

|               |               |              |
|---------------|---------------|--------------|
| Nethercutt    | Rogers (MI)   | Stearns      |
| Ney           | Rohrabacher   | Stenholm     |
| Northup       | Ros-Lehtinen  | Strickland   |
| Norwood       | Ross          | Stump        |
| Nussle        | Rothman       | Sununu       |
| Obey          | Roukema       | Tauscher     |
| Olver         | Roybal-Allard | Tauzin       |
| Ortiz         | Royce         | Taylor (NC)  |
| Ose           | Ryan (WI)     | Terry        |
| Otter         | Ryun (KS)     | Thomas       |
| Owens         | Sanchez       | Thornberry   |
| Oxley         | Sanders       | Thune        |
| Pascarell     | Sandlin       | Thurman      |
| Pastor        | Sawyer        | Tiahrt       |
| Paul          | Saxton        | Tiberti      |
| Payne         | Scarborough   | Tierney      |
| Pelosi        | Schakowsky    | Toomey       |
| Pence         | Schiff        | Towns        |
| Peterson (MN) | Schrock       | Trafigant    |
| Peterson (PA) | Scott         | Turner       |
| Petri         | Sensenbrenner | Upton        |
| Phelps        | Serrano       | Velazquez    |
| Pickering     | Sessions      | Vitter       |
| Pitts         | Shadegg       | Walden       |
| Platts        | Shaw          | Walsh        |
| Pombo         | Shays         | Wamp         |
| Pomeroy       | Sherman       | Watkins (OK) |
| Portman       | Sherwood      | Watt (NC)    |
| Price (NC)    | Shimkus       | Watts (OK)   |
| Pryce (OH)    | Shows         | Waxman       |
| Putnam        | Shuster       | Weiner       |
| Quinn         | Simmons       | Weldon (FL)  |
| Radanovich    | Simpson       | Weldon (PA)  |
| Rahall        | Skeen         | Wexler       |
| Rangel        | Slaughter     | Whitfield    |
| Regula        | Smith (MI)    | Wicker       |
| Rehberg       | Smith (NJ)    | Wilson       |
| Reyes         | Smith (TX)    | Wolf         |
| Reynolds      | Smith (WA)    | Woolsey      |
| Riley         | Snyder        | Wu           |
| Rivers        | Solis         | Wynn         |
| Rodriguez     | Souder        | Young (FL)   |
| Roemer        | Spence        |              |
| Rogers (KY)   | Spratt        |              |

## NAYS—42

|               |              |               |
|---------------|--------------|---------------|
| Aderholt      | Hilliard     | Ramstad       |
| Borski        | Hulshof      | Sabo          |
| Brady (PA)    | Kennedy (MN) | Schaffer      |
| Capuano       | Kucinich     | Stark         |
| Costello      | Larsen (WA)  | Stupak        |
| Crane         | Lewis (GA)   | Sweeney       |
| Crowley       | LoBiondo     | Taylor (MS)   |
| DeFazio       | McDermott    | Thompson (CA) |
| English       | McNulty      | Thompson (MS) |
| Filner        | Menendez     | Udall (CO)    |
| Gutierrez     | Moore        | Udall (NM)    |
| Gutknecht     | Oberstar     | Visclosky     |
| Hastings (FL) | Osborne      | Waters        |
| Hefley        | Pallone      | Weller        |

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—15

|             |                |             |
|-------------|----------------|-------------|
| Abercrombie | Hutchinson     | Rush        |
| DeGette     | Jefferson      | Skelton     |
| Dingell     | Johnson, E.B.  | Tanner      |
| Ferguson    | Largent        | Watson (CA) |
| Fossella    | Miller, George | Young (AK)  |

□ 1054

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

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

So the Journal was approved.

The result of the vote was announced as above recorded.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 877

Mr. CLEMENT. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 877.

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

There was no objection.

## PACIFIC SALMON RECOVERY ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 163 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 163

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. Each section of that amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 156 is laid on the table.

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

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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.

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

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 163 is an open rule waiving clause 4(a) of rule XIII that requires the 3-day availability of the committee report against

consideration of the bill. The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule makes in order as base text for the purpose of amendment the amendment printed in the CONGRESSIONAL RECORD and numbered 1 which shall be open for amendment by section. The rule also authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions, and lays House Resolution 156 on the table.

Mr. Speaker, H.R. 1157, the Pacific Salmon Recovery Act, would authorize the Secretary of Commerce to provide financial assistance to five States in the Pacific Northwest for salmon habitat restoration projects in both coastal waters and upland areas which support a number of important species of salmon. The bill was introduced by the gentleman from California (Mr. THOMPSON) in response to a request from the Governors of Washington, Oregon, Alaska, and California for a coastwide approach to protecting salmon habitat from a variety of natural and man-made threats. The bill authorizes \$200 million for that purpose through fiscal year 2003 to be made available to the States of Washington, Oregon, Alaska, California, and Idaho as well as certain Native American tribes in the region. In order to receive funds, the States must submit a recovery plan to the Secretary of Interior with specific goals and time lines.

The bill also authorizes U.S. representation on the Transboundary Panel of the Pacific Salmon Commission under the Pacific Salmon Treaty Act of 1985.

□ 1100

Finally, the bill authorizes payments to the Northern Fund and the Southern Fund for fiscal years 2001 to 2003, as well as lump sum payments to retirees of certain international commissions.

The Congressional Budget Office estimates that enacting H.R. 1157 would cost the Federal Government \$510 million over the next 5 years. Pay-as-you-go procedures would apply because the bill would increase direct spending, although less than \$500,000.

Finally, the bill contains no inter-governmental or private sector unfunded mandates.

The Committee on Resources reported H.R. 1157 by a voice vote on May 16 of this year and has requested an open rule so that Members seeking to amend the bill may have an opportunity to do so.

Mr. Speaker, those of us who represent districts in the Pacific Northwest are deeply committed to the cause of salmon restoration, and while we are determined to fully protect the rights of States and localities to chart their own destiny, we also believe that the Federal Government has an important role to play in this process.

The gentleman from California (Mr. THOMPSON) and Members of the Committee on Resources have worked hard to approach the job of salmon restoration in a balanced and responsible fashion.

While H.R. 1157 may not be perfect in every respect, the bill is an important step in the right direction and I do intend to support it.

Accordingly, I encourage my colleagues to support both the rule and the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague, the gentleman from Washington (Mr. HASTINGS), for yielding me the customary 30 minutes.

Mr. Speaker, I rise in strong support of this open rule. I would note that the underlying bill is noncontroversial and has passed the Chamber twice. The measure authorizes the Secretary of Commerce to provide financial assistance to Alaska, California, Idaho, Oregon and Washington for salmon habitat restoration projects.

Pacific salmon and steelhead trout are fish whose life cycle begins in freshwater, moves into the ocean and then returns to the freshwater when it is time to spawn. Along the way, dams, predators and commercial harvests all contribute to salmon mortality. Many salmon species are currently listed as endangered or threatened under the Endangered Species Act.

The underlying bill would authorize appropriations of \$200 million to restore and conserve these endangered fish. The measure moved through the committee by unanimous consent and was favorably reported to the House by voice vote.

A bill such as this would be a perfect candidate for the suspension calendar and why it is being considered today under regular order is anybody's guess, but nevertheless I do support this rule and the underlying bill and urge its favorable consideration.

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

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the courtesy of the gentleman from New York (Ms. SLAUGHTER) for yielding me the time.

Mr. Speaker, I rise today in support of the rule and strongly in support of the underlying legislation. It recognizes the fact that the Federal Government should be a full partner in the issue of salmon recovery. Part of the challenge is that this is a requirement of Federal legislation under the Endangered Species Act, which to be charitable, and this comes from somebody who is a strong supporter of the act and its purposes, it is not always the easiest to administer.

There are also a myriad of built-in challenges coordinating the various responses of the Federal agencies, NMFS, Bonneville Power, Fish and Wildlife, the Corps of Engineers, EPA, the long list of Federal players, and here again it is not always easy to coordinate this effort.

It is hard and expensive to work with the Federal Government, and this legislation acknowledges the fact and would provide help.

Additionally, much of the difficulty we face now is not just an operation of the Endangered Species Act and the complex set of Federal partners. It is a direct result of the application of a wide range of Federal policies and practices we have, many of which that at the time of their enactment made sense to Congress, made sense to the public, but sadly today many of these practices are outmoded. They would have serious side effects, even if we have not moved forward to modify them.

The construction of Federal dams on the Columbia River, for instance, the application of policies for water reclamation, forestry practices on Federal land, mining, transportation. There is an international implication which will be acknowledged later, as my colleague, the gentlewoman from Oregon (Ms. HOOLEY), will offer an amendment that seeks to have the Federal Government monitor the impact of harvests in Canada on the impact on salmon, and I think a very good idea.

Unless and until we come forward to deal comprehensively with these range of Federal policies, we need to have the Federal Government help us. There are many encouraging signs of activities taking place today at the local level, with private landowners, with private policies on forest lands. We have State and local activities, as well as the Federal Government itself, but it is going to take us time, money and energy to put these pieces together.

I think this bill is a step in the right direction, and I look forward to the passage of the rule and the act.

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

Mr. HASTINGS of Washington. 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.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 163 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1157.

□ 1107

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 consideration of the bill (H.R. 1157) to

authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Washington (Mr. INSLEE) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, this morning we are considering H.R. 1157, the Pacific Salmon Recovery Act. This bill was introduced by the gentleman from California (Mr. THOMPSON) with 65 cosponsors. The gentleman from California (Mr. THOMPSON) introduced a similar bill last Congress, H.R. 2798. That bill passed the House twice, once as a stand-alone bill and once as part of H.R. 5086, a bill including a number of fishery provisions.

Unfortunately, the other body never took up the measure.

Except for some technical changes, H.R. 1157 has the same text as H.R. 2798. This bill would authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, California, Idaho, Oregon and Washington for salmon restoration and habitat restoration projects in coastal waters and upland drainages.

Habitat restoration is one of the most important factors in rebuilding endangered species populations, and especially endangered salmon populations. While the Federal Government has been working with local and regional groups to develop a recovery plan for the listed salmon, steelhead and trout species, there is still a great deal to do. The support of State projects is critical to the survival of listed species of salmon, steelhead and cutthroat trout. In some cases, the State and local governments often do a better job than the Federal Government. Local input is very important in order to direct funding to local restoration projects.

This bill will allow the States to focus the money they receive on areas and projects that need the most attention.

Small projects like replacing culverts and restoring stream flows may actually open up large areas of spawning habitat for little cost. Those are the projects that can be identified and undertaken by local governments and may provide the most benefit to the listed salmon, steelhead and trout. The States will be making their own decisions and can complement Federal restoration programs already in place.

I would encourage the local people and the Federal people to take off their

Federal hats, take off their local hats, and put their hearts and mind together and get the job done.

I will note that there is currently an authorization in place through Public Law 106-553, the District of Columbia fiscal year 2001 appropriations bill. However, there are differences in the two authorizations. First, the States are only required to match 25 percent in Public Law 106-553 versus a 100 percent match in H.R. 1157 for funds received by the State.

Finally, the current authorization does not include the State of Idaho, while H.R. 1157 does.

This is a good piece of legislation that addresses the conservation needs of salmon, steelhead and trout species residing along the Pacific Coast and Alaska. It is a noncontroversial bill which has a tremendous amount of bipartisan support, with cosponsors, including many Members interested in salmon restoration and those Members range from the gentleman from Alaska (Mr. YOUNG), to the gentleman from California (Mr. GEORGE MILLER).

I urge Members to vote aye on H.R. 1157.

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

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am happy to rise in support of H.R. 1157, a great bill that has been introduced by our colleague, the gentleman from California (Mr. THOMPSON). Basically, it authorizes the Secretary of Commerce to provide financial assistance to the States of Alaska, California, Idaho, Oregon and Washington for salmon habitat restoration projects in coastal waters and upland drainages. As many of our colleagues are aware, there is more than 25 species of salmon on the West Coast right now that have been listed as endangered or threatened under the Endangered Species Act. Several more are currently under consideration for listing.

In 1999, the States of Alaska, California, Oregon and Washington proposed to tackle this crisis with a coast-wide salmon restoration effort, conservation effort, that would allocate \$50 million of Federal funds to each State for 6 years to support salmon conservation. An habitat restoration project was very important at a regional and local level. In response to this request, Congress established the Pacific Salmon Recovery Fund and appropriated \$58 million for these purposes in the fiscal year 2000 and \$90 million in fiscal year 2001.

In Washington State, our funds are allocated by the Salmon Recovery Funding Board, also known as the SURF Board, one of the great acronyms of all times, which is operated by William Ruckelshaus, a name I think is familiar to many.

The local regional project supported by the Pacific Salmon Recovery Fund will restore habitats and help stem the continued decline of the salmon popu-

lations on the West Coast. H.R. 1157 authorizes the activities that will be carried out using the appropriations in this fund; requires States and tribes to develop a conservation and restoration plan. To receive grants, it specifies the activities that are eligible to receive funding. It requires a one-to-one match of any Federal dollars that are provided and it thereby doubles their conservation efforts, a really good feature of the bill.

Finally, it adds Idaho, a great State, to the list of States that would participate in the program.

Mr. Chairman, in my own State of Washington, this program will enable us to work in conjunction with funding from the Puget Sound Initiative, a bipartisan bill I helped pass last year which authorizes the Army Corps of Engineers to use their expertise in designing community-based habitat restoration projects.

In King County, money appropriated to the funds has already been used to acquire 93 acres of land along Bear Creek, which includes a large wetland, a beautiful little area in my district, salmonid spawning areas and large beds of freshwater mussels, the noninvasive type, I may add.

King County also acquired 172 acres at several high priority habitats along the Snoqualmie River watershed.

□ 1115

The acquisitions focused primarily on the spawning areas in the Snoqualmie Basin, which are very important.

With future funds, we will be looking to provide more protection for salmon habitat along the Cedar River, which is the watershed feeding Seattle. This area has long been known for its critical habitat values, and has everything that salmon need to thrive. In addition to Chinook, sockeye and coho salmon, steelhead will also benefit from this newly protected area in the years to come.

H.R. 57 is a great bill. It will ensure these projects will continue. It is supported by the Governors of all five States, the tribes, fishermen and the environmental community. While the administration has not provided an official position on this bill, it has requested \$100 million for Pacific Salmon Recovery Fund in fiscal year 2002 budget submission. That is good news, and I urge Members to support it today.

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

Mr. GILCHREST. Mr. Chairman, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, this is an important issue to all of us in the Pacific Northwest that care about salmon recovery. Today I rise in support of H.R. 1157, the Pacific Salmon Recovery Act. I compliment my good friend from the State of California for his efforts in directing

funds to the areas where they may actually make an impact to the States and local governments of the Pacific Northwest.

The Federal Government is spending huge amounts of money on salmon restoration in the Pacific Northwest. Unfortunately, the Federal efforts do not always involve the small projects, and the Federal efforts do not always put much emphasis on the projects put forward by local units of government.

Mr. Chairman, I think these smaller local projects, when put together with larger Federal efforts, may actually begin to make a difference in restoring salmon populations and restoring salmon habitat.

At the end of the 106th Congress, the appropriators both authorized and appropriated funds for this type of State effort. Unfortunately, the original authorization left the State of Idaho out, and therefore Idaho received no funds for habitat recovery for these magnificent fish.

While Idaho is not one of the coastal States, it does in fact include much of the habitat for these spawning fish. It is a sad fact that some of these salmon are endangered. It is also a sad fact that Idaho could probably use some financial assistance to augment our salmon habitat restoration efforts.

Mr. Chairman, this bill not only authorizes the funding for the State and local restoration projects, but it also takes a few steps that the current appropriation language does not take. This bill requires the State to match dollar for dollar the funding they get through this authorization. The current authorization only requires a 25 percent match by the States.

This bill also requires that States develop a salmon conservation and restoration plan. This is an important provision that will ensure that funds are spent according to a publicly developed plan, rather than haphazardly funding projects with little or no coordination. This bill also requires the State plans to have measurable criteria by which the activities funded by this bill can be measured.

Finally, this bill requires that the States maintain their current level of funding for salmon recovery activities and not just substitute this Federal money for currently funded State salmon programs and use their funds for other priorities.

Mr. Chairman, this is a good piece of legislation, one that I believe will help the State and local governments partner in the recovery of salmon and salmon habitat in the Pacific Northwest, including the State of Idaho.

As has been mentioned, this legislation in a somewhat different form passed the House twice during the 106th Congress, both times by voice vote. I urge Members to support this legislation.

Once again, I compliment my good friend, the gentleman from California (Mr. THOMPSON), for his effort in making sure that we do whatever we can to

recover the salmon and other fish of the Pacific Northwest.

Mr. INSLEE. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. THOMPSON), who has done a tremendous job fashioning this bipartisan success story.

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding me time. I would like to also thank the gentleman from Idaho (Mr. SIMPSON) for his help on this bill; the chairman of the committee, the gentleman from Utah (Mr. HANSEN); the ranking member, the gentleman from West Virginia (Mr. RAHALL); and the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Guam (Mr. UNDERWOOD) from the subcommittee that helped make this bill possible to be heard on the floor today. I would also like to thank all the staff that worked diligently to make sure this good bill was here.

Mr. Chairman, in California virtually every salmon spawning habitat has been altered by human activities, such as water diversions, dam building, overfishing and urban development. In many streams and rivers, the alterations have been so severe that fish can no longer return to their historical spawning areas. As a result, almost 80 percent of the salmon caught commercially in the Pacific Northwest and in northern California today come from hatcheries.

My bill will authorize \$40 million per year for 5 years for California, Washington, Oregon, Alaska, and Idaho. The money will be distributed to the State agencies after an MOU has been approved by the Secretary of Commerce. It is designed to prioritize salmon recovery, provide a criteria for measuring success, and promote projects that are scientifically based and cost effective.

The States and the local governments will receive funds on a 50-50 cost-share basis for these restoration projects. This will double the amount of money spent and the amount of work that can be done to enhance this important purpose.

Salmon species are very much a part of the culture of the Pacific Northwest. Many of the port towns in my district on the north coast, such as Point Arena, Fort Bragg, Eureka, and Crescent City, were founded around the commercial fishing industry. Many of these towns have been devastated by the collapse of salmon populations.

Over the last 30 years, the salmon fishery closures in these areas have contributed to the loss of nearly 75,000 jobs. Private landowners, conservation groups, and industry have already committed a significant amount of resources to aid in the reversal of this decline. But the efforts are not sufficient. In fact, species are still declining. Recovery efforts must be stepped up, and they must be stepped up now.

By restoring our salmon populations, we can lessen the burden on industry and private landowners. By bringing

back the salmon, the fishing industry economy will rise; and eventually the ESA regulations can be lifted. More importantly, if we restore salmon populations, future generations, like their ancestors, can enjoy and prosper from a great national treasure.

The Pacific Coast Salmon Recovery Act of 2001 not only enjoys bipartisan support in Congress, but also the support of a diverse organizational structure, such as the American Homebuilders, the California Farm Bureau, American Rivers, Trout Unlimited, and the Pacific Coast Federation of Fishermen.

I urge my colleagues to support this important measure and pass the Pacific Coast Salmon Recovery Act today.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Chairman, let me first applaud the gentleman from California (Mr. THOMPSON), the gentleman from Washington (Mr. INSLEE), and the gentleman from Maryland (Chairman GILCHREST) for their efforts on this important bill and for protecting this valuable resource.

I am a strong supporter of H.R. 1157, the Pacific Salmon Recovery Act. This measure would provide significant assistance to the Northwestern States and tribal and local governments involved in salmon management recovery and conservation activities.

The salmon populations are economic and wildlife resources whose preservation is our national responsibility. As such, the recovery of salmon populations in the Pacific Northwest is of great importance to the ecological, recreational, and economic future of the region.

The recovery of our salmon populations are important to the once-thriving commercial salmon fishery business, which is dwindling as a result of a decline in salmon population. This has left the industry crippled. Thus, by protecting healthy salmon runs and those of other species, we can possibly revive what was once a sustainable fishing industry in the region. Once there were 12,000 jobs in this industry. Would it not be great if we could move towards restoring many of those jobs?

These activities, coupled with a revival of the recreation industry, provide for a potential increase in commercial and recreational fishing, which can provide the region with new opportunities for economic growth.

Our efforts are also an important part of our commitment to honoring our treaty obligations with Native American tribes and with Canada. It is important to emphasize that, in passing this bill, we will take a significant step in honoring our treaty obligations. The history of the United States is replete with unfulfilled promises. As a Nation, we must remedy this by setting new precedents and taking steps to honor our commitments.

The potential cost of litigation, should Canada or the tribes contest the

treaties in court, could be enormous. Some observers estimate that attorney fees, potential damage awards and/or a settlement based upon a failure to maintain a viable salmon population could exceed \$10 billion.

Mr. Chairman, we must act now to preserve this magnificent national resource. By passing this measure, we take a necessary step in moving the salmon further from extinction. It is an action that makes sense for the ecosystem, the economy, the nations and tribes with whom we have treaty obligations; and most importantly, it allows us to pursue a balanced approach to preserving this national resource.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY), a great Congresswoman from California; but she grew up on the shores of Puget Sound.

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of H.R. 1157, not only because I was born and raised in the Pacific Northwest, but because I have lived all of my adult life in California along the coast and know how important the Pacific Salmon Recovery Act will be and how much support we must give it.

I want to commend the gentleman from California (Mr. THOMPSON) for his hard work to bring this bill to the floor and to my colleagues, the gentleman from Washington (Mr. INSLEE) and the gentleman from Maryland (Mr. GILCHREST), for their work and support.

Mr. Chairman, I am proud to be an original cosponsor of this bill, because, like the three gentleman that I just mentioned, I and our Pacific Coast colleagues in a very bipartisan manner know that salmon are in trouble.

Over the past decade, we have witnessed a huge decline in salmon population, and the listing of salmon on the endangered species list is a clear warning that we must take this seriously. That is why communities and local officials in my district of Marin and Sonoma Counties, just north of San Francisco across the Golden Gate Bridge in California, are actively supporting Federal efforts to help with salmon restoration.

We are fortunate that Marin and Sonoma Counties combined have received almost \$850,000 from the current salmon recovery initiative, which was formed under President Clinton; and even better, these Federal dollars are available and are being leveraged at State, local, and nonprofit levels for resources that will bolster the recovery efforts even further than that \$850,000.

Next month, these Federal funds will begin to bear fruit. I do not think I should say that. They will begin to bear fish, not fruit. Projects that are under way will eventually return our salmon runs to their former abundance.

For example, the Kelly Road Stabilization Project in my district will help stop erosion from going into the nearby waterways that harm salmon habitat. Also in Sonoma County,

through the county ecology center, a program will focus on bringing private landowners, government agencies, and environmental groups together to work on restoration efforts.

Other exciting habitat restoration efforts in my district that are getting under way include the Lagunitas Sediment Management Project, the Willow Creek Restoration Project, and work on Pine Gulch Creek.

Mr. Chairman, expanding habitat restoration efforts is a key component of any recovery effort, but we all know that money is another key ingredient to making these programs happen. I urge my colleagues to support this bill.

□ 1130

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise to express my support for the Pacific Salmon Recovery Act. I am very proud to be a cosponsor of this important legislation.

I want to thank the people who worked so hard to bring this to the floor, the gentleman from Washington (Mr. INSLEE) and the gentleman from California (Mr. THOMPSON), and also the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Idaho (Mr. SIMPSON), for their hard work on this issue.

This is a very important issue for the fishermen in my district, particularly those in Morro Bay and San Luis Obispo. They depend on salmon for their livelihood, and when these species are endangered, it is a serious threat to provide for their families.

Steelhead salmon has been listed in my district as a threatened species north of the Santa Maria River, and as an endangered species to the south. It is vitally important that we restore their numbers.

As Members know, this legislation would authorize \$200 million in Federal assistance to State programs so that they can restore salmon and steelhead populations. This funding would not only add to the resources that the California Fish and Game already has, but also leverage more funds from the State and from other local sources. This kind of assistance would support ongoing projects in California.

In my district, projects designed by groups like the South-Central Steelhead Coalition, the Arroyo Grande Watershed Forum, led by Central Coast Salmon Enhancement, these groups would benefit from this funding. These collaborative projects would be able to put such funds to good use in a way which will restore our natural resources.

This is a good bill, and I urge all of my colleagues to support it.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN. Mr. Chairman, I rise in support of H.R. 1157.

I want to first off thank my colleagues, the gentleman from California

(Mr. THOMPSON) and the gentleman from Washington (Mr. INSLEE), on this side of the aisle, for the work they have done on the issue, and my colleagues, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Idaho (Mr. SIMPSON), for the hard work they have done as well on this issue. I am pleased to join them in co-sponsoring this important piece of legislation.

Having served in local government before being in Congress and having worked with those who are in the trenches on this issue of salmon recovery, I can tell the Members that solutions need to come from the bottom up and not the top down. The funds provided by this bill will empower local communities to deal with salmon recovery efforts at the local level. That is the proper approach, and that is why I support this bill.

As an example, the Haskell Slough project along the Skykomish River in my district is considered many a model of what successful salmon recovery can look like throughout the Pacific Northwest. A coalition of private landowners, local governments, businesses, and tribes use Federal dollars to restore a critical piece of freshwater habitat, and the fish have come back by the thousands.

Passing this legislation will help fund hundreds of individual projects like the Haskell Slough project, and continue to move us in the right direction on salmon recovery.

So again, I want to thank my colleagues on both sides of the aisle for this work, for their work on this issue, and urge my colleagues to vote yes on H.R. 1157.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

I just want to tell a personal story that relates a bit to this bill.

Last week I was sitting in my living room. I live on Puget Sound in the State of Washington. I was talking to one of my staffers about an environmental issue. We were sort of bemoaning some of the problems we have, both environmentally and legislatively, as it pertains to the environment here.

We were particularly concerned about the salmon, who really are on the ropes up and down the West Coast. These salmon are very much on the edge of extinction in a lot of these runs.

We were sort of down-mouthed at the moment, and just at that moment a bald eagle came soaring by, literally with the wings straight out, not flapping, just soaring on the wind as it came up over the shoreline, sort of eye level right past our house.

It was sort of a message, I think, maybe from some other power that we ought to keep our heads up when it comes to these endangered species; that if the bald eagle can have a spectacular recovery, perhaps the salmon can, too.

I think this is a good step forward towards that end. I want to compliment

our friends on the other side for their work in getting this bipartisan product out.

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

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the comment about the bald eagle was well received, I say to the gentleman from Washington. If we can restore that magnificent creature to a healthy population, I am sure that we can do that to many other forms of nature's bounty.

The great Northwest is a magnificent and splendid place. If this one small effort can do what we want it to do, the fish will prosper, the land will prosper, and then people will prosper.

I urge my colleagues to give an aye vote on this legislation.

Mr. SMITH of Washington. Mr. Chairman, I would like to take this opportunity to thank my colleague from California for his leadership in introducing H.R. 1157, the Pacific Salmon Recovery Act. This bill will be an important tool for the Pacific Northwest's efforts to preserve and protect our unique salmon runs. Our region understands the importance of providing salmon with the habitat they need to flourish, and our state and local governments have developed valuable programs to recover salmon runs. This legislation will allow those established programs to qualify for federal matching grants, and provide the incentives needed to enable new organizations to participate in salmon recovery.

For Washington state, that means that our Salmon Recovery Funding Board will have an additional revenue source. This board does a good job of getting the funds to programs that are instrumental in recovery efforts, but they need more funding and that is exactly what this bill will do. This bill could mean additional funds for restoration projects like those on the Hylebos Watershed, and the Green and Duwamish Rivers. The states and Indian tribes know what needs to be done to help salmon recover, but they need help from the federal government. This bill will allow existing programs to expand on their successes with the opportunity to qualify for further funding. This bill authorizes \$200 million a year for three years for states and Indian tribes for salmon conservation and restoration projects in the coastal and upriver of Alaska, California, Idaho, Oregon, and Washington.

Last year the House considered a similar bill, but it was never taken up in the Senate. I am hopeful that the House's early action on this bill will give the Senate ample time to consider this legislation so that the President can sign it.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 1157, which authorizes financial assistance to West Coast states to support restoration and conservation of Pacific salmon. This bill would also support the restoration of a historic industry, comprised of proud fishing men and women and their communities, that provides both food and recreation to the citizens of this nation. I commend my colleague MIKE THOMPSON for his leadership on this issue.

Mr. Chairman, salmon have been an important source of sustenance for the native peoples of the Pacific coast for thousands of

years. The modern fishing industry on the West Coast began in my district with the salmon fishery on San Francisco Bay. Salmon from the Bay were harvested to feed the forty-niners headed for the gold fields of the Sierra Nevada mountains. San Francisco Bay is still the migratory route for one of the largest runs of salmon on the Pacific Coast.

Our salmon have suffered mightily over the past century, as spawning and rearing habitat within their natal streams and rivers has been lost. We have lost about 80 percent of the productive capacity of salmon streams in the West Coast as a direct result of various causes of watershed destruction.

According to a 1991 comprehensive scientific study by the American Fisheries Society (AFS), at least 106 major populations of West Coast salmon and steelhead are already extinct. Other studies place the number at over 200 separate stock extinctions in the Columbia River Basin alone. The AFS report also identified 214 additional native naturally-spawning salmonid runs at risk of extinction in the Northwest and Northern California: 101 at high risk of extinction, 58 at moderate risk of extinction, and another 54 of special concern.

The productive capacity of the salmon resource has been enormous. Even as recently as 1988, and in spite of already serious existing depletions in the Columbia River and elsewhere, the Northwest salmon fishing industry (including both commercial and recreational components) still supported an estimated 62,750 family wage jobs in the Northwest and Northern California, including my district, and generated \$1.25 billion in economic personal income impacts to the region.

H.R. 1157 continues the program of Federal matching assistance to the West Coast states to rebuild this important fishery. The bill would authorize funding for states and tribal governments to restore damaged and degraded salmon habitat in a scientifically based and cost-effective manner. Emphasis would be placed on the recovery of salmon runs listed under the Endangered Species Act to prevent their extinction and eventually permit the lifting of the restrictions that are set in place when a species is listed. Funds will be spent only for projects approved as part of state and tribal restoration plans.

H.R. 1157 is an investment in a healthful food source, an industry of hard working men and women, and a precious element of our ecosystem and natural heritage. I am proud to be a cosponsor of H.R. 1157, and I urge my colleagues to support the preservation and restoration of West Coast salmon.

Mr. LANTOS. Mr. Chairman, I rise in strong support of H.R. 1157, the Pacific Salmon Recovery Act. Passage of this important bill that is vital to preserving our rapidly disappearing natural resources on the West Coast. This important bill would authorize funding to protect and restore salmon and steelhead populations in the Pacific Coast states of California, Oregon, Washington, and Alaska.

Mr. Chairman, on our nation's Pacific Coast, many species of salmon and trout are listed as threatened or endangered, and that number will continue to grow if we do not take steps to reverse this trend now. I urge passage of H.R. 1157, which provides financial assistance to states and tribal governments for salmon and trout restoration.

The salmon population has been declining on the West Coast for many years. This is due

to habitat destruction, urban development, water diversions, land use and industry practices. Approximately 25 species are listed as threatened or endangered under the Endangered Species Act of 1973, with additional species being considered for addition to the list. This bill will ensure that activities funded under the Endangered Species Act are conducted in a manner that will have long-term positive benefits for salmon conservation and habitat restoration.

Mr. Chairman, this is an important issue to my Congressional district, which includes California coastal lands in San Mateo and San Francisco Counties. The decline in Salmon populations has been widely felt throughout the region, from the coastal streams of San Mateo and throughout the State. Local governments and private citizens would like to continue efforts to restore salmon habitat but need assistance from the Federal government to do this.

H.R. 1157 will allow states and tribal governments to carry-out watershed evaluations and assessments and to develop plans to implement improvements. It will also fund research to ensure that the restoration is based on good sound data. Most importantly, it will offer assistance to educate private landowners on methods to restore the salmon and trout habitat on their land. The funding will also teach them land use and water management practices so they can continue to use their property without negatively affect these species.

This bill authorizes \$200 million a year for three years, with oversight to ensure that the funds will be used where they are most needed. The funding will be in the form of matching grants to states and tribal governments. It also requires that states provide matching grants and report annually to Congress on the use of these funds and their efforts to restore salmon and trout populations.

Mr. Chairman, H.R. 1157 has widespread support, conservationists, fish producing states and local governments and local landowners alike, all share a common goal—the restoration of the salmon and trout populations along the Pacific Coast. I urge passage of the Pacific Salmon Recovery Act. The legislation will ensure that communities in San Mateo and all across California, Washington, Oregon and Alaska receive financial assistance to begin the important work of restoring salmon and trout populations in rivers and tributaries along the Pacific Coast.

Mr. GILCHREST. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1 shall be considered by sections as an original bill for the purpose of amendment, and each section is considered as read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Pacific Salmon Recovery Act”.

The CHAIRMAN pro tempore. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

#### SEC. 2. SALMON CONSERVATION AND SALMON HABITAT RESTORATION ASSISTANCE.

(a) REQUIREMENT TO PROVIDE ASSISTANCE.—Subject to the availability of appropriations, the Secretary of Commerce shall provide financial assistance in accordance with this Act to qualified States and qualified tribal governments for salmon conservation and salmon habitat restoration activities.

(b) ALLOCATION.—Of the amounts available to provide assistance under this section each fiscal year (after the application of section 3(g)), the Secretary—

(1) shall allocate 85 percent among qualified States, in equal amounts; and

(2) shall allocate 15 percent among qualified tribal governments, in amounts determined by the Secretary.

#### (c) TRANSFER.—

(1) IN GENERAL.—The Secretary shall promptly transfer—

(A) to a qualified State that has submitted a Conservation and Restoration Plan under section 3(a) amounts allocated to the qualified State under subsection (b)(1) of this section, unless the Secretary determines, within 30 days after the submittal of the plan to the Secretary, that the plan is inconsistent with the requirements of this Act; and

(B) to a qualified tribal government that has entered into a memorandum of understanding with the Secretary under section 3(b) amounts allocated to the qualified tribal government under subsection (b)(2) of this section.

(2) TRANSFERS TO QUALIFIED STATES.—The Secretary shall make the transfer under paragraph (1)(A)—

(A) to the Washington State Salmon Recovery Board, in the case of amounts allocated to Washington;

(B) to the Oregon State Watershed Enhancement Board, in the case of amounts allocated to Oregon;

(C) to the California Department of Fish and Game for the California Coastal Salmon Recovery Program, in the case of amounts allocated to California;

(D) to the Governor of Alaska, in the case of amounts allocated to Alaska; and

(E) to the Office of Species Conservation, in the case of amounts allocated to Idaho.

#### (d) REALLOCATION.—

(1) AMOUNTS ALLOCATED TO QUALIFIED STATES.—Amounts that are allocated to a qualified State for a fiscal year shall be reallocated under subsection (b)(1) among the other qualified States, if—

(A) the qualified State has not submitted a plan in accordance with section 3(a) as of the end of the fiscal year; or

(B) the amounts remain unobligated at the end of the subsequent fiscal year.

(2) AMOUNTS ALLOCATED TO QUALIFIED TRIBAL GOVERNMENTS.—Amounts that are allocated to a qualified tribal government for a fiscal year shall be reallocated under subsection (b)(2) among the other qualified tribal governments, if the qualified tribal government has not entered into a memorandum of understanding with the Secretary in accordance with section 3(b) as of the end of the fiscal year.



The CHAIRMAN pro tempore. Are there any amendments to section 2?

Hearing none, the Clerk will designate section 3.

The text of section 3 is as follows:

### SEC. 3. RECEIPT AND USE OF ASSISTANCE.

(a) QUALIFIED STATE SALMON CONSERVATION AND RESTORATION PLAN.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified State shall develop and submit to the Secretary a Salmon Conservation and Salmon Habitat Restoration Plan.

(2) CONTENTS.—Each Salmon Conservation and Salmon Restoration Plan shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) except as provided in subparagraph (D), give priority to use of assistance under this section for projects that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the laws or regulations of the qualified State;

(D) in the case of a plan submitted by a qualified State in which, as of the date of the enactment of this Act, there is no area at which a salmon species referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs to conserve and enhance species of salmon that intermingle with, or are otherwise related to, species referred to in subparagraph (C)(iii)(I), which may include (among other matters)—

(I) salmon-related research, data collection, and monitoring;

(II) salmon supplementation and enhancement;

(III) salmon habitat restoration;

(IV) increasing economic opportunities for salmon fishermen; and

(V) national and international cooperative habitat programs; and

(ii) provide for revision of the plan within one year after any date on which any salmon species that spawns in the qualified State is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation and recovery of salmon;

(H) require that the qualified State maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act; and

(I) ensure that activities funded under this Act are conducted in a manner in which, and in areas where, the State has determined that they will have long-term benefits.

(3) SOLICITATION OF COMMENTS.—In preparing a plan under this subsection a qualified State shall seek comments on the plan from local governments in the qualified State.

(b) TRIBAL MOU WITH SECRETARY.—

(1) IN GENERAL.—To receive assistance under this Act, a qualified tribal government shall enter into a memorandum of understanding with the Secretary regarding use of the assistance.

(2) CONTENTS.—Each memorandum of understanding shall, at a minimum—

(A) be consistent with other applicable Federal laws;

(B) be consistent with the goal of salmon recovery;

(C) give priority to use of assistance under this Act for activities that—

(i) provide a direct and demonstrable benefit to salmon or their habitat;

(ii) provide the greatest benefit to salmon conservation and salmon habitat restoration relative to the cost of the projects; and

(iii) conserve, and restore habitat, for—

(I) salmon that are listed as endangered species or threatened species, proposed for such listing, or candidates for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(II) salmon that are given special protection under the ordinances or regulations of the qualified tribal government;

(D) in the case of a memorandum of understanding entered into by a qualified tribal government for an area in which, as of the date of the enactment of this Act, there is no area at which a salmon species that is referred to in subparagraph (C)(iii)(I) spawns—

(i) give priority to use of assistance for projects referred to in subparagraph (C)(i) and (ii) that contribute to proactive programs described in subsection (a)(2)(D)(i);

(ii) include a requirement that the memorandum shall be revised within 1 year after any date on which any salmon species that spawns in the area is listed as an endangered species or threatened species, proposed for such listing, or a candidate for such listing, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) establish specific goals and timelines for activities funded with such assistance;

(F) include measurable criteria by which such activities may be evaluated;

(G) establish specific requirements for reporting to the Secretary by the qualified tribal government;

(H) require that activities carried out with such assistance shall—

(i) be scientifically based;

(ii) be cost effective;

(iii) not be conducted on private land except with the consent of the owner of the land; and

(iv) contribute to the conservation or recovery of salmon; and

(I) require that the qualified tribal government maintain its aggregate expenditures of funds from non-Federal sources for salmon habitat restoration programs at or above the average level of such expenditures in the 2 fiscal years preceding the date of the enactment of this Act.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Assistance under this Act may be used by a qualified State in accordance with a plan submitted by the State under subsection (a), or by a qualified tribal government in accordance with a memorandum of understanding entered into by the government under subsection (b), to carry out or make grants to carry out, among other activities, the following:

(A) Watershed evaluation, assessment, and planning necessary to develop a site-specific and clearly prioritized plan to implement watershed improvements, including for making multi-year grants.

(B) Salmon-related research, data collection, and monitoring, salmon supplementation and enhancement, and salmon habitat restoration.

(C) Maintenance and monitoring of projects completed with such assistance.

(D) Technical training and education projects, including teaching private landowners about practical means of improving land and water management practices to contribute to the conservation and restoration of salmon habitat.

(E) Other activities related to salmon conservation and salmon habitat restoration.

(2) USE FOR LOCAL AND REGIONAL PROJECTS.—Funds allocated to qualified States under this Act shall be used for local and regional projects.

(d) USE OF ASSISTANCE FOR ACTIVITIES OUTSIDE OF JURISDICTION OF RECIPIENT.—Assistance under this section provided to a qualified State or qualified tribal government may be used for activities conducted outside the areas under its jurisdiction if the activity will provide conservation benefits to naturally produced salmon in streams of concern to the qualified State or qualified tribal government, respectively.

(e) COST SHARING BY QUALIFIED STATES.—

(1) IN GENERAL.—A qualified State shall match, in the aggregate, the amount of any financial assistance provided to the qualified State for a fiscal year under this Act, in the form of monetary contributions or in-kind contributions of services for projects carried out with such assistance. For purposes of this paragraph, monetary contributions by the State shall not be considered to include funds received from other Federal sources.

(2) LIMITATION ON REQUIRING MATCHING FOR EACH PROJECT.—The Secretary may not require a qualified State to provide matching funds for each project carried out with assistance under this Act.

(3) TREATMENT OF MONETARY CONTRIBUTIONS.—For purposes of subsection (a)(2)(H), the amount of monetary contributions by a qualified State under this subsection shall be treated as expenditures from non-Federal sources for salmon conservation and salmon habitat restoration programs.

(f) COORDINATION OF ACTIVITIES.—

(1) IN GENERAL.—Each qualified State and each qualified tribal government receiving assistance under this Act is encouraged to carefully coordinate salmon conservation activities of its agencies to eliminate duplication and overlapping activities.

(2) CONSULTATION.—Each qualified State and qualified tribal government receiving assistance under this Act shall consult with the Secretary to ensure there is no duplication in projects funded under this Act.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—

(1) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amount made available under this Act each fiscal year, not more than 1 percent may be used by the Secretary for administrative expenses incurred in carrying out this Act.

(2) STATE AND TRIBAL ADMINISTRATIVE EXPENSES.—Of the amount allocated under this Act to a qualified State or qualified tribal government each fiscal year, not more than 3 percent may be used by the qualified State or qualified tribal government, respectively, for administrative expenses incurred in carrying out this Act.

The CHAIRMAN pro tempore. Are there any amendments to section 3?

Hearing none, the Clerk will designate section 4.

The text of section 4 is as follows:

#### SEC. 4. PUBLIC PARTICIPATION.

(a) QUALIFIED STATE GOVERNMENTS.—Each qualified State seeking assistance under this Act shall establish a citizens advisory committee or provide another similar forum for local governments and the public to participate in obtaining and using the assistance.

(b) QUALIFIED TRIBAL GOVERNMENTS.—Each qualified tribal government receiving assistance under this Act shall hold public meetings to receive recommendations on the use of the assistance.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the remainder of the amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the amendment in the nature of a substitute is as follows:

#### SEC. 5. CONSULTATION NOT REQUIRED.

Consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be required based solely on the provision of financial assistance under this Act.

#### SEC. 6. REPORTS.

(a) QUALIFIED STATES.—Each qualified State shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by the qualified State under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(a)(2).

(b) SECRETARY.—

(1) ANNUAL REPORT REGARDING QUALIFIED TRIBAL GOVERNMENTS.—The Secretary shall, by not later than December 31 of each year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives an annual report on the use of financial assistance received by qualified tribal governments under this Act. The report shall contain an evaluation of the success of this Act in meeting the criteria listed in section 3(b)(2).

(2) BIENNIAL REPORT.—The Secretary shall, by not later than December 31 of the second year in which amounts are available to carry out this Act, and of every second year thereafter, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a biennial report on the use of funds allocated to qualified States under this Act. The report shall review programs funded by the States and evaluate the success of this Act in meeting the criteria listed in section 3(a)(2).

#### SEC. 7. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) QUALIFIED STATE.—The term “qualified State” means each of the States of Alaska, Washington, Oregon, California, and Idaho.

(3) QUALIFIED TRIBAL GOVERNMENT.—The term “qualified tribal government” means—

(A) a tribal government of an Indian tribe in Washington, Oregon, California, or Idaho that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon management and recovery activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act; and

(B) a village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that the Secretary of Commerce, in consultation with the Secretary of the Interior, determines—

(i) is involved in salmon conservation and management; and

(ii) has the management and organizational capability to maximize the benefits of assistance provided under this Act.

(4) SALMON.—The term “salmon” means any naturally produced salmon or naturally produced trout of the following species:

(A) Coho salmon (*oncorhynchus kisutch*).

(B) Chinook salmon (*oncorhynchus tshawytscha*).

(C) Chum salmon (*oncorhynchus keta*).

(D) Pink salmon (*oncorhynchus gorbuscha*).

(E) Sockeye salmon (*oncorhynchus nerka*).

(F) Steelhead trout (*oncorhynchus mykiss*).

(G) Sea-run cutthroat trout (*oncorhynchus clarki clarki*).

(H) For purposes of application of this Act in Oregon—

(i) Lahontan cutthroat trout (*oncorhynchus clarki henshawi*); and

(ii) Bull trout (*salvelinus confluentus*).

(I) For purposes of application of this Act in Washington and Idaho, Bull trout (*salvelinus confluentus*).

(5) SECRETARY.—The term Secretary means the Secretary of Commerce.

#### SEC. 8. REPORT REGARDING TREATMENT OF INTERNATIONAL FISHERY COMMISSION PENSIONERS.

The President shall—

(1) determine the number of United States citizens who—

(A) served as employees of the International Pacific Salmon Fisheries Commission or the International North Pacific Fisheries Commission; and

(B) worked in Canada in the course of employment with that commission;

(2) calculate for each such employee the difference between—

(A) the value, in United States currency, of the annuity payments made and to be made (determined by an actuarial valuation) by or on behalf of each such commission to the employee; and

(B) the value, in Canadian currency, of such annuity payments; and

(3) by not later than September 1, 2001, submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a report on the determinations and calculations made under paragraphs (1) and (2).

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$200,000,000 for each of the fiscal years 2002, 2003, and 2004 to carry out this Act. Funds appropriated under this section may remain until expended.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Add at the end the following:

#### SEC. . SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any

equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only equipment and products made in the United States.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(c) REPORT.—Any entity that receives funds under this Act shall report any expenditures of such funds on items made outside of the United States to the Congress within 180 days of the expenditure.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, contrary to popular belief, this amendment does not mandate that all salmon eggs must be made in America, but this amendment has been added to other authorization spending bills that urges that those recipients of Federal monies, whenever possible, utilize those funds when spending those funds on American-made goods, products, and services that are made by American hands.

In addition, it requires there be a notice of same to recipients of assistance under this bill.

Finally, after having dispensed with and expended such funds so authorized, it says there shall be a report made to Congress to see if people receiving American money are in fact, wherever possible, utilizing those funds to buy American-made goods and products made by American hands.

I urge that the committee accept it and keep it in conference.

Mr. GILCHREST. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Ohio for yielding.

We have no opposition to his amendment.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I have no comment.

Mr. TRAFICANT. Mr. Chairman, hearing no comment, I take that as no objection, as well.

With that, I ask for an aye vote.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. OTTER

Mr. OTTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:



Amendment No. 3 offered by Mr. OTTER:  
Add at the end the following:

**SEC. . SENSE OF THE CONGRESS REGARDING  
BIPARTISAN JULY 2000 GOALS.**

It is the sense of the Congress that the Congress supports the bipartisan July 2000 goals, objectives, and recommendations of the Governors of Idaho, Montana, Oregon and Washington to protect and restore salmon and other aquatic species to sustainable and harvestable levels while meeting the requirements of the Endangered Species Act of 1973, the Clean Water Act, the Pacific Northwest Electric Power Planning and Conservation Act, tribal treaty rights, and executive orders and while taking into account the need to preserve a sound economy in Alaska, California, Idaho, Montana, Oregon, and Washington.

Mr. OTTER. Mr. Chairman, I want to congratulate my colleague and good friend, the gentleman from Maryland (Mr. GILCREST). I also want to congratulate the gentleman from California (Mr. THOMPSON), the sponsor of House Resolution 1157, for working to craft this important bipartisan piece of legislation authorizing \$200 million in assistance to the States, tribes, and local entities for on-the-ground salmon recovery projects.

House Resolution 1157 will ensure that important salmon research, data collection, monitoring supplementation, and other activities will be given priority. It also finally calls for the States to establish specific goals and timelines for salmon recovery projects, and to measure whether or not these activities are actually achieving success.

I am cosponsoring House Resolution 1157 because it focuses money where it is proven to be the most effective, and that is at the local and the State level.

Mr. Chairman, it has been reported that close to \$1 billion in public funds are now being spent directly to recover salmon runs in the Pacific Northwest each year. A small portion of that comes from the States, but the largest chunks are being funded through the electrical power bills of Pacific Northwest residents, and from Federal agencies.

Through the budgets of the Army Corps of Engineers, the Department of Agriculture, the Department of the Interior, the Department of Commerce, the Environmental Protection Agency, and through the Pacific Salmon Treaty with Canada, many, including me, are skeptical that a sufficient return on this huge Federal investment is being realized. Too much money now goes to Federal bureaucracies for permitting, regulating, and enforcing activities against people who are actually improving the life of the salmon.

Mr. Chairman, I suggest that we need better coordination. We need to seek more realistic, unified goals and better peer-reviewed science before salmon do go extinct.

Better coordination and more effective work is already happening on the State and local level, and it deserves the support of this Congress. That is why today I am introducing an amendment that simply recognizes a docu-

ment produced last July by the Governors of the great State of Idaho, the States of Montana, Oregon, and Washington, two Democrats and two Republicans, setting out a list of goals, objectives, and recommendations on how the region can come together to recover the Pacific salmon.

These bipartisan recommendations are philosophically in sync with the goals of this legislation, House Resolution 1157. It also encourages the development of local salmon recovery plans that avoid duplication and top-down planning, with peer-reviewed science and measurable standards.

The Governors' plan acknowledges that while human activities may influence fish and wildlife survival, humans are not the only cause for salmon decline. It encourages more study to address the role of the Pacific Ocean on salmon, and calls for the management of flesh-eating predators; that is, the predators that eat the fish as they migrate to the ocean. It responsibly encourages hatchery supplementation, and many important habitat improvements, and it does so without advocating the removal of the four lower Snake dams.

My amendment, Mr. Chairman, restates the first goal of the Governors' plan, which is to recover salmon according to the applicable laws, while also adhering to the laws which ensure the continued reliable and affordable power sources that millions of families and businesses in the Pacific Northwest rely on.

It also understands the need to balance salmon recovery with the economic vitality of Alaska, California, Idaho, Montana, and Washington.

Mr. Chairman, I urge the adoption of this amendment and the passage of House Resolution 1157.

Mr. INSLEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we do not intend to express any objection to the gentleman's amendment, but I do think it appropriate to comment that the recommendations, the goals, the suggestions of the Governors encapsulated in the report to which the gentleman's amendment is addressed are not the sole things that we need to consider to be done in regard to salmon recovery. I just think it is important for us to note that.

The way I read the amendment, it does not purport to say that these are the only things that need to be done for all time in our efforts. There are certainly other things that I think need to be done, and I know there are others who also think there is more to be done. So it is important for others to be aware that passage of this amendment will not be the end of our efforts in this Chamber to restore these runs.

□ 1145

The CHAIRMAN pro tempore (Mr. RYAN of Wisconsin). The question is on the amendment offered by the gentleman from Idaho (Mr. OTTER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

In section 7, after paragraph (1) (page 16, after line 12) insert the following (and redesignate the subsequent paragraphs of section 7 accordingly):

(2) NATURALLY PRODUCED SALMON AND TROUT.—(A) Each of the terms “naturally produced salmon” and “naturally produced trout” does not include any genetically engineered fish.

(B) In subparagraph (A)—

(i) except as provided in clause (ii), the term “genetically engineered fish” means—

(I) a fish that has been altered at the molecular or cellular level by means that are not possible under natural conditions or processes (including recombinant DNA and RNA techniques, cell fusion, microencapsulation, macroencapsulation, gene deletion and doubling, introducing a foreign gene, and changing the positions of genes), other than a means consisting exclusively of breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture; and

(II) a fish made through sexual or asexual reproduction (or both) involving a fish described in clause (i), if it has any of the altered molecular or cellular characteristics of the fish so described; and

(ii) such term does not include a fish produced by traditional breeding technologies in fish hatchery operations.

Mr. KUCINICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUCINICH. Mr. Chairman, I fully support this legislation, but I am concerned that there is some problems with it on a technical nature that ought to be called to the attention of this House.

In the eligible activities section of the bill, salmon-related research and salmon supplementation and enhancement are two areas that I want to alert the Members of this House.

These are two areas that could be applied to genetic engineering and to genetic engineering research. My amendment perfects this bill to ensure that salmon for purposes of this legislation does not include genetically engineered varieties. However, the amendment explicitly addresses that this does not impact traditional breeding at fish hatcheries. We make sure that is excluded.

Allowing the diversion of Federal money for research into this technology may only exacerbate the environmental challenge of protecting Pacific salmon. There are already over 35 species of genetically engineered fish currently being developed around the world.

Genetically engineered fish contain genes from fish, from humans, and from insects. According to several fish ecologists from the University of Minnesota and Purdue University, there may be negative environmental impact

on wild populations of fish. Studies show that genetically engineered fish are more aggressive, consume more food, and attract more mates than wild fish.

These studies also show that GE fish will attract more mates, their offspring will be less fit, and less likely to survive. As a result, some scientists predict that genetically engineered fish will cause some species to become extinct within only a few generations.

No Federal environmental laws specifically govern the regulation of genetically engineered fish. Concerned about the lack of existing law specifically covered genetically engineered fish, the State of Maryland recently passed a law imposing a moratorium on the growing of genetically engineered fish in State waterways that flow into other bodies of water.

Mr. GILCHREST. Mr. Chairman, if the gentleman will yield, I rise in opposition to the amendment, not because it is not well thought out and it is the direction that we need to move in, but we were unaware of this amendment until late last night.

Mr. Chairman, I thank the gentleman from Ohio (Mr. KUCINICH) for his efforts and for this amendment. This bill fundamentally is a restoration project to bring back three species of fish in the Pacific Northwest.

The funding is critical. If some of this funding is drawn away to try to detect or determine whether or not fish are genetically altered or they are hybrid fish grown in aquaculture ponds or they are wild species moving into the new restoration areas, I think that will take away from the legislation.

What I would like to offer the gentleman from Ohio (Mr. KUCINICH) is that I and our staff on the Subcommittee on Fisheries Conservation, Wildlife and Oceans will work with the gentleman. We will schedule a series of hearings.

We recognize that introducing genetically altered species of any kind is a very dangerous road to go down, and so I compliment the gentleman on his efforts. We will work to develop legislation separate from this bill today to deal with the problem, not only with genetically altered species of fish, but with the full range of flora and fauna.

Mr. KUCINICH. Mr. Chairman, I thank the gentleman from Maryland (Mr. GILCHREST) and I will consider your kind offer to hold hearings. I need your help in working on a bill on this. I would certainly withdraw the amendment, and I would also ask the gentleman from Washington (Mr. INSLEE) and the gentleman from California (Mr. THOMPSON) to work with me on this issue.

Mr. Chairman, I certainly respect the work that the gentlemen have put into this, and I know that if we all work together in a bipartisan way, we can protect our fish, our wildlife flora and fauna.

Mr. Chairman, I appreciate very much the opportunity to work with the

gentleman from Maryland (Mr. GILCHREST) on this.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 2 OFFERED BY MS. HOOLEY OF OREGON

Ms. HOOLEY of Oregon. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. HOOLEY of Oregon:

At the end of the bill add the following:

**SEC. . REPORT ON EFFECTS ON PACIFIC SALMON STOCKS OF CERTAIN TIMBER HARVESTING IN CANADA.**

The Secretary, in conjunction with other Federal agencies, shall by not later than December 31 of each year report to the Congress to the best of the ability of the Secretary regarding the effects on Pacific Salmon stocks of timber harvesting on publicly owned lands in British Columbia.

Ms. HOOLEY of Oregon. Mr. Chairman, as an original cosponsor of the underlying bill, I am extremely pleased that the House is moving so expeditiously to give Oregon and other Western States greater resources to protect our Pacific salmon stocks.

I would also like to thank the gentleman from California (Mr. THOMPSON) and the gentleman from Idaho (Mr. SIMPSON) for all of their hard work on this great piece of legislation. I thank the gentleman from California (Mr. THOMPSON) and the gentleman from Idaho (Mr. SIMPSON.)

The bipartisan manner in which they have brought this legislation before us is an example of how Members from both sides of the aisle can come up with a commonsense approach to a common issue.

It shows that we can actually move forward and achieve a consensus that benefits our communities, our industries, and our surrounding environment.

With that said, the amendment I have is a measure which I believe strengthens the underlying intent of this legislation.

What it does is simply requires the Secretary of Commerce to report to Congress on an annual basis the effect that timber harvesting on public lands in British Columbia has on Pacific salmon stocks.

Mr. Chairman, the fact is that ecosystems are not constrained by geographical borders. It is not just the rivers and tributaries of the Western United States that are an essential habitat for salmon; the Canadian province of British Columbia is home to hundreds of stocks of salmon as well.

It is a vital component of the broader ecosystem that we are seeking to protect. I think it is completely reasonable for this body to, at the very least,

consider the impact that logging practices on public lands in British Columbia have on Pacific salmon stocks.

After all, we are authorizing up to \$600 million over the next 3 years to protect these fish and their habitats, many of which are closely linked with our neighbor to the North.

The truth is that watersheds in British Columbia vital to the survival of all stocks of Pacific salmon are regularly affected by logging practices that are expressly prohibited under Canadian law and International Treaty.

Even though the Canadian Fisheries Act requires provincial governments in Canada to maintain buffers against fish-bearing streams on public lands, in British Columbia logging companies are not only allowed to cut right to their banks but to drag logs across them.

This practice may destroy salmon redds, make habitat inhospitable for fish by destroying the food web. It also increases the sedimentation which clogs the gills of fish and smothers salmon eggs and raises water temperature which kills immature salmon.

As a result, 142 stocks of salmon are now extinct in British Columbia, while another 624 are at high risk.

Because these practices are harmful to all salmon, not just those in American waters, I believe it is well within the realm of authority for Congress to ask the Secretary of Commerce, in conjunction with other Federal agencies, to annually report to Congress the effects of this logging practice on specific salmon stocks.

Mr. Chairman, this is a simple amendment asking Canada to enforce its own laws. I am confident that if confronted with the damages its policies are incurring to salmon stocks, the Canadian government will begin to enforce their own act with the Pacific Treaty.

Mr. Chairman, with that, I urge the adoption of my amendment.

Mr. SIMPSON. Mr. Chairman, I move to strike the last word, and will ask the gentlewoman from Oregon (Ms. HOOLEY) to enter into a colloquy.

Is it the gentlewoman's intent, I want to make this clear, that this report done by the Secretary of Commerce, that the funding for that come out of the Department of Commerce and not come out of funds appropriated in this bill for salmon habitat restoration?

Ms. HOOLEY of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Oregon.

Ms. HOOLEY of Oregon. Absolutely.

Mr. SIMPSON. I appreciate the gentlewoman's amendment. We do not intend to oppose the amendment. There are many things that do affect salmon, one of those being logging practices, not only in the United States and in Canada, but also the predators, the ocean conditions, dams, many other things, and all of those things should be looked at along with those issues relative to logging practices in Oregon.

Let me tell the gentlewoman, there is one issue that we have not dealt with, and that is the differences between the agencies of the Federal Government and how they deal with this. In the Stanley Basin of Idaho, let me give you this example. In the Stanley Basin of Idaho, several years ago an illegal stream was dug around the Salmon River. It was dug illegally admittedly.

Today, there is conflict going on between the EPA, which is telling the new landowner to fill in that illegally dug channel, and Fish and Wildlife who is saying do not fill in that channel, because there are spawning salmon in that channel.

The landowner is stuck in the middle, the new landowner is stuck in the middle, and he refuses to fill it in. So we have not only all these other things, but we have some conflicts in the Federal agency that needs to be addressed also.

Mr. Chairman, I thank the gentlewoman for her amendment, and we do not intend to oppose it.

Mr. WU. Mr. Chairman, as a cosponsor of H.R. 1157, I rise in support of the gentlelady from Oregon's amendment.

We have a problem. As everybody knows, ecosystems do not adhere to political lines. The border that lies between the United States and Canada, a political line, may also be contributing to the demise of dozens of species of salmon.

Canada does not share the same type of environmental laws that protect salmon as we have. The Northwest, and every other region in the United States, must comply with the Endangered Species Act and the Clean Water Act. While the United States still has its fair share of endangered species, we have the mechanisms in place to give many of these species a fighting chance.

Canada on the other hand, does not have these sort of guidelines. Harmful logging practices may be killing endangered salmon by the thousands. Ms. HOOLEY's amendment simply asks the Department of Commerce to conduct a study that would be reported to Congress what effect Canada's logging practices have on these endangered salmon.

Until we know how great an impact these practices have on international fish stocks, will we be able to address the problem.

Mr. Chairman, I urge my colleagues to support this responsible amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments? If not, the question is on the amendment in the nature of a substitute, as amended.

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

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOEHNER) having assumed the chair, Mr. RYAN of Wisconsin, Chairman pro tempore of the Committee of the Whole House on the State of the Union, re-

ported that that Committee, having had under consideration the bill (H.R. 1157) to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho for salmon habitat restoration projects in coastal waters and upland drainages, and for other purposes, pursuant to House Resolution 163, he reported the bill back to the House with an amendment in the nature of a substitute 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 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 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. INSLEE. 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 6, not voting 8, as follows:

[Roll No. 159]

YEAS—418

|             |             |               |               |                |               |
|-------------|-------------|---------------|---------------|----------------|---------------|
| Ackerman    | Boucher     | Cramer        | Eshoo         | Lampson        | Rangel        |
| Aderholt    | Boyd        | Crane         | Etheridge     | Langevin       | Regula        |
| Akin        | Brady (PA)  | Crenshaw      | Evans         | Lantos         | Rehberg       |
| Allen       | Brown (FL)  | Crowley       | Everett       | Largent        | Reyes         |
| Andrews     | Brown (OH)  | Cubin         | Farr          | Larsen (WA)    | Reynolds      |
| Armedy      | Brown (SC)  | Culberson     | Fattah        | Larson (CT)    | Riley         |
| Baca        | Bryant      | Cummings      | Filner        | Latham         | Rivers        |
| Bachus      | Burr        | Cunningham    | Fletcher      | LaTourrette    | Rodriguez     |
| Baird       | Burton      | Davis (CA)    | Foley         | Leach          | Roemer        |
| Baker       | Buyer       | Davis (IL)    | Ford          | Lee            | Rogers (KY)   |
| Baldacci    | Callahan    | Davis (FL)    | Frank         | Levin          | Rogers (MI)   |
| Baldwin     | Calvert     | Davis, Jo Ann | Frelinghuysen | Lewis (CA)     | Rohrabacher   |
| Berman      | Camp        | Davis, Tom    | Frost         | Lewis (GA)     | Ros-Lehtinen  |
| Ballenger   | Cannon      | Deal          | Gallegly      | Lewis (KY)     | Ross          |
| Barcia      | Cantor      | DeFazio       | Ganske        | Linder         | Rothman       |
| Barr        | Capito      | DeGette       | Gekas         | Lipinski       | Roukema       |
| Barrett     | Capps       | Delahunt      | Gephardt      | LoBiondo       | Roybal-Allard |
| Bartlett    | Capuano     | DeLauro       | Gibbons       | Lofgren        | Rush          |
| Barton      | Cardin      | DeLay         | Gilchrest     | Lowey          | Ryan (WI)     |
| Bass        | Carson (IN) | DeMint        | Gillmor       | Lucas (KY)     | Ryun (KS)     |
| Bentsen     | Carson (OK) | Deutsch       | Gilman        | Lucas (OK)     | Sabo          |
| Bereuter    | Castle      | Dicks         | Gonzalez      | Luther         | Sanchez       |
| Berkley     | Chabot      | Dingell       | Goode         | Maloney (CT)   | Sanders       |
| Berman      | Chambliss   | Dogett        | Goodlatte     | Maloney (NY)   | Sandlin       |
| Berry       | Clay        | Dooley        | Gordon        | Manzullo       | Sandlin       |
| Biggert     | Clayton     | Doolittle     | Goss          | Markey         | Saxton        |
| Bilirakis   | Clement     | Doyle         | Graham        | Mascara        | Scarborough   |
| Bishop      | Clyburn     | Dreier        | Granger       | Matheson       | Schakowsky    |
| Blagojevich | Coble       | Duncan        | Graves        | Matsui         | Schiff        |
| Blumenauer  | Collins     | Dunn          | Green (TX)    | McCarthy (MO)  | Schrock       |
| Blunt       | Combest     | Edwards       | Green (WI)    | McCarthy (NY)  | Scott         |
| Boehlert    | Condit      | Ehlers        | Greenwood     | McCollum       | Sensenbrenner |
| Boehner     | Conyers     | Ehrlich       | Grucci        | McCrery        | Serrano       |
| Bonilla     | Cooksey     | Emerson       | Gutierrez     | McDermott      | Sessions      |
| Bonior      | Costello    | Engel         | Gutknecht     | McGovern       | Shadegg       |
| Bono        | Cox         | English       | Hall (OH)     | McHugh         | Shaw          |
| Borski      | Coyne       |               | Hall (TX)     | McInnis        | Shays         |
| Boswell     |             |               | Hansen        | McIntyre       | Sherman       |
|             |             |               | Harman        | McKeon         | Sherwood      |
|             |             |               | Hart          | McKinney       | Shimkus       |
|             |             |               | Hastings (FL) | McNulty        | Shows         |
|             |             |               | Hastings (WA) | Meehan         | Shuster       |
|             |             |               | Hayes         | Meek (FL)      | Simmons       |
|             |             |               | Hayworth      | Meeks (NY)     | Simpson       |
|             |             |               | Hefley        | Menendez       | Skeen         |
|             |             |               | Herger        | Mica           | Skelton       |
|             |             |               | Hill          | Millender-     | Slaughter     |
|             |             |               | Hilleary      | McDonald       | Smith (MI)    |
|             |             |               | Hilliard      | Miller (FL)    | Smith (NJ)    |
|             |             |               | Hinchey       | Miller, Gary   | Smith (TX)    |
|             |             |               | Hinojosa      | Miller, George | Smith (WA)    |
|             |             |               | Hobson        | Mink           | Snyder        |
|             |             |               | Hoefel        | Mollohan       | Solis         |
|             |             |               | Hoekstra      | Moore          | Souder        |
|             |             |               | Holden        | Moran (KS)     | Spence        |
|             |             |               | Holt          | Moran (VA)     | Spratt        |
|             |             |               | Honda         | Morella        | Stark         |
|             |             |               | Hooley        | Murtha         | Stearns       |
|             |             |               | Horn          | Myrick         | Stenholm      |
|             |             |               | Houghton      | Nadler         | Strickland    |
|             |             |               | Hoyer         | Napolitano     | Stump         |
|             |             |               | Hulshof       | Neal           | Stupak        |
|             |             |               | Hunter        | Nethercutt     | Sununu        |
|             |             |               | Hutchinson    | Ney            | Sweeney       |
|             |             |               | Hyde          | Northup        | Tancred       |
|             |             |               | Inslee        | Norwood        | Tauscher      |
|             |             |               | Isakson       | Nussle         | Tauzin        |
|             |             |               | Israel        | Oberstar       | Taylor (MS)   |
|             |             |               | Issa          | Obey           | Taylor (NC)   |
|             |             |               | Istook        | Oliver         | Terry         |
|             |             |               | Jackson (IL)  | Ortiz          | Thomas        |
|             |             |               | Jackson-Lee   | Osborne        | Thompson (CA) |
|             |             |               | (TX)          | Ose            | Thompson (MS) |
|             |             |               | Jefferson     | Otter          | Thornberry    |
|             |             |               | Jenkins       | Owens          | Thune         |
|             |             |               | Johnson (CT)  | Oxley          | Thurman       |
|             |             |               | Johnson (IL)  | Pallone        | Tiahrt        |
|             |             |               | Johnson, Sam  | Pascarell      | Tiberi        |
|             |             |               | Jones (NC)    | Pastor         | Tierney       |
|             |             |               | Jones (OH)    | Payne          | Toomey        |
|             |             |               | Kanjorski     | Pelosi         | Towns         |
|             |             |               | Kaptur        | Pence          | Trafficant    |
|             |             |               | Keller        | Peterson (MN)  | Turner        |
|             |             |               | Kelly         | Peterson (PA)  | Udall (CO)    |
|             |             |               | Kennedy (MN)  | Petri          | Udall (NM)    |
|             |             |               | Kennedy (RI)  | Phelps         | Upton         |
|             |             |               | Kerns         | Pickering      | Velazquez     |
|             |             |               | Kildee        | Pitts          | Visclosky     |
|             |             |               | Kilpatrick    | Platts         | Vitter        |
|             |             |               | Kind (WI)     | Pombo          | Walden        |
|             |             |               | King (NY)     | Pomeroy        | Walsh         |
|             |             |               | Kingston      | Portman        | Wamp          |
|             |             |               | Kirk          | Price (NC)     | Waters        |
|             |             |               | Kleczka       | Pryce (OH)     | Watkins (OK)  |
|             |             |               | Knollenberg   | Putnam         | Watson (CA)   |
|             |             |               | Kolbe         | Quinn          | Watt (NC)     |
|             |             |               | Kucinich      | Radanovich     | Watts (OK)    |
|             |             |               | LaFalce       | Rahall         | Waxman        |
|             |             |               | LaHood        | Ramstad        | Weiner        |

|             |         |            |
|-------------|---------|------------|
| Weldon (FL) | Wicker  | Wu         |
| Weller      | Wilson  | Wynn       |
| Wexler      | Wolf    | Young (AK) |
| Whitfield   | Woolsey | Young (FL) |

## NAYS—6

|            |            |          |
|------------|------------|----------|
| Brady (TX) | Hostettler | Royce    |
| Flake      | Paul       | Schaffer |

## NOT VOTING—8

|             |                |             |
|-------------|----------------|-------------|
| Abercrombie | Fossella       | Tanner      |
| Becerra     | John           | Weldon (PA) |
| Ferguson    | Johnson, E. B. |             |

□ 1222

Mr. BRADY of Texas changed his vote from "yea" to "nay."

Mr. NADLER and Mr. RUSH changed their 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.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1157, PACIFIC SALMON RECOVERY ACT

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1157, including corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and to include extraneous material in the RECORD on H.R. 1157, the bill just passed.

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

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 2052, SUDAN PEACE ACT

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 162 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 162

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2052) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the

chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), 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.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 162 is an open rule providing for the consideration of H.R. 2052, the Sudan Peace Act. The rule provides for 1 hour of general debate, evenly divided and controlled by the chairman and ranking minority member of the Committee on International Relations. This is a completely fair rule. In fact, as I stated before, it is an open rule allowing all Members the opportunity to present amendments and, obviously, to debate this very important issue.

The current situation in Sudan, Mr. Speaker, is extremely grave. More than 2 million men, women, and children have perished due to war-related causes; and more than 3 million men, women, and children have been forced from their homes. Thousands of children have been abducted and forcibly converted to practices that they reject, and slavery has become an institution of the so-called National Islamic Front. Many of these same men, women, and children have suffered harsh beatings and torture.

In the face of this horrific tragedy, the Government of Sudan has continually blocked the efforts to provide aid to the people who need it most. Famine has been a constant, and the World Food Program has record that 3 million Sudanese will require emergency food aid this year alone. The situation is clearly intolerable, and we should do what we can to provide relief to the millions of displaced people in Sudan.

In addition to the human rights abuses in their own region, the Government of Sudan has also, rightfully so, been considered a rogue state by much

of the international community because of its support for international terrorism. The Government of Sudan has supported acts of international terrorism and allows the use of its territory for terrorist groups. The government there has been a safe haven for major terrorist figures. To preserve the safety of our Nation and to help with the safety and the security of the world, the international community, we must continue to send the message that support for terrorist activities is simply unacceptable.

The underlying legislation, the Sudan Peace Act, condemns the prosecution of the war by the National Islamic Front government and the associated human rights abuses. The legislation also acknowledges the role that oil has played in the war, expresses this Congress' support for an internationally sanctioned peace process, and urges the President to make previously appropriated funds available to the National Democratic Alliance. Additionally, the legislation requires businesses engaged in commercial activity in Sudan to publicly disclose the extent of their activities before raising money in American capital markets.

The underlying legislation has broad bipartisan support. The Bush administration has made Sudan a priority by announcing its intent to dispatch a special envoy; and I believe that now it is our turn, Congress' turn, to make Sudan a priority by passing this important piece of legislation.

I would like to thank the gentleman from Colorado (Mr. TANCREDO) and all those who have worked so hard to bring this important piece of legislation to the floor. I urge my colleagues in the strongest possible terms to support both this open rule and the underlying legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the customary time.

This is an open rule. It will allow for consideration of the Sudan Peace Act. As my colleague has described, this rule will provide 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule permits amendments under the 5-minute rule. This is the normal amending process in the House.

Mr. Speaker, at a recent hearing of the Committee on International Relations, Secretary of State Colin Powell described Sudan as one of the world's greatest tragedies. Sudan is a nation of about 35 million people. It is on the northeast coast of Africa, south of Egypt and north of Kenya. It is blessed with rich natural resources. However, an 18-year-old civil war and a very oppressive government have conspired to create widespread hunger, famine, and suffering.