

rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Resolution 172, by the yeas and nays; and

H.R. 2133, by the yeas and nays.

Both of these will be 5-minute votes.

**HONORING JOHN J. DOWNING, BRIAN FAHEY, AND HARRY FORD, WHO LOST THEIR LIVES IN DUTIES AS FIREFIGHTERS**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 172.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, H. Res 172, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 9, as follows:

[Roll No. 197]

YEAS—424

Abercrombie	Capito	Edwards
Ackerman	Capps	Ehlers
Aderholt	Capuano	Ehrlich
Akin	Cardin	Emerson
Allen	Carson (IN)	Engel
Army	Carson (OK)	English
Baca	Castle	Eshoo
Bachus	Chabot	Etheridge
Baird	Chambliss	Evans
Baker	Clay	Everett
Baldacci	Clayton	Farr
Baldwin	Clement	Fattah
Ballenger	Clyburn	Gillmor
Barcia	Coble	Filner
Barr	Collins	Flake
Barrett	Combest	Fletcher
Bartlett	Condit	Foley
Barton	Conyers	Forbes
Bass	Cooksey	Ford
Becerra	Costello	Fossella
Bentsen	Cox	Frank
Bereuter	Coyne	Frelinghuysen
Berkley	Cramer	Frost
Berman	Crane	Galleghy
Berry	Crenshaw	Ganske
Biggert	Crowley	Gekas
Bilirakis	Cubin	Gephardt
Bishop	Culberson	Gibbons
Blagojevich	Cummings	Gilchrist
Blumenauer	Cunningham	Gillmor
Blunt	Davis (CA)	Gilman
Boehlert	Davis (FL)	Gonzalez
Boehner	Davis (IL)	Goode
Bonilla	Davis, Jo Ann	Goodlatte
Bonior	Davis, Tom	Gordon
Bono	Deal	Goss
Borski	DeFazio	Graham
Boswell	DeGette	Granger
Boucher	Delahunt	Graves
Boyd	DeLauro	Green (TX)
Brady (PA)	DeLay	Green (WI)
Brady (TX)	DeMint	Greenwood
Brown (FL)	Deutsch	Grucci
Brown (OH)	Diaz-Balart	Gutierrez
Brown (SC)	Dicks	Gutknecht
Bryant	Dingell	Hall (OH)
Burr	Doggett	Hall (TX)
Buyer	Dooley	Hansen
Callahan	Doolittle	Harman
Calvert	Doyle	Hart
Camp	Dreier	Hastings (FL)
Cannon	Duncan	Hastings (WA)
Cantor	Dunn	Hayes

Hayworth	McCollum	Sawyer
Hefley	McCrery	Saxton
Hergner	McDermott	Scarborough
Hill	McGovern	Schaffer
Hilleary	McHugh	Schakowsky
Hilliard	McInnis	Schiff
Hinchey	McIntyre	Schrock
Hinojosa	McKeon	Scott
Hobson	McKinney	Sensenbrenner
Hoefel	McNulty	Serrano
Hoekstra	Meehan	Sessions
Holden	Meeks (NY)	Shadegg
Holt	Menendez	Shaw
Honda	Mica	Shays
Hooley	Millender-Horn	Sherman
Horn	McDonald	Sherwood
Hostettler	Miller (FL)	Shimkus
Houghton	Miller, Gary	Shows
Hoyer	Miller, George	Shuster
Hulshof	Mink	Simmons
Hunter	Mollohan	Simpson
Hutchinson	Moore	Skeen
Hyde	Moran (KS)	Skelton
Inslee	Moran (VA)	Slaughter
Isakson	Morella	Smith (MI)
Israel	Murtha	Smith (NJ)
Issa	Myrick	Smith (TX)
Istook	Nadler	Smith (WA)
Jackson (IL)	Napolitano	Snyder
Jackson-Lee	Neal	Solis
(TX)	Nethercutt	Souder
Jefferson	Ney	Spence
Jenkins	Northup	Spratt
John	Norwood	Stark
Johnson (CT)	Nussle	Stearns
Johnson (IL)	Oberstar	Stenholm
Johnson, E. B.	Oliver	Strickland
Johnson, Sam	Ortiz	Stump
Jones (NC)	Osborne	Stupak
Jones (OH)	Ose	Sununu
Kanjorski	Otter	Sweeney
Keller	Owens	Tancredo
Kelly	Oxley	Tanner
Kennedy (MN)	Pallone	Tauscher
Kennedy (RI)	Pascrell	Tauzin
Kerns	Pastor	Taylor (MS)
Kildee	Paul	Taylor (NC)
Kilpatrick	Payne	Terry
Kind (WI)	Pelosi	Thomas
King (NY)	Pence	Thompson (CA)
Kingston	Peterson (MN)	Thompson (MS)
Kirk	Peterson (PA)	Thornberry
Kleczka	Petri	Thune
Knollenberg	Phelps	Thurman
Kolbe	Pickering	Tiahrt
Kucinich	Pitts	Tiberi
LaFalce	Pomeroy	Tierney
LaHood	Portman	Toomey
Lampson	Price (NC)	Towns
Langevin	Pryce (OH)	Trafficant
Lantos	Quinn	Turner
Largent	Radanovich	Udall (CO)
Larsen (WA)	Rahall	Udall (NM)
Larson (CT)	Ramstad	Upton
Latham	Rangel	Velazquez
LaTourette	Regula	Visclosky
Leach	Rehberg	Vitter
Lee	Reyes	Walsh
Levin	Reynolds	Wamp
Lewis (CA)	Riley	Waters
Lewis (GA)	Rivers	Watkins (OK)
Lewis (KY)	Rodriguez	Watson (CA)
Linder	Roemer	Watt (NC)
Lipinski	Rogers (KY)	Watts (OK)
Lindser	Rogers (MI)	Waxman
Lofgren	Rohrabacher	Weiner
Lowe	Ros-Lehtinen	Weldon (FL)
Lucas (KY)	Ross	Weldon (PA)
Lucas (OK)	Rothman	Weller
Luther	Roukema	Wexler
Maloney (CT)	Roybal-Allard	Whitfield
Maloney (NY)	Royce	Wicker
Manzullo	Rush	Wilson
Markey	Ryan (WI)	Wolf
Mascara	Ryun (KS)	Woolsey
Matheson	Sabo	Wynn
Matsui	Sanchez	Young (AK)
Hall (OH)	Sanders	Young (FL)
Hall (TX)	Sandlin	
McCarthy (MO)		
McCarthy (NY)		

NOT VOTING—9

Andrews	Meek (FL)	Pombo
Burton	Obey	Putnam
Kaptur	Platts	Wu

□ 1342

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

The motion to reconsider was laid upon the table.

**BROWN v. BOARD OF EDUCATION 50TH ANNIVERSARY COMMISSION**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2133, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2133, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 17, as follows:

[Roll No. 198]

YEAS—414

Abercrombie	Clay	Forbes
Ackerman	Clayton	Ford
Aderholt	Clement	Fossella
Akin	Clyburn	Frelinghuysen
Armey	Coble	Frost
Baca	Collins	Galleghy
Bachus	Combest	Ganske
Baird	Condit	Gekas
Baker	Conyers	Gephardt
Baldacci	Cooksey	Gibbons
Baldwin	Costello	Gilchrist
Ballenger	Cox	Gillmor
Barcia	Coyne	Gilman
Barr	Cramer	Gonzalez
Barrett	Crane	Goode
Bartlett	Crenshaw	Goodlatte
Barton	Crowley	Gordon
Bass	Cubin	Goss
Becerra	Culberson	Graham
Bentsen	Cummings	Granger
Bereuter	Cunningham	Graves
Berkley	Davis (CA)	Green (TX)
Berman	Davis (FL)	Green (WI)
Berry	Davis (IL)	Greenwood
Biggert	Davis, Jo Ann	Grucci
Bilirakis	Davis, Tom	Gutierrez
Bishop	Deal	Gutknecht
Blagojevich	DeFazio	Hall (OH)
Blumenauer	DeGette	Hall (TX)
Blunt	Delahunt	Hansen
Boehlert	DeLauro	Harman
Boehner	DeLay	Hart
Bonilla	DeMint	Hastings (FL)
Bonior	Deutsch	Hastings (WA)
Bono	Diaz-Balart	Hayes
Borski	Dicks	Hayworth
Boucher	Dingell	Hefley
Boyd	Doggett	Hergner
Brady (PA)	Dooley	Hill
Brady (TX)	Doyle	Hilleary
Brown (FL)	Dreier	Hilliard
Brown (OH)	Duncan	Hinchey
Brown (SC)	Dunn	Hinojosa
Bryant	Edwards	Hobson
Burr	Ehlers	Hoefel
Buyer	Ehrlich	Hoekstra
Calvert	Emerson	Holden
Camp	Engel	Holt
Cannon	English	Honda
Cantor	Eshoo	Hooley
Capito	Etheridge	Horn
Capps	Everett	Hostettler
Capuano	Farr	Houghton
Cardin	Fattah	Hoyer
Carson (IN)	Ferguson	Hulshof
Carson (OK)	Filner	Hunter
Castle	Fletcher	Hutchinson
Chabot	Foley	Hyde
Chambliss		Inslee

Isakson	Miller (FL)	Sensenbrenner
Israel	Miller, Gary	Serrano
Issa	Miller, George	Sessions
Istook	Mink	Shadegg
Jackson (IL)	Mollohan	Shaw
Jackson-Lee	Moore	Shays
(TX)	Moran (KS)	Sherman
Jefferson	Moran (VA)	Shimkus
Jenkins	Morella	Shows
John	Murtha	Shuster
Johnson (CT)	Myrick	Simmons
Johnson (IL)	Nadler	Simpson
Johnson, E. B.	Napolitano	Skeen
Jones (NC)	Neal	Skelton
Jones (OH)	Nethercutt	Slaughter
Kanjorski	Ney	Smith (MI)
Kaptur	Northup	Smith (NJ)
Keller	Norwood	Smith (TX)
Kelly	Nussle	Smith (WA)
Kennedy (MN)	Oberstar	Snyder
Kennedy (RI)	Obey	Solis
Kerns	Olver	Souder
Kildee	Ortiz	Spence
Kilpatrick	Osborne	Spratt
Kind (WI)	Ose	Stark
King (NY)	Otter	Stearns
Kingston	Oxley	Stenholm
Kirk	Pallone	Strickland
Klecza	Pascrell	Stump
Knollenberg	Pastor	Stupak
Kolbe	Payne	Sununu
Kucinich	Pelosi	Sweeney
LaFalce	Pence	Tancredo
LaHood	Peterson (MN)	Tanner
Lampson	Peterson (PA)	Tauscher
Langevin	Petri	Tauzin
Lantos	Phelps	Taylor (MS)
Largent	Pickering	Taylor (NC)
Larsen (WA)	Pitts	Terry
Larson (CT)	Pomeroy	Thomas
Latham	Portman	Thompson (CA)
LaTourette	Price (NC)	Thompson (MS)
Leach	Pryce (OH)	Thornberry
Lee	Quinn	Thune
Levin	Radanovich	Thurman
Lewis (CA)	Rahall	Tiahrt
Lewis (GA)	Ramstad	Tiberi
Lewis (KY)	Rangel	Tierney
Linder	Regula	Toomey
Lipinski	Rehberg	Towns
LoBiondo	Reyes	Trafficant
Lofgren	Reynolds	Udall (CO)
Lowey	Riley	Udall (NM)
Lucas (KY)	Rivers	Upton
Lucas (OK)	Rodriguez	Velazquez
Luther	Roemer	Visclosky
Maloney (CT)	Rogers (KY)	Vitter
Maloney (NY)	Rogers (MI)	Walden
Manzullo	Rohrabacher	Walsh
Markey	Ros-Lehtinen	Wamp
Mascara	Ross	Waters
Matheson	Rothman	Watkins (OK)
McCarthy (MO)	Roukema	Watson (CA)
McCarthy (NY)	Roybal-Allard	Watt (NC)
McCollum	Royce	Watts (OK)
McCrery	Rush	Waxman
McDermott	Ryan (WI)	Weiner
McGovern	Ryun (KS)	Weldon (FL)
McHugh	Sabo	Weldon (PA)
McInnis	Sanchez	Weller
McIntyre	Sanders	Wexler
McKeon	Sandlin	Whitfield
McKinney	Sawyer	Wicker
McNulty	Saxton	Wilson
Meehan	Scarborough	Wolf
Meeks (NY)	Schaffer	Woolsey
Menendez	Schakowsky	Wynn
Mica	Schiff	Young (AK)
Millender-	Schrock	Young (FL)
McDonald	Scott	

NAYS—2

Flake

Paul

NOT VOTING—17

Allen	Frank	Pombo
Andrews	Johnson, Sam	Putnam
Boswell	Matsui	Sherwood
Burton	Meek (FL)	Turner
Callahan	Owens	Wu
Doolittle	Platts	

□ 1351

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. BONILLA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-116) on the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 1 of rule XXI, all points of order are reserved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2180

Mrs. BONO. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2180.

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

There was no objection.

GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, and that I may be permitted to include tabular and extraneous materials.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 180 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. 2311.

□ 1352

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. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON 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 Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN).

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

Mr. Chairman, it is my privilege to bring before the body today the fiscal year 2002 appropriations bill for energy and water needs facing this country. We have tried desperately to work with all the Members on both sides of the aisle to bring before you today a fair bill, a bill that has addressed most of the concerns of the Members who have contacted us. Mr. Chairman, there have been extensive contacts with us. In our deliberations we have come forward with a bill that I think provides the administration with ample funds for energy and water and reclamation needs in this country.

The bill agrees with President Bush that we should constrain government growth. I am happy to report that this bill constrains government growth because it is only increased about a one-half of 1 percent over the FY year 2001 level of funding.

The total funding in H.R. 2311 is \$23.7 billion. This is \$147 million, as I said, less than one-half of 1 percent, more than fiscal year 2001, for energy and water development programs.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. The Subcommittee on Energy and Water Development is unanimous in its belief that these programs are among the most valuable within the subcommittee's jurisdiction. The national benefits of projects for flood control, for navigation and shoreline protection substantially exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works program at \$4.47 billion, an increase of only \$568 million over last year's appropriation.

Within the amount appropriated to the Corps of Engineers, \$163 million is for general investigations, \$1.67 billion is for the construction program, and \$1.86 billion is for operations and maintenance. In addition, the bill includes \$347 million for the flood control, Mississippi River and Tributaries project. The bill also funds the budget request for the regulatory program and the Formerly Utilized Sites Remedial Action Program.

In title II, which is for the Bureau of Reclamation, we spend \$842 million, an increase of only \$26 million over fiscal year 2001.

Title III provides \$18 billion for the Department of Energy, an increase of \$444 million over fiscal year 2001.

So in all three areas of jurisdiction the bill is within the suggested constraints that President Bush has submitted to us, whereby we control excessive government growth spending. We are very pleased to have done that.

We sought to maintain level funding for basic research in science programs;