

## ¶24.6 VICTIM ALLOCUTION CLARIFICATION

Mr. MCCOLLUM moved to suspend the rules and pass the bill (H.R. 924) to amend title 18, United States Code, to give further assistance to the right of victims of crime to attend and observe the trials of those accused of the crime; as amended.

The SPEAKER pro tempore, Mr. CAMP, recognized Mr. MCCOLLUM and Mr. WEXLER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CAMP, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCCOLLUM objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CAMP, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

## ¶24.7 U.S. MARSHALS SERVICE IMPROVEMENT

Mr. MCCOLLUM moved to suspend the rules and pass the bill (H.R. 927) to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General.

The SPEAKER pro tempore, Mr. CAMP, recognized Mr. MCCOLLUM and Mr. WEXLER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CAMP, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

## ¶24.8 COPYRIGHT LAWS AMENDMENTS

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 672) to make technical amendments to certain provisions of title 17, United States Code; as amended.

The SPEAKER pro tempore, Mr. CAMP, recognized Mr. COBLE and Mr. WEXLER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CAMP, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COBLE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CAMP, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

## ¶24.9 DC INSPECTOR GENERAL IMPROVEMENT ACT

Mr. DAVIS of Virginia moved to suspend the rules and pass the bill (H.R. 514) to permit the waiver of District of Columbia residency requirements for certain employees of the Office of the Inspector General of the District of Columbia, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. CAMP, recognized Mr. DAVIS of Virginia and Mr. SCOTT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CAMP, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to permit the waiver of District of Columbia residency requirements for certain employees of the Office of the Inspector General of the District of Columbia."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

## ¶24.10 PROVIDING FOR THE CONSIDERATION OF H.R. 412

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 94):

*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 consideration of the bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District. The first reading of the bill shall be dispensed with. 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 Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of 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. 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 committee amendment in the nature of a substitute. 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.

When said resolution was considered.

After debate,

On motion of Mr. HASTINGS of Washington, 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.

## ¶24.11 OROVILLE-TONASKET CLAIM SETTLEMENT

The SPEAKER pro tempore, Mr. CAMP, pursuant to House Resolution 94 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. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

The SPEAKER pro tempore, Mr. CAMP, by unanimous consent, designated Mr. EVERETT as Chairman of the Committee of the Whole; and after some time spent therein,

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

When Mr. EVERETT, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

## ¶24.12 RECESS—3:45 P.M.

The SPEAKER pro tempore, Mr. CAMP, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 45 minutes p.m., until 5 p.m.

## ¶24.13 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, called the House to order.

## ¶24.14 OROVILLE-TONASKET CLAIM SETTLEMENT

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 94 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

Mr. EVERETT, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

## ¶24.15 RECORDED VOTE

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

Page 5, line 14, strike "The Settlement Agreement is approved" and insert "Upon payment to the United States of fair market value for the property and facilities transferred, and upon consideration and satisfaction of outstanding obligations as provided in section 5, the Settlement Agreement is approved".

Page 5, line 17, after the period insert: "Fair market value shall be determined by majority vote of a panel of 3 impartial appraisers qualified in accordance with State regulatory requirements. The District shall select one member of the panel. The Secretary shall select one member of the panel. The third member of the panel shall be selected by the other two members."

It was decided in the { Yeas ..... 195 negative ..... } { Nays ..... 232

24.16

[Roll No. 51] AYES—195

Table with 3 columns of names: Abercrombie, Ackerman, Allen, Andrews, Baesler, Baldacci, Barcia, Barrett (WI), Becerra, Bentsen, Berman, Blagojevich, Blumenauer, Boehlert, Bonior, Borski, Boswell, Brown (CA), Brown (FL), Brown (OH), Campbell, Capps, Cardin, Carson, Castle, Clay, Clayton, Clement, Clyburn, Conyers, Costello, Coyne, Cummings, Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Dellums, Deutsch, Dingell, Dixon, Doggett, Doyle, Edwards, Engel, Etheridge, Evans, Farr, Fattah, Fawell, Filner, Flake, Foglietta, Forbes, Ford, Frank (MA), Franks (NJ), Frost, Furse, Gejdenson, Gephardt, Gilman, Gonzalez, Gordon, Green, Gutierrez, Hall (OH), Harman, Hastings (FL), Hefner, Hilliard, Hinchey, Hinojosa, Hoekstra, Holden, Hooley, Hoyer, Jackson (IL), Jackson-Lee, Johnson (TX), Johnson (CT), Johnson (WI), Johnson, E. B., Kanjorski, Kasich, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kilpatrick, Kind (WI), Kleczka, Klug, Kucinich, LaFalce, Lampson, Lantos, Levin, Lewis (GA), Lipinski, LoBiondo, Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Manton, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McGovern, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Millender, McDonald, Miller (CA), Minge, Mink, Moakley, Mollohan, Moran (VA), Morella, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pascarell, Pastor, Payne, Pelosi, Porter, Poshard, Price (NC), Rahall, Ramstad, Rangel, Reyes, Rivers, Rothman, Roukema, Roybal-Allard, Royce, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schumer, Scott, Serrano, Shays, Sherman, Skaggs, Slaughter, Smith (MI), Spratt, Stabenow, Stark, Stokes, Stupak, Tanner, Tauscher, Taylor (MS), Thompson, Thurman, Tierney, Torres, Towns, Velazquez, Vento, Visclosky, Walsh, Waters, Watt (NC), Waxman, Weldon (PA), Weller, Wexler, Weygand, Wise, Woolsey, Wynn, Yates

NOES—232

Table with 3 columns of names: Aderholt, Archer, Arney, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Berry, Bilbray, Bilirakis, Bishop, Bliley

Table with 3 columns of names: Blunt, Boehner, Bonilla, Bono, Boucher, Boyd, Brady, Bryant, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Chabot, Chambliss, Chenoweth, Christensen, Coble, Coburn, Collins, Combust, Condit, Cook, Cooksey, Cox, Cramer, Crane, Crapo, Cubin, Cunningham, Danner, Davis (VA), Deal, DeLay, Diaz-Balart, Dickey, Dicks, Dooley, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everrett, Ewing, Fazio, Foley, Fowler, Fox, Frelinghuysen, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Goode, Goodlatte, Goodling, Goss, Graham, Granger, Greenwood, Gutknecht, Hall (TX), Hamilton, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Inglis, Jenkins, John, Johnson, Sam, Jones, Kelly, Kim, King (NY), Kingston, Klink, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Lewis (CA), Lewis (KY), Linder, Livingston, Lucas, Manzullo, McCarthy (NY), McCollum, McCrery, McDade, McDermott, McHugh, McInnis, McIntosh, McIntyre, McKeon, Metcalf, Mica, Miller (FL), Molinari, Moran (KS), Myrick, Nethercutt, Neumann, Ney, Northup, Norwood, Nussle, Ortiz, Oxley, Packard, Pappas, Parker, Paul, Paxon, Pease, Peterson (MN), Peterson (PA), Petri, Pickering, Pickett, Pitts, Pombro, Pomeroy, Portman, Pryce (OH), Quinn, Radanovich, Regula, Riggs, Riley, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Ryan, Salmon, Sanford, Saxton, Scarborough, Schaefer, Dan, Schaffer, Bob, Schiff, Sensenbrenner, Sessions, Shadegg, Shaw, Shimkus, Shuster, Siskisky, Skeen, Skelton, Smith (NJ), Smith (OR), Smith (TX), Smith, Adam, Smith, Linda, Snowbarger, Snyder, Solomon, Souder, Spence, Stearns, Stenholm, Strickland, Stump, Sununu, Talent, Taylor (NC), Thomas, Thornberry, Thune, Tiahrt, Traficant, Upton, Wamp, Watkins, Watts (OK), Weldon (FL), White, Whitfield, Wicker, Wolf, Young (AK), Young (FL)

NOT VOTING—5

Table with 3 columns of names: Eshoo, Istook, Kaptur, Tauzin, Turner

So the amendment was not agreed to. After some further time, THE SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. EVERETT, Chairman, pursuant to House Resolution 94, reported the bill back to the House with an amendment adopted by the Committee. The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Oroville-Tonasket Claim Settlement and Conveyance Act".

SEC. 2. PURPOSES.

The purposes of this Act are to authorize the Secretary of the Interior to implement the provisions of the negotiated Settlement Agreement including conveyance of the Project Irrigation Works, identified as not having national importance, to the District, and for other purposes.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "Reclamation" means the United States Bureau of Reclamation.

(3) The term "District" or "Oroville-Tonasket Irrigation District" means the project beneficiary organized and operating under the laws of the State of Washington, which is the operating and repayment entity for the Project.

(4) The term "Project" means the Oroville-Tonasket unit extension, Okanogan-Similkameen division, Chief Joseph Dam Project, Washington, constructed and rehabilitated by the United States under the Act of September 28, 1976 (Public Law 94-423, 90 Stat. 1324), previously authorized and constructed under the Act of October 9, 1962 (Public Law 87-762, 76 Stat. 761), under the Federal reclamation laws (including the Act of June 17, 1902 (ch. 1093, 32 Stat. 388), and Acts supplementary thereto or amendatory thereof).

(5) The term "Project Irrigation Works" means—

(A) those works actually in existence and described in subarticle 3(a) of the Repayment Contract, excluding Wildlife Mitigation Facilities, and depicted on the maps held by the District and Reclamation, consisting of the realty with improvements and real estate interests;

(B) all equipment, parts, inventories, and tools associated with the Project Irrigation Works realty and improvements and currently in the District's possession; and

(C) all third party agreements.

(6)(A) The term "Basic Contract" means Repayment Contract No. 14-06-100-4442, dated December 26, 1964, as amended and supplemented, between the United States and the District;

(B) the term "Repayment Contract" means Repayment Contract No. 00-7-10-W0242, dated November 28, 1979, as amended and supplemented, between the United States and the District; and

(C) the term "third party agreements" means existing contractual duties, obligations, and responsibilities that exist because of all leases, licenses, and easements with third-parties related to the Project Irrigation Works, or the lands or rights-of-way for the Project Irrigation Works, but excepting power arrangements with the Bonneville Power Administration.

(7) The term "Wildlife Mitigation Facilities" means—

(A) land, improvements, or easements, or any combination thereof, secured for access to such lands, acquired by the United States under the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e); and

(B) all third party agreements associated with the land, improvements, or easements referred to in subparagraph (A).

(8) The term "Indian Trust Lands" means approximately 61 acres of lands identified on land classification maps on file with the District and Reclamation beneficially owned by the Confederated Tribes of the Colville Reservation (Colville Tribes) or by individual Indians, and held in trust by the United States for the benefit of the Colville Tribes in accordance with the Executive Order of April 9, 1872.

(9) The term "Settlement Agreement" means the Agreement made and entered on