is what the 10th amendment is about, that is what States' rights are about.

The State of Florida does not want to be Louisiana; it wants to be the State of Florida.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may concern.

Mr. Chairman, I might just briefly reply to the description of me as, I think, a lunatic, or the word lunacy. I do not like that word either; but, nevertheless, in his statement, it was the height of hypocrisy again when he is saying that they are already drilling for gas in Mobile Bay, we want that gas.

But, even more so, this is not about drilling; it is about an inadequate supply of gas to go into a pipeline that is being constructed. So why should we construct it, if we are not going to have the gas?

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, the question has been asked, why are we here? We really should be here not to talk about good politics. Possibly some of the proposals that have been put forth over the last couple of weeks have been good politics; but I can tell you, they are bad energy policy.

At the risk of being hit from all sides, I recently proposed a compromise that would comply with 100-mile limits for oil drilling. Technically the finger that comes up here on this map of Tract 181 is in Alabama waters and we should not be really interfering with that lease sale. The gentleman

from Alabama (Mr. CALLAHAN) is right in opposing the amendment and prohibiting the construction of this pipeline. Why do we need a pipeline if we ban gas development?

I proposed that we should prohibit oil drilling in this finger, and then allow natural gas to be extracted from all of Tract 181, which we need. We have an expected population increase of 29 percent in Florida by 2020, and the demand for natural gas to produce electricity will grow by 97 percent.

The United States Department of Energy report entitled ''Inventory of Power Plants in the United States'' revealed that during the next decade, 28 of 34 electrical generating plants planned for Florida are designed for natural gas.

Here is an article for a plant in New Smyrna Beach. It is 2 weeks old; that proposed power plant is gas-turbine generated. Here is another proposed power plant mentioned this past week in the Orlando Sentinel, it is also gas-turbine generated. Where are we going to get the natural gas?

You cannot have it both ways, and I think the gentleman from Alabama (Mr. CALLAHAN), by his provision, in banning this pipeline, is correctly raising serious energy policy questions. We must have good energy policy, but we cannot be dependent on bad politics to make good energy decisions.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I really do not have a dog in this hunt, coming from Wisconsin; but I simply want to observe that there has been a false parallelism in this debate between the idea that if you are going to prevent drilling off the coast of Florida, then somehow it makes sense to prevent the construction of this pipeline.

There is a big difference. The drilling has not occurred; the pipeline is already largely constructed. Secondly, there is no question that Florida is going to need the natural gas. So it seems to me that there is a false parallelism which should be dismissed by any neutral Members of the body.

Secondly, let's not kid anybody: this amendment is not being offered because of the merits of the amendment. This amendment is here because it is payback time. There are some people in this place who are unhappy with the fact that last week this House said, ''No, we are going to protect the beaches of Florida. The oil companies are not going to be able to drill any damn place they want. They are going to have to take other higher values into consideration.''

So, now people who are resentful of that are thinking it would be nice if you could tweak the Florida Representatives for standing up for their own environmental interests and make them pay a price for protecting their beaches from the money lust of the oil companies. That is basically what you are talking about.

So I think that any Member who does not have a dog in this hunt ought to recognize this amendment for what it is. It is a clever attempt at retaliation. I think the House is above that kind of thing, and I would urge that the amendment being offered by the gentleman today to remove this provision in the bill be adopted.

Any area has the right to protect its environmental resources. That is what Florida did last week, and the House ought to respect it.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I hardly ever disagree with my ranking member on appropriations, but I do not think this amendment is about retaliation. I think it is about a real energy debate we need to have here on this floor.

I agree, Florida probably does not want to become like Louisiana or Texas. I am worried that they want to become like California, where they do not want to produce. I am glad at least they want to pipeline sometimes, because that is not the case in California. Yet, when the price goes up, because our supplies are low, they want price caps and they complain about it.

I am worried about this, that if we do not adopt this amendment, if Florida recognizes you need to produce your resources, we will see a California in the southeastern United States, and we will have the same problem in the southeastern United States as we do in California.

We can produce. I have platforms offshore that are emitting zero pollution right now. Thirty years ago we did not have that; but today we have that, because we have different standards today. That can be done in the Gulf of Mexico, whether it is in Texas, Louisiana, Alabama, Mississippi, or Florida waters; and, frankly, it can be done off the coast of California.

So I am glad to be here to enjoy this energy debate. And it is not about retaliation. I think it is about energy that we need to talk about on this floor.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Indian Rocks, Florida (Mr. YOUNG), distinguished chairman of the House Committee on Appropriations.

Mr. YOUNG of Florida. I thank the gentleman for yielding me time.

Mr. Chairman, several days ago I suggested to the House that this might be coming, this little bit of warfare between different delegations; and I had hoped that we would avoid that, because we have enough problems with our foreign suppliers. We have enough problems, that we do not need to have problems within our own country. The fact is that we do need more production of oil and gas, whatever types of energy we can produce. We are a consuming Nation, and we need to produce.

But most of the conversations today have not been about this amendment. I have enjoyed the debate, except for one part. I did not really appreciate the debate of the gentleman from Texas (Mr. DELAY) when he attacked the Florida delegation, because most of the Florida delegation has been there every step of the way to produce more energy at home, rather than relying on foreign sources. So I thought that attack was a little bit out of order.

However, the great debate about where we are to drill or not to drill has nothing to do with this amendment. This amendment merely strikes three lines out of the bill. Let me tell you what those lines are: ''Provided further, That none of the funds made available to the Federal Energy Regulatory Commission in this or any other Act may be used to authorize construction of the Gulf Stream natural gas project.'' That is the amendment, to strike that language.

Here is why we ought not to be so exercised with each other. The issues are these: the permits to authorize the construction of this pipeline have already been issued. You are not going to change that, unless you are going to change the basic law. You are not going to change that with this language.

The amendment of the gentleman from Florida (Mr. DAVIS) to strike this language is fine, and I am going to vote for it; but the fact of the matter is, this whole debate is really about nothing, because those permits have already been issued. It has been a good vehicle for the debate on the question of Lease 181 and the issue of who drills and who does not drill.

We have to be together on this. To divide this Congress, to divide this House over this issue, is not a smart thing to do. We need to calm down the rhetoric and need to get about becoming energy independent from the rest of the world.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Bradenton, Florida (Mr. MILLER.)

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, for our distinguished chairman of the subcommittee, I thank him for referring to Sarasota. Those are my beaches in Sarasota. I have some of the most beautiful beaches in Florida on the west coast, Anna Maria, Longboat Key, Siesta; and I hope the gentleman brings his boat down to our area.

But I am also the base where the pipeline comes ashore in Manatee County, at Port Manatee. Just as it

leaves the gentleman's district, it comes ashore in my district and has a big economic impact. So I think we need to recognize the importance of the pipeline and its investors, who are spending over $1 billion on this pipeline. Now, if there was not enough gas, they would not be spending over $1 billion on this pipeline to build it from our two areas.

This issue was brought up in a manager's amendment on Monday which had something to do with Venice beaches, and I appreciate that in the manager's amendment last week when we addressed the issue of this pipeline.

So this is strictly about the pipeline. The investors, they are the ones putting the money at risk, so we do not even make that decision. We should go ahead with the pipeline.

With respect to 181, since I only have a few seconds left, I think we need to open that up for discussion. The gentleman from Florida (Mr. MICA) is right. There is plenty of gas there. I think we should drill for that gas. This was a 6-month delay. We kind of in Florida get caught between our Governor and our President, and I think there is room for compromise. I think there is a middle ground.

That is what we need to look for: move ahead, because we need the energy in our country, but let us not fight over this pipeline. The pipeline needs to go ahead, and it is going to be continued.

Mr. Chairman, I hope everyone votes for this amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I just want to make two points a little more clearly, and then I think we have had a thorough, hearty debate. The first is I wish I had the chart here today to show how many rigs have gone up, and I would submit can go up, hugging the coast of Louisiana and Texas, far removed from any chance of polluting the coast of Florida.

We have a supply out there, and we Floridians are willing to pay a fair price to consume the energy we need for our State. Again, we do not want to be trapped like California. We want competition. We want more than one pipeline. Adopting this amendment will help achieve that.

Let me finally say, just to put this in perspective, if we were to raise the CAFE standards by 14 miles per hour, that would generate 10 times more result than the entire amount of natural gas and crude oil in section 181.

Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. SCARBOROUGH).

□ 1145

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Florida (Mr. DAVIS) for yielding to me.

This debate really has been about respect or the lack thereof of the people of Florida and their wishes. We have been called hypocrites, audacious, arrogant; implied as being unpatriotic, compared to Communist Chinese, all because last week some very powerful people, some very powerful corporations, were shocked by the outcome of the vote on the Davis-Scarborough amendment.

I think we have to go back to the issue of respect and respect the will of the people in my district, respect the people of the State of Florida, just like we need to respect the will of the people of Alabama, Mississippi, Louisiana, Texas and Alaska to determine their own fate. We are very close to Alabama, and what affects Alabama affects us. We need to work together.

Mr. Chairman, I yield back the balance of the time.

Mr. CALLAHAN. Mr. Chairman, I yield myself the balance of the time.

This has been an interesting debate, even though probably 90 percent of the time was spent on talking about an issue that is not even in the amendment. Maybe the gentleman from Florida (Mr. YOUNG) is right. Maybe this amendment will have no impact. I think he is wrong, because I think it is sending a message. They are talking about the parochialism of this issue with respect to the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Florida (Mr. DAVIS).

Mr. Chairman, this is about my district. This pipeline originates in my district. What the gentleman from Florida (Mr. DAVIS) said is we are going to take all you are already extracting, because you have too much, and we are going to send it to Florida because they do not have any. He is right, except we do not have too much.

When we ship this natural gas out of the State of Alabama, our power rates are going to become competitive, and they go up. So that is not the issue. The issue is that I think that this issue was brought up at such a time that was inconvenient to the Alabama delegation to be here and defend themselves. They have apologized for that. We accept that apology.

I am saying this is an environmental issue, and the issue is whether or not we need to build a pipeline if we are not going to permit drilling. That is the issue. It is of keen interest to me and to the people of my State as well. All they talked about today in their selfish vision and their selfish manner is that this is going to hurt Florida. We are not going to have gas to air condition our homes. Do not do this to us. I am saying, it is going to impact Alabama as well. If the gentleman from Florida (Mr. YOUNG), the chairman of the committee, is right, and FERC would not have the authority to stop it, then there is no need for this debate.

If I want to stop it, I think I can stop it through the permitting process in the State of Alabama, which I might; if this amendment is adopted, that is probably what I will do. But I do not think this amendment is going to be adopted, and I know that some people have come up to me and said, SONNY, you would not retaliate and take some of my projects out in the conference committee that you have been so generous with in the past 3 or 4 or 5 weeks; that is not the case. I would not think of doing that.

Mr. Chairman, I will say that this is a project that is of great interest to me, and that I would like very much to defeat this amendment, and I would encourage my colleagues to vote ''no.''

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida (Mr. DAVIS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentlewoman from Nevada (Ms. BERKLEY), and the amendment offered by the gentleman from Florida (Mr. DAVIS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. BERKLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 321, not voting 10, as follows:

[Roll No. 204]

AYES—102

Abercrombie	Boswell	Dingell
Ackerman	Bryant	Doggett
Baca	Capps	Engel
Baldwin	Capuano	Evans
Becerra	Conyers	Ferguson
Berkley	Crowley	Filner
Berman	Davis (CA)	Frank
Blagojevich	Davis (IL)	Frost
Blumenauer	DeFazio	Gephardt

Gibbons
Gutierrez
Hall (OH)
Hastings (FL)
Hill
Hinchey
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jackson (IL)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kucinich
Lantos
Leach
Lee
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McInnis
McKinney
Meek (FL)
Menendez
Millender-McDonald
Mink
Moore
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pascrell
Rahall
Rangel
Reyes
Rivers
Roybal-Allard
Rush
Sanchez
Sanders
Sawyer
Schakowsky
Shays
Slaughter
Smith (NJ)
Solis
Souder
Stark
Stupak
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velázquez
Waters
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—321

Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Farr
Fattah
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCrery
McDermott
McHugh
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (WA)
Snyder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Barton
Burton
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Spratt
Thomas
Weldon (PA)

□ 1214

Messrs. SMITH of Washington, BILIRAKIS, HOLDEN, SANDLIN, GANSKE, GRAVES, RODRIGUEZ, SCOTT and SHERMAN, and Mrs. MYRICK and Mrs. BIGGERT changed their vote from ''aye'' to ''no.''

Messrs. STUPAK, KENNEDY of Rhode Island, SHAYS, BOSWELL, SOUDER, RANGEL, and HINCHEY and Ms. VELÁZQUEZ changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 210, noes 213, not voting 10, as follows:

[Roll No. 205]

AYES—210

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Buyer
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Conyers
Costello
Cox
Coyne
Crenshaw
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doyle
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Fattah
Filner
Foley
Ford
Frost
Ganske
Gephardt
Gilchrest
Gonzalez
Goss
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hinojosa
Hoeffel
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Royce
Rush
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Schiff
Scott
Serrano
Shaw
Shays
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stenholm
Strickland
Stupak
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wynn
Young (FL)

NOES—213

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bass
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Callahan

Calvert
Cannon
Cantor
Capito
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Cramer
Crane
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Dicks
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Everett
Farr
Ferguson
Flake
Fletcher
Forbes
Fossella
Frank
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Graham
Granger
Graves
Green (TX)
Green (WI)
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Manzullo
Markey
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Souder
Spence
Stark
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)

NOT VOTING—10

Barton
Burton
Gilman
Houghton
Platts
Putnam
Ros-Lehtinen
Smith (TX)
Thomas
Weldon (PA)

□ 1226

Messrs. TAYLOR of North Carolina, KERNS, HOLDEN, SCHROCK and FORBES and Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. BIGGERT changed their vote from ''aye'' to ''no''.

Mr. BUYER and Mr. HALL of Texas changed their vote from ''no'' to ''aye''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. ROS-LEHTINEN. Mr. Chairman, on rollcall No. 205, I was unavoidably detained. If present, I would have voted "aye" on rollcall No. 205.

Mr. GILMAN. Mr. Speaker, earlier today, I was unavoidably delayed during the vote on the Davis Amendment to H.R. 2299. Accordingly, I was unable to vote on rollcall No. 205. If I had been present I would have voted "aye." I ask unanimous consent to have my statement placed in the RECORD at the appropriate point.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2002''.

Mr. BENTSEN. Mr. Chairman, I rise in qualified support of H.R. 2311, the FY 2002 Energy and Water Appropriations bill.

When the Budget Committee, on which I serve, considered the President's proposal and produced a budget, I knew it was going to be very hard for Congress to fund many important water transportation and flood control projects. I recognize the incredibly difficult circumstances Chairman SONNY CALLAHAN and Ranking Member PETER VISCLOSKY have endured in crafting this bill. I would also like to thank my good friend from Texas, Mr. EDWARDS, a distinguished Member of the Subcommittee, for all the help and information he and his office have provided me.

In light of the dramatic budget cuts proposed for the Corps, I applaud the Subcommittee for funding the Brays Bayou flood control project at the Harris County Flood Control District's capability—$5 million. When completed, the Brays Bayou project will be a national model for local control, community participation, flood damage reduction in a heavily populated urban watershed, and the creation of a large, multi-use greenway/detention area on the Willow Waterhole tributary. The Brays project is a demonstration project for a new reimbursement program initiated by legislation I authored along with Mr. DELAY that was included in Section 211 of WRDA 1996. The program gives local sponsors more responsibility and flexibility, resulting in projects more efficient implementation in tune with local concerns.

I am very encouraged that the Brays project is on track to be fully funded at $5 million in Fiscal Year 2002, rather than $4 million, as the Administration suggested. The project will improve flood protection for an extensively developed urban area along Brays Bayou in southwest Harris County including tens of thousands of residents in the flood plain, the Texas Medical Center, and Rice University. The entire project will provide three miles of channel improvements, three flood detention basins, and seven miles of stream diversion resulting in a 25-year level of flood protection. Current funding is used for the detention element of the project. Originally authorized in the Water Resources Development Act of 1990 and reauthorized in 1996 as part of a $400 million federal/local flood control project, over $20 million has already been appropriated for the Brays Bayou Project.

However, besides the admirable consideration the Subcommittee has given Brays Bayou, I believe this bill is spread too thin as a result of the extreme position taken by the Administration on the Army Corps of Engineers Construction account, which was slated to be cut $600 million. Instead, my colleagues have lowered that cut to $70 million below the 2001 level. When I introduced an amendment to remedy this in the mark-up of the budget, I warned that Congress would not stand for such a large shortfall affecting public safety and navigational water projects. I am relieved that much of the proposed cut was restored, and I commend the Chairman and ranking Member for their effort.

I appreciate that the Committee saw fit to fully fund the Administration's request for the Sims Bayou project. Unfortunately, the Administration did not request the full amount the Corps says is necessary to keep the project on schedule. My constituents are adversely affected by delayed work on the Sims Bayou. According to the Galveston District of the Corps, without funding the full $12 million capability of Corps for Sims, construction will fall behind schedule. This funding is needed because of the great risks people have faced and will continue to face until completion of the project in this highly populated watershed. The need was illustrated when Tropical Storm Allison caused great damage to thousands of homes in this watershed several weeks ago.

The project is necessary to improve flood protection in the extensively developed urban area along Sims Bayou in southern Harris County. The Sims Bayou project consists of 19.3 miles of channel enlargement, rectification, and erosion control and will provide a 25-year level of flood protection. Before the funding shortfall, the Sims Bayou project was scheduled to be completed two years ahead of schedule in 2009. We cannot be confident of that prediction unless Sims funding is raised to $12 million in the Senate version and the Conference Report.

Flood control projects are necessary for the protection of life and property in Harris County, but improving navigation in our Port is an integral step for the rapid growth of our economy in the global marketplace. Therefore, Mr. Speaker, I am disappointed that this legislation provides only $30.8 out of the needed $46.8 million for continuing construction on the Houston Ship Channel expansion project. When completed, this project will generate tremendous economic and environmental benefits to the nation and will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel, one of the world's most heavily-trafficked ports, desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

The Houston Ship Channel expansion project calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world. Besides the economic and safety benefits, the dredged material from the deepening and widening will be used to create 4,250 acres of wetland and bird habitat on Redfish Island. I want to take this opportunity to urge those who will be conferees on this legislation to fund the Port of Houston project to its capability. This project is supported by local voters,

governments, chambers of commerce, and environmental groups.

I thank all the subcommittee members, the Chairman, the Ranking Member, and especially Representative EDWARDS for their support and their work under tough budgetary circumstances.

Mr. GILMAN. Mr. Chairman, I rise in strong support of H.R. 2311, the fiscal year 2002 energy and water appropriations bill. I commend the committee's distinguished Chairman, Mr. CALLAHAN for his diligence and work on this important fiscal year 2002 appropriations bill.

H.R. 2213 is an important appropriations measure that funds our Nation's waterways, flood control, and irrigation infrastructure, as well as various important programs administered by the Department of the Energy.

Included in this measure is $100,000 for the Ramapo-Mahwah flood control project. This project involves the construction of features for flood protection along the Ramapo and Mahwah Rivers in Mahwah, New Jersey and Sufferen, New York. Flooding has occurred frequently over the past 33 years, causing extensive damage. Accordingly, the inclusion of this funding will provide the Army Corps with the funding necessary to proceed forward with the first-step to initiate a refinement of the project's cost.

Moreover, H.R. 2213 includes an appropriation of $3 million for the New York City Watershed Protection Program. Nine million New Yorker's receive their drinking water from the New York City watershed. Accordingly, it is imperative that public health and environmental concerns be addressed along the New York City watershed. This appropriation will provide assistance for New York State for the design and construction of water supply, storage, treatment and distribution facilities, and surface water resource protection and development projects.

Accordingly, I urge all of my colleagues to support this important bill.

Mr. NUSSLE. Mr. Chairman, I rise in favor of H.R. 2311, making appropriations for energy and water development for fiscal year 2002. This bill is consistent with the levels set forth in the budget resolution and complies with the Budget Act.

H.R. 2311 provides $23.7 billion in discretionary budget authority and $24.9 in outlays for the Department of Energy, the Bureau of Reclamation and various independent agencies.

This is a straightforward bill that neither designates emergencies nor provides advanced appropriations. The bill also does not rescind any previously enacted budget authority.

The bill is within the 302(b) allocation of the Appropriations' Subcommittee on Energy and Water. It therefore complies with section 302(f) of the Congressional Budget Act, which prohibits consideration of appropriations measures that exceed the appropriate subcommittee's 302(b) allocation.

On this basis, H.R. 2311 is worthy of our support.

The CHAIRMAN. Under the previous order of the House, no further amendments are in order.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BIGGERT) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 180, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 15, not voting 13, as follows:

[Roll No. 206]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Andrews
Berkley
Flake
Gibbons
Hostettler
Moran (KS)
Paul
Royce
Scarborough
Schaffer
Sensenbrenner
Shays
Stearns
Tancredo
Thune

NOT VOTING—13

Barton	Houghton	Smith (TX)
Burton	McCollum	Thomas
Davis (FL)	Platts	Weldon (PA)
Doggett	Putnam	
Gutierrez	Ros-Lehtinen	

□ 1245

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2180

Mr. FERGUSON. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2180.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 183 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 183

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 183 is an open rule providing for consideration of the bill H.R. 2330, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2002.

The rule provides 1 hour of general debate to be 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. The rule further provides that the bill shall be read for amendment by paragraph, and that the amendment printed in the report of the Committee on Rules accompanying the rule shall be considered as adopted.

The rule waives all points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI, prohibiting unauthorized or legislative provisions in a general appropriations bill.

Finally, the rule allows the chairman of the Committee of the Whole to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and provides one motion to recommit with or without instructions.

Madam Speaker, H.R. 2330 appropriates $74.2 billion in fiscal year 2002 budget authority for agriculture and related programs through the Department of Agriculture and other agencies. This figure is $2.4 billion less than last year's appropriations, but $234 million more than the President's request.

The bulk of the spending goes to food stamps, $22 billion; the Food and Drug Administration, $1.2 billion; child nutrition programs, $10.1 billion; supplemental nutrition for Women, Infants and Children, $4.1 billion; and the Federal Crop Insurance Program, $3 billion.

In addition, this bill provides $1 billion for the Agriculture Research Service; $720 million for the Food Safety and Inspection Service; and $946 million for the Farm Service Agency.

Madam Speaker, I am particularly pleased that the Committee on Appropriations has included $150 million for market loss payments for America's apple growers. As a representative of the number one apple-producing district in the Nation, I am acutely aware of the devastating losses sustained by apple growers in the past year.

In our area, for example, countless warehouses, packing houses and other apple-related businesses have either shut down, declared bankruptcy, or downsized dramatically. In county after county, growers find that it costs substantially more to produce a box of apples than the market will pay to buy it.

And, unlike many farms that can easily switch crops when prices are down for one commodity, apple growers cannot simply pull up their orchards and grow something else for a few years until apple prices go back up again. In the face of unfair competition from China and other Asian nations, our growers have few tools with which to fight back.

Apple growers are an unusually independent breed. They have suffered ups and downs of the market for years without asking for any kind of Federal assistance that has long been common to other types of commodities and farming. But never before have we suffered the kinds of losses we are experiencing right now. For that reason, I would like to commend the gentleman from Florida (Mr. YOUNG) and the gentleman from Texas (Mr. BONILLA) and their colleagues on the Committee on Appropriations for recognizing the dire situation in apple country and for providing this much-needed assistance.

Madam Speaker, this is a fair bill. It funds a number of high-priority programs while cutting out wasteful, unnecessary and duplicative spending. Accordingly, I urge my colleagues to support both this open rule and the underlying bill, H.R. 2330.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Madam Speaker, I yield myself such time as I may consume, and I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary time.

Madam Speaker, this is an open rule. It has everything to do with the bill that makes appropriations for the Department of Agriculture and other related agencies for fiscal year 2002. As my colleague from Washington described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

This allows germane amendments under the 5-minute rule. This is the normal amending process in the House. All Members, on both sides of the aisle, will have the opportunity to offer amendments that do not violate the rules for appropriations bills.

Madam Speaker, this is generally a good bill that serves America's farmers as well as the poor and hungry in this land. And I commend the ranking Democrat, the gentlewoman from Ohio (Ms.