

The military construction bill was completed in 1 hour, with procedural cooperation from both sides. The Department of Defense bill was completed in a similar length of time; and in the process, the minority also cooperated in bypassing the need to have a rule.

Three of the six bills that have been brought up so far have been brought up by unanimous consent, thereby saving everyone time in terms of the need to go to the Committee on Rules. Those unanimous consent agreements limited amendments and limited time for consideration of those amendments. So I think it is fair to say that we have helped the majority greatly run the trains on time, even if we have on occasion disagreed with the contents in the boxcars.

I simply wanted to take the time to point those facts out because of some of the comments that I have heard the last 3 days from some Members of the majority about the "lack of cooperation" from the minority. I think there has been extraordinary cooperation, even though we have differed with the number of bills; and even though, for instance, on the labor-health bill last week we voted unanimously in opposition to it, we still cooperated in accommodating the majority in terms of schedule.

So I simply want to take note of that. I am glad we have finally gotten to this UC. I do not have any objection to it; but Mr. Speaker, I wanted to make clear and put in the record what the facts have been with respect to cooperation between the two parties on these procedural matters.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to thank the ranking member for his cooperation and also the ranking member of the subcommittee for the cooperation he has shown in drafting this bill and on the floor of debate.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

#### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2691.

□ 1239

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2691) making appropriations for the De-

partment of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 14 by the gentleman from Oregon (Mr. BLUMENAUER) had been postponed.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate and the amendments printed in the CONGRESSIONAL RECORD and numbered 6, 15 and 16, each of which will be debatable for 10 minutes.

The amendments printed in the CONGRESSIONAL RECORD numbered 4 and 12, each of which shall be debatable for 20 minutes;

The amendment printed in the CONGRESSIONAL RECORD and numbered 1, which shall be debatable for 30 minutes to be allocated as follows: 10 minutes to the proponent, 15 minutes to the chairman of the Committee on Appropriations, and 5 minutes to the ranking minority member;

A substitute amendment by the gentleman from Utah (Mr. MATHESON) to the amendment numbered 1, which shall be debatable for 20 minutes;

An amendment by the gentleman from North Carolina (Mr. TAYLOR) to the amendment numbered 1, which shall be debatable for 10 minutes;

The amendments printed in the CONGRESSIONAL RECORD numbered 2 and 9, each of which will be debatable for 50 minutes to be allocated as follows: 15 minutes to the proponent, 25 minutes to the chairman of the Committee on Appropriations, and 10 minutes to the ranking minority member;

An amendment by the gentleman from California (Mr. GALLEGLY) regarding bear feeding, which shall be debatable for 10 minutes;

An amendment by the gentleman from Washington (Mr. INSLEE) regarding Forest Service regulations on roadless areas, which shall be debatable for 50 minutes; and

An amendment by the gentleman from Arizona (Mr. SHADEGG) regarding Forest Service land acquisition, which shall be debatable for 10 minutes.

Each amendment may be offered only by the Member designated in the request, or a designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, except as specified, and shall not be subject to a demand for a division of the question.

Each amendment shall be debatable for the time specified, and time on each amendment shall be equally divided and controlled by the proponent and an opponent, except as specified.

All points of order against each amendment shall be considered as re-

served pending completion of debate, and each amendment may be withdrawn by its proponent after debate.

AMENDMENT OFFERED BY MR. SHADEGG

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHADEGG:

Add at the end (before the short title) the following new section:

SEC. \_\_\_\_ . The amounts otherwise provided by this Act are revised by reducing the amount made available in title II for "DEPARTMENT OF AGRICULTURE-LAND ACQUISITION", and increasing the amount made available for "DEPARTMENT OF AGRICULTURE-WILDLAND FIRE MANAGEMENT", which increase shall be available for hazardous fuels reduction activities, by \$19,000,000.

The CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from Arizona (Mr. SHADEGG) is recognized for 5 minutes in support of his amendment, and an opponent will be recognized for 5 minutes as well.

The Chair recognizes the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to begin by commending the gentleman from North Carolina (Mr. TAYLOR), the chairman of the Interior Committee on Appropriations, for his superb work in increasing funding for Forest Service wildland fire management by \$82 million more than the budget request and for his advocacy for the use of those funds for hazardous fuels reduction. I also want to commend him for reducing at this point in time funding for Forest Service land acquisition. He has done an excellent job, and I commend him for the product he has produced.

I want to carry that one step further, and I want to carry it one step further because we face a crisis in this Nation. America's forests are burning to the ground, and they are burning to the ground because they are occupied by excessive vegetation. They are, according to every knowledgeable expert in the country, grossly overgrown, too dense; and that is leading to a condition not only of wildfires but of disease that is destroying those forests.

In my State of Arizona, we are losing 800,000 acres of land to disease because of this overgrown condition.

My amendment is simple and straightforward. It takes \$19 million from the Department of Agriculture Lands Acquisition Fund, and it transfers that \$19 million to the Department of Agriculture Wildland Fire Management Fund, and it makes that money available for hazardous fuels reduction activities, that \$19 million dollar.

Mr. Chairman, we are in dire straits. A report by the GAO in 1999 predicted that we have 39 million acres at high risk. Last year alone, 6.9 million acres of those forests burned to the ground at a firefighting cost of \$1.6 billion. The experts tell us that the 10-year average

of forests burned to the ground is 4.2 million acres per year.

Dr. Wally Covington of Northern Arizona University has predicted that if we do not do something to treat these forests, an additional 5 to 10 million acres will burn every single year. This condition cannot continue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

I reluctantly rise to oppose the gentleman's amendment. I know he has been a leader in trying to provide funds in this project, and I would say that he has been successful in many ways.

The decision was made to make sure sufficient funds were made available for forest health and backlog maintenance. At the same time, limited land acquisition funds are available for the most critical inholdings and to manage the projects that are currently underway.

□ 1245

We provided \$20 million above the President's request, and we hope to continue to work in this basic area of forest health and backlog maintenance.

So I must oppose the gentleman's amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, let me say, first of all, that I have great respect for the gentleman who offered this amendment. I know he is dedicated on the issue of firefighting.

As the chairman mentioned, however, we have added a significant amount of money and there will be a supplemental on the floor next week of \$289 million for fire as well. And I just think that we have taken this land acquisition part of the Forest Service budget down from \$132 million to about \$29 million, and this would be another \$19 million. You could not even run a program out of this. And if they need the money, they probably could borrow it anyway.

So I would argue that this is not an appropriate offset. I would urge the gentleman to consider adding this to the supplemental. If he wants to add additional money to the supplemental to reimburse the government for the money it borrowed from a lot of these accounts, the supplemental is coming up next week. This should be emergency. If the gentleman was offering it as an emergency measure, not taking an offset out of land acquisition, I could support it; but I cannot support the amendment as it is currently drafted.

Mr. Chairman, I hope these suggestions are beneficial.

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

I appreciate the supportive remarks of my colleagues on the opposite side of this issue. I simply believe this is critical. The issue I raised a year ago was additional funds for firefighting. The issue I am raising, however, this year has to do with hazardous fuels reduction. I believe that this committee has done a superb job in fighting to get the funds to fight fires, but we must reduce the fuel load in our forests.

In Arizona alone, the Rodeo Chediski fire last year consumed 469,000 acres. This year's Aspen fire has already consumed 80,000 acres. In my State alone, this year, we have lost 140,000 acres. And in the Nation we have lost 1 million acres. I am not fighting for funds to fight fires. I agree with the gentleman and will support efforts for funding to fight fires. I am talking about fuels reduction.

We have millions of acres, tens of millions of acres of overgrown forests in this country due to mistaken policies of the past. We need to thin those forests, to treat those forests. The Governor of Arizona has asked for emergency funding to treat the forests in Arizona. She says the urgent need is \$116 million. The need to treat all of the forests in just my State of Arizona is \$700 million. There are 32 large fires burning in the West as we speak. Seven of those fires are burning in the State of Arizona, and over 20,000 acres in my State are burning as we debate this issue right now.

The issue is not fighting fires. I already referred to the \$1.6 billion we spent last year to fight fires. We do not have enough money to fight all these fires. We must treat these forests so that we do not have the fires to fight. And the only way we can treat these forests is to move dollars into the fund that allows the treatment of forests, and that is the fund I have sought to move them into. We must have hazardous fuels reduction. This is a mere \$19 million, but it will help in the effort.

And with those who are concerned about land acquisition, I want to make it very clear that we have left a substantial amount of money, millions of dollars, in the land acquisition fund, because I understand there are important land acquisitions and inholdings, as the chairman talked about. I intentionally did not gut that fund or leave it empty. We did, however, say that we must recognize the catastrophe that our Nation faces. If we do not reduce the fuel load in these forests, if we do not make it so these fires do not burn so intensely, and if we do not treat them, and there is a debate over whether we should treat just the wildland urban interface or the inner part of the forest itself, that debate is beyond the issue of my amendment, my amendment says we have a crying need across America.

I would suggest that the statistics tell us that with 39 million acres at high-risk, and burning 6.9 million acres per year, as we did last year, in 5 years

there will be no forests left to debate. Those 39 million acres will be gone. It seems to me that this is a modest effort to look at the critical need of treating hazardous fuels reduction in our forests. I urge my colleagues to support this amendment.

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

The CHAIRMAN. All time for debate has expired. The question is on the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SHADEGG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) will be postponed.

AMENDMENT OFFERED BY MR. GALLEGLY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GALLEGLY:

At the end of the bill (before the short title), insert the following new section:

SEC. 3. None of the funds made available by this Act may be used by the Forest Service or the Bureau of Land Management to administer any action related to the baiting of bears except to prevent or prohibit such activity.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GALLEGLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. GALLEGLY).

Mr. GALLEGLY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today to offer an amendment to the interior appropriations bill. My amendment prohibits the Bureau of Land Management and the Forest Service from using funding for the purposes of allowing bear baiting on Federal lands.

I think it is important to mention that my amendment does not increase funding in this appropriations bill. Baiting is an unpopular and increasingly discredited method of bear hunting. States that have banned bear baiting have not experienced any wildlife management problems stemming from the prohibitions. Actually, bear hunting participation has increased after States adopted baiting bans.

Baiting is a practice unpopular with Americans, including hunters, largely because it runs against the norm of fairness and sportsmanship and against the widely recognized wildlife management principle that it is dangerous to make human foods available to bears. Most people believe it is unfair, unsportsmanlike to lure a bear with food and then shoot the animal while he or she is going on food.

The four major land management agencies have endorsed the "Leave No Trace" public awareness campaign which warns that people should never feed wild animals. The campaign materials say feeding wildlife damages their health, alters natural behaviors, and exposes them to predators and other dangers. In this same publication, Federal agencies address waste disposal in the woods, saying: "Pack out all trash and garbage, including leftover food." Specifically, the National Park Service and Fish and Wildlife Service ban baiting, and my amendment would ensure the same no-feeding standards apply to other Federal lands by precluding the use of funds to encourage the practice of baiting.

Allowing bear baiting is inconsistent with these declarations. It just makes no sense to think that providing food to bears is wrong except if feeding is associated with hunting. If it is wrong to set out food to lure bears for picture-taking or just to watch the bears, surely it is also wrong to lure bears with jelly donuts and rotting animal carcasses for the purpose of shooting them.

I ask my colleagues to support this amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. MORAN), and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. POMEROY. Mr. Chairman, I claim the time in opposition, and I yield 1 minute to the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, I oppose the amendment. The question is a question of States' rights and management of wildlife populations. The States have broad responsibility and authority over resident fish and wildlife, including fish and wildlife found on Federal lands within a State. Congress has reaffirmed this authority through numerous acts.

States must be allowed to effectively manage resident wildlife populations. This is an authorizing issue and a States' rights issue and this provision does not belong in an interior appropriations bill. So I must urge defeat of this amendment.

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL), the ranking member on the Committee on Resources.

Mr. RAHALL. Mr. Chairman, I thank the distinguished chairman of the Committee on Resources for yielding me this time.

The gentleman from New Jersey (Mr. HOLT) and I plan to offer an amendment soon dealing with an issue involving Yellowstone National Park. This

morning, two Members who are in the majority are quoted as complaining in a newspaper report that we are being unfair because this matter should be debated in the Committee on Resources rather than as a rider to an appropriations bill.

I would note that we in the minority are forced to use this tactic. We are in the minority. The majority will not give our issue the time of day in the Committee on Resources. The Members making this allegation should know better. They are in the majority. They know that the Committee on Resources will not hear or consider our issues.

The situation is different with this particular amendment from the gentleman from California. He had every opportunity for the Committee on Resources to consider this matter. In fact, the bill was scheduled for committee consideration this past Tuesday. The chairman of the committee, the gentleman from California (Mr. POMBO), scheduled his bill; yet he came to the committee and had it withdrawn.

So I am going to vote against this amendment, and I am voting against it on the process that is being used. Perhaps then those two Members who took issue with my amendment and the amendment of the gentleman from New Jersey and the tactics that were used will recognize there is a difference. So we are being forced to offer amendments to an appropriations bill because we are not in the majority.

Mr. MORAN of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. GALLEGLY) to respond to the last speaker's comments for the record here.

Mr. GALLEGLY. Mr. Chairman, in response to the comments of the gentleman from West Virginia (Mr. RAHALL) about the bill being withdrawn on Tuesday, basically we had 1-day notice, and there were several Members that wanted to be there and could not.

In fact, the chairman had, at the beginning of the markup, acknowledged that he was withdrawing several bills that day because Members were not present to vote for the bills. That one was not on his list of bills to be withdrawn that day.

And so I ask that that be added to for the record.

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

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, let me just say that I rise in strong opposition to this amendment. It has traditionally been the right of the States to determine what hunting methods can and should be used for wildlife management purposes.

New Jersey is in a unique position, being the most densely populated State in the country and having a very fast-growing bear population at the same time. Our State is in dire need of this management tool. As a matter of fact,

the Wall Street Journal reported this week, and I quote: "The New Jersey Fish and Game Council voted to allow the State's first black bear hunt in 33 years. Officials will hand out 10,000 bear permits in hopes of making a dent in the bear population that has been ransacking garbage cans, breaking into houses, killing livestock and mauling residents."

This is a very, very serious issue, Mr. Chairman. And for the rights of the residents of New Jersey and the nine States that currently allow bear baiting, this amendment goes too far in the wrong direction.

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I rise in strong opposition to this amendment. First of all, I do not believe the amendment has any practical effect. There are no funds currently expended by the Forest Service or Bureau of Land Management in regards to the bear baiting that is going on, but there is a larger issue at stake.

This amendment would overturn over 200 years of Federal precedents of deferring to State agencies, State wildlife experts, and the people of the States in the management of their own wildlife herds. Nine States choose to allow bear baiting because it is the most effective and humane manner of managing bear populations where it is very difficult to go in and hunt them anyway.

We have had cases in northern Wisconsin where bears are walking into towns, walking into public school yards because their population is exploding. If you take this management tool away from States like Wisconsin, like Michigan, like Minnesota, we fear there is going to be an explosion of the bear population and an unnecessary risk to children's lives and other people's lives.

□ 1300

Mr. Chairman, I think we should stay true to historical precedent. The Federal agencies have deferred to the States on this issue. That is how it has been for 200-plus years. That is how it should remain. I encourage my colleagues to oppose this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, the gentleman who preceded me talked about the threats to the population if we do not have this practice. It has not happened in my State. We banned this practice.

Real sportsmen do not bait bears. In Oregon, what has happened is actually three times as many people have bought hunting licenses to hunt bears. So, actually, the bear harvest, if Members want to call it that, is up in Oregon because real hunters are out there, not the guys sitting around waiting for the bears to come and feast on what they are being baited with.

Mr. MORAN of Virginia. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has 2 minutes; the gentleman from California (Mr. POMBO) has 1 minute.

Mr. POMBO. Mr. Chairman, I have one additional speaker, and I reserve the right to close.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has the right to close.

Mr. MORAN of Virginia. Mr. Chairman, if that is the case, I reserve my right to close.

#### PARLIAMENTARY INQUIRIES

Mr. POMBO. Parliamentary inquiry, Mr. Chairman. Does not the Member defending the committee position have the right to close?

The CHAIRMAN. The proponent of the amendment, the gentleman from California (Mr. GALLEGLEY), yielded his time to the gentleman from Virginia (Mr. MORAN); and as the proponent of the amendment he has the right to close.

Mr. MORAN of Virginia. Mr. Chairman, I reserve the right to close.

Mr. POMBO. Mr. Chairman, does the committee position have the right to close?

The CHAIRMAN. Under clause 3(c) of rule XVII, the gentleman from California (Mr. POMBO), not being a Member of the Committee on Appropriations, does not qualify as a member of the committee defending the committee position, so it is the proponent's right to close.

The proponent of the amendment has transferred the balance of his time to the gentleman from Virginia (Mr. MORAN).

Mr. POMBO. Parliamentary inquiry, Mr. Chairman. If I yield the balance of my time to the chairman of the Subcommittee on Interior and Related Agencies, do we have the right to close?

The CHAIRMAN. That would not represent the requisite unbroken line of committee affiliation in opposition.

Mr. POMBO. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I rise to oppose this amendment, and I think it is maybe the right timing because the gentleman before me said real hunters do not bait bears.

I would like to say, in Minnesota, I was a sponsor of the bill that created a season and made the bear a big game animal. We are having trouble controlling the population in spite of the fact that we issued two permits last year to every hunter, and this year we did not sell all of the licenses. We have three times as many bears now as we did back when they were not protected.

In Minnesota, last year, we shot 2,915 bears; 2,900 were shot over bait. The only way a bear can be shot in the northern climates like Minnesota is over bait. There is no other way hunt-

ers are going to do that. If we pass this legislation, the bears are all in the Chippewa and Superior National Forests, we will eliminate the ability for us to control our population. Our DNR is very much opposed to this. It will take away the chance for us to manage this population, and it will cause all kinds of trouble with folks that live up in that area. The bears are starting to move out in the private areas. I very much oppose this amendment and hope it is defeated.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thank the gentleman from California (Mr. GALLEGLEY) for his leadership on this issue.

This is a poster paid for by the U.S. Department of Agriculture Forest Service. This one happens to be distributed jointly with Arizona and New Mexico's Departments of Game and Fish. It says, "Just Be Bear Aware," and the reason it says "Don't feed bears" is because most conflicts between humans and bears arise as a result of human-supplied food. It says, "Remember, a fed bear is a dead bear."

This is all about safety to the public. The reason why we do not want bears to be fed is that they become nuisances, they become a threat to property and particularly to people. That is Federal policy. All we are trying to do in this bill is to make sure that Federal policy is consistent, it is consistently in the public interest. There is no difference between bear baiting and bear feeding. That is what this amendment says.

The fact is that bait sites typically consist of pastries, junk food, the kinds of foods you typically find at camp sites and dumpsters. Once acclimated to those human foods, bears become aggressive in approaching campers, park visitors, and they migrate to those areas where those kinds of treats can be found. That is what leads to property damage, attacks on people, and the bears being shot as nuisance animals.

The gentleman from Minnesota (Mr. PETERSON) said they cannot continue hunting without bear baiting, but I cannot believe that the bears in Minnesota are that different from the bears in Oregon and Washington and the 41 other States which banned this practice.

Mr. HAYES. Mr. Chairman, I rise in strong opposition to this amendment. As a cochair of the Congressional Sportsmen's Caucus, I am here to strongly urge members to vote against this measure that seeks to ban bear baiting.

As it has been discussed during the Resources Committee hearing and during the committee markup on Tuesday, a ban on bear baiting would set an extremely dangerous precedent of the Federal Government preempting the authority of the States to manage wildlife.

The State fish and wildlife agencies have the authority and responsibility of managing wildlife and have an excellent record in years past, especially in regards to bear manage-

ment. This authority includes most Federal public lands with the exception of National Parks, and has been repeatedly affirmed by Congress in acts such as the National Forest Management Act, Federal Land Policy and Management Act, National Wildlife Refugee System Improvement Act and Sikes Act, to name a few.

Baiting has always and continues to be a method of controlling wildlife population levels beyond just bears. Currently, nine States—Alaska, Idaho, Maine, Michigan, Minnesota, New Hampshire, Utah, Wisconsin, and Wyoming—allow regulated baiting as a method of hunting bears and would be severely impacted by this legislation. If these State wildlife agencies feel that here baiting is not necessary to help regulate the population, they are much better equipped to make that decision than the Federal Government.

As a fellow sportsman and a strong believer in State's rights, I strongly encourage members to support the State wildlife agencies and their successful and positive roles they play in wildlife management. At no time in history has Congress selected an individual species for Federal management and there is absolutely no reason that it should start now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GALLEGLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GALLEGLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. GALLEGLEY) will be postponed.

#### AMENDMENT NO. 4 OFFERED BY MR. RAHALL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

#### Amendment No. 4 offered by Mr. RAHALL:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to kill, or assist others in killing, any Bison in the Yellowstone National Park herd.

The CHAIRMAN. Pursuant to the order of the House earlier today, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will be recognized for 10 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

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

Mr. Chairman, I have an amendment today to halt the slaughter of bison in Yellowstone National Park. The bison is a symbol of America. Like the monuments on our National Mall or the dome on this Capitol building, the bison is an American icon. These magnificent beasts are woven into the fabric of our culture, not to mention being sewn onto the fabric of every uniform worn by an employee of the Department of Interior.

After a century of wanton slaughter, we have a small herd in Yellowstone

National Park, the last remaining example of the purebred, free-roaming bison left in this country. Is it any wonder then that the American public looks on in horror at footage of employees of the United States Department of Interior participating in the slaughter of Yellowstone bison? The general public is under the impression that these animals are being sheltered and protected by the Federal Government, not rounded up and shot. But the numbers tell the awful story: This year alone, the Department of Interior participated in the slaughter of 244 Yellowstone bison. On average over the last decade, 250 of these wild animals have been shipped off to slaughter or shot on site every year. The obvious question is why? Why is the Department of Interior murdering its beloved mascot?

Should this picture be the new seal of the leading conservation agency in this country? Instead of a bison standing tall and proud on the seal of the Department of Interior, it is indeed dead, on its back, legs standing stiffly in the air.

The reason these bison are being slaughtered lies in the Department's decision to pander to a single State's deadly approach to wildlife management. During the harsh winter months, bison migrate out of Yellowstone National Park to lower elevations in a desperate attempt to avoid starving to death.

Once they leave the park, they can come into cattle grazing on public and private land; and some of the bison may carry a disease which can be dangerous to cows. But here is the critical point: The transfer of this disease from bison to cattle has never happened in the wild. Never happened. Yet one State and only one which borders Yellowstone insists that the only means to deal with a theoretical possibility that it might happen is to pursue an automatic death sentence for any bison that steps one hoof onto the invisible park boundary. Talk about using a sledgehammer to kill a flea. Under current policy, simply being a bison in Montana is a capital crime, punishable by death.

Perhaps most shocking of all is that most of the bison are not even tested, not even tested to see if they actually carry the disease before they are being sent to their deaths. The truth is, this State is caught in a time warp. Despite the fact that we have entered a new millennium, this particular State is still pursuing wildlife management policies that were popular in the 1800s. Moreover, this State has demanded and the Department of Interior has agreed to help this State implement its approach to wildlife management by helping them shoot bison. That must stop.

The National Park Service is one of the foremost conservation agencies in the world. It should not be required to kill the very wildlife they are sworn to protect. If adopted, this amendment

will prohibit the use of any funds in this bill to kill or assist others in killing these magnificent animals. This is a very narrow amendment. If Montana wants to continue to slaughter bison as if they were still living in the old West, this amendment will not stop them. However, the Federal agencies funded in this bill, agencies with a conservation mandate, will not help them do their dirty work.

The Federal conservation agencies funded in this bill will continue working within the existing bison management plan to address the theoretical threat of disease through hazing and capture of bison, through development of a vaccine for both cattle and bison, and through the use of other tools. But the tools they use will no longer be lethal.

This is a very simple amendment. Members either support slaughtering Yellowstone bison or they do not. We know the American people do not support the slaughter of this icon of America, just as they would not support the slaughter of the bald eagle. There is no good reason for this killing, and I urge my colleagues to adopt this amendment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized for 10 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, none of us are comfortable with this issue, but let me provide Members with some facts.

A record of decision was signed on December, 2000, by then Secretary of Interior Bruce Babbitt, the Secretary of Agriculture Dan Glickman, and the Governor of Montana. This document was a long-term plan for bison management in this region.

The main objectives were to maintain a free-ranging bison population and manage the risk of transmission of diseases from bison to cattle. Both the State and the Park Service have specific responsibilities under this agreement.

When we have bison outside the park, bison are captured, tested and some are shipped to slaughter. On occasion, bison resist the capture or hazing and are shot. During the winter of 2002, there was a dangerous situation of this kind involving one bison bull. At the request of Montana, an interagency team, including the Park Service, shot the bull.

□ 1315

Mr. Chairman, I yield 3 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I do not understand why some Congressmen continue to offer amendments about issues that they truly do not under-

stand, that they have never observed, nor have they ever participated in the solution to a problem that exists. The States of Wyoming, Idaho, Montana and the United States Departments of Agriculture and Interior have worked very hard over the past decade to protect and sustain the existing free-ranging elk and bison populations while still protecting the economic interests of the livestock industries in these States.

My colleague from West Virginia made the statement that it has never been proven that brucellosis has spread from bison to cattle. That is simply not true. My colleague from Montana will go further into that explanation. Controlling brucellosis is a delicate balancing act for all parties involved. We need to address the needs of each of the environment, Federal and private stakeholders. Bison numbers are nearly at capacity for the range in the parks and surrounding areas, and those herds must be managed. We must actively manage the herd consistently with the greater ecosystem management plan which has been established by stakeholders and the Departments and we have to employ sometimes the unfortunate use of reduction methods. To not do so would upset the balance of the Greater Yellowstone ecosystem. That is something that certainly my colleague from West Virginia would not want to happen.

The gentleman from West Virginia's amendment would make the decade-long efforts of public and private stakeholders in vain by limiting the use of Federal funds to aid the Park Service in managing the reduction of bison. I would much prefer the sponsor of this amendment begin attending the Greater Yellowstone Interagency Brucellosis Committee meetings as my staff does and learn the complexity of these issues and the limitations of reasonable solutions rather than enacting knee-jerk legislation that those of us in the surrounding communities have to then live with. By taking one of the Park Service's tools out of their tool box in bison and brucellosis management, this amendment reduces our ability to effectively control the bison herd at a time when its numbers are reaching maximum capacity.

This amendment will not reduce the reduction of bison leaving Yellowstone and Grand Teton parks. Merely the surrounding States will then have to take a more active role in reduction of their activities. This is nothing more than feel-good legislation that ignores all of the facts, all of the stakeholders' concerns and the real world.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, we must stop the Park Service from killing Yellowstone National Park's buffalo. More than any other animal, the American buffalo is a wildlife icon of the United States. The buffalo is the symbol that represents the Department

of the Interior. The buffalo is profoundly significant to Native American cultures and perhaps more than any other wildlife species has influenced our history.

In the late 19th century, buffalo were nearly exterminated. After tens of millions of buffalo were killed, only 200 wild buffalo remained in the Nation and all were located in Yellowstone National Park. Due to poaching, their numbers were reduced to 25 by the turn of the last century. The offspring of the 25 survivors, today's Yellowstone National Park buffalo, comprise the only wild, free-roaming buffalo to continually occupy their native habitat in the United States. Yet the Yellowstone buffalo herd is still under assault. Since 1984, nearly 3,700 buffalo have been killed in Montana. This past winter, 244 buffalo were killed by the Federal and State agencies, including 231 captured and slaughtered by the National Park Service. The Department of the Interior does this under the guise of preventing the spread of brucellosis to cattle.

Here are the facts. There has never been a confirmed incidence of brucellosis transmission in the wild from buffalo to cattle. This risk is so low as to be determined to be immeasurable by the 1998 report from the National Research Council of the National Academy of Sciences. 13,000 Yellowstone elk, some of which harbor brucellosis, are allowed unfettered access to Federal land outside the park. Buffalo with brucellosis and cattle have grazed together for over 50 years in the Jackson Hole area south of Yellowstone with no incidence of disease transmission. Despite these facts, the National Park Service spends taxpayer dollars to kill buffalo in an attempt to keep them unnaturally confined within Yellowstone.

Later this year I will introduce a bill that provides a comprehensive solution to this issue. But until the bison herd can freely roam on key low-elevation habitat on national forest land adjacent to the park like any other wildlife, without triggering hazing, capture or killing, the Park Service should be protecting this wildlife icon in Yellowstone Park and managing them in a nonlethal manner. The Rahall amendment will do this. I urge its adoption.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, the last speaker and the sponsor of this amendment act like nothing has been done over the last few years to try and manage the herds within Yellowstone Park. I can say that that is the farthest thing from the truth. This is 10 years of hard work. We have had agencies that disagreed, we have had States that disagreed, we have gone to court and sued each other and finally through the good sense of the Clinton administration and Bruce Babbitt, they signed a memorandum of understanding on the management of the park bison and they took it out of the

court. In fact, they took it to court, and the court agreed with this memorandum of understanding.

To make the statement that it has never been passed in the wild, that is ludicrous. You cannot manage something like that because you would have to see the cow lick the aborted fetus of the bison and then immediately kill the cow and test it. We do have proof that brucellosis has been passed from bison to elk. We do have proof that in captivity brucellosis has been passed from bison to cattle.

This is also a human health issue. There are people all over this country and in the State of Montana that carry undulant fever, brucellosis; and they get it from these animals. The Public Health Security and Bioterrorism Preparedness and Response Act of 2002, which we passed and was signed by our President, the act specifies that the Secretary of the Department of Health and Human Services establish and maintain a list of biological agents and toxins that have the potential to pose a severe threat to public health and safety.

I turn to page 1. There are only seven bacteria in this bioterrorism alert. Brucellosis is number two on the list. Anthrax is number one. This is a health issue. This is a management of the health of the bison issue. The National Academy of Sciences had a study that was released a number of years ago that said the carrying capacity of the park is being exceeded. It has a capacity somewhere between 1,700 and 3,500 bison. As of last week, there are 4,045 bison on the park premises and leaving during the winter. The riparian damage that they do, the damage that they do to the very environment we are trying to protect in the national park is one of the reasons that we signed this memorandum of understanding with the Federal Government. We finally came to a compromise. We finally took it out of the court.

This amendment turns back 10 years' worth of compromise, 10 years' worth of consensus. Take it to a committee, bring it back to a discussion; but do not undercut the process creating a human health danger, a herd health danger, and danger to the environment of the national park. This amendment must be defeated.

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

Let me say once again that the bison is an American icon. In my own home State of West Virginia, at Marshall University, the football team's mascot is the bison. They are the Thundering Herd. Nobody slaughters that Thundering Herd just as nobody should slaughter the Yellowstone herd.

Are there alternatives? Yes. There are alternatives for dealing with diseased bison. It is not that difficult. Contrary to what the State claims, it does not require shooting them. We support continuing efforts to keep bison from having any contact with cows through the use of hazing and

capturing bison when necessary. We support continued and improved testing to determine precisely how many bison actually have the disease. We support allowing bison which test positive to be quarantined either within the park or on any of the many Indian reservations where a tribe has contacted the Secretary volunteering to take possession of bison. All of these activities and more are allowed under the Rahall amendment. The only thing that is prohibited is killing these animals.

As far as the counter to our claim that there has never been a documented instance of a cow catching the disease from a bison, in the wild, it has never happened. I stress what we are saying here is in the wild. It is only a theory. If this concern were indeed serious, then bison would not be allowed to cross the southern park boundary and mingle with cattle in Wyoming, nor would elk, which also carry this disease, be allowed to leave the park and mingle with the cattle in Montana and Wyoming. None of this has led to an outbreak. The numbers regarding how many bison have the disease are inflated and unproven because under current practice most of them are not even tested before they are slaughtered. No one really knows how many bison have this disease.

In conclusion, Mr. Chairman, let me say that the Department of the Interior should not be out slaughtering an animal that they are in charge of protecting. This is not a difficult problem with which to deal. There are alternatives available. This amendment allows those alternatives to be pursued. The American bison is to our culture just like the bald eagle is the very icon of our American way of life. Let us protect that icon, and let us stop the slaughter of bison in Yellowstone.

I urge the adoption of the amendment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to this amendment, which I do not think makes any sense. It provides, "None of the funds made available by this act may be used to kill or otherwise assist in killing any bison in the Yellowstone National Park herd." The national park herd is not controlled by the Congress. Nature takes care of the size of that herd. If it grows too large, if we have a situation where bison are starving in the national park because there is not enough land to take care of this ever-increasing-size herd, leave aside the debate about brucellosis and human health which I will address in a second, you have a very serious limitation on doing anything.

Secondly, the State of Montana has indicated that they are going to gather

up these bison that get off of the park and slaughter them. So now you have created a situation where the people responsible for taking care of them cannot have any cooperation with those who want to slaughter them and you are going to break down the scientific ability to make a sensible decision about when they should be slaughtered and when they should not.

Brucellosis is a highly contagious reproductive disease that affects cattle, bison, and swine by causing abortions, infertility, and lowered milk production. The disease is also transmissible to humans. Brucellosis is not a natural disease for bison. The disease was introduced into the bison herd when infected cattle arrived into North America and then infected the bison. To conclude that it is not going to work going back the other way, I think, is not sound science. We are rapidly approaching eradication of brucellosis from the U.S. cattle herd. The Yellowstone bison herd represents the last significant reservoir of brucellosis in the U.S.

The Rahall amendment would interfere with the eradication of brucellosis in the Greater Yellowstone area. For the health of our cattle herds and our bison herds, oppose this amendment. An interagency bison management plan has been developed, approved and is being implemented to deal with this situation. It is imperative that the National Park Service employees be allowed to continue to play their integral role in eradicating brucellosis. The response to the problem that the gentleman has identified of wanting to protect bison wherever possible is not enhanced by this amendment. This amendment is not based upon sound science. It is not based upon a commonsense approach to both protecting the interests of the State and the interests of those who are very concerned about the bison in our national park.

I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 10 offered by the gentleman from New York (Ms. SLAUGHTER); amendment No. 18 offered by the gentleman from Oregon (Mr. DEFazio); the amendment offered by the gentleman from Colorado

(Mr. HEFLEY); amendment No. 17 offered by the gentleman from Colorado (Mr. TANCREDO); amendment No. 14 offered by the gentleman from Oregon (Mr. BLUMENAUER); and the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The amendment offered by the gentleman from California (Mr. GALLEGLY) and amendment No. 4 offered by the gentleman from West Virginia (Mr. RAHALL) will be taken at a later time.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

□ 1330

AMENDMENT NO. 10 OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. SLAUGHTER:

Page 21, line 3, after the first dollar amount, insert "(reduced by \$6,000,000)".

Page 47, line 6, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 91, line 22, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 128, line 7, after the dollar amount, insert "(increased by \$10,000,000)".

Page 128, line 11, after the dollar amount, insert "(increased \$10,000,000)".

Page 128, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 200, answered "present" 1, not voting 8, as follows:

[Roll No. 376]  
AYES—225

Abercrombie	Cardin	Emanuel
Ackerman	Cardoza	Engel
Alexander	Carson (IN)	English
Allen	Carson (OK)	Eshoo
Andrews	Case	Etheridge
Baca	Castle	Evans
Baird	Clay	Farr
Baldwin	Clyburn	Fattah
Ballance	Conyers	Filner
Ballenger	Cooper	Ford
Bass	Costello	Fossella
Becerra	Cramer	Frank (MA)
Bell	Crowley	Frelinghuysen
Bereuter	Cummings	Frost
Berman	Davis (AL)	Gerlach
Berry	Davis (CA)	Gonzalez
Biggert	Davis (FL)	Green (TX)
Bishop (GA)	Davis (IL)	Greenwood
Bishop (NY)	Davis, Tom	Grijalva
Blumenauer	DeFazio	Gutierrez
Boehlert	DeGette	Harman
Bono	Delahunt	Hart
Boswell	DeLauro	Hastings (FL)
Boucher	Deutsch	Hinchesy
Boyd	Dicks	Hinojosa
Brady (PA)	Dingell	Hoefel
Brown (OH)	Doggett	Holden
Brown, Corrine	Dooley (CA)	Holt
Capito	Doyle	Honda
Capps	Edwards	Hooley (OR)
Capuano	Ehlers	Houghton

Hoyer	McCarthy (NY)	Rush
Inslee	McCollum	Ryan (OH)
Israel	McDermott	Sabo
Jackson (IL)	McGovern	Sanchez, Linda
Jackson-Lee	McKeon	T.
(TX)	McNulty	Sanchez, Loretta
John	Meehan	Sanders
Johnson (CT)	Meek (FL)	Sandlin
Johnson (IL)	Meeks (NY)	Saxton
Johnson, E. B.	Menendez	Schakowsky
Jones (OH)	Michaud	Schiff
Kanjorski	Miller (NC)	Scott (GA)
Kaptur	Miller, George	Scott (VA)
Kelly	Mollohan	Serrano
Kennedy (RI)	Moore	Shays
Kildee	Moran (VA)	Simmons
Kilpatrick	Murtha	Slaughter
Kind	Nadler	Smith (WA)
Kirk	Napolitano	Snyder
Klecza	Neal (MA)	Solis
Kolbe	Oberstar	Spratt
Kucinich	Obey	Stark
LaHood	Olver	Strickland
Lampson	Ortiz	Stupak
Langevin	Owens	Tauscher
Lantos	Pallone	Thompson (CA)
Larsen (WA)	Pascarell	Thompson (MS)
Larson (CT)	Pastor	Tierney
LaTourette	Payne	Towns
Leach	Pelosi	Udall (CO)
Lee	Peterson (MN)	Udall (NM)
Levin	Pomeroy	Van Hollen
Lewis (GA)	Portman	Velazquez
Lipinski	Price (NC)	Viscosky
LoBiondo	Quinn	Waters
Lofgren	Rahall	Watson
Lowe	Ramstad	Watt
Lynch	Rangel	Waxman
Majette	Reyes	Weiner
Maloney	Reynolds	Weldon (PA)
Markey	Rodriguez	Wexler
Marshall	Ross	Woolsey
Matheson	Rothman	Wu
Matsui	Roybal-Allard	Wynn
McCarthy (MO)	Ruppersberger	

NOES—200

Aderholt	Emerson	Lewis (KY)
Akin	Everett	Linder
Bachus	Feeney	Lucas (KY)
Baker	Flake	Lucas (OK)
Barrett (SC)	Fletcher	Manzullo
Bartlett (MD)	Foley	McCotter
Barton (TX)	Forbes	McCreery
Beauprez	Franks (AZ)	McHugh
Bilirakis	Gallegly	McInnis
Bishop (UT)	Garrett (NJ)	McIntyre
Blackburn	Gibbons	Mica
Blunt	Gilchrest	Miller (FL)
Boehner	Gillmor	Miller (MI)
Bonilla	Gingrey	Miller, Gary
Bonner	Goode	Moran (KS)
Boozman	Goodlatte	Murphy
Bradley (NH)	Gordon	Musgrave
Brown (SC)	Goss	Myrick
Brown-Waite,	Granger	Nethercutt
Ginny	Graves	Neugebauer
Burgess	Green (WI)	Ney
Burns	Gutknecht	Northup
Burr	Hall	Norwood
Burton (IN)	Harris	Nunes
Buyer	Hastings (WA)	Nussle
Calvert	Hayes	Osborne
Camp	Hayworth	Ose
Cannon	Hefley	Otter
Cantor	Hensarling	Oxley
Carter	Herger	Paul
Chabot	Hill	Pearce
Chocola	Hobson	Pence
Coble	Hoekstra	Peterson (PA)
Cole	Hostettler	Petri
Collins	Hulshof	Pickering
Cox	Hunter	Pitts
Crane	Hyde	Platts
Crenshaw	Isakson	Pombo
Cubin	Issa	Porter
Culberson	Istook	Pryce (OH)
Cunningham	Jenkins	Putnam
Davis (TN)	Johnson, Sam	Radanovich
Davis, Jo Ann	Jones (NC)	Regula
Deal (GA)	Keller	Rehberg
DeLay	Kennedy (MN)	Renzi
DeMint	King (IA)	Rogers (AL)
Diaz-Balart, L.	King (NY)	Rogers (KY)
Diaz-Balart, M.	Kingston	Rogers (MI)
Doolittle	Kline	Rohrabacher
Dreier	Knollenberg	Ros-Lehtinen
Duncan	Latham	Royce
Dunn	Lewis (CA)	Ryan (WI)

Ryun (KS)	Stearns	Turner (TX)
Schrock	Stenholm	Upton
Sensenbrenner	Sullivan	Vitter
Sessions	Sweeney	Walden (OR)
Shadegg	Tancredo	Walsh
Shaw	Tanner	Wamp
Sherwood	Tauzin	Weldon (FL)
Shimkus	Taylor (MS)	Weller
Shuster	Taylor (NC)	Whitfield
Simpton	Terry	Wicker
Skelton	Thomas	Wilson (NM)
Smith (MI)	Thornberry	Wilson (SC)
Smith (NJ)	Tiahrt	Wolf
Smith (TX)	Tiberi	Young (AK)
Souder	Toomey	Young (FL)

ANSWERED "PRESENT"—1

Sherman

NOT VOTING—8

Berkley	Gephardt	Millender-
Brady (TX)	Janklow	McDonald
Ferguson	Jefferson	Turner (OH)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining on this vote.

□ 1350

Mr. TAUZIN and Mr. HILL changed their vote from "aye" to "no."

Ms. WATERS and Mr. SIMMONS changed their vote from "no" to "aye." So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCHUGH. Mr. Chairman, on rollcall vote No. 376 I inadvertently cast a "nay" vote. I had intended to vote "aye."

Stated against:

Mr. BRADY of Texas. Mr. Chairman, on rollcall No. 376 I was inadvertently detained. Had I been present, I would have voted "no."

Mr. PORTMAN. Mr. Chairman, on rollcall No. 376 I inadvertently voted "yes." I meant to vote "no."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT NO. 18 OFFERED BY MR. DEFazio

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 18 offered by the gentleman from Oregon (Mr. DEFazio) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 241, not voting 9, as follows:

[Roll No. 377]

AYES—184

Abercrombie	Bass	Boucher
Ackerman	Becerra	Boyd
Allen	Bell	Bradley (NH)
Andrews	Bishop (NY)	Brady (PA)
Baldwin	Blumenauer	Brown (OH)
Ballance	Bono	Brown, Corrine
Ballenger	Boswell	Capps

Capuano	Jackson (IL)	Peterson (MN)
Cardin	Jackson-Lee	Porter
Carson (IN)	(TX)	Price (NC)
Carson (OK)	Johnson (IL)	Rahall
Case	Johnson, E. B.	Ramstad
Clyburn	Jones (NC)	Rangel
Crowley	Jones (OH)	Renzi
Cummings	Kanjorski	Ross
Davis (AL)	Kaptur	Rothman
Davis (CA)	Kelly	Roybal-Allard
Davis (FL)	Kennedy (RI)	Ruppersberger
Davis (IL)	Kildee	Rush
Davis (TN)	Klecza	Ryan (OH)
Davis, Tom	Kucinich	Sanchez, Linda
DeFazio	Lampson	T.
DeGette	Langevin	Sanchez, Loretta
Delahunt	Lantos	Sanders
DeLauro	Larsen (WA)	Saxton
Deutsch	Larson (CT)	Schakowsky
Doggett	Lee	Schiff
Doyle	Lewis (GA)	Scott (GA)
Edwards	Lipinski	Scott (VA)
Emerson	LoBiondo	Serrano
Engel	Lofgren	Shadegg
Eshoo	Lynch	Sherman
Etheridge	Majette	Skelton
Evans	Maloney	Slaughter
Farr	Markey	Smith (NJ)
Fattah	Marshall	Solis
Filner	Matsui	Stark
Flake	McCarthy (MO)	Strickland
Ford	McCarthy (NY)	Stupak
Franks (AZ)	McCollum	Tancredo
Frost	McDermott	Tauscher
Gallegly	McInnis	Taylor (MS)
Gonzalez	McIntyre	Terry
Gordon	McNulty	Thompson (CA)
Graves	Meek (FL)	Thompson (MS)
Green (TX)	Meeks (NY)	Tierney
Grijalva	Menendez	Towns
Gutierrez	Michaud	Udall (CO)
Harman	Miller (NC)	Udall (NM)
Hastings (FL)	Miller, George	Van Hollen
Hayworth	Musgrave	Velazquez
Hill	Nadler	Walden (OR)
Hinchey	Napolitano	Waters
Hoeffel	Neal (MA)	Watson
Holden	Oberstar	Watt
Holt	Owens	Waxman
Honda	Pallone	Weiner
Hooley (OR)	Pascrell	Weldon (PA)
Hostettler	Pastor	Wexler
Hoyer	Payne	Woolsey
Hulshof	Pelosi	Wu
Inslee		Wynn

NOES—241

Aderholt	Chabot	Gilchrest
Akin	Chocola	Gillmor
Alexander	Coble	Gingrey
Baca	Cole	Goode
Bachus	Collins	Goodlatte
Baird	Conyers	Goss
Baker	Cooper	Granger
Barrett (SC)	Costello	Green (WI)
Bartlett (MD)	Cox	Greenwood
Barton (TX)	Cramer	Gutknecht
Beauprez	Crane	Hall
Bereuter	Crenshaw	Harris
Berman	Cubin	Hart
Berry	Culberson	Hastings (WA)
Biggart	Cunningham	Hayes
Bilirakis	Davis, Jo Ann	Hefley
Bishop (GA)	Deal (GA)	Hensarling
Bishop (UT)	DeLay	Herger
Blackburn	DeMint	Hinojosa
Blunt	Diaz-Balart, L.	Hobson
Boehkert	Diaz-Balart, M.	Hoekstra
Boehner	Dicks	Houghton
Bonilla	Dingell	Hyde
Bonner	Dooley (CA)	Isakson
Boozman	Doolittle	Israel
Brady (TX)	Dreier	Issa
Brown (SC)	Duncan	Istook
Brown-Waite,	Dunn	Jenkins
Ginny	Ehlers	John
Burgess	Emanuel	Johnson (CT)
Burns	English	Johnson, Sam
Burr	Everett	Keller
Burton (IN)	Feeney	Kennedy (MN)
Buyer	Fletcher	Kilpatrick
Calvert	Foley	Kind
Camp	Forbes	King (IA)
Cannon	Fossella	King (NY)
Cantor	Frank (MA)	Kingston
Capito	Frelinghuysen	Kirk
Cardoza	Garrett (NJ)	Kline
Carter	Gerlach	Knollenberg
Castle	Gibbons	Kolbe

LaHood	Ortiz	Sherwood
Latham	Osborne	Shimkus
LaTourette	Ose	Shuster
Leach	Otter	Simmons
Levin	Oxley	Simpson
Lewis (CA)	Pearce	Smith (MI)
Lewis (KY)	Pence	Smith (TX)
Linder	Peterson (PA)	Smith (WA)
Lowey	Petri	Snyder
Lucas (KY)	Pickering	Souder
Lucas (OK)	Pitts	Spratt
Manzullo	Platts	Stearns
Matheson	Pombo	Stenholm
McCotter	Pomeroy	Sullivan
McCrery	Portman	Sweeney
McGovern	Pryce (OH)	Tanner
McHugh	Putnam	Tauzin
McKeon	Quinn	Taylor (NC)
Meehan	Radanovich	Thomas
Mica	Regula	Thornberry
Miller (FL)	Rehberg	Tiahrt
Miller (MI)	Reyes	Tiberi
Miller, Gary	Reynolds	Toomey
Mollohan	Rodriguez	Turner (TX)
Moore	Rogers (AL)	Upton
Moran (KS)	Rogers (KY)	Visclosky
Moran (VA)	Rogers (MI)	Vitter
Murphy	Rohrabacher	Walsh
Murtha	Ros-Lehtinen	Wamp
Myrick	Royce	Weldon (FL)
Nethercutt	Ryan (WI)	Weller
Neugebauer	Ryun (KS)	Whitfield
Ney	Sabo	Wicker
Northup	Sandlin	Wilson (NM)
Norwood	Schrock	Wilson (SC)
Nunes	Sensenbrenner	Wolf
Nussle	Sessions	Young (AK)
Obey	Shaw	Young (FL)
Olver	Shays	

NOT VOTING—9

Berkley	Hunter	Millender-
Clay	Janklow	McDonald
Ferguson	Jefferson	Turner (OH)
Gephardt		

□ 1359

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

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 341, not voting 12, as follows:

[Roll No. 378]

AYES—81

Akin	Cox	Graves
Baker	Crane	Green (WI)
Barrett (SC)	Davis (TN)	Gutknecht
Bartlett (MD)	Davis, Jo Ann	Hefley
Barton (TX)	Davis, Tom	Hoekstra
Beauprez	Deal (GA)	Hunter
Bilirakis	DeMint	Hyde
Blackburn	Diaz-Balart, M.	Isakson
Brady (TX)	Doggett	Jenkins
Burgess	Duncan	Johnson, Sam
Buyer	Feeney	Jones (NC)
Cannon	Flake	Kennedy (MN)
Carter	Forbes	King (IA)
Chocola	Fossella	Kirk
Coble	Franks (AZ)	Lewis (KY)
Collins	Garrett (NJ)	Linder
Costello	Gibbons	Manzullo

McCotter  
McInnis  
Miller (FL)  
Miller, Gary  
Musgrave  
Norwood  
Otter  
Oxley  
Paul  
Pearce

## NOES—341

Abercrombie  
Ackerman  
Aderholt  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baldwin  
Ballance  
Ballenger  
Bass  
Becerra  
Bell  
Bereuter  
Berman  
Berry  
Biggert  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
    Ginny  
Burns  
Burr  
Burton (IN)  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Case  
Castle  
Chabot  
Clay  
Clyburn  
Cole  
Conyers  
Cooper  
Cramer  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart, L.  
Dicks  
Dingell  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Dunn  
Edwards

Pence  
Petri  
Pitts  
Ramstad  
Rohrabacher  
Royce  
Ryan (WI)  
Ryan (KS)  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Smith (MI)  
Smith (WA)  
Stearns  
Tancredo  
Taylor (MS)  
Terry  
Toomey  
Wilson (SC)  
LaTourette  
Leach  
Emerson  
Engel  
Levin  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Ford  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gilchrist  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Green (TX)  
Greenwood  
Grijalva  
Gutierrez  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hensarling  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Inlee  
Israel  
Issa  
Istook  
Jackson (IL)  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (RI)  
Kildee  
Porter  
Kilpatrick  
Kind  
King (NY)  
Kingston  
Kleczka  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham

Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
    T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shuster  
Simmons  
Simpson  
Skeltton

## NOT VOTING—12

Berkley  
Ferguson  
Gephardt  
Herger  
Jackson-Lee  
    (TX)  
Janklow  
Jefferson  
Millender-  
    McDonald  
Nunes  
Pelosi

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).  
Members are advised there are 2 minutes remaining in this vote, 2 minutes.

□ 1407

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HERGER. Mr. Chairman, on rollcall No. 378 I was inadvertently detained. Had I been present, I would have voted "aye."

Stated against:

Mr. NUNES. Mr. Chairman, on rollcall No. 378, do to a technical malfunction, by vote did not register. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Chairman, I was unavoidably detained off the floor of the House during the recorded vote of the Hefley amendment, which was to cut the Interior appropriations by 1 percent. On that amendment, I would have voted "no."

## PERSONAL EXPLANATION

Mr. TURNER of Ohio. Mr. Chairman, on rollcall Nos. 376, 377, and 378 I was unavoidably detained. Had I been present, I would have voted "no."

## AMENDMENT NO. 17 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 17 offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 313, not voting 9, as follows:

[Roll No. 379]

AYES—112

Akin	Gingrey	Otter
Bachus	Goode	Paul
Barrett (SC)	Goodlatte	Pence
Bartlett (MD)	Graves	Petri
Barton (TX)	Green (WI)	Pitts
Beauprez	Gutknecht	Pombo
Blackburn	Hastings (WA)	Putnam
Bonner	Hayes	Renzi
Brady (TX)	Hayworth	Rogers (AL)
Brown-Waite, Ginny	Hefley	Rohrabacher
Burgess	Herger	Royce
Burton (IN)	Hostettler	Ryan (WI)
Buyer	Hulshof	Ryun (KS)
Cannon	Hunter	Sensenbrenner
Cantor	Hyde	Sessions
Carter	Isakson	Shadegg
Chabot	Johnson, Sam	Sherwood
Coble	Jones (NC)	Shimkus
Cox	Keller	Shuster
Crane	Kennedy (MN)	Skelton
Cubin	King (IA)	Smith (TX)
Culberson	King (NY)	Souder
Cunningham	Kingston	Stearns
Davis, Jo Ann	Kline	Sullivan
DeFazio	Lewis (KY)	Tancredo
DeLay	Linder	Taylor (MS)
DeMint	Lucas (KY)	Terry
Diaz-Balart, M.	Lucas (OK)	Thornberry
Doolittle	Manzullo	Tiahrt
Duncan	McInnis	Toomey
Emerson	Miller (FL)	Vitter
Feeney	Miller, Gary	Wamp
Flake	Musgrave	Weldon (FL)
Forbes	Myrick	Weller
Franks (AZ)	Neugebauer	Wilson (NM)
Gallegly	Ney	Wilson (SC)
Gibbons	Norwood	Young (AK)
	Nunes	

## NOES—313

Abercrombie	Clay	Gillmor
Ackerman	Clyburn	Gonzalez
Aderholt	Cole	Gordon
Alexander	Collins	Goss
Allen	Conyers	Granger
Andrews	Cooper	Green (TX)
Baca	Costello	Greenwood
Baird	Cramer	Grijalva
Baker	Crenshaw	Gutierrez
Baldwin	Crowley	Hall
Ballance	Cummings	Harman
Ballenger	Davis (AL)	Harris
Bass	Davis (CA)	Hart
Becerra	Davis (FL)	Hastings (FL)
Bell	Davis (IL)	Hensarling
Bereuter	Davis (TN)	Hill
Berman	Davis, Tom	Hinchey
Berry	Deal (GA)	Hinojosa
Biggert	DeGette	Hobson
Billakis	Delahunt	Hoeffel
Bishop (GA)	DeLauro	Hoekstra
Bishop (NY)	Deutsch	Holden
Bishop (UT)	Diaz-Balart, L.	Holt
Blumenauer	Dicks	Honda
Blunt	Dingell	Hooley (OR)
Boehlert	Doggett	Houghton
Boehner	Dooley (CA)	Hoyer
Bonilla	Doyle	Inlee
Bono	Dreier	Israel
Boozman	Dunn	Issa
Boswell	Edwards	Jackson (IL)
Boucher	Ehlers	Jackson-Lee
Boyd	Emanuel	(TX)
Bradley (NH)	Engel	Jenkins
Brady (PA)	English	John
Brown (OH)	Eshoo	Johnson (CT)
Brown (SC)	Etheridge	Johnson (IL)
Brown, Corrine	Evans	Johnson, E. B.
Burns	Everett	Jones (OH)
Burr	Farr	Kanjorski
Calvert	Fattah	Kaptur
Camp	Filner	Kelly
Capito	Fletcher	Kennedy (RI)
Capps	Foley	Kildee
Capuano	Ford	Kilpatrick
Cardin	Fossella	Kind
Cardoza	Frank (MA)	Kirk
Carson (IN)	Frelinghuysen	Kleczka
Carson (OK)	Frost	Knollenberg
Case	Garrett (NJ)	Kolbe
Castle	Gerlach	Kucinich
Chocola	Gilchrist	LaHood

Lampson Northup Scott (GA)  
 Langevin Nussle Scott (VA)  
 Lantos Oberstar Serrano  
 Larsen (WA) Obey Shaw  
 Larson (CT) Olver Shays  
 Latham Ortiz Sherman  
 LaTourette Osborne Simmons  
 Leach Ose Simpson  
 Lee Owens Slaughter  
 Levin Oxley Smith (MI)  
 Lewis (CA) Pallone Smith (NJ)  
 Lewis (GA) Pascarell Smith (WA)  
 Lipinski Pastor Snyder  
 LoBiondo Payne Solis  
 Lofgren Pearce Spratt  
 Lowey Peterson (MN) Stark  
 Lynch Peterson (PA) Stenholm  
 Majette Pickering Stupak  
 Maloney Platt's Sweeney  
 Markey Pomeroy Tanner  
 Marshall Porter Tauscher  
 Matheson Portman Tauzin  
 Matsui Price (NC) Taylor (NC)  
 McCarthy (MO) Pryce (OH) Thomas  
 McCarthy (NY) Quinn Thompson (CA)  
 McCollum Radanovich Thompson (MS)  
 McCotter Rahall Tiberi  
 McCrery Ramstad Tierney  
 McDermott Rangel Towns  
 McGovern Regula Turner (OH)  
 McHugh Rehberg Turner (TX)  
 McIntyre Reyes Udall (CO)  
 McKeon Reynolds Udall (NM)  
 McNulty Rodriguez Upton  
 Meehan Rogers (KY) Van Hollen  
 Meek (FL) Rogers (MI) Velazquez  
 Meeks (NY) Ros-Lehtinen Visclosky  
 Menendez Ross Walden (OR)  
 Mica Rothman Walsh  
 Michaud Roybal-Allard Waters  
 Miller (MI) Ruppertsberger Watson  
 Miller (NC) Rush Watt  
 Miller, George Ryan (OH) Waxman  
 Mollohan Sabo Weiner  
 Moore Sanchez, Linda Weldon (PA)  
 Moran (KS) T. Wexler  
 Moran (VA) Sanchez, Loretta Whitfield  
 Murphy Sanders Wicker  
 Murtha Sandlin Wolf  
 Nadler Saxton Woolsey  
 Napolitano Schakowsky Wu  
 Neal (MA) Schiff Wynn  
 Nethercutt Schrock Young (FL)

NOT VOTING—9

Berkley Janklow Pelosi  
 Ferguson Jefferson Strickland  
 Gephardt Millender-  
 Istook McDonald

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).  
 Members are advised there are 2 minutes remaining in this vote, 2 minutes.

□ 1414

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 14 offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 9, as follows:

[Roll No. 380]  
 AYES—197  
 Abercrombie Harman  
 Ackerman Hastings (FL)  
 Allen Hill  
 Andrews Hinchey  
 Baird Hinojosa  
 Baldwin Hoeffel  
 Ballance Holden  
 Becerra Holt  
 Bell Honda  
 Bereuter Houghton  
 Berman Inslee  
 Berry Israel  
 Bishop (NY) Jackson (IL)  
 Blumenauer Jackson-Lee  
 Boehlert (TX)  
 Johnson (CT)  
 Boucher Johnson (IL)  
 Boyd Johnson, E. B.  
 Brady (PA) Jones (OH)  
 Brown (OH) Kanjorski  
 Brown, Corrine Kaptur  
 Burton (IN) Kelly  
 Capps Kennedy (MN)  
 Capuano Kennedy (RI)  
 Cardin Kildee  
 Carson (IN) Kind  
 Carson (OK) Kleczka  
 Case Kucinich  
 Clay Lampson  
 Clyburn Langevin  
 Conyers Lantos  
 Cooper Larson (CT)  
 Costello Leach  
 Cramer Lee  
 Crowley Levin  
 Cummings Lewis (GA)  
 Davis (AL) Lipinski  
 Davis (CA) LoBiondo  
 Davis (FL) Davis (IL)  
 Davis (IL) Davis (TN)  
 DeGette Lynch  
 DeLaHunt Majette  
 DeLauro Maloney  
 Deutsch Marshall  
 Dicks Matheson  
 Dingell Matsui  
 Doggett McCarthy (MO)  
 Doyle McCarthy (NY)  
 Edwards McCollum  
 Ehlers McDermott  
 Emanuel McGovern  
 Engel McNulty  
 Eshoo Meehan  
 Evans Meeks (NY)  
 Farr Menendez  
 Fattah Michaud  
 Filner Miller (NC)  
 Ford Miller, George  
 Frank (MA) Mollohan  
 Frelinghuysen Moore  
 Frost Moran (VA)  
 Gonzalez Murtha  
 Gordon Nadler  
 Green (TX) Napolitano  
 Grijalva Neal (MA)  
 Gutierrez Oberstar

NOES—228

Brown-Waite, DeFazio  
 Ginny DeLay  
 Burgess DeMint  
 Burns Diaz-Balart, L.  
 Burr Diaz-Balart, M.  
 Baker Dooley (CA)  
 Ballenger Doolittle  
 Barrett (SC) Dreier  
 Bartlett (MD) Duncan  
 Barton (TX) Dunn  
 Bass Emerson  
 Beauprez English  
 Biggert Etheridge  
 Bilirakis Chabot  
 Bishop (GA) Chocola  
 Bishop (UT) Coble  
 Blackburn Cole  
 Blunt Collins  
 Boehner Cox  
 Bonilla Crane  
 Bonner Crenshaw  
 Bono Cubin  
 Boozman Culberson  
 Bradley (NH) Cunningham  
 Brady (TX) Davis, Jo Ann  
 Brown (SC) Davis, Tom  
 Deal (GA)

Gingrey Manzano  
 Goode McCotter  
 Goodlatte McCrery  
 Goss McHugh  
 Granger McInnis  
 Graves McIntyre  
 Green (WI) McKeon  
 Greenwood Meek (FL)  
 Gutknecht Mica  
 Hall Miller (FL)  
 Harris Miller (MI)  
 Hart Miller, Gary  
 Hastings (WA) Moran (KS)  
 Hayes Murphy  
 Hayworth Musgrave  
 Hefley Myrick  
 Hensarling Nethercutt  
 Herger Neugebauer  
 Hobson Ney  
 Hoekstra Hooley (OR)  
 Hooley (OR) Nunes  
 Hostettler Hostettler  
 Hulshof Hulshof  
 Hunter Hunter  
 Hyde Hyde  
 Isakson Isakson  
 Issa Issa  
 Istook Istook  
 Paul Jenkins  
 John John  
 Johnson, Sam Johnson (NC)  
 Jones (NC) Jones (NC)  
 Keller Keller  
 Kilpatrick Kilpatrick  
 King (IA) King (IA)  
 King (NY) King (NY)  
 Kingston Kingston  
 Kirk Kirk  
 Kline Kline  
 Knollenberg Knollenberg  
 Kolbe Kolbe  
 LaHood LaHood  
 Larsen (WA) Larsen (WA)  
 Latham Latham  
 LaTourette LaTourette  
 Lewis (CA) Lewis (CA)  
 Lewis (KY) Lewis (KY)  
 Linder Linder  
 Lucas (KY) Lucas (KY)  
 Lucas (OK) Lucas (OK)

NOT VOTING—9

Berkley Hoyer Millender-  
 Buyer Janklow McDonald  
 Ferguson Jefferson Pelosi  
 Gephardt

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).  
 Members are advised there are 2 minutes remaining in this vote.

□ 1421

Mr. MEEK of Florida changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHADEGG

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 298, not voting 8, as follows:

[Roll No. 381]

AYES—128

Akin  
Ballance  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt  
Brady (TX)  
Brown-Waite,  
    Ginny  
Burgess  
Burton (IN)  
Buyer  
Cannon  
Cantor  
Carter  
Chabot  
Chocola  
Cole  
Collins  
Cox  
Crane  
Cubin  
Cunningham  
Davis, Jo Ann  
Deal (GA)  
DeFazio  
DeLay  
DeMint  
Doolittle  
Duncan  
Emerson  
Everett  
Feeney  
Flake  
Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gibbons  
Gingrey  
Graves

Gutknecht  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hoekstra  
Hooley (OR)  
Hostettler  
Hulshof  
Hunter  
Jenkins  
Jones (NC)  
Keller  
Kennedy (MN)  
King (IA)  
Kingston  
Kline  
Kolbe  
Latham  
Lewis (KY)  
Linder  
Lucas (OK)  
McCotter  
McInnis  
Miller (FL)  
Miller (MI)  
Moran (KS)  
Murphy  
Musgrave  
Myrick  
Nethercutt  
Neugebauer  
Ney  
Norwood  
Nunes  
Osborne  
Wilson (SC)  
Ose  
Otter  
Oxley

Paul  
Pearce  
Pence  
Peterson (PA)  
Pitts  
Pombo  
Porter  
Putnam  
Radanovich  
Renzi  
Reynolds  
Rohrabacher  
Royce  
Ryan (WI)  
Ryun (KS)  
Sandlin  
Scott (GA)  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Smith (MI)  
Souder  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Tancredo  
Terry  
Thornberry  
Tiahrt  
Toomey  
Turner (OH)  
Vitter  
Walden (OR)  
Weldon (FL)  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wynn  
Young (AK)

NOES—298

Abercrombie  
Ackerman  
Aderholt  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballenger  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berman  
Berry  
Biggert  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Burns  
Burr  
Calvert  
Camp  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Case  
Castle  
Clay

Clyburn  
Coble  
Conyers  
Cooper  
Costello  
Cramer  
Crenshaw  
Crowley  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Tom  
DeGette  
DeLauro  
DeLoach  
Dingell  
Doggett  
Dooley (CA)  
Doyle  
Dreier  
Dunn  
Edwards  
Ehlers  
Emanuel  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Frelinghuysen  
Frost  
Gerlach  
Gilchrest  
Gillmor

Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Hall  
Harman  
Hastings (FL)  
Hill  
Hinchev  
Hinojosa  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Houghton  
Hyde  
Inslie  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
    (TX)  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kirk  
Klecza  
Knollenberg  
Kucinich  
LaHood

Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCreery  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Nadler  
Napolitano

Neal (MA)  
Northup  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Peterson (MN)  
Petri  
Pickering  
Platts  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reyes  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sanchez, Linda  
    T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (VA)  
Serrano

Shaw  
Shays  
Sherman  
Sherwood  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stark  
Sweeney  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Tierney  
Towns  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wolf  
Woolsey  
Wu  
Young (FL)

NOT VOTING—8

Berkley  
Ferguson  
Gephardt

Hoyer  
Janklow  
Jefferson

Millender-  
McDonald  
Pelosi

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1428

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SWEENEY) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

□ 1430

## REPORT ON H.R. 2765, DISTRICT OF COLUMBIA APPROPRIATIONS, 2004

Mr. FRELINGHUYSEN, from the Committee on Appropriations, sub-

mitted a privileged report (Rept. No. 108-214) on the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

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

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. PENCE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

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

There was no objection.

## PRIVILEGED REPORT IN THE MATTER OF THE RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. SENSENBRENNER, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 108-215) on the resolution (H. Res. 287) together with dissenting views, directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all physical and electronic records and documents in his possession related to any use of Federal agency resources in any task or action involving or relating to members of the Texas Legislature in the period beginning May 11, 2003, and ending May 16, 2003, except information the disclosure of which would harm the national security interests of the United States, which was referred to the House Calendar and ordered to be printed.

## ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

(Mr. VAN HOLLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN HOLLEN. Mr. Speaker, subject to rule XXII, clause 7(C), I hereby announce my intention to offer a Motion to Instruct on H.R. 1308, the Child Tax Credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One. The House conferees shall be instructed to include in the conference