H9764 Hill Burr Burton Hilleary Buyer Hilliard Callahan Hinojosa Calvert Hobson Hoekstra Camp Canady Holden Cannon Horn Hostettler Castle Houghton Hulshof Chahot Chambliss Chenoweth Hunter Christensen Hutchinson Coble Hyde Inglis Coburn Collins Istook Combest Jenkins Condit John Johnson (WI) Cook Cooksey Johnson, Sam Jones Cox Cramer Kasich Crane Kelly Crapo Kim Cunningham King (NY) Davis (VA) Kingston Deal Knollenberg DeLav Kolbe Diaz-Balart LaHood Largent Latham Dickey Doolev Doolittle Leach Lewis (CA) Dreier Duncan Lewis (KY) Dunn Linder Lipinski Edwards Livingston Ehlers Lucas Ehrlich Manton Emerson English Manzullo Ensign Martinez Etheridge McCollum Everett McCrery Ewing McDade McHugh Fawell Fazio McInnis Foley McIntosh McIntyre Fowler Frost McKeon Gallegly Metcalf Ganske Mica Miller (FL) Gekas Minge Moran (KS) Gibbons Gilchrest Gillmor Murtha Gilman Myrick Gingrich Nethercutt Neumann Goode Goodlatte Nev Northup Goodling Norwood Goss Graham Nussle Gutknecht Oberstar Hall (TX) Ortiz Hansen Oxlev Hastert Packard Hastings (WA) Parker Pastor Hayworth Paxon Peterson (MN)

Petri Pickering Pickett Pitts Pombo Pomeroy Porter Portman Pryce (OH) Quinn Radanovich Regula Reves Riggs Riley Rodriguez Rogan Rogers Rohrabacher Ros-Lehtinen Roukema Royce Salmon Sandlin Saxton Schaefer, Dan Schaffer, Bob Sensenbrenner Sessions Shadegg Shaw Shimkus Shuster Sisisky Smith (MI) Smith (OR) Smith (TX) Smith. Linda Snowbarger Solomon Souder Spence Stearns Stenholm Stump Sununu Talent Tanner Tauzin Taylor (NC) Thomas Thompson Thornberry Thune Thurman Tiahrt Traficant Turner Upton Walsh Wamp Watts (OK) Weller White Whitfield Wicker Wolf Young (AK)

Peterson (PA) NAYS-182

Abercrombie Coyne Ackerman Cummings Allen Davis (FL) Andrews Baldacci DeFazio Barrett (WI) DeGette Becerra Delahunt Bentsen DeLauro Dellums Berman Blagojevich Deutsch Blumenauer Dicks Dingell Bonior Borski Dixon Boucher Doggett Brown (CA) Doyle Brown (FL) Brown (OH) Engel Eshoo Campbell Evans Cardin Farr Fattah Carson Clay Filner Clayton Flake Clement Foglietta Clyburn Forbes Conyers Costello Ford Fox

Hefner

Herger

Frank (MA) Franks (N.J) Frelinghuysen Furse Gejdenson Gephardt Gordon Green Greenwood Gutierrez Hall (OH) Hamilton Harman Hastings (FL) Hinchey Hooley Hover Jackson (IL) Jackson-Lee (TX) Jefferson Johnson (CT) Johnson, E. B. Kanjorski Kaptur Kennedy (MA)

Young (FL)

Kennedy (RI) Millender-Scarborough Kennellv McDonald Schumer Kildee Miller (CA) Scott Kilpatrick Mink Serrano Moakley Kind (WI) Shays Mollohan Sherman Kleczka Moran (VA) Skaggs Klink Morella Skeen Klug Nadler Skelton Kucinich Neal Slaughter LaFalce Smith (NJ) Obey Lampson Olver Smith, Adam Lantos Snyder Owens LaTourette Pallone Spratt Lazio Pappas Stabenow Levin Pascrell Stark Lewis (GA) Paul Strickland LoBiondo Payne Stupak Lofgren Pease Tauscher Lowey Pelosi Taylor (MS) Luther Poshard Tierney Maloney (CT) Price (NC) Torres Maloney (NY) Rahall Towns Markey Ramstad Velazquez Mascara Rangel Vento Matsui Visclosky Redmond McCarthy (MO) Rivers Waters McCarthy (NY) Watt (NC) Roemer McDermott Rothman Waxman McGovern Rovbal-Allard Wexler McHale Rush Weygand McKinney Sabo Wise McNulty Woolsey Sanchez Meehan Sanders Wynn Meek Sanford Yates Menendez

NOT VOTING-9

Granger Schiff Cubin Watkins Weldon (FL) Danner Weldon (PA) Gonzalez Stokes

Sawver

□ 1524

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. DANNER. Mr. Speaker, on rollcall vote 549 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "yes."

On rollcall vote 548 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "no."

On rollcall vote 547 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "no."

GENERAL LEAVE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include extraneous matter in the RECORD on the bill, H.R. 2493

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

TO AUTHORIZING THE **CLERK** CORRECTIONS MAKE IN EN-GROSSMENT OF H.R. 2493. FOR-AGE IMPROVEMENT ACT OF 1997

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2493, the Clerk be authorized to correct the table of contents, section numbers,

punctuation, citations, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from Oregon?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2459

Mr. PAXON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

NUCLEAR WASTE POLICY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 283 and rule XXIII, 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. 1270.

□ 1526

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. 1270) to amend the Nuclear Waste Policy Act of 1982, with Mr. McInnis in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 29, 1997, the demand for a recorded vote on amendment No. 9 printed in House Report 105-354 offered by the gentleman from Ohio [Mr. TRAFI-CANT] had been postponed.

It is now in order to consider amendment No. 10 printed in that report.

The Chair has been advised that the amendment will not be offered.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN, Pursuant to House Resolution 283, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 4 offered by the gentleman from Nevada [Mr. ENSIGN]; amendment No. 5 offered by the gentleman from Nevada [Mr. GIBBONS]; amendment No. 6 offered by the gentleman from Nevada [Mr. EN-SIGN]; amendment No. 7 offered by the gentleman from Massachusetts [Mr. MARKEY]; amendment No. 8 offered by the gentleman from Nevada [Mr. GIB-BONS]; and amendment No. 9 offered by the gentleman from Ohio [Mr. TRAFI-CANT

AMENDMENT NO. 4 OFFERED BY MR. ENSIGN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 4 offered by the gentleman from Nevada [Mr. EN-SIGN] on which further proceedings

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were postponed and on which the noes prevailed by a voice vote.

Clerk will redesignate amendment.

The text of the amendment is as fol-

Amendment No. 4 offered by Mr. ENSIGN: Page 15, insert after line 8 the following:

(e) RISK ASSESSMENT AND COST BENEFIT. The Secretary shall not take any action under this Act unless the Secretary has with respect to such action conducted a risk assessment which is scientifically objective. unbased, and inclusive of all relevant data and relies, to the extent available and practicable, on scientific findings and which is grounded in cost-benefit principles.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

Abercrombie

The vote was taken by electronic device, and there were—ayes 135, noes 290, not voting 7, as follows:

[Roll No. 550]

AYES-135

Moran (KS)

Hamilton Ackerman Nadler Hansen Andrews Neal Hilleary Neumann Baesler Baldacci Hinchey Oberstar Barr Hooley Obey Barrett (WI) Hulshof Olver Becerra Istook Owens Berman Jackson (IL) Pascrell Paul Bishop Jackson-Lee Blagojevich (TX) Payne Blumenauer Bonilla Kasich Kelly Pelosi Boswell Kennedy (RI) Peterson (MN) Brown (CA) Kennelly Pombo Rahall Bryant Kingston Cannon Kleczka Rangel Carson Christensen Klug Kucinich Reyes Rivers LaFalce Clay Roemer Condit Lampson Rothman Roybal-Allard Convers Lantos Cooksey Lewis (GA) Sanchez Coyne Lofgren Schumer Cunningham Lowey Serrano Shays Davis (IL) Lucas DeFazio Luther Sherman DeGette Maloney (CT) Smith (NJ) Delahunt Maloney (NY) Souder DeLauro Markey Stark Stenholm Dellums Mascara Doggett Matsui Stokes McCarthy (MO) Doyle Talent. Engel McDermott Thurman English McGovern Tierney McHale Ensign Torres Eshoo McIntosh Towns Evans McKeon Waters McKinney Watts (OK) Filner Flake Waxman Foglietta Meehan Weygand Millender-Woolsey Ford McDonald Wynn Miller (CA) Gibbons Yates Goodling Young (AK) Mink Gutierrez Moakley

NOES-290

Bliley Aderholt Camp Campbell Allen Blunt Archer Boehlert Canady Boehner Cardin Armey Bachus Bonior Castle Baker Bono Chabot Borski Ballenger Chambliss Barcia Boucher Chenoweth Barrett (NE) Boyd Clayton Bartlett Brady Clement Clyburn Coble Barton Brown (FL) Brown (OH) Bass Bateman Bunning Coburn Bentsen Burr Burton Collins Bereuter Combest Berry Buyer Cook Costello Bilbray Callahan Bilirakis Calvert Cox

Jenkins Redmond Crane Crapo John Regula Cummings Johnson (CT) Riggs Riley Johnson (WI) Danner Davis (FL) Johnson, E. B. Rodriguez Davis (VA) Johnson, Sam Rogan Jones Rogers Deal DeLay Kanjorski Rohrabacher Kaptur Kennedy (MA) Ros-Lehtinen Deutsch Diaz-Balart Roukema Dickey Kildee Royce Kilpatrick Dicks Rush Kim Dingell Ryun Kind (WI) Dixon Sabo King (NY) Salmon Dooley Doolittle Sanders Knollenberg Dreier Sandlin Kolbe Sanford Duncan LaHood Sawyer Edwards Largent Latham Saxton Scarborough Ehlers Ehrlich LaTourette Schaefer, Dan Schaffer Bob Emerson Lazio Etheridge Leach Scott Levin Sensenbrenner Lewis (CA) Ewing Sessions Lewis (KY) Shadegg Farr Shaw Shimkus Fattah Linder Lipinski Fawell Fazio Livingston Shuster Foley LoBiondo Sisisky Forbes Manton Skaggs Fowler Manzullo Skeen Fox Martinez Skelton Frank (MA) McCarthy (NY) Slaughter McCollum Smith (MI) Franks (NJ) McCrery McDade Frelinghuysen Smith (OR) Smith (TX) Frost Smith, Adam Smith, Linda Gallegly McHugh Ganske McInnis Gejdenson McIntvre Snowbarger Snyder Solomon Gekas Meek Menendez Gephardt Gilchrest Metcalf Spence Gillmor Mica Miller (FL) Spratt Gilman Stabenow Goode Stearns Minge Goodlatte Mollohan Strickland Moran (VA) Stump Stupak Gordon Goss Morella Graham Murtha Sununu Granger Myrick Tanner Green Nethercutt Tauscher Greenwood Ney Northup Taylor (MS) Taylor (NC) Gutknecht Hall (OH) Norwood Thomas Thompson Thornberry Hall (TX) Nussle Harman Ortiz Hastert Oxley Packard Pallone Tiahrt Traficant Hastings (FL) Hastings (WA) Hayworth Pappas Turner Hefley Hefner Parker Upton Velazquez Pastor Herger Paxon Vento Visclosky Peterson (PA) Hilliard Hinojosa Walsh Petri Hobson Pickering Wamp Watt (NC) Hoekstra Pickett Holden Pitts Weller Horn Pomeroy Wexler Hostettler Porter White Portman Whitfield Houghton Hoyer Poshard Wicker Price (NC) Hunter Wise Hutchinson Pryce (OH) Hyde Quinn Young (FL) Inglis Radanovich

NOT VOTING-7

Tauzin Cubin Weldon (PA) Watkins Gonzalez Schiff Weldon (FL)

□ 1552

CLAYTON, Mrs. and Messrs. DEUTSCH, KENNEDY of Massachusetts, RUSH, KLINK, and SKAGGS changed their vote from "aye" to "no. Mr. PETERSON of Minnesota, NEAL of Massachusetts, Mrs. KELLY, Mr. COYNE, Mr. BERMAN, Ms. ROY-BAL-ALLARD, Mr. BECERRA, and Mr. RANGEL changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced

ANNOUNCEMENT BY THE CHAIRMAN

as above recorded.

The CHAIRMAN. Pursuant to House Resolution 283, 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. 5 OFFERED BY MR. GIBBONS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from Nevada [Mr. GIB-BONS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate amendment.

The text of the amendment is as fol-

Amendment No. 5 Offered by Mr. GIB-BONS:

Page 19, inset after line 16 the following:

'(e) EMERGENCY RESPONSE TEAM.—The Secretary may not plan for the transportation of spent nuclear fuel or high-level radioactive waste through any State unless the Governor of such State can certify that an adequate emergency response team exists in such State to appropriate manage any nuclear accident that may occur in such transportation.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered

The CHAIRMAN. This will be a 5minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 312, not voting 8, as follows:

[Roll No. 551] AYES-112

Abercrombie Hinchey Pallone Hooley Hostettler Ackerman Pappas Pascrell Baesler Barr Hutchinson Paul Becerra Jackson (IL) Payne Blagojevich Kasich Blumenauer Kelly Pelosi Kennedy (MA) Brown (FL) Pombo Bryant Pryce (OH) Kingston Cannon Kleczka Quinn Carson Kucinich Rahall Clav LaFalce Rangel Collins Lampson Reyes Lantos Lewis (GA) Cooksey Roemer Cummings Rothman Davis (IL) Linder Roybal-Allard LoBiondo Deal Saxton DeFazio Lowev Schumer Delahunt Lucas Shavs Maloney (NY) Dellums Slaughter Ehlers Markey Smith (NJ) English McDermott Souder Ensign McGovern Stark Eshoo McInnis Stearns McKeon McKinney Evans Stokes Farr Talent Filner McNulty Tauscher Meehan Millender-Flake Thune Forbes McDonald Tiernev Ford Torres Franks (NJ) Miller (CA) Watkins Furse Mink Gephardt Moakley Watts (OK) Moran (KS) Nadler Gibbons Gilchrest Waxman Weygand Hansen Ney Wolf Herger Hill Obey Woolsey Young (AK) Owens

Wolf

Woolsey

Young (AK)

NOES-312

Foley Aderholt Allen Fowler Andrews Fox Frank (MA) Armey Frelinghuysen Bachus Frost Baker Gallegly Baldacci Ganske Ballenger Gejdenson Barcia Barrett (NE) Gillmor Barrett (WI) Gilman Goode Goodlatte Barton Goodling Bass Bateman Gordon Bentsen Goss Graham Bereuter Berman Granger Berry Green Bilbray Greenwood Gutierrez Gutknecht Bilirakis Bishop Bliley Blunt Boehlert Hall (TX) Hamilton Boehner Harman Bonilla Hastert Hastings (FL) Bonior Hastings (WA) Bono Borski Hayworth Hefley Boswell Boucher Hefner Boyd Hilleary Hilliard Brady Brown (CA) Hinojosa Brown (OH) Hobson Hoekstra Bunning Holden Burr Burton Horn Houghton Buyer Callahan Hoyer Calvert Hulshof Camp Hunter Campbell Hyde Inglis Canady Istook Cardin Castle Jackson-Lee Chabot (TX) Chambliss Jenkins Chenoweth John Christensen Johnson (CT) Johnson (WI) Clayton Clement Clyburn Johnson, E. B. Johnson, Sam Kanjorski Coburn Combest Kaptur Kennedy (RI) Condit Convers Kennelly Kildee Cook Costello Kilpatrick Cox Kim Kind (WI) Coyne Cramer King (NY) Crane Klink Klug Knollenberg Crapo Cunningham Kolbe Danner Davis (FL) LaHood Davis (VA) Largent DeGette Latham LaTourette DeLauro DeLay Deutsch Lazio Leach Diaz-Balart Levin Lewis (CA) Dickey Dicks Lewis (KY) Dingell Lipinski Dixon Livingston Lofgren Doggett Dooley Doolittle Maloney (CT) Manton Doyle Dreier Manzullo Duncan Martinez Dunn Mascara Edwards Matsui McCarthy (MO) Ehrlich Emerson McCarthy (NY) Engel Etheridge McCollum McCrery Everett McDade

Ewing Fattah

Fawell

Fazio Foglietta

McHale McHugh

McIntosh

McIntyre Meek

Menendez Metcalf Mica Miller (FL) Minge Mollohan Moran (VA) Morella Murtha Myrick Neal Nethercutt Neumann Northup Norwood Nussle Oberstar Olver Ortiz Oxley Packard Parker Pastor Paxon Peterson (MN) Peterson (PA) Petri Pickering Pickett Pomerov Porter Portman Poshard Price (NC) Radanovich Ramstad Redmond Regula Riggs Riley Rivers Rodriguez Rogan Rogers Rohrabacher Ros-Lehtinen Roukema Royce Ryun Sabo Salmon Sanchez Sanders Sandlin Sanford Sawyer Scarborough Schaefer, Dan Schaffer, Bob Scott Sensenbrenner Serrano Sessions Shadegg Shaw Sherman Shimkus Shuster Sisisky Skaggs Skeen Skelton Smith (MI) Smith (TX)

Smith, Adam

Smith, Linda

Snowbarger

Snyder

Spence

Spratt

Stump

Stupak

Sununu

Tanner

Thomas

Taylor (MS)

Taylor (NC)

Thompson

Thornberry

Forbes

Thurman

Tiahrt

Towns

Solomon

Stabenow

Stenholm Strickland

Wamp Traficant Wicker Turner Waters Wise Upton Watt (NC) Wynn Velazquez Weller Yates Young (FL) Vento Wexler Visclosky White Whitfield Walsh

NOT VOTING-8

Cubin Schiff Weldon (FL) Smith (OR) Gonzalez Weldon (PA) Jefferson Tauzin

□ 1603

Mr. HILLIARD and Mrs. CLAYTON changed their vote from "aye" to "no. So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ENSIGN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 6 offered by the gentleman from Nevada [Mr. EN-SIGN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

Clerk The will redesignate amendment.

The text of the amendment is as fol-

Amendment No. 6 offered by Mr. EN-

Page 19, insert after line 16 the following: (c) Emergency Response.—The Secretary may not plan for the transportation of spent nuclear fuel or high-level radioactive waste in a fiscal year for which funds appropriated under section 203(c) are insufficient (as determined by the Federal Emergency Management Agency) to ensure adequate and trained emergency response teams along all the transportation routes to be used in such fiscal year.

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—aves 118, noes 305, not voting 9, as follows:

[Roll No. 552]

AYES-118

Abercrombie Ford McKeon Ackerman Furse McKinney Gephardt Andrews McNulty Gibbons Baesler Meehan Barr Gilchrest Millender-McDonald Becerra Gutierrez Miller (CA) Berman Hansen Blagojevich Hill Mink Hilleary Moakley Blumenauer Moran (KS) Boswell Hinchey Hooley Bryant Nadler Campbell Hutchinson Nev Cannon Jackson (IL) Cardin Jackson-Lee Pallone (TX) Pappas Carson Christensen Jefferson Pascrell Coburn Kasich Paul Kelly Cooksey Payne Davis (IL) Kennedy (MA) Kennedy (RI) Pelosi Pryce (OH) DeFazio Rahall DeGette Kingston Delahunt Kucinich Reyes DeLauro LaFalce Rivers Dellums Lampson Rothman Roybal-Allard Dixon Lantos Lewis (GA) Doggett Sanchez Doyle Linder Schumer Engel Lowey Serrano English Lucas Shays Ensign Luther Sherman Eshoo Maloney (NY) Smith (NJ) Markey Souder Evans Filner McCarthy (MO) Stabenov Flake McDermott Stark Stokes

McGovern

Torres Tauscher Vento Thomas Watkins Watts (OK) Waxman

Talent

Thune

Tierney

NOES-305 Aderholt Fowler Allen Fox Archer Frank (MA) Armey Franks (NJ) Bachus Frelinghuysen Baker Frost Gallegly Baldacci Ballenger Ganske Barcia Gejdenson Barrett (NE) Gekas Gillmor Barrett (WI) Barton Gilman Bass Goode Goodlatte Bateman Goodling Bentsen Bereuter Gordon Goss Graham Bilbray Bilirakis Granger Bishop Green Bliley Greenwood Blunt Gutknecht Boehlert Hall (OH) Hall (TX) Boehner Bonilla Hamilton Bonior Harman Bono Hastert Borski Hastings (FL) Boucher Hastings (WA) Boyd Hayworth Brady Hefley Brown (CA) Hefner Brown (FL) Herger Hilliard Bunning Hinojosa Hobson Burr Burton Hoekstra Buyer Callahan Holden Horn Hostettler Calvert Camp Canady Houghton Hover Castle Hulshof Chabot Hunter Chambliss Hyde Inglis Chenoweth Clay Clayton Istook Jenkins Clement John Johnson (CT) Clyburn Johnson (WI) Collins Johnson, E. B. Combest Jones Kanjorski Condit Kaptur Kennelly Conyers Cook Costello Kildee Cox Kilpatrick Coyne Kim Kind (WI) Cramer Crane King (NY) Kleczka Crapo Cummings Klink Cunningham Klug Knollenberg Danner Davis (FL) Kolbe LaHood Davis (VA) Deal Largent DeLay Latham Deutsch LaTourette Diaz-Balart Lazio Dickey Leach Dicks Levin Dingell Lewis (CA) Dooley Doolittle Lewis (KY) Lipinski Dreier Livingston Duncan LoBiondo Dunn Lofgren Edwards Maloney (CT) Ehlers Manton Ehrlich Manzullo Martinez Emerson Etheridge Mascara Matsui Everett McCarthy (NY) Ewing McCollum Farr

Fattah

Fawell

Foglietta

Fazio

McIntvre Meek Menendez Metcalf Mica Miller (FL) Minge Mollohan Moran (VA) Morella Murtha Myrick Neal Nethercutt Neumann Northup Norwood Nussle Oberstar Obey Olver

Ortiz Oxley Packard Parker Pastor Paxon Pease Peterson (MN) Peterson (PA) Petri Pickering Pickett Pitts

Pombo Pomeroy Porter Portman Poshard Price (NC) Quinn Radanovich Ramstad Rangel Redmond Regula Riggs Riley Rodriguez Roemer Rogan Rogers Rohrabacher Ros-Lehtinen Roukema Royce Rush Ryun Sabo Salmon Sanders Sandlin Sanford Sawver

Saxton

Scott

Shaw

Sessions

Shadegg

Shimkus

Shuster Sisisky

Skaggs

Skeen Skelton

Slaughter

Smith (MI) Smith (OR)

Smith (TX)

Smith, Adam

Smith, Linda

Snowbarger

Snyder Solomon

Spence

Spratt

Stearns

Stenholm

McCrery

McDade

McHale

McHugh

McInnis

Scarborough

Schaefer, Dan

Schaffer, Bob

Sensenbrenner

CONGRESSIONAL RECORD—HOUSE

NOES-273

Strickland Tiahrt. Watt (NC) Stump Stupak Weller Towns Traficant Wexler Sununu Turner White Whitfield Upton Tanner Taylor (MS) Velazquez Wicker Taylor (NC) Visclosky Wvnn Thompson Walsh Yates Thornberry Wamp Young (FL) Thurman Waters

NOT VOTING-9

Johnson, Sam Bartlett Tauzin Weldon (FL) Cubin McIntosh Gonzalez Weldon (PA)

□ 1611

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. MARKEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 7 offered by gentleman from Massachusetts [Mr. MARKEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

will redesignate Clerk amendment.

The text of the amendment is as fol-

Amendment No. 7 offered by Mr. MARKEY: Page 36, strike line 18 and all that follows through line 9 on page 39.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-

The vote was taken by electronic device, and there were—ayes 151, noes 273, not voting 8, as follows:

[Roll No. 553]

AYES-151

Abercrombie Ford McHale Frank (MA) Ackerman McKinney Allen Franks (NJ) McNulty Andrews Meehan Menendez Baesler Furse Millender-Baldacci Gejdenson Barrett (WI) Gephardt McDonald Miller (CA) Becerra Gibbons Bentsen Green Mink Gutierrez Hall (OH) Berman Moakley Blagojevich Blumenauer Moran (VA) Hefner Nadler Boehlert Hinchey Neal Oberstar Boswell Hooley Jackson (IL) Brown (CA) Obey Brown (OH) Jackson-Lee Olver (TX) Campbell Owens Jefferson Carson Johnson, E. B. Clay Clayton Pascrell Kaptur Pavne Kennedy (MA) Pelosi Conyers Kennedy (RI) Kennelly Cooksex Portman Costello Poshard Coyne Kleczka Price (NC) Cummings Kucinich Rahall Davis (IL) LaFalce Ramstad DeFazio Lampson Rangel DeGette Lantos Rivers Lewis (GA) Delahunt Rodriguez DeLauro Livingston Roemer LoBiondo Dellums Rothman Dicks Lofgren Roybal-Allard Sabo Sanchez Dixon Lowey Doggett Lucas Engel Luther Sanders Maloney (CT) Maloney (NY) Ensign Sawyer Eshoo Schumer Evans Markey Serrano Matsui McCarthy (MO) Shays Sherman Farr Fattah McCarthy (NY) Filner Skaggs Slaughter Smith (NJ) Flake McDermott McGovern Forbes

Smith, Adam Souder Stabenow Stark Stokes Strickland Talent Tauscher

Aderholt

Archer

Armev

Bachus

Ballenger

Barrett (NE)

Baker

Barcia

Bartlett

Barton

Bateman

Bereuter

Berry

Bilbray

Bishop

Bliley

Blunt

Boehner

Bonilla

Bonior

Borski

Boyd

Brady

Bryant

Burton

Callahan

Calvert

Camp Canady

Cannon

Cardin

Chabot

Chambliss

Chenoweth

Christensen

Clement

Clyburn

Coble

Coburn

Collins

Condit

Cramer

Crane

Crapo

Deal

DeLav

Dickey

Dingell

Dooley

Doyle

Dreier

Dunn

Duncan

Edwards

Ehlers

Ehrlich

English

Everett

Ewing

Fawell

Foley Fowler

Fox

Foglietta

Frelinghuysen Gallegly

Fazio

Etheridge

Emerson

Doolittle

Deutsch

Diaz-Balart

Cunningham

Danner Davis (FL)

Davis (VA)

Cook

Cox

Combest

Buver

Burr

Bunning

Boucher

Brown (FL)

Bilirakis

Bass

Barr

Taylor (MS) Thompson Tierney Torres Velazquez Vento Walsh Waters

Ganske

Gilchrest

Gillmor

Gilman

Goodling

Gordon

Goss Graham

Granger

Greenwood Gutknecht

Hall (TX)

Hamilton

Hastings (FL) Hastings (WA)

Hayworth

Hefley

Hilleary

Hilliard

Hobson

Holden

Horn

Hinojosa

Hoekstra

Hostettler

Houghton

Hutchinson

Hoyer Hulshof

Hunter

Hyde

Inglis

John

Jones

Kasich

Kelly Kildee

Kim

Kanjorski

Kilpatrick

Kind (WI)

King (NY)

Kingston Klink

Kolbe

LaHood

Largent

Latham

Lazio

Leach

Levin

Linder

Lipinski

Manton

Manzullo

Martinez

Mascara McCollum

McCrery

McDade

McHugh

McInnis

McIntosh

McIntyre

McKeon

Metcalf

Miller (FL)

Mollohan

Moran (KS)

 \mathbf{Meek}

Mica

Minge

Morella

LaTourette

Lewis (CA)

Lewis (KY)

Klug Knollenberg

Istook Jenkins

Johnson (CT)

Johnson (WI)

Johnson, Sam

Hill

Harman

Hastert

Goode Goodlatte

Gekas

Watt (NC) Watts (OK) Waxman Weygand Wolf Woolsey Yates

Murtha

Myrick

Nethercutt

Neumann

Ney Northup

Norwood

Nussle

Ortiz

Oxley

Packard

Pappas

Parker

Pastor

Paxon

Pease

Petri

Pickering

Pickett

Pombo

Porter Pryce (OH)

Quinn

Radanovich

Redmond

Regula

Reyes

Riggs

Riley

Rogan

Rogers

Royce

Rush

Ryun

Salmon

Sandlin

Sanford

Saxton

Scott

Sessions

Shadegg

Shimkus

Shuster

Sisisky

Skeen

Skelton

Smith (MI)

Smith (OR)

Smith (TX)

Smith, Linda

Snowbarger

Snyder

Spence

Spratt

Stearns

Stump Stupak

Sununu

Tanner

Tauzin

Thomas

Thune

Tiahrt

Towns

Turner

Upton

Wamp

Weller

Wexler

Watkins

Thurman

Traficant

Visclosky

Thornberry

Stenholm

Solomon

Shaw

Scarborough

Schaefer, Dan

Schaffer, Bob

Sensenbrenner

Rohrabacher

Ros-Lehtinen

Roukema

Pomeroy

Pitts

Peterson (MN)

Peterson (PA)

Paul

White Whitfield

Gonzalez

Hansen

Cubin

Wicker Wynn

Young (AK) Young (FL)

NOT VOTING-8

Herger Schiff Taylor (NC)

Weldon (FL) Weldon (PA)

□ 1621

So the amendment was rejected. The result of the vote announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. GIBBONS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada [Mr. GIBBONS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate amendment.

The text of the amendment is as fol-

Amendment No. 8 offered by Mr. GIBBONS: Page 55, beginning in line 3 strike ' and all that follows through line 21 and insert a period.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute

The vote was taken by electronic device, and there were—ayes 67, noes 357, not voting 8, as follows:

[Roll No. 554] AYES-67

Becerra Hansen Miller (CA) Berman Hinchey Mink Cannon Hooley Nadler Carson Jackson (IL) Owens Clay Clayton Jackson-Lee Pallone Payne Conyers Kennedy (RI) Pelosi Kennelly Rahall Cooksey Davis (IL) Kucinich Reyes Roybal-Allard DeFazio LaFalce DeGette Lampson Serrano Lewis (GA) Delahunt Shays DeLauro Lowey Souder Dellums Stark Lucas Dixon Maloney (NY) Stokes Doggett Markey Martinez Tierney Ensign Torres Eshoo McDermott Vento Evans McGovern Waters Filner McKinney Watt (NC) Furse McNulty Waxman Woolsey Geidenson Millender Gibbons McDonald Young (AK)

NOES-357

Blagoievich Abercrombie Ackerman Bliley Aderholt Blumenauer Allen Blunt Andrews Boehlert Archer Boehner Armey Bonilla Bachus Bonior Baesler Baker Bono Borski Baldacci Boswell Ballenger Boucher Barcia Boyd Barr Brady Barrett (NE) Barrett (WI) Brown (CA) Brown (FL) Bartlett Brown (OH) Barton Bryant Bunning Bass Bateman Burr Bentsen Burton Berry Buyer Bilbray Callahan Bilirakis Calvert Bishop Camp

Campbell Canady Cardin Castle Chabot Chambliss Chenoweth Christensen Clement Clyburn Coble Coburn Collins Combest Condit Cook Costello Cox Coyne Cramer

Crane

Crapo

Danner

Cummings

Cunningham

Davis (FL) Kasich Davis (VA) Kellv Deal Kennedy (MA) DeLay Kildee Deutsch Kilpatrick Diaz-Balart Kind (WI) Dickey Dicks King (NY) Dingell Kingston Dooley Doolittle Kleczka Klink Doyle Klug Knollenberg Dreier Kolbe Duncan LaHood Dunn Edwards Lantos Ehlers Largent Ehrlich Latham Emerson LaTourette Engel Lazio English Leach Etheridge Levin Lewis (CA) Ewing Lewis (KY) Linder Farr Fattah Lipinski Fawell Livingston LoBiondo Fazio Flake Lofgren Foglietta Luther Maloney (CT) Foley Forbes Manton Manzullo Ford Fowler Mascara Matsui McCarthy (MO) Frank (MA) McCarthy (NY) Franks (NJ) Frelinghuysen McCollum McCrery Frost Gallegly McDade Ganske McHale Gekas McHugh Gephardt McInnis Gilchrest McIntosh Gillmor McIntyre Gilman McKeon Goode Meehan Goodlatte Meek Goodling Menendez Gordon Metcalf Goss Mica Graham Miller (FL) Minge Moakley Granger Green Greenwood Mollohan Gutierrez Moran (KS) Gutknecht Moran (VA) Hall (OH) Morella Hall (TX) Murtha Hamilton Myrick Neal Harman Nethercutt Hastert Hastings (FL) Neumann Hastings (WA) Ney Northup Havworth Hefley Norwood Hefner Nussle Herger Oberstar Hill Obey Hilleary Olver Hilliard Ortiz Hinojosa Oxley Packard Hobson Pappas Hoekstra Parker Holden Pascrell Horn Hostettler Pastor Paul Houghton Hover Paxon Hulshof Pease Peterson (MN) Hunter Hutchinson Peterson (PA) Petri Hvde Inglis Pickering Istook Pickett Jefferson Jenkins Pombo Johnson (CT) Pomerov Johnson (WI) Johnson, E. B. Portman Johnson, Sam Poshard Price (NC)

Radanovich Ramstad Rangel Redmond Regula Riggs Riley Rivers Rodriguez Roemer Rogan Rogers Rohrabacher Ros-Lehtinen Rothman Roukema Rush Ryun Salmon Sanchez Sanders Sandlin Sanford Sawyer Saxton Scarborough Schaefer, Dan Schaffer, Bob Schumer Scott Sensenbrenner Sessions Shadegg Shaw Sherman Shimkus Shuster Sisisky Skaggs Skeen Skelton Slaughter Smith (MI) Smith (NJ) Smith (OR) Smith (TX) Smith, Adam Smith, Linda Snowbarger Snyder Solomon Spence Spratt Stabenow Stearns Stenholm Strickland Stump Stupak Sununu Talent Tanner Tauscher Tauzin Taylor (MS) Thomas Thompson Thornberry Thune Thurman Tiahrt. Towns Traficant Turner Upton Velazquez Visclosky Walsh Wamp Watkins Watts (OK) Weller Wexler Weygand White Whitfield Wicker Wise Wolf

NOT VOTING-

Wynn

Yates

Young (FL)

John Weldon (FL) Bereuter Cubin Gonzalez Schiff Weldon (PA) Taylor (NC)

Pryce (OH)

Quinn

Kanjorski

Kaptur

□ 1631

Mr. MEEHAN changed his vote from "aye" to "no."

Ms. PELOSI and Mr. NADLER changed their vote from "no" to "aye. So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. TRAFICANT

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

redesignate The Clerk will the amendment.

The text of the amendment is as fol-

Amendment No. 9 offered by Mr. Traficant:

Page 81, insert after line 13 the following: SEC. 510. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

"(a) IN GENERAL.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under 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 under 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 PER-SONS 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 under 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.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 407, noes 2, answered "present" 15, not voting 8, as follows:

[Roll No. 555]

AYES-407

Abercrombie Barton Bonior Ackerman Bass Bono Borski Aderholt Bateman Allen Bentsen Boswell Andrews Bereuter Boucher Archer Berman Boyd Berry Bilbray Armey Brady Brown (CA) Bachus Brown (FL) Baesler Bilirakis Baker Baldacci Bishop Blagojevich Brown (OH) Bryant Ballenger Bliley Bunning Barcia Blumenauer Burr Burton Barr Blunt Barrett (NE) Boehlert Buyer Barrett (WI) Boehner Callahan Bonilla Bartlett Calvert

Camp Campbell Canady Cannon Cardin Carson Castle Chabot Chambliss Chenoweth Christensen Clay Clayton Clyburn Coble Coburn Collins Combest Cook Cooksey Costello Cox Coyne Cramer Crane Crapo Cummings Cunningham Danner Davis (FL) Davis (IL) Davis (VA) Deal DeFazio DeGette Delahunt DeLauro DeLay Dellums Deutsch Diaz-Balart Dickey Dicks Dingell Dixon Doggett Dooley Doolittle Doyle Dreier Duncan Dunn Edwards Ehlers Ehrlich Emerson Engel English Ensign Eshoo Etheridge Evans Everett Ewing Farr Fattah Fazio Flake Foglietta Forbes Ford Fowler Fox Frank (MA) Franks (NJ) Frelinghuysen Gallegly Ganske Gejdenson Gekas Gephardt Gibbons Gilchrest Gillmor Gilman Goode Goodlatte Goodling Gordon Goss Graham Granger Green Greenwood

Hall (OH) Hall (TX) McIntyre McKeon Hamilton McKinney Hansen McNulty Harman Meehan Hastert Meek Hastings (FL) Metcalf Millender-Hastings (WA) Hayworth McDonald Miller (CA) Hefley Miller (FL) Hefne Herger Minge Hill Mink Hilleary Moakley Hilliard Mollohan Hinchey Moran (KS) Moran (VA) Hoekstra Morella Holden Murtha Hooley Myrick Horn Nadler Hostettler Neal Houghton Nethercutt Hover Neumann Hulshof Nev Hunter Northup Hutchinson Norwood Hyde Nussle Inglis Oberstar Istook Obev Jackson (IL) Olver Jackson-Lee (TX) Owens Oxlev Jefferson Packard Jenkins Pallone John Pappas Johnson (CT) Parker Johnson (WI) Pascrell Johnson, E.B. Paul Johnson, Sam Paxon Jones Kanjorski Payne Pease Pelosi Kaptur Peterson (MN) Kasich Kelly Peterson (PA) Kennedy (MA) Petri Pickering Kennedy (RI) Kennelly Pickett Kildee Pitts Kilpatrick Pombo Kim Pomeroy Kind (WI) Porter King (NY) Portman Kingston Poshard Kleczka Klink Price (NC) Pryce (OH) Klug Quinn Knollenberg Kolbe Radanovich Ramstad Kucinich Rangel LaFalce LaHood Redmond Regula Lampson Riggs Lantos Riley Rivers Largent Latham Roemer LaTourette Rogan Lazio Rogers Leach Rohrabacher Levin Ros-Lehtinen Lewis (CA) Rothman Lewis (GA) Roukema Lewis (KY) Royce Rush Linder Lipinski Ryun Livingston Sabo LoBiondo Salmon Lofgren Sanchez Lowey Sanders Lucas Sandlin Luther Sanford Maloney (CT) Sawyer Maloney (NY) Saxton Manton Scarborough Manzullo Schaefer, Dan Markey Schaffer, Bob Mascara Schumer Matsui Scott Sensenbrenner McCarthy (MO) McCarthy (NY) Sessions McCollum Shadegg McCrery Shaw McDade Shavs McDermott Sherman McGovern McHale Shimkus Shuster McHugh Sisisky

McInnis

McIntosh

Gutknecht

Skaggs

Skeen

Skelton	Stupak	Wamp
Slaughter	Sununu	Waters
Smith (MI)	Talent	Watkins
Smith (NJ)	Tanner	Watt (NC)
Smith (OR)	Tauscher	Watts (OK)
Smith (TX)	Tauzin	Waxman
Smith, Adam	Taylor (MS)	Weller
Smith, Linda	Thomas	Wexler
Snowbarger	Thompson	Weygand
Snyder	Thornberry	White
Solomon	Thune	Whitfield
Souder	Thurman	Wicker
Spence	Tiahrt	Wise
Spratt	Tierney	Wolf
Stabenow	Towns	Woolsey
Stark	Traficant	Wynn
Stearns	Turner	Yates
Stenholm	Upton	Young (AK)
Stokes	Vento	Young (FL)
Strickland	Visclosky	0
Stump	Walsh	

NOES-2

Conyers

s ruise

ANSWERED "PRESENT"-15

Becerra	Menendez	Rodriguez
Filner	Ortiz	Roybal-Allard
Gutierrez	Pastor	Serrano
Hinojosa	Rahall	Torres
Martinez	Reyes	Velazquez

NOT VOTING-8

Cubin Mica Weldon (FL)
Fawell Schiff Weldon (PA)
Gonzalez Taylor (NC)

□ 1639

Mr. PASTOR changed his vote from "aye" to "present."

Ms. VELAZQUEZ changed her vote from "no" to "present."
So the amendment was agreed to.

So the amendment was agreed to. The result of the vote was announced

PERSONAL EXPLANATION

as above recorded.

Mr. MICA. Mr. Chairman, on rollcall No. 555, I was unavoidably detained. Had I been present, I would have voted "yes."

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HAYWORTH) having assumed the chair, Mr. McInnis, 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. 1270) to amend the Nuclear Waste Policy Act of 1982, pursuant to House Resolution 283, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on 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.

MOTION TO RECOMMIT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MARKEY. I am opposed to the bill in its current form, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Markey moves to recommit the bill H.R. 1270 to the Committee on Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 23, line 3, after the period insert "Contractors transporting spent nuclear fuel or high-level radioactive waste under any such contract shall not be indemnified under section 170d. of the Atomic Energy Act of 1954 for any liability resulting from negligence, gross negligence, or willful misconduct in connection with such transportation."

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MARKEY] is recognized for 5 minutes in support of his motion to recommit.

□ 1645

Mr. MARKEY. Mr. Speaker, this recommittal motion is the amendment the nuclear industry does not want Members to vote on, which is why the Committee on Rules did not put it in order. The reason that the nuclear industry does not want us to vote on this amendment is that, as opposed to Nevada getting all the waste, or the nuclear site having the waste taken from it, this amendment deals with the transportation of the waste through Members' districts and what the liability is of the trucking company, of the rail company that has responsibility for this material.

Throughout the entire night last night we heard that an accident cannot happen, that these cannisters are so strong, and if a train hit the cannister, the train would be hurt. We were told that the Governor does not have to certify that transport is safe. We were told that the mayors and the local selectmen do not even have to have a role in public health or safety. But, buried in this bill is a total indemnification against liability of the trucking or the rail company if an accident occurs in Members' districts.

Mr. Speaker, 43 States are going to have these materials riding through them. What happens if the trucking company engages in gross misconduct, if the trucking company engages in gross negligence? They are still not liable.

Mr. Speaker, if the truck driver is on antidepressants, is drunk, is driving 80 miles an hour, careens into our community with this nuclear material, the company is not liable. My amendment makes the company liable. That is the only way we are going to make them accountable, to make sure they hire good drivers, to make sure they have the right kinds of protections built into the trucks, into the railcars. That

is what this amendment is all about, plain and simple, just accountability for the companies who are carrying this dangerous material through every one of our districts. That is where it hits our districts, where it hits our people.

Mr. Speaker, I yield to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, H.R. 1270 does in fact assume that Congress and the Members here are experts, not the scientists. H.R. 1270 says that we are going to ignore what the Nuclear Waste Technical Review Board said, that there is no hurry, there is no urgency.

As a matter of fact, if we put interim storage, and by the way, this bill is not about Yucca Mountain, this bill is about interim storage of nuclear waste at the Nevada test site. If we put interim storage at the Nevada test site, we will hurt the characterization process of Yucca Mountain. This bill is not about science, this is about politics. This is about all of us thinking that we are experts, over the geologists and all the scientists at the Nuclear Waste Technical Board and the like.

Mr. MARKEY. Reclaiming my time, Mr. Speaker, so this amendment is the mobile Chernobyl amendment. It will be coming through Members' districts. The police, the local PTAs, everyone will be asking questions. When they are told that the drivers are not liable, that the railroad companies are not liable, there are going to be a lot of questions to answer.

If there is only going to be one yes vote on recommittal, vote to include this liability for our districts when it is coming through our hometowns.

Mr. ENSIGN. If the gentleman will continue to yield, Mr. Speaker, the other thing about this bill is this bill does ignore private property rights and ignores States' rights. The 10th amendment reserves the power to the States and people that it does not specifically grant to the Federal Government in the Constitution.

The State of Nevada never had nuclear waste produced in its State. This is not a national security issue, this is about commercial nuclear waste trying to be shipped by other States to the State of Nevada. The gentleman from Idaho has good moral arguments because their State has had nuclear waste shoved down their throats. That is why he wants this bill, to get it out of his State, but it is no more right to send it to his State or to my State. This is wrong. It ignores private property rights as well as States' rights.

I urge a "yes" vote on the motion to recommit, and a "no" vote on H.R. 1270

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I rise to speak in opposition to the motion to recommit.

The SPEAKER pro tempore [Mr. HAYWORTH]. The gentleman from Colorado [Mr. DAN SCHAEFER] is recognized for 5 minutes.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Speaker, once again, the entire story has not been told. The fact is that this amendment would amend the Price-Anderson Act, a statute that was carefully crafted over two entire Congresses with great deliberation. There has been no hearing on this amendment, and it makes a dramatic change in an area of law that has always been very controversial.

This is not a simple matter. Contractor liability was hotly contested when the Price-Anderson Act was debated in the 100th and 101st Congresses. Congress did not bar indemnification of contractors from damages resulting from negligence out of recognition that such a course would be inconsistent with the purposes of the Price-Anderson Act. Why?

The fact is that although the impression was made in the debate in favor of this motion that there would be no compensation for those who might be injured by accidents involving nuclear transmission of fuel, the Price-Anderson Act does provide for compensation. It simply provides that it is done through a process that will provide immediate compensation to victims, rather than forcing them into expensive and protracted litigation.

Again, this is an issue that has been debated hotly over two Congresses. It will be visited again in the reauthorization of the Price-Anderson Act before transportation begins, and the impression that was tried to be made by those who debated in favor of this motion that there is no compensation for victims of such accidents is simply false. There is a system of compensation in place. This amendment should be rejected.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Texas [Mr. HALL], my ranking member.

Mr. HALL of Texas. Mr. Speaker, the only change that I see in this is that it amends the Price-Anderson Act. That is an act that we very carefully crafted over two Congresses. There has been no hearing on this amendment. All in the world this is, by a very clever and articulate and a fine Member of Congress, it is a last gasp, the last grasp, the last opportunity to derail us finding a place for the nuclear waste. That is absolutely all it is.

The purpose of the Price-Anderson Act is to provide a means of quickly compensating the victims of a nuclear accident. Let me say this: This amendment, this motion, is not timely, it is not necessary, and it is not debated. There has been absolutely no hearing on it.

The Price-Anderson Act has to be reauthorized by the year 2002. Nuclear waste shipments will not begin until 2002, so there is no reason to act on this amendment today, since transportation will not begin until 5 long years from now. Why the urgency this after-

noon? It is just to derail this amendment today. It is very clever, very well presented, but it just does not hold up.

The situation could be different 5 years from now. At least the committee system would have 60 long months to work, to hear, to notify and have input from people more knowledgeable than any of us here. I think it is unnecessary, it is dangerous, it is untimely, and it is unneeded. I urge that we defeat it.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Speaker, I thank the gentleman for yielding to me.

I would like to have the Members' attention for just a minute. I am not going to yell, wail, or scream. I just want to tell the Members what the facts are.

Mr. Speaker, the Price-Anderson Act was enacted between the 100th and 101st Congresses on a bipartisan basis so people, if there was a nuclear accident, people could get compensation immediately. What this amendment would do, the amendment offered by the gentleman from Massachusetts [Mr. Markey], it would throw things into the courts. It may be 5 years or 6 years or 10 years before anybody would ever get compensated if, in fact, there ever was a nuclear accident, and there has not been.

So what the gentleman from Massachusetts [Mr. MARKEY] would like to do is to hand this over to the trial lawyers, to the courts, to the private settlement issue, and not get victims compensated immediately.

What we are asking in this bill, what the Price-Anderson Act does, is compensate victims immediately so they can take care of their health problems or their physical problems, or any property damage that they received. This amendment ought to stay in place. Price-Anderson ought to stay in place, and we should reject the Markey amendment.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 142, noes 283, not voting 7, as follows:

[Roll No. 556] AYES—142

Hastings (FL) Abercrombie Hefner Ackerman Andrews Hinchev Baesler Hinoiosa Barrett (WI) Hooley Becerra Jackson (IL) Bentsen Jackson-Lee Berman (TX) Blagojevich Jefferson Johnson, E. B. Blumenauer Kanjorski Boswell Kaptur Brown (CA) Kennedy (MA) Kennedy (RI) Brown (OH) Kennelly Kind (WI) Cardin Carson Kleczka Clay Klink Clayton Kucinich Conyers LaFalce Covne Lampson Cummings Lantos Davis (IL) Lewis (GA) DeFazio Lofgren DeGette Lowey Delahunt Luther Maloney (CT) DeLauro Dellums Maloney (NY) Dingell Markey Dixon Martinez Doggett Matsui McCarthy (MO) McCarthy (NY) Ensign McDermott Evans McGovern McHale Farr Fattah McKeon Filner McKinney Flake McNulty Furse Meehan Gejdenson Meek Millender-Gephardt Gibbons McDonald Miller (CA) Green Gutierrez Mink Hall (OH) Moakley Hamilton Nadler Harman Neal

Ney Oberstar Obey Owens Pallone Pascrell Paul Payne Pelosi Rahall Rangel Reyes Rivers Rodriguez Roemer Rothman Roybal-Allard Sabo Sanchez Sanders Sawver Schumer Serrano Shavs Sherman Skaggs Slaughter Smith (NJ) Smith, Adam Souder Stark Stokes Strickland Talent Tauscher Thompson Thurman Tierney Torres Velazquez Vento Visclosky Waters Waxman Weygand Wolf Woolsey

NOES-283

Clyburn

Coble

Coburn

Collins

Condit

Cook

Cox

Combest

Cooksey

Costello

Cramer

Crane

Crapo

Danner

Deal

DeLay

Deutsch

Dickey

Dicks

Dooley

Doyle

Dreier

Dunn

Duncan

Edwards

Ehlers

Ehrlich

Emerson

English

Everett Ewing Fawell

Fazio

Foley

Ford

Fox

Forbes

Fowler

Frank (MA)

Franks (NJ)

Etheridge

Doolittle

Diaz-Balart

Cunningham

Davis (FL)

Davis (VA)

Aderholt Allen Archer Armey Baker Baldacci Ballenger Barcia Barr Barrett (NE) Bartlett Barton Bateman Bereuter Berry Bilbray Bilirakis Bishop Blilev Blunt Boehlert Boehner Bonilla Bono Boucher Boyd Brady Bryant Bunning Burr Burton Buyer Callahan Calvert Camp Campbell Canady Cannon Castle Chabot Chambliss Chenoweth Christensen

Clement

Frelinghuysen Frost Gallegly Ganske Gekas Gilchrest Gillmor Gilman Goode Goodlatte Goodling Gordon Goss Graham Granger Greenwood Gutknecht Hall (TX) Hansen Hastert Hastings (WA) Hayworth Hefley Herger Hilleary Hilliard Hobson Hoekstra Holden Horn Hostettler Houghton Hulshof Hunter Hutchinson Hyde Inglis Istook **Jenkins** John Johnson (CT) Johnson (WI)

Johnson, Sam

Jones

Yates

CONGRESSIONAL RECORD—HOUSE

Hostettler

(TX)

Castle

Kasich Nussle Shaw Kelly Olver Shimkus Kildee Ortiz Shuster Kilpatrick Oxley Sisisky Packard Skeen Kim King (NY) Pappas Skelton Smith (MI) Kingston Parker Smith (OR) Klug Pastor Knollenberg Paxon Smith (TX) Smith, Linda Kolbe Pease LaHood Peterson (MN) Snowbarger Largent Peterson (PA) Snyder Latham Petri Solomon LaTourette Pickering Spence Spratt Stabenow Lazio Pickett Pitts Leach Levin Pombo Stearns Lewis (CA) Pomerov Stenholm Lewis (KY) Porter Stump Linder Portman Stupak Lipinski Poshard Sununu Price (NC) Livingston Tanner LoBiondo Pryce (OH) Tauzin Taylor (MS) Lucas Quinn Manton Radanovich Taylor (NC) Manzullo Ramstad Thomas Mascara Redmond Thornberry McCollum Regula Thune McCrery Tiahrt McDade Rilev Towns McHugh Traficant Rogan McInnis Rogers Turner McIntosh Rohrabacher Upton Ros-Lehtinen McIntyre Walsh Menendez Roukema Wamp Metcalf Watkins Rovce Rush Mica Watt (NC) Miller (FL) Ryun Salmon Watts (OK) Weller Minge Sandlin Mollohan Wexler Moran (KS) Sanford White Whitfield Moran (VA) Saxton Morella Scarborough Wicker Murtha Schaefer, Dan Wise Schaffer, Bob Wynn Myrick Nethercutt Young (AK) Scott Sensenbrenner Young (FL) Neumann Northup Sessions Norwood Shadegg NOT VOTING-7

Bonior Gonzalez Weldon (PA) Schiff Cubin Weldon (FL) Foglietta

□ 1715

Mr. STRICKLAND changed his vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on passage of the bill

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 307, noes 120, not voting 6, as follows:

[Roll No. 557] AYES-307

Aderholt Bentsen Brady Allen Bereuter Brown (FL) Brown (OH) Archer Berry Armey Bilbray Bryant Bachus Bilirakis Bunning Baker Bishop Burr Burton Baldacci Bliley Blunt Boehlert Ballenger Buyer Callahan Barcia Barr Boehner Calvert Barrett (NE) Bonior Bono Camp Campbell Bartlett Borski Barton Canady Boucher Cannon Bass Cardin Bateman Boyd

Chabot Houghton Chambliss Hoyer Chenoweth Hulshof Christensen Hunter Hutchinson Clayton Clement Hvde Clyburn Inglis Coble Istook Jackson-Lee Collins Combest Cook Jefferson Cooksey Jenkins Costello John Cox Johnson (CT) Cramer Johnson (WI) Crane Johnson, E. B. Crapo Johnson, Sam Cunningham Jones Danner Davis (FL) Kanjorski Kennelly Kildee Davis (VA) Kilpatrick Kim Kind (WI) DeLay Deutsch King (NY) Diaz-Balart Dickey Kingston Klink Dicks Dingell Klug Knollenberg Dooley Doolittle Kolbe Doyle LaHood Dreier Largent Latham Duncan Dunn LaTourette Edwards Lazio Ehlers Leach Ehrlich Levin Lewis (KY) Emerson Linder Engel Lipinski Etheridge Everett Livingston LoBiondo Ewing Fattah Luther Maloney (CT) Fawell Maloney (NY) Fazio Flake Manton Manzullo Foley Forbe Mascara Ford Matsui McCarthy (MO) Fowler McCarthy (NY) Frank (MA) McCollum Franks (NJ) McCrery Frelinghuysen McDade Frost McHugh Gallegly McInnis McIntyre Ganske Geidenson Meek Menendez Gekas Gilchrest Metcalf Gillmor Mica Gilman Miller (FL) Gingrich Minge Mollohan Goode Goodlatte Moran (KS) Goodling Morella Gordon Murtha Goss Myrick Graham Neal Granger Nethercutt Green Neumann Greenwood Northup Gutknecht Norwood Hall (TX) Nussle Hastert Oberstar Hastings (WA) Obey Hayworth Olver Hefley Ortiz Hefner Oxley Hill Packard Hilleary Pappas Parker Hilliard Hinojosa Pastor Hobson Paxon Hoekstra Peterson (MN)

NOES-120

Peterson (PA)

Petri

Holden

Abercrombie

Barrett (WI)

Blagojevich

Blumenauer

Ackerman Andrews

Baesler

Becerra

Berman

Horn

Bonilla Davis (IL) DeFazio DeGette Boswell Brown (CA) Carson Delahunt Clay Condit DeLauro Dellums Conyers Dixon Doggett English Coyne Cummings

Young (FL)

Pickering Pickett Pitts Pomerov Porter Portman Poshard Price (NC) Pryce (OH) Quinn Ramstad Redmond Regula Riggs Riley Rodriguez Rogan Rogers Rohrabacher Ros-Lehtinen Roukema Royce Rush Rviin Salmon Sandlin Sanford Sawyer Saxton Scarborough Schaefer, Dan Schaffer, Bob Scott Sensenbrenner Sessions Shadegg Shaw Shimkus Shuster Sisisky Skeen Skelton Smith (MI) Smith (OR) Smith (TX) Smith, Linda Snowbarger Snyder Solomon Spence Spratt Stabenow Stearns Stenholm Strickland Stump Stupak Sununu Tanner Tauzin Taylor (MS) Taylor (NC) Thomas Thompson Thornberry Thune Thurman Tiahrt Towns Traficant Turner Upton Vento Visclosky Walsh Wamp Watt (NC) Watts (OK) Weller Wexler White Whitfield Wicker Wolf Wynn Young (AK)

Ensign Eshoo Evans Farr Filner Foglietta Furse Gephardt Gibbons Gutierrez Hall (OH) Hamilton Hansen Harman Hastings (FL) Herger Hinchey Hooley Jackson (IL) Kaptur Kasich Kelly Kennedy (MA) Kennedy (RI) Kleczka Kucinich LaFalce Lampson Lantos Lewis (CA) Lewis (GA) Lofgren

Lowey Lucas Markey Martinez McDermott McGovern McHale McIntosh McKeon McKinney McNulty Meehan Millender-McDonald Miller (CA) Mink Moakley Moran (VA) Nadler Ney Owens Pallone Pascrell Paul Payne Pease Pelosi Pombo Radanovich Rahall Rangel Reyes

Rivers Roemer Rothman Roybal-Allard Sabo Sanchez Sanders Schumer Serrano Shavs Sherman Skaggs Slaughter Smith (NJ) Smith, Adam Souder Stark Stokes Talent Tauscher Tierney Torres Velazquez Waters Watkins Waxman Weygand Wise Woolsey Yates

NOT VOTING-6

Coburn Weldon (FL) Gonzalez Cubin Schiff Weldon (PA)

\Box 1727

BRYANT, CHRISTENSEN, Messrs. and McCRERY changed their vote from 'no" to "aye.

So the bill was passed.

The result of vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill, H.R. 1270.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AUTHORIZING THE **CLERK** TO MAKE **CORRECTIONS** ΙN EN-GROSSMENT OF H.R. 1270, NU-CLEAR WASTE POLICY ACT

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 1270, including corrections in spelling, punctuation, section numbering and cross-referencing.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PRIVILEGES OF THE HOUSE-DIS-MISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. MENENDEZ. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 290) pursuant to clause 2 of rule IX.