

86.20 SUPPLEMENTAL APPROPRIATIONS, FY 1992

Mr. NATCHER submitted a privileged report (Rept. No. 102-672) on the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Mr. MCDADE reserved all points of order against said bill.

86.21 PROVIDING FOR THE CONSIDERATION OF H.R. 2637

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 494):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2637) to withdraw lands for the Waste Isolation Pilot Plant, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text printed in the report of the Committee on Rules accompanying this resolution as an original bill for the purpose of amendment under the five-minute rule. Each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. 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. After passage of H.R. 2637, it shall be in order to consider the bill S. 1671 in the House. It shall then be in order to move to strike out all after the enacting clause of S. 1671 and insert in lieu thereof the provisions of H.R. 2637 as passed by the House.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

86.22 WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 494 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2637) to withdraw lands for the Waste Isolation Pilot Plant, and for other purposes.

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, designated Mr. MCDERMOTT as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. TORRES, assumed the Chair; and after some time spent therein,

86.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RICHARDSON:

At the end of section 6(b) (relating to requirements for commencement of test phase activities), insert the following new paragraph:

(8) COMPLIANCE WITH DISPOSAL STANDARDS.—

(A) DOCUMENTATION BY SECRETARY.—The Secretary has submitted sufficient documentation to the Administrator to demonstrate that the WIPP facility will comply with the final disposal standards.

(B) CERTIFICATION BY ADMINISTRATOR.—The Administrator has certified by rule pursuant to chapter 5 of title 5, United States Code, that the WIPP facility will comply with the final disposal standards.

It was decided in the { Yeas ..... 148 negative ..... } Nays ..... 253

86.24 [Roll No. 287] AYES—148

- Abercrombie, Alexander, Andrews (ME), Andrews (NJ), Annunzio, Applegate, AuCoin, Bacchus, Beilenson, Berman, Bilbray, Blackwell, Boehlert, Bonior, Boxer, Brooks, Bryant, Bustamante, Campbell (CA), Chapman, Coleman (TX), Collins (IL), Collins (MI), Costello, Coyne, de la Garza, DeFazio, DeLauro, Dixon, Dorgan (ND), Downey, Dymally, Edwards (CA), Edwards (TX), Engel, English, Evans, Fascell, Fish, Flake, Foglietta, Frank (MA), Frost, Geren, Gibbons, Gillmor, Gilman, Glickman, Gonzalez, Goodling, Green, Guarini, Gunderson, Hayes (IL), Hertel, Hochbrueckner, Hughes, Jefferson, Johnson (SD), Jones (NC), Jontz, Kennedy, Kennelly, Kildee, Klug, Kopetski, Lantos, Laughlin, Leach, Levin (MI), Levine (CA), Long, Lowey (NY), Machtley, Markey, Matsui, Mazzoli, McDermott, McHugh, McMillen (MD), Meyers, Mfume, Mink, Moody, Morella, Murphy, Nagle, Neal (MA), Nowak, Oakar, Oberstar, Obey, Olver, Ortiz, Owens (NY), Owens (UT), Pallone, Panetta, Pastor, Payne (NJ), Pelosi, Petri, Porter, Poshard, Roshall, Ramstad, Rangel, Reed, Richardson, Rinaldo, Ros-Lehtinen, Rose, Russo, Sabo, Sanders, Sangmeister, Savage, Scheuer, Schroeder, Schumer, Sensenbrenner, Serrano, Shays, Sikorski, Slaughter, Smith (FL), Smith (NJ), Snowe, Solarz, Stark, Studds, Swett

- Torres, Unsoeld, Valentine, Vento, Vucanovich, Walsh, Washington, Waters, Waxman, Weldon, Wheat, Wilson

NOES—253

- Allard, Allen, Anderson, Andrews (TX), Anthony, Archer, Armev, Aspin, Baker, Ballenger, Barnard, Barrett, Barton, Bateman, Bennett, Bentley, Bereuter, Bevill, Bilirakis, Bliley, Boehner, Borski, Boucher, Brewster, Broomfield, Browder, Brown, Bruce, Bunning, Burton, Byron, Callahan, Camp, Campbell (CO), Cardin, Carper, Carr, Chandler, Clay, Clement, Clinger, Coble, Coleman (MO), Combest, Condit, Cooper, Cox (CA), Cox (IL), Cramer, Crane, Cunningham, Dannemeyer, Darden, Davis, DeLay, Derrick, Dickinson, Dicks, Dingell, Donnelly, Dooley, Doolittle, Dornan (CA), Dreier, Duncan, Dwyer, Early, Eckart, Edwards (OK), Emerson, Erdreich, Espy, Ewing, Fawell, Fazio, Fields, Ford (MI), Gallegly, Gallo, Gaydos, Gejdenson, Gekas, Gephardt, Gilchrest, Gordon, Goss, Gradison, Grandy, Hall (TX), Hamilton, Hammerschmidt, Hancock, Hansen, Harris, Hastert, Hayes (LA), Hefley, Hefner, Henry, Herger, Hoagland, Hobson, Holloway, Hopkins, Horn, Houghton, Hoyer, Hubbard, Huckaby, Hunter, Hutto, Inhofe, Jacobs, James, Jenkins, Johnson (CT), Johnson (TX), Johnston, Kanjorski, Kaptur, Kasich, Kleczka, Kolbe, Kostmayer, Kyl, Lagomarsino, Lancaster, LaRocco, Lehman (CA), Lent, Lewis (CA), Lewis (FL), Lightfoot, Livingston, Lloyd, Lowery (CA), Luken, Manton, Marlenee, Martin, Martinez, Mavroules, McCandless, McCollum, McCrery, McCurdy, McDade, McEwen, McGrath, McMillan (NC), McNulty, Michel, Miller (CA), Miller (OH), Miller (WA), Mineta, Moakley, Molinari, Mollohan, Montgomery, Moorhead, Moran, Murtha, Myers, Natcher, Neal (NC), Nichols, Nussle, Olin, Orton, Oxley, Packard, Parker, Patterson, Paxon, Payne (VA), Pease, Penny, Peterson (MN), Pickett, Pickle, Price, Pursell, Quillen, Ravenel, Regula, Rhodes, Riggs, Ritter, Roberts, Roemer, Rogers, Rohrabacher, Rostenkowski, Roth, Roukema, Rowland, Roybal, Santorum, Sarpalus, Sawyer, Saxton, Schaefer, Schiff, Schulze, Sharp, Shaw, Shuster, Sisisky, Skaggs, Skeen, Skelton, Slattery, Smith (IA), Smith (OR), Smith (TX), Solomon, Spence, Spratt, Staggers, Stallings, Stearns, Stenholm, Stokes, Stump, Sundquist, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (GA), Thomas (WY), Thornton, Traficant, Upton, Vander Jagt, Visclosky, Volkmer, Walker, Weber, Whitten, Williams, Wise, Wolf, Wylie, Yatron, Young (AK), Young (FL), Zeliff

NOT VOTING—33

- Ackerman, Atkins, Conyers, Coughlin, Dellums, Durbin, Feighan, Ford (TN), Franks (CT), Gingrich, Hall (OH), Hatcher, Horton, Hyde, Ireland

Jones (GA)	McCloskey	Ridge
Kolter	Morrison	Roe
LaFalce	Mrazek	Torricelli
Lehman (FL)	Przkins	Towns
Lewis (GA)	Peterson (FL)	Traxler
Lipinski	Ray	Weiss

DeLauro	Kostmayer
Dellums	Lancaster
Derrick	Lantos
Dicks	LaRocco
Dingell	Laughlin
Dixon	Lehman (CA)
Donnelly	Levin (MI)
Dooley	Levine (CA)
Downey	Lloyd
Dwyer	Long
Dymally	Lowey (NY)
Early	Luken
Edwards (CA)	Manton
Edwards (TX)	Markey
Engel	Martin
English	Martinez
Espy	Matsui
Evans	Mavroules
Fascell	Mazzoli
Fazio	McCurdy
Flake	McDade
Foglietta	McDermott
Ford (MI)	McHugh
Frank (MA)	McMillen (MD)
Frost	McNulty
Gaydos	Mfume
Gejdenson	Miller (CA)
Gephardt	Mineta
Geren	Mink
Gilman	Moakley
Glickman	Mollohan
Gonzalez	Montgomery
Gordon	Moody
Grandy	Moran
Green	Morella
Guarini	Mrazek
Gunderson	Murtha
Hamilton	Myers
Hansen	Nagle
Harris	Natcher
Hayes (IL)	Neal (MA)
Hayes (LA)	Neal (NC)
Hefner	Nowak
Henry	Oakar
Hertel	Oberstar
Hoagland	Obey
Hochbrueckner	Olin
Horn	Olver
Hoyer	Ortiz
Huckaby	Orton
Hughes	Owens (NY)
Hutto	Owens (UT)
Jacobs	Pallone
Jefferson	Panetta
Jenkins	Parker
Johnson (CT)	Pastor
Johnson (SD)	Patterson
Johnston	Payne (NJ)
Jones (NC)	Payne (VA)
Jontz	Pease
Kanjorski	Pelosi
Kaptur	Penny
Kennedy	Peterson (MN)
Kennelly	Pickett
Kildee	Pickle
Klecza	Poshard
Kopetski	Price

Rahall	Rangel
Reed	Reed
Richardson	Richardson
Roemer	Roemer
Rogers	Rogers
Rose	Rose
Rostenkowski	Rostenkowski
Roukema	Roukema
Rowland	Rowland
Roybal	Roybal
Russo	Russo
Sabo	Sabo
Sanders	Sanders
Sangmeister	Sangmeister
Sarpalius	Sarpalius
Savage	Savage
Sawyer	Sawyer
Scheuer	Scheuer
Schiff	Schiff
Schroeder	Schroeder
Schumer	Schumer
Serrano	Serrano
Sharp	Sharp
Shays	Shays
Sikorski	Sikorski
Skaggs	Skaggs
Skeen	Skeen
Skelton	Skelton
Slattery	Slattery
Slaughter	Slaughter
Smith (FL)	Smith (FL)
Smith (IA)	Smith (IA)
Spratt	Spratt
Staggers	Staggers
Stallings	Stallings
Stark	Stark
Stenholm	Stenholm
Stokes	Stokes
Studds	Studds
Swett	Swett
Swift	Swift
Synar	Synar
Tanner	Tanner
Taylor (MS)	Taylor (MS)
Thomas (GA)	Thomas (GA)
Thornton	Thornton
Torres	Torres
Trafiacant	Trafiacant
Unsoeld	Unsoeld
Valentine	Valentine
Visclosky	Visclosky
Volkmer	Volkmer
Walsh	Walsh
Waters	Waters
Waxman	Waxman
Weiss	Weiss
Wheat	Wheat
Whitten	Whitten
Williams	Williams
Wise	Wise
Wolpe	Wolpe
Wyden	Wyden
Yatton	Yatton
Young (AK)	Young (AK)

House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Waste Isolation Pilot Plant Land Withdrawal Act".

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Land withdrawal and reservation for WIPP.
- Sec. 4. Establishment of management responsibilities.
- Sec. 5. Plan for test phase activities; retrieval.
- Sec. 6. Test phase activities.
- Sec. 7. Disposal operations.
- Sec. 8. Issuance of Environmental Protection Agency disposal standards.
- Sec. 9. Compliance with environmental standards.
- Sec. 10. Ban on high-level radioactive waste and spent nuclear fuel.
- Sec. 11. Decommissioning of WIPP.
- Sec. 12. Solid Waste Disposal Act; Clean Air Act.
- Sec. 13. Economic assistance and miscellaneous payments.
- Sec. 14. Transportation.
- Sec. 15. Environmental evaluation group.
- Sec. 16. Authorizations of appropriations.
- Sec. 17. Buy American requirements.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) AGREEMENT.—The term "Agreement" means the July 1, 1981, Agreement for Consultation and Cooperation, as amended by the November 30, 1984 "First Modification", the August 4, 1987 "Second modification", and the March 18, 1988 "Third modification", or as it may be amended after the date of enactment of this Act, between the State of New Mexico and the United States Department of Energy as authorized by section 213(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265).

(3) CONTACT-HANDLED TRANSURANIC RADIOACTIVE WASTE.—The term "contact-handled transuranic radioactive waste" means transuranic radioactive waste with a surface dose rate not greater than 200 millirem per hour.

(4) DECOMMISSIONING PHASE.—The term "decommissioning phase" means the period of time beginning with the end of the operations phase and ending when all shafts at the WIPP repository have been back-filled and sealed.

(5) DISPOSAL.—The term "disposal" means permanent isolation of transuranic radioactive waste from the accessible environment with no intent of recovery, whether or not such isolation permits the recovery of such waste.

(6) DISPOSAL STANDARDS.—The term "disposal standards" means the environmental standards for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste to be issued by the Administrator pursuant to section 8.

(7) EEG.—The term "EEG" means the Environmental Evaluation Group for the Waste Isolation Pilot Plant referred to in section 1433 of the National Defense Authorization Act, Fiscal Year 1989 (Pub. L. 100-456; 102 Stat. 1918, 2073).

(8) ENGINEERED BARRIERS.—The term "engineered barriers" means backfill, room seals, panel seals, and any other manmade barrier components of the disposal system.

(9) HIGH-LEVEL RADIOACTIVE WASTE.—The term "high-level radioactive waste" has the

So the amendment was not agreed to. After some further time,

86.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WALKER:

At the end of the committee substitute made in order by the rule (H. Res. 494), add the following new paragraph to section 16:

"(d) Notwithstanding any other provision in this Act, no funds are authorized to be appropriated to carry out this Act unless such funds are appropriated in an Act or Joint Resolution containing no other appropriation (to carry out any other law)."

It was decided in the { Yeas ..... 144 negative ..... } Nays ..... 248

86.26 [Roll No. 288] AYES—144

Allard	Gilchrest	Packard
Allen	Gillmor	Paxon
Archer	Goodling	Petri
Armey	Goss	Porter
Bacchus	Gradison	Pursell
Baker	Hall (TX)	Quillen
Ballenger	Hammerschmidt	Ramstad
Barrett	Hancock	Ravenel
Barton	Hastert	Regula
Bateman	Hefley	Rhodes
Bennett	Herger	Riggs
Bereuter	Hobson	Rinaldo
Bilirakis	Holloway	Ritter
Biley	Hopkins	Roberts
Boehner	Houghton	Rohrabacher
Broomfield	Hubbard	Ros-Lehtinen
Bunning	Hunter	Roth
Burton	Inhofe	Santorum
Callahan	James	Saxton
Camp	Johnson (TX)	Schaefer
Campbell (CA)	Klug	Schulze
Chandler	Kolbe	Sensenbrenner
Clinger	Kyl	Shaw
Coble	Lagomarsino	Shuster
Coleman (MO)	Leach	Smith (NJ)
Combest	Lewis (CA)	Smith (OR)
Cox (CA)	Lewis (FL)	Smith (TX)
Crane	Lightfoot	Snowe
Cunningham	Livingston	Solomon
Dannemeyer	Lowery (CA)	Spence
Davis	Machtley	Stearns
DeLay	Marlenee	Stump
Doolittle	McCandless	Sundquist
Dorgan (ND)	McCollum	Tauzin
Dornan (CA)	McCrery	Taylor (NC)
Dreier	McEwen	Thomas (CA)
Duncan	McGrath	Thomas (WY)
Edwards (OK)	McMillan (NC)	Upton
Emerson	Meyers	Vander Jagt
Erdreich	Michel	Vucanovich
Ewing	Miller (OH)	Walker
Fawell	Miller (WA)	Weber
Fields	Molinari	Weldon
Fish	Moorhead	Wolf
Gallegly	Murphy	Wylie
Gallo	Nichols	Young (FL)
Gekas	Nussle	Zeliff
Gibbons	Oxley	Zimmer

NOES—248

Abercrombie	Blackwell	Carr
Alexander	Boehlert	Chapman
Anderson	Bonior	Clay
Andrews (ME)	Borski	Clement
Andrews (NJ)	Boxer	Coleman (TX)
Andrews (TX)	Brewster	Collins (IL)
Anunzio	Brooks	Collins (MI)
Anthony	Browder	Condit
Applegate	Brown	Cooper
AuCoin	Bruce	Costello
Barnard	Bryant	Cox (IL)
Beilenson	Bustamante	Coyne
Bentley	Byron	Cramer
Berman	Campbell (CO)	Darden
Bevill	Cardin	de la Garza
Bilbray	Carper	DeFazio

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. TORRES, assumed the Chair.

When Mr. MCDERMOTT, Chairman, pursuant to House Resolution 494, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole