

Norwood	Ryun (KS)	Tauscher
Nussle	Sabo	Tauzin
Oberstar	Salmon	Taylor (MS)
Obey	Sanchez	Taylor (NC)
Olver	Sanders	Terry
Ortiz	Sandlin	Thomas
Ose	Sawyer	Thompson (CA)
Owens	Saxton	Thompson (MS)
Oxley	Scarborough	Thornberry
Packard	Schaffer	Thune
Pallone	Schakowsky	Thurman
Pascarell	Scott	Tiahrt
Pastor	Sensenbrenner	Tierney
Payne	Serrano	Toomey
Pease	Sessions	Towns
Pelosi	Shadegg	Trafficant
Peterson (PA)	Shaw	Turner
Petri	Shays	Udall (CO)
Phelps	Sherman	Udall (NM)
Pickering	Sherwood	Upton
Pickett	Shimkus	Velazquez
Pitts	Shows	Vento
Pomeroy	Shuster	Visclosky
Porter	Simpson	Vitter
Portman	Sisisky	Walden
Price (NC)	Skeen	Walsh
Pryce (OH)	Skelton	Waters
Quinn	Slaughter	Watkins
Radanovich	Smith (MI)	Watt (NC)
Ramstad	Smith (NJ)	Watts (OK)
Rangel	Smith (TX)	Waxman
Regula	Smith (WA)	Weiner
Reyes	Snyder	Weldon (FL)
Reynolds	Spence	Weldon (PA)
Rivers	Spratt	Weller
Roemer	Stabenow	Wexler
Rogan	Stark	Weygand
Rogers	Stearns	Whitfield
Rohrabacher	Stenholm	Wicker
Ros-Lehtinen	Strickland	Wilson
Rothman	Stupak	Wise
Roukema	Sununu	Wolf
Roybal-Allard	Sweeney	Woolsey
Royce	Talent	Wu
Rush	Tancred	Wynn
Ryan (WI)	Tanner	Young (FL)

## NAYS—22

Barr	Jenkins	Riley
Chenoweth-Hage	Jones (NC)	Sanford
Coburn	Metcalf	Souder
DeMint	Mollohan	Stump
Goode	Paul	Wamp
Hayworth	Peterson (MN)	Young (AK)
Hill (MT)	Pombo	
Hostettler	Rahall	

## NOT VOTING—6

Bliley	DeGette	Myrick
Cook	McIntosh	Rodriguez

□ 1822

Messrs. SOUDER, WAMP, PETERSON of Minnesota, RAHALL, MOLLOHAN, and YOUNG of Alaska changed their vote from "yea" to "nay."

Mr. BRADY of Texas and Mr. HEFLEY changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2328, THE CLEAN LAKES PROGRAM

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-571) on the resolution (H. Res. 468) providing for consideration of the bill (H.R. 2328) to amend the Federal Water Pollution Control Act to reauthorize the Clean Lakes Program, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-572) on the resolution (H. Res. 469) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3039, CHESAPEAKE BAY RESTORATION ACT OF 1999

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-573) on the resolution (H. Res. 470) providing for consideration of the bill (H.R. 3039) to amend the Federal Water Pollution Control Act to assist in the restoration of the Chesapeake Bay, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 94, TAX LIMITATION CONSTITUTIONAL AMENDMENT

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-574) on the resolution (H. Res. 471) providing for consideration of the joint resolution (H.J. Res. 94) proposing an amendment to the Constitution of the United States with respect to tax limitations, which was referred to the House Calendar and ordered to be printed.

#### SENSE OF CONGRESS THAT PRESIDENT OF UNITED STATES SHOULD ENCOURAGE FREE AND FAIR ELECTIONS AND RESPECT FOR DEMOCRACY IN PERU

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the Senate joint resolution (S.J. Res. 43) expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate joint resolution.

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

Ms. LEE. Mr. Speaker, reserving the right to object, I yield to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman from California for yielding to me.

This resolution, Mr. Speaker, makes an important statement of American policy towards Peru. It was passed unanimously by the Senate.

Independent election monitors in Peru have expressed grave doubts about the fairness of the electoral process now under way in Peru.

This resolution notes the absence of free and fair elections in Peru would constitute a major setback for the Peruvian people and for democracy in the hemisphere. It could result in instability in Peru and could jeopardize United States anti-narcotic objectives in Peru and the region.

Mr. Speaker, at this moment, Peru's electoral authorities are moving to finalize the vote count for the first round of that election. It is important that the House add its voice to the unanimous voice in the Senate and send a proper signal of U.S. support for democracy in Peru.

Ms. LEE. Mr. Speaker, further reserving the right to object, I want to thank the gentleman from New York (Chairman GILMAN) for bringing this resolution to the floor.

This resolution really comes at a very decisive moment in Peru's history. The votes from this past Sunday's election in Peru are being counted as we speak. International and Peruvian observers have already declared the electoral process to be damaged. The Organization of American States, the National Democratic Institute, and the Carter Center are among them.

Mr. Speaker, I have served as an international observer in the recent Nigerian elections and also in the elections in South Africa several years ago. We must value the importance of our international observers in their understanding and clarification of what is taking place abroad.

These nonpartisan Peruvian observers also have included the well-respected group Transparencia, and they have noted that the Fujimori government has attempted to unfairly manipulate this process to President Fujimori's advantage.

Now, the legitimacy of the entire process is in the balance. Pre-election polls and, more telling, election day exit polls and independent quick counts all point to President Fujimori's coming short of the 50 percent vote needed to win in the first round. Official vote counts appear to be inching toward 50 percent while independent tabulations show the count to be 47 to 49 percent.

This resolution, S.J. Res. 43, actually calls on Peru's government to ensure a clean, legitimate electoral process. For the Peruvian people and for the U.S.-Peruvian relations, we implore President Fujimori's efforts, and we implore him to do the right thing in this instance.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 43

Whereas presidential and congressional elections are scheduled to occur in Peru on April 9, 2000;

Whereas independent election monitors, including the Organization of American States, the National Democratic Institute, and the Carter Center, have expressed grave doubts about the fairness of the electoral process due to the Peruvian Government's control of key official electoral agencies, systematic restrictions on freedom of the press, manipulation of the judicial processes to stifle independent reporting on radio, television, and newspaper outlets, and harassment and intimidation of opposition politicians, which have greatly limited the ability of opposing candidates to campaign freely; and

Whereas the absence of free and fair elections in Peru would constitute a major setback for the Peruvian people and for democracy in the hemisphere, could result in instability in Peru, and could jeopardize United States antinarcotics objectives in Peru and the region: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That it is the sense of Congress that the President of the United States should promptly convey to the President of Peru that if the April 9, 2000, elections are not deemed by the international community to have been free and fair, the United States will review and modify as appropriate its political, economic, and military relations with Peru, and will work with other democracies in this hemisphere and elsewhere toward a restoration of democracy in Peru.

The Senate joint resolution was agreed to.

A motion to reconsider is laid on the table.

#### GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on Senate Joint Resolution 43.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such record votes on proposed questions will be taken tomorrow.

#### ENERGY POLICY AND CONSERVATION ACT REAUTHORIZATION

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2884) to extend energy

conservation programs under the Energy Policy and Conservation Act through fiscal year 2003, as amended.

The Clerk read as follows:

H.R. 2884

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*,

#### SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

The Energy Policy and Conservation Act is amended—

(1) by amending section 166 (42 U.S.C. 6246) to read as follows:

##### "AUTHORIZATION OF APPROPRIATIONS

"SEC. 166. There are authorized to be appropriated for fiscal years 2000 through 2003 such sums as may be necessary to implement this part."

(2) in section 181 (42 U.S.C. 6251) by striking "March 31, 2000" both places it appears and inserting in lieu thereof "September 30, 2003"; and

(3) in section 281 (42 U.S.C. 6285) by striking "March 31, 2000" both places it appears and inserting in lieu thereof "September 30, 2003".

#### SEC. 2. PURCHASE OF OIL FROM MARGINAL WELLS.

(a) PURCHASE OF OIL FROM MARGINAL WELLS.—Part B of Title I of the Energy Policy and Conservation Act (42 U.S.C. 6232 et seq.) is amended by adding the following new section after section 168:

##### "PURCHASE OF OIL FROM MARGINAL WELLS

"SEC. 169. (a) IN GENERAL.—From amounts authorized under section 166, in any case in which the price of oil decreases to an amount less than \$15.00 per barrel (an amount equal to the annual average well head price per barrel for all domestic crude oil), adjusted for inflation, the Secretary may purchase oil from a marginal well at \$15.00 per barrel, adjusted for inflation.

"(b) DEFINITION OF MARGINAL WELL.—The term "marginal well" means a well that—

"(1) has an average daily production of 15 barrels or less;

"(2) has an average daily production of 25 barrels or less with produced water accounting for 95 percent or more of total production; or

"(3) produces heavy oil with an API gravity less than 20 degrees."

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act is amended by inserting after the item relating to section 168 the following:

"Sec. 169. Purchase of oil from marginal wells."

#### SEC. 3. NORTHEAST HOME HEATING OIL RESERVE.

(a) AMENDMENT.—Title I of the Energy Policy and Conservation Act is amended by—

(1) redesignating part D as part E;

(2) redesignating section 181 as section 191; and

(3) inserting after part C the following new part D:

##### "PART D—NORTHEAST HOME HEATING OIL RESERVE "ESTABLISHMENT

"SEC. 181. (a) Notwithstanding any other provision of this Act, the Secretary may establish, maintain, and operate in the Northeast a Northeast Home Heating Oil Reserve. A Reserve established under this part is not a component of the Strategic Petroleum Reserve established under part B of this title. A Reserve established under this part shall contain no more than 2 million barrels of petroleum distillate.

"(b) For the purposes of this part—

"(1) the term 'Northeast' means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, and New Jersey; and

"(2) the term 'petroleum distillate' includes heating oil and diesel fuel.

##### "AUTHORITY

"SEC. 182. To the extent necessary or appropriate to carry out this part, the Secretary may—

"(1) purchase, contract for, lease, or otherwise acquire, in whole or in part, storage and related facilities, and storage services;

"(2) use, lease, maintain, sell, or otherwise dispose of storage and related facilities acquired under this part;

"(3) acquire by purchase, exchange (including exchange of petroleum product from the Strategic Petroleum Reserve or received as royalty from Federal lands), lease, or otherwise, petroleum distillate for storage in the Northeast Home Heating Oil Reserve;

"(4) store petroleum distillate in facilities not owned by the United States;

"(5) sell, exchange, or otherwise dispose of petroleum distillate from the Reserve established under this part; and

"(6) notwithstanding paragraph (5), on terms the Secretary considers reasonable, sell, exchange, or otherwise dispose of petroleum distillate from the Reserve established under this part in order to maintain the quality or quantity of the petroleum distillate in the Reserve or to maintain the operational capability of the Reserve.

##### "CONDITIONS FOR RELEASE; PLAN

"SEC. 183. (a) The Secretary may release petroleum distillate from the Reserve under section 182(5) only in the event of—

"(1) a severe energy supply disruption;

"(2) a severe price increase; or

"(3) another emergency affecting the Northeast, which the President determines to merit a release from the Reserve.

"(b) Within 45 days of the date of enactment of this section, the Secretary shall transmit to the President and, if the President approves, to the Congress a plan describing—

"(1) the acquisition of storage and related facilities or storage services for the Reserve;

"(2) the acquisition of petroleum distillate for storage in the Reserve;

"(3) the anticipated methods of disposition of petroleum distillate from the Reserve; and

"(4) the estimated costs of establishment, maintenance, and operation of the Reserve.

The storage of petroleum distillate in a storage facility that meets existing environmental requirements is not a 'major Federal action significantly affecting the quality of the human environment' as that term is used in section 102(2)(C) of the National Environmental Policy Act of 1969.

##### "NORTHEAST HOME HEATING OIL RESERVE ACCOUNT

"SEC. 184. (a) Upon a decision of the Secretary of Energy to establish a Reserve under this part, the Secretary of the Treasury shall establish in the Treasury of the United States an account know as the 'Northeast Home Heating Oil Reserve Account' (referred to in this section as the 'Account').

"(b) The Secretary of the Treasury shall deposit in the Account any amounts appropriated to the Account and any receipts from the sale, exchange, or other disposition of petroleum distillate from the Reserve.

"(c) The Secretary of Energy may obligate amounts in the Account to carry out activities under this part without the need for further appropriation, and amounts available to the Secretary of Energy for obligation under this section shall remain available without fiscal year limitation.