

point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 482]

YEAS—422

Abercrombie	Cunningham	Hobson
Ackerman	Danner	Hoefel
Aderholt	Davis (FL)	Hoekstra
Allen	Davis (IL)	Holden
Andrews	Davis (VA)	Holt
Archer	Deal	Hooley
Army	DeFazio	Horn
Baca	DeGette	Hostettler
Bachus	Delahunt	Houghton
Baird	DeLauro	Hoyer
Baker	DeLay	Hulshof
Baldacci	DeMint	Hunter
Baldwin	Deutsch	Hutchinson
Ballenger	Dickey	Hyde
Barcia	Dicks	Insee
Barr	Dingell	Isakson
Barrett (NE)	Dixon	Isotook
Barrett (WI)	Doggett	Jackson (IL)
Bartlett	Dooley	Jackson-Lee
Barton	Doolittle	(TX)
Bass	Doyle	Jefferson
Becerra	Dreier	Jenkins
Bentsen	Duncan	John
Bereuter	Dunn	Johnson (CT)
Berkley	Edwards	Johnson, E. B.
Berman	Ehlers	Johnson, Sam
Berry	Ehrlich	Jones (NC)
Biggett	Emerson	Jones (OH)
Bilbray	Engel	Kanjorski
Bilirakis	English	Kaptur
Bishop	Eshoo	Kasich
Blagojevich	Etheridge	Kelly
Bliley	Evans	Kennedy
Blumenauer	Everett	Kildee
Blunt	Ewing	Kilpatrick
Boehrlert	Farr	Kind (WI)
Boehner	Fattah	King (NY)
Bonilla	Filner	Kingston
Bonior	Fletcher	Kleczka
Bono	Foley	Knollenberg
Borski	Forbes	Kolbe
Boswell	Ford	Kucinich
Boucher	Fossella	Kuykendall
Boyd	Fowler	LaFalce
Brady (PA)	Frank (MA)	LaHood
Brown (FL)	Franks (NJ)	Lampson
Brown (OH)	Frelinghuysen	Lantos
Bryant	Frost	Largent
Burr	Gallegly	Larson
Burton	Ganske	Latham
Buyer	Gejdenson	LaTourette
Callahan	Gekas	Leach
Calvert	Gephardt	Lee
Camp	Gibbons	Levin
Canady	Gilchrest	Lewis (CA)
Cannon	Gillmor	Lewis (GA)
Capps	Gilman	Lewis (KY)
Capuano	Gonzalez	Linder
Cardin	Goode	Lipinski
Carson	Goodlatte	LoBiondo
Castle	Goodling	Lofgren
Chabot	Gordon	Lowe
Chambliss	Goss	Lucas (KY)
Chenoweth-Hage	Graham	Lucas (OK)
Clay	Granger	Luther
Clayton	Green (TX)	Maloney (CT)
Clement	Greenwood	Maloney (NY)
Clyburn	Gutierrez	Manzullo
Coble	Gutknecht	Markey
Coburn	Hall (OH)	Martinez
Collins	Hall (TX)	Mascara
Combust	Hansen	Matsui
Condit	Hastings (FL)	McCarthy (MO)
Conyers	Hastings (WA)	McCarthy (NY)
Cook	Hayes	McCollum
Cooksey	Hayworth	McCrery
Costello	Hefley	McDermott
Cox	Herger	McGovern
Coyne	Hill (IN)	McHugh
Cramer	Hill (MT)	McInnis
Crane	Hilleary	McIntyre
Crowley	Hilliard	McKeon
Cubin	Hinchea	McKinney
Cummings	Hinojosa	McNulty

Meehan	Ramstad	Stearns
Meeks (NY)	Rangel	Stenholm
Menendez	Regula	Strickland
Metcalf	Reyes	Stump
Mica	Reynolds	Stupak
Millender	Riley	Sununu
McDonald	Rivers	Sweeney
Miller (FL)	Rodriguez	Talent
Miller, Gary	Roemer	Tancredo
Miller, George	Rogan	Tanner
Minge	Rogers	Tauscher
Mink	Rohrabacher	Tauzin
Moakley	Ros-Lehtinen	Taylor (MS)
Mollohan	Rothman	Taylor (NC)
Moore	Roukema	Terry
Moran (KS)	Roybal-Allard	Thomas
Moran (VA)	Royce	Thompson (CA)
Morella	Rush	Thompson (MS)
Murtha	Ryan (WI)	Thornberry
Myrick	Ryun (KS)	Thune
Nadler	Sabo	Thurman
Napolitano	Salmon	Tiahrt
Neal	Sanchez	Tierney
Ney	Sanders	Toomey
Northrup	Sandlin	Towns
Norwood	Sanford	Traficant
Nussle	Sawyer	Turner
Oberstar	Saxton	Udall (CO)
Obey	Scarborough	Udall (NM)
Olver	Schaffer	Upton
Ortiz	Schakowsky	Velazquez
Ose	Scott	Visclosky
Owens	Sensenbrenner	Vitter
Oxley	Serrano	Walden
Packard	Sessions	Walsh
Pallone	Shadegg	Wamp
Pascrell	Shaw	Waters
Pastor	Shays	Watkins
Paul	Sherman	Watt (NC)
Payne	Sherwood	Watts (OK)
Pease	Shimkus	Waxman
Pelosi	Shows	Weiner
Peterson (MN)	Shuster	Weldon (FL)
Peterson (PA)	Simpson	Weldon (PA)
Petri	Sisisky	Weller
Phelps	Skeen	Wexler
Pickering	Skelton	Weygand
Pickett	Slaughter	Whitfield
Pitts	Smith (MI)	Wicker
Pombo	Smith (NJ)	Wilson
Pomeroy	Smith (TX)	Wolf
Porter	Smith (WA)	Woolsey
Portman	Snyder	Wu
Price (NC)	Souder	Wynn
Pryce (OH)	Spence	Young (AK)
Quinn	Spratt	Young (FL)
Radanovich	Stabenow	
Rahall	Stark	

NOT VOTING—11

Brady (TX)	Klink	Nethercutt
Campbell	Lazio	Vento
Diaz-Balart	McIntosh	Wise
Green (WI)	Meek (FL)	

□ 1156

Mr. METCALF changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GREEN of Wisconsin. Mr. Speaker, on rollcall No. 482, had I been present, I would have voted “yea.”

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 482, had I been present, I would have voted “yea.”

CHANDLER PUMPING PLANT WATER EXCHANGE FEASIBILITY STUDY

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 581 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 581

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Resources now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and one motion to recommit with or without instructions.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Massachusetts (Mr. MOAKLEY), the ranking Democratic member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1200

Mr. HASTINGS of Washington. Mr. Speaker, H.Res. 581 is a closed rule waiving all points of order against the consideration of H.R. 3986, a bill providing for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Station at Prosser Diversion Dam in the State of Washington. The resolution provides for 1 hour of general debate in the House to be equally divided between the chairman and ranking minority member of the Committee on Resources. The rule further provides that the Committee on Resources amendment in the nature of a substitute now printed in the bill shall be considered as adopted. Finally, the rule waives all points of order against the committee amendment in the nature of a substitute and provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 3986 passed the Committee on Resources unanimously by voice vote on September 13. It was originally considered by the House yesterday under suspension of the rules. We are bringing this bill before the House again today because, although the bill was supported by a majority of the House Members, it did not receive the two-thirds support necessary for passage under suspension of the rules for reasons completely unrelated to the substance of the bill.

We were told during debate on H.R. 3986 yesterday that Members who opposed the bill did so in order to express their frustration that more Democrat

bills have not been considered by the House under suspension of the rules. On the surface, Mr. Speaker, that sounds like a compelling argument and a legitimate cause for concern. After all, Members in this body have every right to expect that they will be treated fairly regardless of which party is in the majority.

The problem with the Democrat leaders' complaint, however, is that it is completely groundless. When Members examine the record of bills considered under suspension of the rules, here is what they will find: in 1993 and 1994, the last Congress controlled by the Democrats, we Republicans were given 11.8 percent of all bills on the suspension calendar. In contrast, during this Congress, we have given the Democrats 23.5 percent of the bills under suspension, which is fully twice as many. Mr. Speaker, I guess they are right. On this issue, we have not been fair. Actually we have been more than fair.

Although we should not have to take up the House's time on this bill for the second day in a row, the partisan tactics of the leadership on the other side of the aisle has left us with no choice but to bring this bill back once again. The resolution before Members provides for a closed rule on H.R. 3986 only because we have taken more than enough of the Members' and the House's time on this measure and because Members on the other side of the aisle have indicated in the press that they would have supported this bill on its merits without any amendments had they not decided to make an example of us during yesterday's exercise in partisan finger pointing.

To summarize, Mr. Speaker, H.R. 3986 is a straightforward and noncontroversial bill. It provides funding for studies that we believe will ultimately serve the goal of saving salmon while protecting water rights, two important goals shared by people throughout the Pacific Northwest. That is why H.R. 3986 is supported by environmental groups as well as irrigators, Indian tribes and by local governments. Simply put, this is a common sense measure that has gotten caught up in the end-of-the-session partisan bickering here in the House that is of absolutely no interest to the citizens or the salmon living in my district. Frankly, both deserve better.

Accordingly, Mr. Speaker, I urge my colleagues to support both the rule on this bill and H.R. 3986 when it is considered on the floor of the House, hopefully for the last time, in just a few minutes.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague and my dear friend, the gentleman from Washington (Mr. HASTINGS), for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this noncontroversial bill by the gentleman from Washington (Mr. HASTINGS) that

will simply authorize the Secretary of the Interior to study the engineering feasibility of exchanging water from the Columbia River instead of the Yakima River to provide electricity to the Chandler Pumping Plant and Power Plant. Normally, noncontroversial bills like this come up under suspension, Mr. Speaker; but normally bills by both Democrats and Republicans come up, also. But for some reason Democratic bills are not coming to the floor like they used to. Democratic bills are not even being scheduled for hearings like they used to.

So this bill by my dear friend from Washington is a perfectly good bill; it has been sent to the floor under a rule as part of a protest of a larger policy of discrimination against Democratic bills. We have no controversy with the bill.

I sincerely hope we can resolve this issue and get a fair number of Democratic resources bills to the floor under suspension. I urge my colleagues to support my very dear friend's bill. I hope they support the rule and support the bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

I would just reiterate again what I said in my opening remarks. The last time that my friend's party controlled the House, they had provided the Republicans with half as many bills under suspension as we have this year.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SIMPSON. Mr. Speaker, pursuant to House Resolution 581, I call up the bill (H.R. 3986) to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 581, the bill is considered read for amendment.

The text of H.R. 3986 is as follows:

H.R. 3986

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

SECTION 1. CHANDLER PUMPING PLANT AND POWERPLANT OPERATIONS AT PROSSER DIVERSION DAM, WASHINGTON.

Section 1208 of Public Law 103-434 (108 Stat. 4562) is amended—

(1) in subsection (a)—
 (A) in the subsection heading, by inserting "OR WATER EXCHANGE" after "ELECTRIFICATION";

(B) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and indenting appropriately;

(C) by striking "In order to" and inserting the following:

"(1) ELECTRIFICATION.—In order to"; and

(D) by adding at the end the following:

"(2) WATER EXCHANGE ALTERNATIVE.—

"(A) IN GENERAL.—As an alternative to the measures authorized under paragraph (1), the Secretary may use sums appropriated under paragraph (1) to study the engineering feasibility of exchanging water from the Columbia River for water historically diverted from the Yakima River.

"(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary, in coordination with the Kennewick Irrigation District and the Columbia Irrigation District—

"(i) shall prepare a report that describes project benefits, contains feasibility level designs and cost estimates;

"(ii) may obtain critical rights-of-way;

"(iii) shall prepare an environmental assessment; and

"(iv) shall conduct such other studies or investigations as are necessary to develop a water exchange.";

(2) in subsection (b)(1), by inserting "or water exchange" after "electrification"; and

(3) in subsection (d), by striking "electrification," each place it appears and inserting "electrification or water exchange".

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 3986, as amended, is as follows:

H.R. 3986

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

SECTION 1. CHANDLER PUMPING PLANT AND POWERPLANT OPERATIONS AT PROSSER DIVERSION DAM, WASHINGTON.

Section 1208 of Public Law 103-434 (108 Stat. 4562) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting "OR WATER EXCHANGE" after "ELECTRIFICATION";

(B) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and indenting appropriately;

(C) by striking "In order to" and inserting the following:

"(1) ELECTRIFICATION.—In order to"; and

(D) by adding at the end the following:

"(2) WATER EXCHANGE ALTERNATIVE.—

"(A) IN GENERAL.—As an alternative to the measures authorized under paragraph (1) for electrification, the Secretary is authorized to use not more than \$4,000,000 of sums appropriated under paragraph (1) to study the engineering feasibility of exchanging water from the Columbia River for water historically diverted from the Yakima River.

"(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary, in coordination with the Kennewick Irrigation District and in consultation with the Bonneville Power Administration, shall—

"(i) prepare a report that describes project benefits and contains feasibility level designs and cost estimates;

"(ii) secure the critical right-of-way areas for the pipeline alignment;

"(iii) prepare an environmental assessment; and

"(iv) conduct such other studies or investigations as are necessary to develop a water exchange.";

(2) in subsection (b)—

(A) in paragraph (1), by inserting "or water exchange" after "electrification"; and

(B) in the second sentence of paragraph (2)(A), by inserting "or the equivalent of the rate" before the period;

(3) in subsection (d), by striking "electrification," each place it appears and inserting "electrification or water exchange"; and

(4) in subsection (d), by striking "of the two" and inserting "thereof".

The SPEAKER pro tempore. The gentleman from Idaho (Mr. SIMPSON) and the gentleman from California (Mr. DOOLEY) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 3986 authorizes the study of the feasibility of exchanging water diverted from the Yakima River for use by two irrigation districts for water from the Columbia River. The study would be conducted as part of the Yakima River Basin Water Enhancement Project. The legislation will promote salmon recovery in the Yakima River without reducing the amount of water available to irrigators.

Mr. Speaker, one of the most contentious and divisive issues in the Pacific Northwest is that of salmon recovery. The desire to restore salmon runs is one that is universally shared in the Pacific Northwest. It is vital to the historical culture of the region. The difficulty that arises is one of how best to go about salmon recovery, taking into consideration the species, the environment, local and regional economics and so forth.

There are some that have been pushing for the immediate extreme measure of removing the four lower Snake River dams on the Snake River while others, myself included, believe we should take some common sense steps toward salmon recovery before we consider the extreme measure of removing dams. H.R. 3986 is one of those steps. In itself, it will not recover salmon. But the study that it authorizes may be one of the pieces of the salmon-recovery puzzle.

Mr. Speaker, I ask unanimous consent that the gentleman from Washington (Mr. HASTINGS) be allowed to control the time for the majority.

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

There was no objection.

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3986 would simply authorize a study of a new water pumping plant at the Prosser Diversion Dam in the State of Washington. According to the sponsors of the legislation, the gentleman from Washington (Mr. HASTINGS) and Senator GORTON, the study would determine if diverting water for irrigation from the larger Columbia River instead of the Yakima River would help save the endangered fish in the area.

There is no objection to the enactment of H.R. 3986.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of H.R. 3986, and I want to thank the

gentleman from Idaho (Mr. SIMPSON) for yielding the time to me.

Mr. Speaker, the preservation of salmon in the Pacific Northwest is one of my top priorities in Congress. I am convinced that we can save this national treasure while also preserving the jobs and quality of life in the Pacific Northwest. My legislation is just one example of the benefits that can be obtained for salmon by interested parties working together on the local level.

Yesterday, this legislation received a majority of the House of Representatives under suspension but failed to garner the necessary two-thirds necessary for passage. It is my understanding, as the gentleman from California (Mr. DOOLEY) said, they have no objections to this legislation that went through the committee process and that was reported out by unanimous vote. However, yesterday the minority party chose to play politics over salmon recovery, and so we are returning here today to ask my colleagues for their continued support of this legislation.

I was pleased, however, to receive support from three of my Democrat Members from Washington State, Mr. DICKS, Mr. INSLEE and Mr. BAIRD, on the vote yesterday. They chose by their vote to choose salmon over politics. I appreciate their commitment to saving salmon in the Pacific Northwest.

Very simply, this legislation authorizes a study of the feasibility of exchanging water diverted from the Yakima River for use by the Kennewick and Columbia Irrigation Districts for water from the Columbia River. The study would be conducted as part of the Bureau of Reclamation's Yakima River Basin Water Enhancement Project, a series of projects authorized by Congress to improve water quality and quantity in the Yakima River. These two systems currently take their water from the lower Yakima River where flows have already been decreased because of upstream diversions. By taking water from a much larger volume of the Columbia River, the impact on threatened and endangered species would be significantly reduced.

Specifically, this project provides the opportunity to increase Yakima River flows at the Prosser Dam during critical low-flow periods by up as many as 750 cubic feet per second. This approach will provide over twice as much flow augmentation as the previously approved electrification project and would completely eliminate the Yakima River diversion for the Kennewick Irrigation District. The new pump station and pressure pipeline from the Columbia River will be the cornerstone of a more salmon-friendly Kennewick Irrigation District.

This project is a winner for both fish and for water users. It balances the need to improve habitat for threatened species while protecting water rights. Preliminary results from the lower

reach habitat study indicate that these increased flows would greatly help salmon and bull trout. In addition, this proposal would provide substantial water quality improvements to the Yakima River.

It is important to note that a change in the diversion for the Kennewick Irrigation District from the Yakima River to the Columbia River will completely change the current operational philosophy of the district. It will evolve from a relatively simple gravity system to one of significant complexity involving a major pump station and a pressure pipeline to the major feeder canals. This remodeling will have a significant impact on the existing systems and its users during construction, start-up and transition. That is why it is essential for the Kennewick Irrigation District to be in a position to develop these facilities in the way that best fits its current and future operational goals and causes the least disruption to the district water users. That is why this legislation requires the Bureau of Reclamation to give the Kennewick Irrigation District substantial control over the planning and design work in this study with the bureau, of course, having final approval. It is an approach that will continue local improvement and support which is vital to the success of this project and other projects.

This legislation is noncontroversial, which is somewhat unique when you are talking about water issues within the Pacific Northwest. It is supported by a large coalition of Federal, State and local agencies and stakeholders. Amongst those are the National Marine Fisheries, the U.S. Fish and Wildlife, the Yakima Nation, the Washington State Department of Ecology, the Northwest Power Planning Council, the Washington State Water Resources Association, American Rivers, and the Yakima Basin Board of Irrigators.

I do want to say, too, Mr. Speaker, that this legislation highlights the ingenuity of local stakeholders coming together for a common purpose of saving salmon and preserving our way of life. I am pleased to report to the House that the effort before the committee today is one of many in my district. There are many that are going on in my district to further this goal. Specifically, I would like to mention my support for the efforts of the Columbia-Snake River irrigators who have outlined a water management alternative that will revitalize the salmon recovery efforts by optimizing fish production and the effective use of this region's financial resources.

□ 1215

Their plan accomplishes this by protecting tribal treaty rights and ensuring their long-term stability. Finally, the plan recognizes the importance of State and privately held water rights to the economy of the Pacific Northwest.

Another example of the local initiative for salmon recovery is the effort currently being undertaken by the Confederated Tribes of the Coleville Reservation and the Okanogan County Irrigation District up in the northern part of my district. These groups have taken a proactive approach to salmon recovery by conducting a joint study of water management efforts along the Salmon Creek and Okanogan County. Their joint efforts will result in the improvement of the fish passage and the habitat ensuring the preservation of salmon while protecting farmers and irrigators of their water rights.

I would say, Mr. Speaker, this legislation symbolizes what can be done and what is being done in my district and in the Northwest to try to ensure salmon recovery by recognizing and respecting local people making decisions on a local level.

I am pleased that this bill is in front of us again today. I regret that it got caught up in a bit of bipartisanship yesterday, but I would urge my colleagues to support this bill.

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

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 581, the previous question is ordered on the bill, as amended.

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

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

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

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

Mr. DOOLEY of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 14, as follows:

[Roll No. 483]
YEAS—418

Abercrombie	Berkley	Bryant
Ackerman	Berman	Burr
Aderholt	Berry	Burton
Allen	Biggart	Buyer
Andrews	Bilbray	Callahan
Archer	Bilirakis	Calvert
Army	Bishop	Camp
Baca	Blagojevich	Canady
Bachus	Bliley	Cannon
Baird	Blumenauer	Capps
Baker	Blunt	Capuano
Baldacci	Boehlert	Cardin
Baldwin	Boehner	Carson
Ballenger	Bonilla	Castle
Barcia	Bonior	Chabot
Barr	Bono	Chambliss
Barrett (NE)	Borski	Chenoweth-Hage
Barrett (WI)	Boswell	Clayton
Bartlett	Boucher	Clement
Barton	Boyd	Clyburn
Bass	Brady (PA)	Coble
Becerra	Brady (TX)	Collins
Bentsen	Brown (FL)	Combest
Bereuter	Brown (OH)	Condit

Conyers	Holden	Murtha
Cook	Holt	Sununu
Cooksey	Hooley	Myrick
Costello	Horn	Nadler
Cox	Hostettler	Napolitano
Coyne	Houghton	Neal
Cramer	Hoyer	Ney
Crane	Hulshof	Northup
Crowley	Hunter	Nussle
Diaz	Hyde	Oberstar
Cummings	Inslee	Obey
Cunningham	Isakson	Olver
Danner	Istook	Ortiz
Davis (FL)	Jackson (IL)	Ose
Davis (IL)	Jackson-Lee	Owens
Davis (VA)	(TX)	Oxley
Deal	Jefferson	Packard
DeFazio	Jenkins	Pallone
DeGette	John	Pascrell
Delahunt	Johnson (CT)	Pastor
DeLauro	Johnson, E. B.	Payne
DeLay	Johnson, Sam	Pease
DeMint	Jones (NC)	Pelosi
Deutsch	Jones (OH)	Peterson (MN)
Diaz-Balart	Kanjorski	Peterson (PA)
Dickey	Kaptur	Petri
Dicks	Kasich	Phelps
Dingell	Kelly	Pickering
Dixon	Kennedy	Pickett
Doggett	Kildee	Pitts
Dooley	Kilpatrick	Pombo
Doolittle	Kind (WI)	Pomeroy
Doyle	King (NY)	Porter
Dreier	Kingston	Portman
Duncan	Kleczka	Price (NC)
Dunn	Knollenberg	Pryce (OH)
Edwards	Kolbe	Quinn
Ehlers	Kucinich	Radanovich
Ehrlich	Kuykendall	Rahall
Emerson	LaFalce	Ramstad
Engel	LaHood	Rangel
English	Lampson	Regula
Eshoo	Lantos	Reyes
Etheridge	Largent	Reynolds
Evans	Larson	Riley
Everett	Latham	Rivers
Ewing	LaTourrette	Rodriguez
Farr	Leach	Roemer
Fattah	Lee	Rogan
Filner	Levin	Rogers
Fletcher	Lewis (CA)	Rohrabacher
Foley	Lewis (GA)	Ros-Lehtinen
Forbes	Lewis (KY)	Rothman
Ford	Linder	Roukema
Fossella	Lipinski	Roybal-Allard
Fowler	LoBiondo	Royce
Frank (MA)	Lofgren	Rush
Franks (NJ)	Lowe	Ryan (WI)
Frelinghuysen	Lucas (KY)	Ryun (KS)
Frost	Lucas (OK)	Sabo
Gallegly	Luther	Salmon
Ganske	Maloney (CT)	Sanchez
Gejdenson	Maloney (NY)	Sanders
Gekas	Manzullo	Sandlin
Gibbons	Markey	Sanford
Gilchrest	Martinez	Sawyer
Gillmor	Mascara	Saxton
Gilman	Matsui	Scarborough
Gonzalez	McCarthy (MO)	Schaffer
Goode	McCarthy (NY)	Schakowsky
Goodlatte	McCollum	Scott
Goodling	McCrery	Sensenbrenner
Gordon	McDermott	Serrano
Goss	McGovern	Sessions
Graham	McHugh	Shadegg
Granger	McInnis	Shaw
Green (TX)	McIntyre	Shays
Green (WI)	McKeon	Sherman
Greenwood	McKinney	Sherwood
Gutierrez	McNulty	Shimkus
Gutknecht	Meehan	Shows
Hall (OH)	Meek (FL)	Shuster
Hall (TX)	Meeks (NY)	Simpson
Hansen	Menendez	Sisisky
Hastings (FL)	Metcalf	Skeean
Hastings (WA)	Mica	Skelton
Hayes	Millender-	Slaughter
Hayworth	McDonald	Smith (MI)
Hefley	Miller (FL)	Smith (NJ)
Hergert	Miller, Gary	Smith (TX)
Hill (IN)	Miller, George	Smith (WA)
Hill (MT)	Minge	Snyder
Hilleary	Mink	Souder
Hilliard	Moakley	Spence
Hinchee	Mollohan	Stabenow
Hinojosa	Moore	Stark
Hobson	Moran (KS)	Stearns
Hoeffel	Moran (VA)	Stenholm
Hoekstra	Morella	Strickland
		Stump

Stupak	Tiahrt	Watt (NC)
Sununu	Tierney	Watts (OK)
Sweeney	Toomey	Waxman
Talent	Towns	Weiner
Tancredo	Traficant	Weldon (FL)
Tanner	Turner	Weldon (PA)
Tauscher	Udall (CO)	Weller
Tauzin	Udall (NM)	Wexler
Taylor (MS)	Upton	Weygand
Taylor (NC)	Velazquez	Whitfield
Terry	Visclosky	Wicker
Thomas	Vitter	Wolf
Thompson (CA)	Walden	Woolsey
Thompson (MS)	Walsh	Wu
Thornberry	Wamp	Wynn
Thune	Waters	Young (AK)
Thurman	Watkins	Young (FL)

NAYS—1

Paul
NOT VOTING—14

Campbell	Klink	Spratt
Clay	Lazio	Vento
Coburn	McIntosh	Wilson
Gephardt	Nethercutt	Wise
Hutchinson	Norwood	

□ 1239

Mr. MARKEY changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH, AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees, pursuant to clause 7(c) of House rule XXII.

The SPEAKER pro tempore (Mr. GILLMOR). The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on the highest funding level possible for the Department of Education; and to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for local school construction and, instead, broadly expands the title VI Education Block Grant with limited accountability in the use of funds.

PARLIAMENTARY INQUIRY

Mr. PORTER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois will state his parliamentary inquiry.

Mr. PORTER. Mr. Speaker, under the House rules, is it permissible to divide a motion to instruct? Because we would agree with part of this, that is the funding level for education, but the rest of it we do not agree with. Is it possible to divide a motion of this type?

The SPEAKER pro tempore. Would the gentleman from Illinois specify how he would like the question divided?

Mr. PORTER. Mr. Speaker, I would suggest that it be divided after the line 4, the word "education, semicolon,"